

## DRAFT STAFF ANALYSIS WP26-01A – SOUTHEAST ALASKA

### Introduction

Please see the WP26-01 master analysis for the Issues, Proponent Statement, Regulatory History, and Discussion and Effects sections.

### Proposed Federal Regulations - Southeast Alaska

#### Unit-specific regulations

**Note:** The Southeast Alaska Region has several DALs that convey broad authority to manage moose, deer, and mountain goat hunts across the region by ranger district, not specific, routine, annual actions by hunt area. Therefore, this delegated authority was put into the regulations for the entire unit, rather than for specific hunt areas. However, this broad authority for wildlife is unique to USFS lands within the Tongass National Forest, and the Board may want to consider whether they are still necessary.

These broad DALs also include the authority to “close Federal public lands to the take of these species by all users.” Similar to the boilerplate authority for closure to nonsubsistence users, OSM did not transfer the authority for closure to all users into the unit-specific regulations.

#### §\_\_\_.26(n) Unit regulations

##### (1) Unit 1

###### *(viii) Unit-specific regulations:*

***(E) The USFS District Rangers after coordination with ADF&G, OSM, and the Chair of the affected Council(s) are authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, and adjust harvest and possession limits for deer, moose, and mountain goats.***

##### (2) Unit 2

###### *(i) Unit-specific regulations:*

***(E) The USFS District Rangers after coordination with ADF&G, OSM, and the Chair of the affected Council(s) are authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, and adjust harvest and possession limits for deer.***

##### (3) Unit 3

###### *(iii) Unit-specific regulations:*

***(E) The USFS District Rangers after coordination with ADF&G, OSM, and the Chair of the affected Council(s) are authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, and adjust harvest and possession limits for deer and moose.***

(4) Unit 4

(iii) Unit-specific regulations:

***(E) The USFS District Rangers after coordination with ADF&G, OSM, and the Chair of the affected Council(s) are authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, and adjust harvest and possession limits for deer.***

(5) Unit 5

(iii) Unit-specific regulations:

***(F) The USFS District Rangers after coordination with ADF&G, OSM, and the Chair of the affected Council(s) are authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, and adjust harvest and possession limits for deer in Unit 5A.***

Goat

**Note:** Goat hunts in Unit 4 are closely managed through annual, routine management actions. Therefore, the authority for the Unit 4 goat hunt was transferred into the specific hunt area, rather than as part of the broad authority for the entire unit (see section above).

The existing DAL for Unit 4 goat does not delegate authority to define harvest zones. However, goat hunts in Unit 4 are currently managed by zones, which have specific quotas and closures. OSM added “define harvest zones” to the unit-specific delegated authority to reflect how goat hunts are actually managed.

**Unit 4—Goat**

*Unit 4—1 goat by State registration permit only*

*Aug. 1-Dec. 31*

***The USFS District Ranger after coordination with ADF&G, OSM, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, adjust harvest and possession limits, define harvest zones, and close Federal public lands to all users.***

**Note:** Goat hunts in Unit 5 are closely managed through annual, routine management actions. Therefore, the authority for the Unit 5 goat hunt was transferred into the specific hunt area, rather than as part of the broad authority for the entire unit (see section above).

The existing DAL for Unit 5 goat specifies the authority is “within the Yakutat Ranger District of the Tongass National Forest.” However, National Park Service (NPS) lands within Glacier Bay National Preserve (GLBA) also occur within Unit 5A. Therefore, OSM removed the limitation of the Yakutat

Ranger District, so the entire hunt area is covered and added GLBA to the list of entities for coordination.

#### **Unit 5A—Goat**

*Unit 5A—that area between the Hubbard Glacier and the West Nunatak Glacier on the north and east sides of Nunatak Fjord* No open season

*Unit 5A, remainder—1 goat by Federal registration permit only* Aug. 1-Jan. 31

***The Yakutat District Ranger after coordination with ADF&G, OSM, Glacier Bay National Park and Preserve, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, adjust harvest and possession limits, and close Federal public lands to all users.***

#### Moose

**Note:** Moose hunts in Unit 5 are closely managed through annual, routine management actions. Therefore, the authority for the Unit 5 moose hunt was transferred into the specific hunt area, rather than as part of the broad authority for the entire unit (see section above).

The existing DAL for Unit 5A moose specifies the authority is “within the Yakutat Ranger District of the Tongass National Forest.” However, NPS lands within GLBA also occur within Unit 5. Therefore, OSM removed the limitation of the Yakutat Ranger District, so the authority applies to entire hunt areas, and added GLBA to the list of entities for coordination in Unit 5A, except Nunatak Bench, east of the Dangerous River.

Unit 5B moose has authority already listed in unit-specific regulations as well as in an associated DAL. OSM combined the two as both are not necessary. Since the harvest quota and management action (closing the season when the quota is met) are specified in regulation, OSM did not see a reason to require coordination of this delegated management authority with other entities (i.e. ADF&G, OSM, Council Chairs).

#### **Unit 5—Moose**

*Unit 5A, Nunatak Bench—1 moose by State registration permit only. The season will be closed when 5 moose have been taken from the Nunatak Bench.* Nov. 15-Feb. 15

***The Yakutat District Ranger after coordination with ADF&G, OSM, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, adjust harvest and possession limits, and close Federal public lands to all users.***

*Unit 5A, except Nunatak Bench, west of the Dangerous River—I bull by joint State/Federal registration permit only. From Oct. 8-21, public lands will be closed to taking of moose, except by residents of Unit 5A hunting under these regulations.*

*Oct. 8-Nov. 15*

***The Yakutat District Ranger after coordination with ADF&G, OSM, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, adjust harvest and possession limits, and close Federal public lands to all users.***

*Unit 5A, except Nunatak Bench, east of the Dangerous River—I bull by joint State/Federal registration permit only. From Sep. 16-30, public lands will be closed to taking of moose, except by residents of Unit 5A hunting under these regulations.*

*Sep. 16-Nov. 15*

***The Yakutat District Ranger after coordination with ADF&G, OSM, Glacier Bay National Park and Preserve, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to set harvest quotas, close/reopen/adjust seasons, adjust harvest and possession limits, and close Federal public lands to all users.***

*Unit 5B—I bull by State registration permit only. **The Wrangell-St. Elias National Park and Preserve superintendent will close the season** ~~will be closed~~ when 25 bulls have been taken from the entirety of Unit 5B.*

*Sep. 1-Dec. 15*

### Wolf

**Note:** The existing DALs are to the Craig District Ranger and the Thorne Bay District Ranger within their respective ranger districts. However, since the DALs were issued, the USFS management structure has changed. Now, the Prince of Wales District Ranger manages all of Unit 2. OSM updated the authority to reflect this change and also removed the unnecessary stipulations on ranger districts to simplify the regulatory language.

## **Unit 2—Wolf Hunting**

*Unit 2—No limit. All wolves taken will be sequentially numbered, marked with the date and location recorded by the hunter for each wolf, and all hides must be sealed within 15 days of take.* Sep. 1-Mar. 31

***The Prince of Wales District Ranger after coordination with ADF&G, OSM, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to close/reopen/adjust seasons.***

## **Unit 2—Wolf Trapping**

*Unit 2—No limit. All wolves taken will be sequentially numbered, marked with the date and location recorded by the trapper for each wolf, and all hides must be sealed within 15 days of take.* Nov. 15-Mar. 31

***The Prince of Wales District Ranger after coordination with ADF&G, OSM, and the Chair of the affected Council(s) is authorized within the regulatory parameters set by the Board, to close/reopen/adjust seasons.***

## **Other Alternative(s) Considered**

Both the authority already delegated in the unit-specific regulations for Unit 5B moose and the existing DAL state the season will be closed when 25 bulls have been taken from Unit 5B. This language only halts moose harvest by federally qualified subsistence users hunting under Federal regulations. Closure of the Federal moose season still allows harvest to occur under State regulations on Federal public lands.

One alternative considered is to modify the authority delegated for Unit 5B moose to close Federal public lands (vs only the season) when 25 bulls have been harvested in Unit 5B. This modification will prevent additional harvest and help protect the moose population after the harvest quota has been met.

Another alternative considered was to preserve the DALs conveying broad authority to manage moose, deer, and mountain goat hunts across the Southeast region by ranger district as letters (vs. transferring into the regulations for the entire unit). This broad authority for wildlife is unique to USFS lands within the Tongass National Forest (and Chugach National Forest lands in Unit 6). The Council and the Board may want to consider whether they are still necessary at all, and if they are, whether they are more appropriately retained as DALs or as codified regulations.

If they are retained as DALs, new DALs will need to be issued as all species are currently combined into one letter (which is also unique to the Southeast and Unit 6 DALs). Some species (i.e. wolves in

Unit 2 and goats in Unit 4) undergo annual, routine management actions, so transferring authority into the regulations for these specific hunt areas is appropriate, while others (i.e. deer in Unit 4) do not have any routine management actions. Any in-season management actions for Unit 4 deer, for example, would be a result of an unforeseen, emergency situation. Therefore, a special action process would be more appropriate.

## OSM PRELIMINARY CONCLUSION

**Support** Proposal WP26-01a **with modification** to retain the broad authority to manage some moose, deer, and mountain goat hunts across the Southeast region by ranger district within the Tongass National Forest in Delegation of Authority letters and to clarify the Unit 5B moose regulations.

The draft regulations read:

### §\_\_\_.26(n) Unit regulations

- (1) Unit 1
  - (viii) Unit-specific regulations:
- (2) Unit 2
  - (i) Unit-specific regulations:
- (3) Unit 3
  - (iii) Unit-specific regulations:
- (4) Unit 4
  - (iii) Unit-specific regulations:
- (5) Unit 5
  - (iii) Unit-specific regulations:

### Unit 5B—Moose

*Unit 5B—1 bull by State registration permit only. **The Wrangell-St. Elias National Park and Preserve superintendent will close Federal public lands to the harvest of moose** ~~the season will be closed~~ when 25 bulls have been taken from the entirety of Unit 5B.* Sep. 1-Dec. 15

## Justification

See the WP26-01 master analysis.

Retaining the broad management authority for district rangers to manage some moose, deer, and mountain goat hunts across the Southeast region in DALs is more appropriate than transferring this authority to the unit-specific provisions by unit. Actions taken in these cases fall outside of routine

management actions and would arise from unforeseen, emergency situations. Therefore, they should be special actions as required in the DALs.

Modifying the Unit 5B moose delegated authority to close Federal public lands (instead of only closing the Federal season) prevents additional moose harvest under State regulations from occurring after the harvest quota has been met.