

<b>WCR26-11/12 Executive Summary</b>	
<b>General Description</b>	Wildlife Closure Review WCR26-11/12 is a standard review of Federal subsistence wildlife closures. WCR26-11 reviews a closure to moose hunting by non-federally qualified users in Unit 22B West during the fall season. WCR26-12 reviews the closure to moose hunting, except by residents of White Mountain and Golovin in Unit 22B west during the winter season.
<b>Current Regulation</b>	<p style="text-align: center;"><b>Unit 22B—Moose</b></p> <p><i>Unit 22B, west of the Darby Mountains—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&amp;G</i> <span style="float: right;"><i>Sep. 1-14.</i></span></p> <p><i>Federal public lands are closed to the taking of moose except by federally qualified subsistence users hunting under these regulations</i></p> <p><i>Unit 22B, west of the Darby Mountains—1 bull by either Federal or State registration permit. Quotas and any needed season closures will be announced by the Anchorage Field Office Manager of the BLM, in consultation with NPS and ADF&amp;G.</i> <span style="float: right;"><i>Jan. 1-31.</i></span></p> <p><i>Federal public lands are closed to the taking of moose except by residents of White Mountain and Golovin hunting under these regulations</i></p>
<b>OSM Conclusion</b>	<b>Retain the status quo</b>
<b>Seward Peninsula Subsistence Regional Advisory Council Recommendation</b>	<b>Retain the status quo</b>
<b>Interagency Staff Committee Comments</b>	<b>See full comment at the end of this analysis.</b>
<b>ADF&amp;G Comments</b>	<b>Rescind the closures</b>

**WCR26-11/12 Executive Summary**

<b>Written Public Comments</b>	<b>None</b>
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**Wildlife Closure Review  
WCR26-11/12**

**ISSUE:** Wildlife Closure Review WCR26-11/12 is a standard review of Federal subsistence wildlife closures. WCR26-11 reviews a closure to moose hunting by non-federally qualified users in Unit 22B West during the fall season. WCR26-12 reviews the closure to moose hunting, except by residents of White Mountain and Golovin in Unit 22B west during the winter season (Please see Map 1 in the WP26-58 analysis). 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 22B, west of the Darby Mountains (22B West)—Moose

**Closure Dates:** Year-round.

**Current Federal Regulations**

**Unit 22B—Moose**

*Unit 22B, west of the Darby Mountains—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* *Sep. 1-14.*

*Federal public lands are closed to the taking of moose except by federally qualified subsistence users hunting under these regulations*

*Unit 22B, west of the Darby Mountains—1 bull by either Federal or State registration permit. Quotas and any needed season closures will be announced by the Anchorage Field Office Manager of the BLM, in consultation with NPS and ADF&G.* *Jan. 1-31.*

*Federal public lands are closed to the taking of moose except by residents of White Mountain and Golovin hunting under these regulations*

## Current State Regulations

### Unit 22B–Moose

Unit 22B, remainder Residents: One bull by permit available in person in RM840 Sep. 1-14  
Brevig Mission, Golovin, Nome, Teller, and White Mountain from July 25-Aug. 25. Harvest quota to be announced. Season will be closed by emergency order when quota is reached.

OR

Residents: One antlered bull by permit available in person in White Mountain and Golovin beginning RM843 Jan. 1-31.  
Dec. 1. Harvest quota to be announced. Season will be closed by emergency order when quota is reached.

Nonresidents No open season.

**Regulatory Year Initiated:** 2002

**Closure last reviewed:** 2022 – WCR22-11/12

### 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.

### **Council Recommendation for Original Closure**

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.

### **State Recommendation for Original Closure**

The State supported Proposal WP02-34, as modified by OSM, to shorten the moose season, set a harvest quota, require a registration permit, and restrict harvest to federally qualified subsistence users.

### **Extent of Federal Public Lands**

Unit 22B west of the Darby Mountains is comprised of approximately 28% Federal public lands, consisting of 27% Bureau of Land Management (BLM) and 1% U.S. Fish and Wildlife Service (USFWS) 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 the Regulatory History section in WP26-58.

### **Current Events**

In February 2025, ADF&G closed the RM843 in Unit 22B West by Emergency Order (EO) R05-02-25 (ADF&G 2025). In January 2024, ADF&G closed the RM843 hunt by EO R5-1-24 (ADF&G 2024). This winter season was only open for 5 days total before the harvest quota was reached. In September 2023, ADF&G closed the fall RM840 hunt by EO #R5-6-23 (ADF&G 2023). This hunt was only open for 9 days out of the scheduled 14-day season. These winter hunts have been consistently closed early via EO since 2018 (ADF&G 2019, 2020, 2021, 2022).

### **Biological Background**

Please see Biological Background section in WP26-58.

### **Cultural Knowledge and Traditional Practices**

Please see Cultural Knowledge and Traditional Practices section in WP26-58.

### **Harvest History**

Please see Harvest History section in WP26-58.

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

One alternative considered was to eliminate the Federal moose permit (FM2202) for the winter hunt as it has not been utilized since 2001 as everyone has just used the State permit. Eliminating the permit would decrease regulatory complexity and administrative burden. However, this alternative is beyond the scope of a closure review. A regulatory proposal would need to be submitted to effect this change.

Another alternative considered was to eliminate the closure for the fall season. As the moose hunt is managed by quotas, conservation concerns for eliminating the closure are minimal. Since 2020 when permit restrictions were enacted, federally qualified subsistence users have harvested on average 93% of the moose in Unit 22B West, indicating eliminating the closure would not affect continuation of subsistence uses. However, the Unit 22B West moose population is still below management objectives and calf:cow ratios are very low. Additionally, quotas are quickly met and seasons typically close early, indicating demand for moose in the area far exceeds supply. Therefore, OSM did not consider this alternative further.

### **Effects and Discussion**

If these closures are rescinded, non-federally qualified users would be able to harvest moose on Federal public lands within Unit 22B, west of the Darby Mountains. Even though the Unit 22B West moose

population estimate is stable or slightly increasing, it is still below State management objectives (and the combined estimate is below combined management objectives for Units 22B and 22C) with relatively low recruitment. The bull:cow ratio is above management objectives but the calf:cow ratio is extremely low. This makes the growth potential for the herd small and limits the possibility of reaching management objectives.

While seasons continue to close early and harvest quotas are quickly met, the Unit 22B West moose population cannot withstand any increases in harvest, as evidenced by consistent emergency season closures. As it is managed and protected by harvest quotas, rescinding or modifying these closures would likely result in a zero to minimal increase in harvest. However, federally qualified subsistence users may experience increased competition and decreased harvest success if these closures are rescinded. On Federal public lands, competition with non-local users could reduce harvest opportunity for federally qualified subsistence users during the fall season. However, any increases in competition would likely be very small as federally qualified subsistence users harvest most of the moose in Unit 22B west.

During the winter season, competition with both non-federally qualified users and other federally qualified subsistence users, especially with residents of Nome, may reduce harvest opportunity for residents of White Mountain and Golovin. If the winter season were opened to all federally qualified subsistence users, residents of White Mountain and Golovin would similarly experience increased competition from Nome residents and other federally qualified subsistence users as well as reduced opportunity to harvest moose. The winter hunt is critical for these communities, which harvest all of their moose during the winter season in some years.

## **OSM CONCLUSION**

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

## **Justification**

The moose population in the portion of Unit 22B west of the Darby Mountains continues to be below State management objectives and recruitment remains low. Demand for moose in the area far exceeds supply as hunts typically close early as quotas are quickly met. Therefore, Federal public lands should remain closed to non-federally qualified users for the conservation of a healthy moose population and to allow the continuation of subsistence uses of moose during the fall and winter hunts.

The winter hunt should remain open to the harvest of moose by residents of White Mountain and Golovin only. The Federal closure during the winter hunt will help ensure the continuation of subsistence uses of moose for residents of these communities due to the continued low number of animals available for harvest.

## LITERATURE CITED

ADF&G 2019. Emergency Order 05-06-19. Issued September 6, 2019. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>

ADF&G 2020. Emergency Order 05-08-20. Issued September 4, 2020. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>

ADF&G 2021. Emergency Order 05-06-21. Issued September 9, 2021. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>

ADF&G 2022. Emergency Order 05-04-22. Issued September 7, 2022. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>

ADF&G 2023. Emergency Order R5-6-23. Issued September 9, 2023. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>

ADF&G 2024. Emergency Order R5-1-24. Issued January 5, 2024. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>

ADF&G 2025. Emergency Order R5-2-25. Issued February 14, 2025. Alaska Department of Fish and Game. Nome, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=wcnews.ordersarchive>



## SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATION

### Seward Peninsula Subsistence Regional Advisory Council

The Council voted to **retain status quo** on WCR26-11 and WCR26-12.

**Comments on WCR26-11 and WCR26-12:** Rescinding the closure would increase competition on Federal public lands as this area's harvest quota is reached quickly every year. Keeping the Federal lands closed will maintain opportunity for federally qualified subsistence users. Additionally, the moose population is below management objectives, raising conservation concerns.

### INTERAGENCY STAFF COMMITTEE COMMENT

The Federal Subsistence Board (Board) will need to consider a few key sections of ANILCA before taking action on proposals requesting closures and closure reviews. Specifically, those sections of Title VIII pertaining to Council Deference and the limitations to closures or restrictions of subsistence and nonsubsistence uses on federal public lands.

ANILCA Section 815(3) clarifies that “nothing in this title shall be construed as...authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in 816, to continue subsistence uses of such populations, or pursuant to other applicable law.”

ANILCA Section 816(b) allows for closure or restriction of Federal public lands to subsistence uses of fish and wildlife for “for reasons of public safety, administration, or to assure the continued viability of a particular fish or wildlife population.”

ANILCA Section 805(c) the Board must consider the recommendations of the Councils “concerning the taking of fish and wildlife” on public lands in their regions and may choose not to follow such a recommendation only if it is not supported by substantial evidence, violates recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs.

These three sections speak to the heart of Board authority and require a careful balance between the federal priority, the continuation of subsistence uses, the necessary conservation of subsistence fish and wildlife, and unnecessary restrictions. In the case of WCR26-11/12, there are clear conservation concerns with the moose population below management objectives. The ISC suggests that the Council's recommendation to retain the closure in Unit 22B may meet the criteria for deference.

## ALASKA DEPARTEMENT OF FISH AND GAME COMMENT

### **Wildlife Closure WCR26-11/12**

This is a review of the current closure to the hunting of moose by non-federally qualified users (NFQU) in the fall RM840 and winter RM843 registration moose hunt within Game Management Unit 22B, West of the Darby Mountains.

### **Position**

The Alaska Department of Fish and Game (ADF&G) **SUPPORTS** the elimination of these two closures. The measures ADF&G and the Alaska Board of Game (BOG) have taken in managing moose populations in GMU 22B West makes it so that maintaining the closure in the area is unlikely to result in providing any additional harvest opportunity to FQUs. ADF&G is more than capable of sustainably managing the moose population in this GMU while providing reasonable opportunities for subsistence hunters.

ANILCA §1314(a) explicitly states: "Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands except as may be provided in Title VIII..." Title VIII provides only a narrow exception allowing the Secretary to restrict State-authorized harvest when necessary to meet the needs of federally qualified rural residents. Section 802(2) establishes the policy that "nonwasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive use of all such resources on the public lands of Alaska **when it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population...**" [emphasis added]. Section 804 reiterates this policy and establishes criteria to implement a priority when the above conditions are met. It does not authorize wholesale replacement of State management. Per §815(3) of ANILCA, "...restriction on nonsubsistence uses are only authorized when necessary for the conservation of healthy wildlife populations or to continue subsistence uses."

### **Background**

Moose populations throughout the Seward Peninsula increased during the 1970s and peaked in abundance during the mid-1980s. Density independent factors, specifically severe winters, are believed to have caused the population to decline dramatically in the early 1990s.

The moose population in GMU 22B, West of the Darby Mountains has since persisted at lower densities compared to the peaks in abundance observed in the late 1980s.

The ADF&G, in cooperation with the Bureau of Land Management (BLM), completed an abundance survey in GMU 22B West of the Darby Mountains in 2016 resulting in an estimated abundance of 728 observable moose (90% CI: 609-848). The proportion of short yearlings within the population was estimated at 14%. Previous estimates of the proportion of short yearlings within the population indicated that recruitment was low, averaging 9% from 1999 to 2013.

The abundance estimate for the combined GMU 22B West / 22C survey area is 1416 observable moose (90% CI: 1181-1651). This suggests the population has experienced a 5% annual rate of

increase between 2016 and 2022. The resulting density for the GMU 22B/C area is 0.34 moose/mi<sup>2</sup>. Composition estimates completed in GMU 22B West were obtained in 2025 with 52B:100C which is above management objectives.

In 2002, the BOG adopted a registration permit requirement for moose hunting in GMU 22B West of the Darby Mountains to prevent overharvest. Part of the stipulations for these two registration permits is that they are only available in person in Brevig Mission, Golovin, Nome, Teller, and White Mountain from July 25,-August 25 for the fall hunt and available in person in White Mountain and Golovin beginning December 1 for the winter hunt. Since that time ADF&G has administered both fall and winter registration permit hunts with harvest quotas and emergency order closures issued as need be to prevent overharvest. The quota for the fall RM840 permit was 23 bulls annually from RY2016 to RY2020. The quota for the winter RM843 registration permit hunt is based on estimates of the harvestable surplus for the hunt area and the total reported harvest during the fall RM840 season. The quota for this hunt averaged 9 bulls annually with a range of 7-13 bulls.

On average, 92% of the hunters that participated in the fall RM840 moose hunt in GMU 22B West of the Darby mountains from RY2016 to RY2020 were FQUs. During that same period FQUs harvested on average 88% of the moose taken annually during the fall RM840 hunt.

On average, 99% of the hunters that participated in the winter RM843 moose hunt from RY2016 to RY2020 were FQUs. During this same period, all of the moose harvested during the winter RM843 moose hunt were taken by FQUs. Residents of Golovin and White Mountain harvested on average 90% of the moose taken annually during the winter RM843 hunt.

### **Impact on Federally Qualified Users**

If the closure is rescinded, it is highly unlikely that FQUs will be impacted by the addition of any NFQUs that may take advantage of hunting under RM840 and 843. As has been stated above an overwhelming majority of hunters utilizing state hunting opportunities are FQUs.

### **Impact on Other Users**

If the closure is rescinded, there would be hardly any NFQUs who could take advantage of hunting under either state registration permits as they would need to be physically in one of the communities during the registration period.

### **Opportunity Provided by State**

**State customary and traditional use findings:** The Alaska Board of Game (BOG) has made positive customary and traditional use findings for moose in GMU 22.

**Amounts Reasonably Necessary for Subsistence:** Alaska state law requires the BOG to determine the amount of the harvestable portion of a game population that is reasonably necessary for customary and traditional uses. This is an ANS. The BOG does this by reviewing extensive harvest data from all Alaskans, collected either by ADF&G or from other sources.

ANS provides the BOG with guidelines on typical numbers of animals harvested for customary and traditional uses under normal conditions. Hunting regulations can be re-examined if harvests for customary and traditional uses consistently fall below ANS. This may be for many reasons: hunting regulations, changes in animal abundance or distribution, or changes in human use patterns, just to name a few.

The ANS for Moose in GMU 22 is 250-300 animals. The season and bag limit for GMU 22B is:

<u>GMU/Area</u>	<u>Bag Limit</u>	<u>Open Season (Permit/Hunt #)</u>
<i>Unit remainder</i>	<p><i>22B, Residents: One bull by permit available in person RM840 Sept. 1-14 in Brevig Mission, Golovin, Nome, Teller, and White Mountain from July 25-Aug. 25. Harvest quota to be announced. Season will be closed by emergency order when quota is reached.</i></p> <p><i>OR</i></p> <p><i>Residents: One antlered bull by permit available RM843 Jan. 1-31. in person in White Mountain and Golovin beginning Dec. 1. Harvest quota to be announced. Season will be closed by emergency order when quota is reached.</i></p>	
	<i>Nonresidents</i>	<i>No open season</i>

<sup>a</sup> Subsistence and General Hunts.

**Special instructions:** ADF&G administers registration permit RM840 and RM843 with harvest quotas. These seasons are subject to emergency order closures once the quota is met. Successful hunters are required to report their harvest within 2 days of the kill. Registration permit RM840 is only available in person at license vendors within the hunt area from July 25 to August 25. Registration permit RM843 is only available in person at license vendors in White Mountain and Golovin beginning in early December. The specific date the permits begin to be available varies annually and is published in the current edition of Alaska Hunting Regulations.

**Conservation Issues**

There are no conservation concerns with the elimination of these two closures.

**Enforcement Issues**

The elimination of these closures would result in less enforcement issues for the area.