



## 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

OSM 20114.KD

AUG 20 2020

Louis Green, Jr., Chair  
Seward Peninsula Subsistence Regional Advisory Council  
c/o Office of Subsistence Management  
1011 E. Tudor Road  
Anchorage, Alaska 99503-6199

Dear Chairman Green:

The Federal Subsistence Board (Board) met on April 20-23 and April 27, 2020 via teleconference to consider proposed changes to Federal subsistence management regulations for the harvest of wildlife on Federal public lands in Alaska. This letter provides a report on the actions taken by the Board on Wildlife Proposals (WP) and Wildlife Closure Reviews (WCR) affecting residents of the Seward Peninsula Region.

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 (Council) regarding take unless, (1) the recommendation is not supported by substantial evidence, (2) the recommendation violates recognized principles of fish and wildlife conservation, 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.

Out of 54 proposals submitted, one proposal (**WP20-21**) was withdrawn by the proponent. The Board agreed with the recommendations of the Councils, in whole or with modifications, on 48 of 54 proposals. The Board deferred **WP20-26**, which would allow for the use of snowmachines to assist in positioning wolves or wolverines in Units 9B, 9C, 17B, and 17C, until its summer 2020 work session. Furthermore, the Board accepted the recommendations of the Councils on all 17 WCRs, voting to maintain status quo on 13 of them. Details of these actions and the Board deliberations are contained in the meeting transcriptions. Copies of the transcripts may be obtained by calling the 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 Regional Advisory 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 three proposals affecting the Seward Peninsula Region, which the Board deferred to the Seward Peninsula Subsistence Regional Advisory Council (Council) recommendations as follows: the Board *rejected* statewide proposal **WP20-08**, which required traps or snares to be marked with name or state identification number, and *adopted* **WP20-34**, which extends mink and weasel trapping seasons in Unit 18. The Board also *took no action* on **WP20-39**, consistent with the Council's recommendation.

The remaining proposals affecting the Seward Peninsula Region appeared on the non-consensus agenda. For five of the proposals, the Board took action consistent with the Council's recommendations. The Board *adopted or adopted with modification* **WP20-38** to change moose harvest seasons and prohibit cow and calf harvest in Unit 22D, remainder, **WP20-40** to close Federal public lands to moose harvest in Unit 22D, remainder, except by Federally qualified subsistence users, and **WP20-46** to provide a year-round bull caribou season and allow calf harvest in Unit 23. The Board *rejected* **WP20-41** to rescind the moose hunting closure on Federal public lands in the portion of Unit 22 north of and including the Tagoomenik and Shaktoolik River drainages (Unit 22A north). The Board *took no action* on **WP20-43/44/45** consistent with the Council's recommendations.

The Board's actions on five WCRs for the region were also consistent with the Council's recommendations. The Board *adopted maintaining the status quo* for **WCR20-10, WCR20-28, WCR20-29, WCR20-30, and WCR20-44**, which either reviewed muskox harvest closures for non-Federally qualified users or only allowed for harvest by Federally qualified subsistence users from specific local communities.

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

If you have any questions regarding the summary of the Board's actions, please contact Karen Deatherage, Council Coordinator, at 907-474-2270 or by email at [karen\\_deatherage@fws.gov](mailto:karen_deatherage@fws.gov).

Sincerely,



Anthony Christianson  
Chair

Enclosure

cc: Federal Subsistence Board  
Seward Peninsula Subsistence Regional Advisory Council members  
Sue Detwiler, Assistant Regional Director, Office of Subsistence Management  
Thomas Doolittle, Deputy Assistant Regional Director, Office of Subsistence Management  
Lisa Maas, Acting Policy Coordinator, Office of Subsistence Management  
Tom Kron, Council Coordination Division Supervisor, Office of Subsistence Management  
Karen Deatherage, Subsistence Council Coordinator, Office of Subsistence Management  
Interagency Staff Committee  
Administrative Record

## **FEDERAL SUBSISTENCE BOARD 805(c) REPORT**

April 20-24 and April 27, 2020

via teleconference, Alaska

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 REGION WILDLIFE PROPOSALS**

#### **WP20-42**

**DESCRIPTION:** WP20-42 requests that the Federal public lands closure in the Unit 22A remainder moose hunt be rescinded Sep. 1 – Sep. 30, to coincide with the State’s non-resident moose season.

**COUNCIL RECOMMENDATIONS:** Seward Peninsula Subsistence Regional Advisory Council - Oppose

**BOARD ACTION:** Adopt

**JUSTIFICATION:** This proposal is one of several submitted by the proponent over the past several subsistence regulatory cycles. Previously, the Board rejected opening the area to users other than those residing in Unit 22A. In 2018, however, the Board approved opening Unit 22A, remainder, to all Federally qualified subsistence users residing in Unit 22. At the time, opening the Federal public lands in a manner that would primarily benefit non-resident hunters and guides prior to opening these lands to Federally qualified subsistence users was considered premature. This action expanded the pool of eligible users by opening it to all Unit 22A Federally-qualified

subsistence users, represented an incremental liberalization of this hunt, and provided time to assess the expansion prior to opening up Federal lands to non-Federally qualified users.

At its April 2020 meeting, the Board once again carefully considered conservation and subsistence opportunity conditions during deliberations on WP20-42. Specific biological data is lacking on the status and trend of the moose population in Unit 22A, remainder; however, several adjacent units have medium to high-density moose populations with strong bull:cow ratios. This suggests that in Unit 22A, remainder, the moose population is likely stable or possibly growing. The concern for increased harvest from non-Federally qualified users was also discussed. This area is described as extremely remote, with only one permit issued for guiding on National Wildlife Refuge lands. All non-Federally qualified users would be limited to the taking of bulls only, further reducing harvest by non-locals. Increased guide use on the 7% of Bureau of Land Management land is possible, but likely minimal given the small land base. A priority would still exist for Federally qualified subsistence users, as their season is split and longer by several months. The potential for conflict between users would be moderated by the fact that non-Federally-qualified users could only harvest from Sept. 1-30 for 30 days in September. Federally qualified subsistence users would have first opportunity for moose harvest starting in August and the benefit of a winter season. Harvest data do not show that overharvest is occurring by any user group. Therefore, the Board concluded that the geography, topography, and harvest practices for moose in Unit 22A, remainder, indicate that re-opening this area to non-Federally qualified users will not likely be a detrimental to Federally qualified subsistence users.

The Board recognizes the lack of specific population data in Unit 22A, remainder, and Federal land managers agreed to work with the Alaska Department of Fish and Game to conduct a survey in the near future. If surveys reflect a conservation concern, there is always an option to restrict the area under an emergency special action.