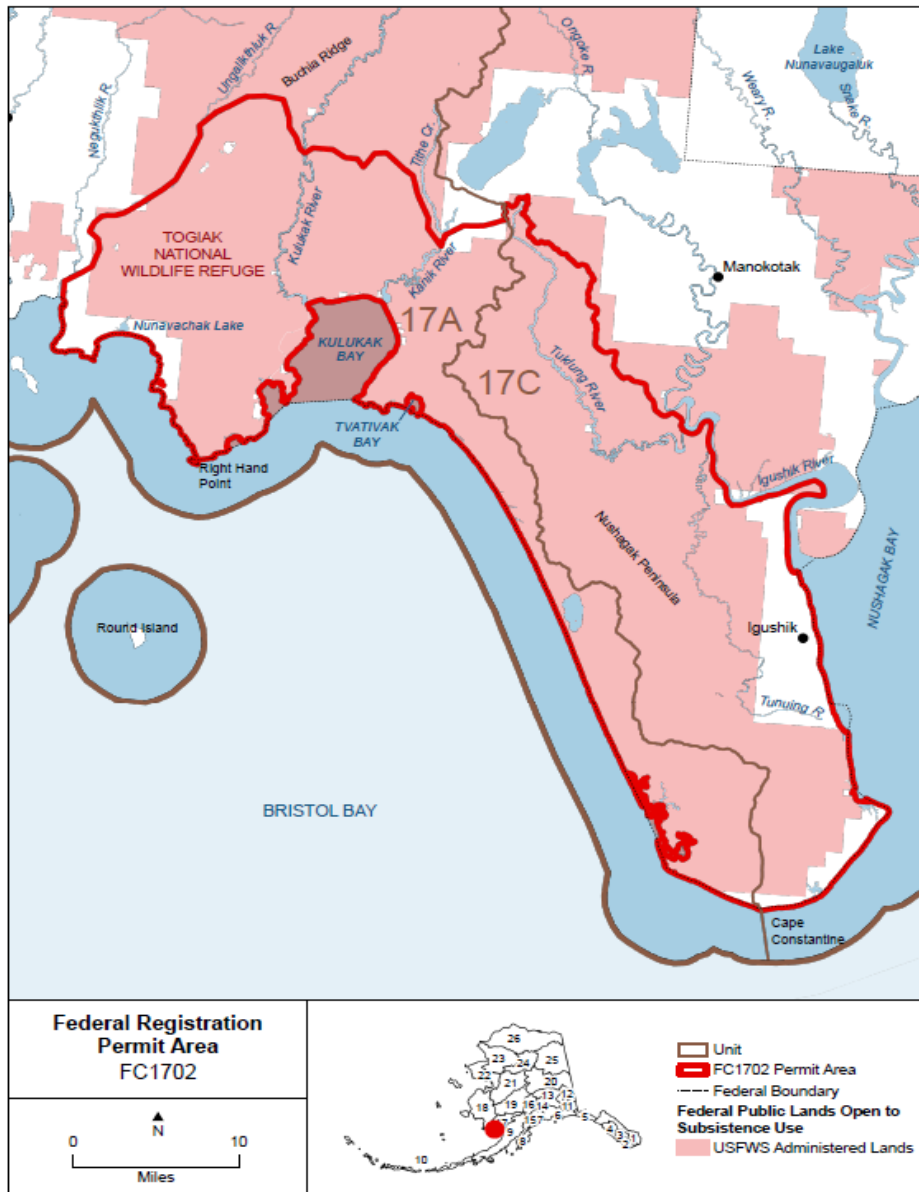


WCR26–07 Executive Summary

General Description	Wildlife Closure Review WCR26-07 reviews the Federal public lands closure in portions of Units 17A and 17C to the taking of caribou except by federally qualified subsistence users unless the Nushagak Peninsula caribou herd (NPCH) population estimate exceeds 900 caribou.
Proposed Regulation	<p>Unit 17—Caribou</p> <p><i>Units 17A and 17C, that portion of 17A east of the <u>Ungalikthluk River</u> and South of <u>Buchia Ridge</u>, and within the lower <u>Kulukak River</u> drainage south of <u>Buchia Ridge</u> and within the <u>Kanik River</u> drainage downstream of the <u>Tithe Creek</u>, that portion of 17C <u>sout of the Igushik River</u> and south of and including the <u>Tuklung river</u> drainage—up to 5 caribou by Federal registration permit (FC1702)</i> <i>Aug. 1 – Mar. 31</i></p> <p><i>Federal public lands are closed to the harvest of caribou except by Federally qualified subsistence users unless the population estimate exceeds 900 caribou.</i></p>
OSM Preliminary Conclusion	Modify the Closure to reduce the population threshold to 600 caribou.
Bristol Bay Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

Draft Wildlife Closure Review WCR26-07

ISSUE: Wildlife Closure Review WCR26-07 reviews the Federal public lands closure in portions of Units 17A and 17C to the taking of caribou except by federally qualified subsistence users unless the Nushagak Peninsula caribou herd (NPCH) population estimate exceeds 900 caribou (**Map 1**). 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.



Map 1. Hunt area boundary for the Nushagak Peninsula Caribou Herd in Units 17A and 17C.

Closure Location and Species: Unit 17 (Nushagak Peninsula) – Caribou

Closure Dates: Year-round

Current Federal Regulations

Unit 17—Caribou

Units 17A and 17C, that portion of 17A east of the Ungalikthluk River and South of Buchia Ridge, and within the lower Kulukak River drainage south of Buchia Ridge and within the Kanik River drainage downstream of the Tithe Creek, that portion of 17C south of the Igushik River and south of and including the Tuklung river drainage—up to 5 caribou by Federal registration permit (FC1702) Aug. 1 – Mar. 31

Federal public lands are closed to the harvest of caribou except by Federally qualified subsistence users unless the population estimate exceeds 900 caribou.

Current State Regulations

Unit 17—Caribou

Unit 17A, all drainages that terminate east of Right Hand Point Residents: Two caribou by permit available online at <http://hunt.alaska.gov> and in person in Anchorage, Bethel, Dillingham, Fairbanks, Homer, King Salmon, Palmer, Soldotna, and at local license vendors beginning July 11 RC501 May be announced

Unit 17C remainder Residents: Two caribou by permit available online at <http://hunt.alaska.gov> and in person in Anchorage, Bethel, Dillingham, Fairbanks, Homer, King Salmon, Palmer, Soldotna, and at local license vendors beginning July 11 RC501 May be announced

Regulatory Year Initiated: 1994; 2018 – closure revised to include population threshold and open hunt to all federally qualified subsistence users

Closure last reviewed: 2022 – WCR22-07

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...

Caribou were reintroduced to the Nushagak Peninsula in February 1988 after an absence of over 100 years. The reintroduction was a cooperative effort between the U.S. Fish and Wildlife Service (USFWS), Alaska Department of Fish and Game (ADF&G), and the villages of Togiak, Manokotak, Dillingham, and Choggiung Limited, with the goal of reestablishing a caribou population large enough to sustain a reasonable harvest, while still allowing the herd to grow.

In 1994, the Board adopted Proposal P94-42, which established subsistence hunt and closed Federal public lands to the harvest of caribou by all users, except by residents of Togiak, Dillingham, Twin Hills, Manokotak, Aleknagik, Clarks Point, and Ekuk. Community studies conducted in four of the seven villages slated to participate in the Nushagak caribou harvest indicated that caribou were an integral component of the seasonal round of wild resource harvest activities.

Council Recommendation for Original Closure

The Bristol Bay Subsistence Regional Advisory Council (Council) supported Proposal P94-42 and the establishment of the hunt as well as the closure to non-federally qualified users by stating that “[Togiak National Wildlife Refuge] will be able to monitor the hunt fairly closely with the Traditional Councils administering the permits; there’s a real ownership with the people in this herd and in the management. The State will keep it closed on the State side so they can honor the original agreement” (FSB 1994).

State Recommendation for Original Closure

The State supported Proposal P94-42 in 1994, stating that they had been part of the Nushagak Peninsula Caribou Management Planning Committee and agreed with its recommendation (FSB 1994).

Extent of Federal Public Lands

The FC1702 hunt area in Units 17A and 17C is comprised of 85% Federal public lands and consists entirely of USFWS managed lands that are part of Togiak National Wildlife Refuge (NWR).

Customary and Traditional Use Determination

Rural residents of Units 9B, 9C, 9E, 17, Lime Village, and Stony River have a customary and traditional use determination for caribou in Unit 17 remainder, which includes the Nushagak Peninsula hunt area.

Regulatory History

Please see the Regulatory History section in the analysis for Proposal WP26-40.

Current Events

Proposal WP26-01 requests to move authority to manage Federal hunts currently delegated to Federal in-season managers through delegation of authority letters (DALs) into unit-specific regulations for many hunts across Alaska and to rescind the associated DALs. The authority delegated to the Togiak NWR manager for in-season management of the FC1702 hunt area for Nushagak caribou is included in this proposal (see **Appendix 1** in the analysis for WP26-40).

Wildlife Proposal WP26-40 requests to close Federal public lands in portions of Units 17A and 17C to caribou hunting by non-federally qualified users and federally qualified subsistence users, except those federally qualified subsistence users residing in Togiak, Twin Hills, Manokotak, Aleknagik, Dillingham, Clark's Point and Ekuk, regardless of the population size of the Nushagak Peninsula Caribou Herd (NPCH).

Biological Background

Please see the Biological Background section in the analysis for Proposal WP26-40.

Cultural Knowledge and Traditional Practices

Please see the Cultural Knowledge and Traditional Practices section of the analysis for Proposal WP26-40.

Harvest History

Please see the Harvest History section of the analysis for WP26-40.

Alternative(s) Considered

One alternative considered is to revise the population threshold for closure to non-federally qualified users from 900 caribou to 600 caribou, to reflect the change in management objectives. When the current threshold was established in regulations in 2018, the upper population objective was 900 caribou. Population management objectives were reduced in 2020 to 200-600 caribou, suggesting 600 caribou as the appropriate threshold for rescinding the closure to non-federally qualified users.

Discussion and Effects

The existing closure strikes an effective management balance that maintains a subsistence priority, while also preventing the herd from exceeding the carrying capacity of its range, particularly due to the annual variability in the NPCH population and harvest. If the closure were lifted, federally qualified subsistence users would lose their subsistence priority and would be less able to meet their subsistence needs because of competition with, and harvest by, non-federally qualified users. If the closure were to

be made more stringent by removing the population threshold, the NPCH would be more likely to exceed carrying capacity by overgrazing its habitat.

OSM PRELIMINARY CONCLUSION

- ☐ **Retain the Status Quo**
- ☐ **Rescind the Closure**
- ☒ **Modify the Closure to reduce the population threshold to 600 caribou.**
- ☐ **Defer Decision on the Closure or Take No Action**

The draft regulation reads:

Unit 17—Caribou

Units 17A and 17C, that portion of 17A east of the Ungalikthluk River and South of Buchia Ridge, and within the lower Kulukak River drainage south of Buchia Ridge and within the Kanik River drainage downstream of the Tithe Creek, that portion of 17C south of the Igushik River and south of and including the Tuklung river drainage—up to 5 caribou by Federal registration permit (FC1702) Aug. 1 – Mar. 31

Federal public lands are closed to the harvest of caribou except by Federally qualified subsistence users unless the population estimate exceeds ~~900~~ 600 caribou.

Justification

The current closure balances concerns of overharvest with those of overgrazing. Closing the hunt to non-federally qualified users when the NPCH population estimate is below 900 caribou provides a subsistence priority, while opening the hunt to all users when the NPCH exceeds 900 caribou helps keep the herd within carrying capacity of its habitat and prevents unnecessary restrictions on non-subsistence users.

However, given the reduction in population objectives in 2020 due to concerns about overgrazing, 600 caribou is now the appropriate threshold for closing to non-federally qualified users. As 600 is the upper bound of the population objective, reducing the population below this amount may be a biological necessity as population estimates exceeding 600 caribou may result in overgrazing and conservation concerns.

LITERATURE CITED

FSB. 1994. Transcripts of Federal Subsistence Board proceedings, April 13, 1994. Office of Subsistence Management, USFWS. Anchorage, AK.