



SOUTHCENTRAL ALASKA
SUBSISTENCE REGIONAL
ADVISORY COUNCIL
Meeting Materials

*October 13-14, 2021
via teleconference*



What's Inside

Page

1	Agenda
3	Roster
5	Winter 2021 Draft Council Meeting Minutes
12	Federal Subsistence Board 805(c) Cover Letter and Report to the Council
18	Alaska Board of Fisheries 2021/2022 Cycle Tentative Meeting Schedule
20	Council Comment Letter on the Alaska Board of Fisheries 2020-2021 Proposals
24	Presentation Procedure for Proposals and Closure Reviews
25	WP22-12
39	WP22-13
49	WP22-14
58	WP22-15
118	WP22-16/17/18/19/21/22/23/24/26a
138	WP22-20/25a/27
158	WP22-25b/26c
182	WP22-28/29
192	WP22-30/31
206	WP22-32
229	WP22-33

On the cover...

Bearpaw Prints, Nabesna Road
Wrangell-St Elias National Park and
Preserve



NPS photo by Neal Herbert

What's Inside

238	WP22-34
244	WP22-35
266	WP22-36
291	WP22-01
309	WP22-02
327	Individual Customary and Traditional Proposal ICTP21-02
340	2022 Fisheries Resource Monitoring Program Statewide Overview
349	2022 Fisheries Resource Monitoring Program Southcentral Region Overview
359	Federal Subsistence Board FY2020 Annual Report Reply
368	Annual Report Reply Process Revision
369	Annual Report Briefing
371	Ahtna Intertribal Resource Commission letter to the Council
373	USDA - Forest Service - Cordova Ranger District Report to the Council
375	NPS Wrangell-St. Elias National Park and Preserve Fall 2021 Fisheries Report
383	NPS Wrangell-St. Elias National Park and Preserve Subsistence and Anthropology Report
388	BLM - Glennallen Field Office Agency Report
392	Building Partnerships and Capacity for Federal Subsistence Fisheries Management and Research in the North
397	Winter 2022 Council Meeting Calendar
398	Fall 2022 Council Meeting Calendar
399	Federal Subsistence Board Subsistence Regional Advisory Council Correspondence Policy
401	Region 2 – Southcentral Map
402	Southcentral Game Management Units Maps
409	Southcentral Fish Management Units Maps
413	Council Charter

SOUTHCENTRAL ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Via Teleconference and Videoconference
October 13-14, 2021, 9:00 am daily

AUDIO: By TELECONFERENCE ONLY - call the toll free number: **1-866-617-1530**, then when prompted enter the passcode: **93629472**

VIDEO: Call (907) 786-3888 or Toll Free: (800) 478-1456 for the link to Microsoft Teams videoconference. **This is an additional option for visual presentations only, not a substitute for the teleconference feed.**

PUBLIC COMMENTS: Public comments are welcome for each agenda item and for regional concerns not included on the agenda. The Council appreciates hearing your concerns and knowledge. Let the Coordinator know if you would like to testify and wait to be recognized by the Council chair. Time limits may be set to provide opportunity for all to testify and keep the meeting on schedule.

PLEASE NOTE: These are estimated times and the agenda is subject to change. Contact staff for the current schedule. Evening sessions are at the call of the chair.

AGENDA

*Asterisk identifies action item.

1. **Invocation**
2. **Call to Order** (*Chair*)
3. **Roll Call and Establish Quorum** (*Secretary*)..... 3
4. **Welcome and Introductions** (*Chair*)
5. **Review and Adopt Agenda*** (*Chair*) 1
6. **Review and Approve Previous Meeting Minutes*** (*Chair*) 5
7. **Reports**
 - Council Members' Reports
 - Chair's Report
8. **Service Awards**
 - Michael Opheim 10 years of service
9. **Public and Tribal Comment on Non-Agenda Items** (available each morning)
10. **Old Business** (*Chair*)
 - a. 805(c) Report – information update (*Council Coordinator*) 12
 - b. Nonrural Determination Policy Update (*OSM*)
 - c. Board of Fish Proposal Comment Update (*Coordinator*)18

11. New Business (Chair)

- a. Southcentral Federal Subsistence Wildlife Harvest Update (*Judy Putera, Milo Burcham, Todd Eskelin*)
- b. Wildlife Proposals* (*OSM Wildlife/Anthropology, USFS*)24

Regional Proposals

- WP22-12** Revise Deer hunt areas and season dates (*USFS*)25
- WP22-13** Add Deer to designated hunter list (*USFS*)39
- WP22-14** Increase Black Bear harvest limits (*USFS*)49
- WP22-15** Establish trap set-backs for furbearers along trails, road, campground (*OSM*).....58
- WP22-16/17/18/19/21/22/23/24/26a** Moose, Caribou, Goat, Sheep: Add Moose Pass to C&T (Units 7, 15A, 15B, 15C) (*OSM*)118
- WP22-20/25a/27** Establishing C&T (Units 7, 15) (*OSM*).....138
- WP22-25b/26b** Sheep: Establish hunt (Unit 7) (*OSM*)158
- WP22-28/29** Moose: Extend Season (Unit 7) (*OSM*)182
- WP22-30/31** Moose: Extend Season (Unit 15) (*OSM*)192
- WP22-32** Big Game: Establish C&T and community of North Fork (Unit 15) (*OSM*)206
- WP22-33** Eliminate Black Bear sealing requirement (Units 11 and 12) (*OSM*)229

Crossover Proposals

- WP22-34** Modify salvage requirements of sheep (Units 11 and 12) (*OSM*)238
- WP22-35** Establish Caribou season and 804 process (Unit 11) (*OSM*)244
- WP22-36** Establish community hunt in Unit 12, modify community hunts in Units 11, 13 (*OSM*)266

Statewide Proposals

- WP22-01** Define participants in a community harvest program and effects on harvest limits (*OSM*)291
- WP22-02** Rescind restrictions for designated hunters in areas with community harvest systems in place (Units 6, 9, 10, 22, 23, 26) (*OSM*)309

- c. Individual Customary and Traditional Proposals ICTP21-02* (request for individual C&T for salmon in Batzulnetas area – Martin) (*NPS*).....327
- d. 2022 Fisheries Resource Monitoring Program (*OSM*) 340
- e. FY2020 Annual Report Reply summary (*Council Coordinator*)..... 359

f. Annual Report Reply Process Revision Discussion (<i>OSM</i>)	368
g. Identify Issues for FY2021 Annual Report* (<i>Council Coordinator</i>).....	369
h. Fall 2021 Council application/nomination open season (<i>Council Coordinator or Council Coordination Division Supervisor</i>)	

12. Agency Reports

(Time limit of 15 minutes unless approved in advance)

Tribal Governments	
Ninilchik Traditional Council	
Native Organizations	
Ahtna Inter-Tribal Resource Commission	371
Native Village of Eyak	
US Fish and Wildlife Service	
USDA - Forest Service.....	373
National Park Service	
Wrangell-St. Elias National Park and Preserve	375
Bureau of Land Management.....	388
Office of Subsistence Management	

12. Future Meeting Dates*

Confirm winter 2022 meeting date and location.....	397
Select fall 2022 meeting date and location	398

13. Closing Comments

14. Adjourn (*Chair*)

Please note that the audio portion of this meeting will be by teleconference only. To call into the meeting, dial the toll free number: 1-866-617-1530, then when prompted enter the passcode: 93629472.

Speakers and presentations can be seen through Microsoft Teams videoconference platform. Call (907) 786-3888 or Toll Free: (800) 478-1456 for the link to Microsoft Teams videoconference. Audio will only be provided via the above-reference teleconference information.

Reasonable Accommodations

The Federal Subsistence Board is committed to providing access to this meeting for all participants. Please direct all requests for special accommodation needs to DeAnna Perry, 907-586-7918, deanna.perry@usda.gov, or 800-877-8339 (TTY), by close of business on September 27, 2020.

REGION 2
Southcentral Alaska Subsistence Regional Advisory Council
as of date of publishing meeting book

Seat	Year Appointed Term Expires	Member Name and Community
1	2016 2022	Edward H. Holston <i>Cooper Landing</i>
2	2011 2022	Michael V. Opheim <i>Seldovia</i>
3	2003 2022	Richard G. Encelewski Ninilchik Chair
4	2016 2022	Diane A. Selanoff Valdez
5	2017 2022	Dennis Zadra <i>Cordova</i>
6	2003 2023	Gloria Stickwan <i>Copper Center (Tazlina)</i> Vice Chair
7	2021 2023	Angela K. Totemoff <i>Anchorage</i>
8	2021 2023	Donna Claus <i>Chitina</i>
9	2021 2023	Andrew T. McLaughlin <i>Chenega Bay</i> Secretary
10	2021 2021	Judith C. Caminer <i>Anchorage</i>
11	2019 2021	Aaron J. Bloomquist Copper Center/Palmer
12	2019 2021	John C. Whissel Cordova
13	2021 2021	Paula Nicklie <i>Cantwell</i>

SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL

Meeting Minutes

Via tele-video conference

February 24-25, 2020

Invocation

Greg Encelewski gave an invocation.

Call to Order, Roll Call and Quorum Establishment

The meeting was called to order Wednesday, February 24-25, 2021, at approximately 9:00 a.m. Council members Ed Holsten, Richard (Greg) Encelewski, Diane Selanoff, Gloria Stickwan, Angela Totemoff, Donna Claus, Andrew McLaughlin, Aaron Bloomquist, and John Whissel were present during the two-day meeting. Paula Nicklie had expected to partially participate, due to a schedule conflict arising from her last-minute membership appointment; however, she was not present during any portion of the meeting. The Council has three vacant seats. A quorum was established with nine of ten seated Council members participating by phone/video.

Attendees:

By Teleconference or Videoconference

- Office of Subsistence Management (OSM): ***Sue Detwiler, Jarred Stone, Robbin La Vine, Katerina Wessels, George Pappas***
- U.S. Forest Service (USFS), Juneau: ***Wayne Owen, DeAnna Perry, Greg Risdahl, Bret Christensen, Stephanie Latimer, Milo Burcham, Steve Namitz***
- Ahtna Intertribal Resource Commission (AITRC): ***Karen Linnell, Jim Simon, Odin Miller***
- Native Village of Eyak (NVE): ***Matte Piche***
- Ninilchik Traditional Council (NTC): ***Darrell Williams***
- Seldovia Village Tribe: ***Michael Opheim***
- Chugach Regional Resources Commission (CRRC): ***Hope Roberts***
- Bureau of Indian Affairs (BIA): ***Pat Petrivelli***
- Kenai National Wildlife Refuge (NWR), U.S. Fish and Wildlife Service (USFWS): ***Ken Gates, Todd Eskelin***
- Bureau of Land Management (BLM): ***Paul (Chris) McKee, Valerie Lenhartzen, Brian Ubelaker***
- National Park Service (NPS), Anchorage: ***Joshua Ream, Victoria Florey, Kim Jochum***
- Wrangell-St. Elias National Park and Preserve (NPP), NPS: ***Judy Putera, Barbara Cellarius, David Sarafin***
- Denali National Park and Preserve, (NPP), NPS: ***Amy Craver***

- Alaska Department of Fish and Game (ADF&G): *Ben Mulligan, Mark Burch, Joelle Hepler, Jeremy Botz, Richard Merizon, Charlotte Westing, Heidi Hatcher, Todd Rinaldi, Jason Herreman, Nick Fowler*
- Members of the Public: *Mary Hake, Faye Ewan.*

Review and Adopt Agenda

Motion by Mr. Whissel, seconded by Mr. Bloomquist, to adopt the agenda as read with no changes. The motion passed unanimously. Items “10e. FP21-10” and “11e. Fisheries Resource Monitoring Project” were later added by unanimous consent.

Election of Officers

Mr. Greg Encelewski was re-elected the Council’s Chair.
 Ms. Gloria Stickwan was re-elected the Council’s Vice Chair.
 Mr. Andrew McLaughlin was re-elected the Council’s Secretary.

Review and Approve Previous Meeting Minutes

Motion by Mr. Whissel, seconded by Mr. Holsten, to approve the fall 2020 meeting minutes with corrections to the first full paragraph on Page 9 that addressed the reasons for opposition to FP21-10 as expressed by the dissenting Council members. The motion passed unanimously.

Council Member and Chair Reports

Edward Holsten of Cooper Landing reported that his community is finally experiencing winter, after experiencing a lot of ice and rain in November and December. He reported that the snowshoe hare population in the area has increased in the last year or so.

Diane Selanoff of Valdez reported that the community is hoping for a better summer fishing season this year. The community is rather quiet with social distancing and other COVID mitigations.

Gloria Stickwan of Tazlina reported that her area experienced a relatively warm winter.

Angela Totemoff of Anchorage shared that since this was her first meeting, she was learning the meeting procedures and how she can contribute in the future.

Donna Claus of the area north of Chitina reported that it seemed that the peak with snowshoe hares was about two years ago and there are almost none now. Usually there are wolves and other predators in winter, but this year even the birds are gone. Weather in the area: almost 13 inches of rain recorded for the area last year and warmer temperatures, as well as a lot of snow.

Andrew McLaughlin of Chenega Bay reported that his area experienced very harsh weather in the fall which resulted in dangerous conditions for goat and deer harvests. Harsh weather persisted and less than

six deer were harvested for the entire village this winter, so deer population is a concern. When weather is good, people are getting subsistence rockfish. Quite a few families got clams; people are getting beyond fear of paralytic shellfish poisoning as chances are less in the winter months.

Aaron Bloomquist of Palmer/Copper Center reported a rather easy winter in the Mat-Su Valley this year. Ice fishing was good. It was fairly warm in the Copper Valley. Mr. Bloomquist informed the Council that he would not be reapplying for membership on the Southcentral Council, but intends to stay involved with issues. In addition, Mr. Bloomquist has recently been appointed to the Big Game Commercial Services Board and will try to act as a liaison and help with communication, unofficially, between the Federal subsistence system and the Commercial Services Board.

John Whissel of Cordova reported that the area experienced a normal winter and the deer harvest seemed patchy; may want to continue to adjust the deer season for better harvest opportunities. Coho harvest remains a concern as well as the number of fish escaping into the Delta. There are some crabs harvested and the test fishery for Golden King Crab in Prince William Sound anecdotally went well; there has been talk of Sea Cucumber harvest. Weather is providing a fair amount of snow in the mountains and churning up the Pacific Ocean, which is good for our fish (lowering water temperatures). The community is hopeful that the lower abundance salmon runs seen in recent years will be replaced by a strong crop from the good winter weather being experienced.

Greg Encelewski of Ninilchik reported a good winter with a fair amount of snow and cooler temperatures. The wolf population is down and moose doing pretty good. Winter fisheries doing well so far. The Ninilchik Traditional Council had a good meeting with the local Federal fish and wildlife manager. Mr. Encelewski also provided a Chair's Report, informing the Council that the Federal Subsistence Board (Board) deferred fisheries proposal FP21-10 and referred it back to Southcentral and Eastern Interior Regional Advisory Councils for further discussion.

Public Testimony

Karen Linnell, Ahtna InterTribal Resource Commission, referenced information from an email from their local fisheries manager on the 2021 Copper River salmon forecast and reminded the Council of previous testimony outlining concerns for the decline and lack of subsistence harvest in the area. This forecast was then shared with Council members. Ms. Linnell also shared observations of fishwheel harvests last season and the low return observed. There is concern that the area will experience similar challenges to those of Yukon/Kuskokwim area where restrictions have been placed on subsistence users. Ms. Linnell also reported that project proposals for Fisheries Resource Monitoring Program had been submitted to conduct more research on escapement etc., on the Copper River and she urged the Council to support collecting more data on the Copper River.

Michael Opheim, Seldovia Village Tribe, Community of Seldovia, provided an update for his area, sharing that the community was concerned this winter when ADF&G wanted to pull their King Salmon fishery from the area. Community members were successful in their large letter writing campaign (to express that the fishery was a big economic boost for the community and it is where people get their fish

for the winter and feed their families), and saved the fishery. Observations in the area: black bears were moving about before the snow and cold temperatures arrived; some moose moving around, including cows with calves; snowshoe hare population good with more coyote and wolf predation; and there is a good number of ducks. The Tribe will be starting a herring project to try to bring the resource back and they are also continuing their Silver Salmon project.

Old Business

Nonrural Determination Process Update

Robbin La Vine with OSM informed the Council of the action taken by the Board on this issue and provided a status update on the 2021 nonrural determination regulatory cycle. Ms. La Vine also provided information on the next steps before a new cycle begins in 2022.

National Park Service Individual Customary and Traditional Use Determinations

Victoria Florey, NPS, presented the Council with the Board's adopted changes to the NPS individual customary and traditional (C&T) use determinations review process. The revised process incorporates two critical recommendations made by Regional Advisory Councils and Subsistence Resource Commissions (SRC):

- 1) includes a formal recommendation from both the affected Councils and the affected SRC; and
- 2) contains no delegation of authority to NPS; Board will retain final decision-making authority.

Amy Craver, NPS, presented the NPS Individual C&T application of Blaine Mayo, et al. Motion by Mr. Whissel, seconded by Ms. Claus, to support the application and the Council found that based on the information presented, there was sufficient evidence to support an individual customary and traditional use determination for Mr. Mayo, et al., for moose in Unit 13E. The motion passed on a unanimous vote.

Denali Subsistence Resource Commission Appointment

Amy Craver, Denali NPS – Denali SRC, reminded the Council of the purpose of the SRC and then presented information on an applicant who met the eligibility criteria to serve on the Commission. Motion by Ms. Stickwan, seconded by Ms. Totemoff, to appoint Caleb Holum as a Southcentral Regional Advisory Council appointee on the Denali SRC. The motion passed on a unanimous vote.

State Board of Fisheries Proposals

The Council discussed Board of Fisheries (BOF) proposals, some of which were identified during its fall 2020 meeting. Many of these proposals addressed similar issues that were contained in the Federal fisheries proposals upon which the Council provided recommendations to the Board during its fall 2020 regulatory meeting. The Council received information from Federal and State staff as well as public testimony from: Hope Roberts – (CRRC) / InterTribal Federal Subsistence Cooperative Management Alliance; Karen Linnell, Odin Miller – (AITRC); Jim Simon – consultant for CRRC and AITRC. The Council will be submitting a written public comment letter to BOF supporting proposals 6, 7, 8, 9, 10, 14, 15, 16, and opposing proposals 5, 18, and 22.

Federal Fisheries Proposal 21-10 Update

The Council was advised that at its last meeting, the Board deferred action on this proposal to such time as the Southcentral and Eastern Interior Councils could meet and work to develop a compromise proposal that would be supported by all those affected. The Chair of the Eastern Interior Regional Advisory Council (EI RAC) was given the courtesy to address the Council on this issue.

Motion by Mr. Holsten, seconded by Ms. Selanoff, to schedule the Council's fall meeting (to include one day as a joint meeting with EI RAC) for October 13-15, 2021, in Anchorage.

Motion by Ms. Totemoff, seconded by Ms. Selanoff, to choose October 6 – 8, 2021, as alternate dates with an alternative location of Fairbanks. The motion passed with 8 votes in favor to 1 against.

Fisheries Resources Monitoring Program Information Update

Jarred Stone, OSM, provided an update on the Fisheries Resource Monitoring Program and reminded everyone that the funding opportunity deadline is March 15, 2021. Applications will be reviewed and the results will be presented to the Council at its next meeting. No action by the Council was necessary.

New Business

The Council received a Federal Subsistence Fisheries and Wildlife Update for the Southcentral Region from Dave Sarafin, Judy Putera, Barbara Cellarius, and Todd Eskelin. Rick Merizon, ADF&G, also provided an overview of a pending State snowshoe hare proposal.

Call for Federal Wildlife Proposals

Katerina Wessels, OSM, provided the Council with information on the current opportunity to change Federal regulations for subsistence harvest for July 1, 2022 – to June 30, 2024 regulatory years.

Council member, John Whissel, proposed two wildlife proposals and offered suggested language to (1) modify deer season length in Game Unit 6D; and (2) add a sentence to 'Special Provisions' in Unit 6 to reflect: *"Any recipient may designate any federally qualified member of their household to take any deer in Unit 6."*

Motion by Ed Holsten, seconded by John Whissel, to submit the 'designated hunter' proposal for Unit 6. The motion passed on a unanimous vote. The Council supported the change to the designated hunter rule allowing any Federally qualified member of the household to proxy hunt because only a single quota can be in their possession at any given time and the Federal subsistence take of deer would, statistically, be barely relevant in comparison to the overall harvest.

Motion by John Whissel, seconded by Ed Holsten, to submit a proposal to extend deer season in Unit 6D. The motion passed on a unanimous vote. The Council supported the elimination of 'one buck' from the regulation in recognition that successful harvests are coming later in the season and that extending the deer season in Unit 6D without the requirement of the take to be a buck in January, provides additional opportunity and increased chances of fulfilling the subsistence users' needs. This also takes into

consideration the challenge of identifying the sex of a deer during a time when many bucks are shedding antlers and buck/doe identification is difficult.

Council Charter Review

The Council reviewed and discussed its Charter, which is renewed every two years.

Motion by Ms. Claus, seconded by Mr. Bloomquist, to add the following language to the Council's charter: SERVICE OF MEMBERS – any member of any Advisory Council may serve after the expiration of the member's term until a successor is appointed. The motion passed on a unanimous vote.

Review and Approve FY2020 Annual Report

The Council reviewed the drafted Annual Report and approved the following topics for inclusion into the final FY-2020 Annual Report:

- Council Vacancies – seats not filled during last appointment cycle
- Climate Change
 - unpredictable effects on subsistence resources (migratory patterns, travel conditions)
 - ocean acidification: poor performance of Southcentral region Sockeye Salmon
- Postponement of action by the Board on the NPS Individual C&T delegation of authority process
- State prioritizing de facto subsistence priority
- Federal regulations should not be more restrictive than State regulations for resources, per ANILCA

Motion by Ms. Totemoff, seconded by Mr. Whissel, to approve the annual report as discussed. The motion passed on a unanimous vote.

Motion by Gloria Stickwan, seconded by Mr. Holsten, to add suggested language from Ms. Linnell regarding funding research on Copper River salmon fisheries. Motion failed with 1 vote in favor and 7 against. The Council supported the intent but believed this issue would be better addressed in a letter by AITRC to the Board than as an item on the Council's Annual Report.

Correspondence

Council member, Andrew McLaughlin, raised the issue of State jurisdiction for marine waters in the Prince William Sound area and the disservice suffered by subsistence users due to one-sided management. The Council discussed this and similar challenges in Cook Inlet, Nanwalek, and Port Graham. Mr. McLaughlin read proposed language for the letter regarding the Prince William Sound jurisdiction matter into the record.

Motion by Mr. Whissel, seconded by Mr. Holsten, to use Mr. McLaughlin's suggested language for a letter from the Council to the Board. The motion passed on a unanimous vote.

Agency Reports:

- Sue Detwiler, new Assistant Regional Director, Office of Subsistence Management, introduced herself to the Council and expressed her appreciation for the Council's work
- Darrell Williams presented the Ninilchik Traditional Council Subsistence report
- Karen Linnell, Executive Director, presented the Ahtna InterTribal Resource Commission report
- Matt Piche, Biologist and Natural Resources Coordinator, presented the Native Village of Eyak report
- Katerina Wessels, Acting Policy Coordinator, presented the Office of Subsistence Management program and special action updates
- Ken Gates, Fish Biologist, presented the USFWS – Kenai National Refuge report
- Milo Burcham, Chugach NF Subsistence Program Leader, presented the USDA Forest Service – Chugach National Forest report
- Judy Putera, Wildlife Biologist; Dave Sarafin, Fisheries Biologist; and Barbara Cellarius, Wrangell-St. Elias Subsistence Coordinator, presented National Park Service – Wrangell-St. Elias National Park and Preserve updates on fisheries, wildlife, and anthropology
- Brian Ubelaker, Wildlife Biologist, Glennallen Field Office, presented the Bureau of Land Management report

Future Meeting Dates:

Fall 2021 meeting to be held October 13-14, 2021 in Anchorage.

Winter 2022 meeting to be held February 10-11, 2022, in Anchorage.

DeAnna Perry, Designated Federal Officer
USDA Forest Service

Richard (Greg) Encelewski, Chair
Southcentral Subsistence Regional Advisory Council

These minutes will be formally considered by the Southcentral Subsistence Regional Advisory Council at its fall 2021 meeting, and any corrections or notations will be incorporated in the minutes at that meeting.

A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Call DeAnna Perry at 1-800-478-1456 or 907-209-7817, email deanna.perry@usda.gov.



FISH and WILDLIFE SERVICE
BUREAU of LAND MANAGEMENT
NATIONAL PARK SERVICE
BUREAU of INDIAN AFFAIRS

Federal Subsistence Board

1011 East Tudor Road, MS 121
Anchorage, Alaska 99503 - 6199



FOREST SERVICE

OSM 21050.DP

AUG 30 2021

Richard (Greg) Encelewski, Chair
Southcentral Subsistence Regional Advisory Council
c/o Office of Subsistence Management
1011 E. Tudor Road, M/S 121
Anchorage, AK 99503-6199

Dear Chairman Encelewski:

The Federal Subsistence Board (Board) met on January 26-29, 2021 via teleconference to consider proposed changes to Federal subsistence management regulations for the harvest of fish and shellfish on Federal Public lands and waters in Alaska, fisheries closure reviews, and a nonrural determination proposal. This letter is to provide a report on the actions taken by the Board on proposals and closure reviews affecting Federally qualified subsistence users.

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 management, 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 14 fisheries proposals submitted, one proposal (FP21-04) was withdrawn by the proponent. The Board agreed with the recommendations of the Regional Advisory Councils, in whole or with modifications, on 9 proposals. The Board deferred its decision on Proposal FP21-10 to allow conflicting user groups to meet and attempt to reach a compromise. The Board reviewed 12 fisheries closure reviews and accepted the recommendations of the Regional Advisory Councils on 10 of 12 fisheries closure reviews. The Board voted to maintain status quo on 2 of them (FCR21-01 and FCR21-22) and to eliminate one of the closures (FCR21-06). The Board deferred 7 of 12 fisheries closure reviews (FCR21-08, -09, -11, -13, -16, -18, and -19) until next fisheries cycle to allow the Council to meet with communities and discuss the closures. The Board deliberated one rural determination proposal RP19-01 and agreed with the Southcentral Alaska Subsistence Regional Advisory Council recommendation with modification.

Details of these actions and the Boards' deliberations are contained in the meeting transcriptions. Copies of the transcripts may be obtained by calling 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 and closure reviews 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 fisheries proposals and closure reviews were deemed non-controversial and did not require a separate discussion. The consensus agenda contained one fisheries proposal affecting the Southcentral Region, which the Board deferred to the Southcentral Alaska Subsistence Regional Advisory Council's (Council) recommendation as follows: The Board adopted fisheries proposal FP21-09 to revise Kenai River regulations to remove the terms early- and late-run in reference to Chinook Salmon and replace the terms with dates.

The remaining fisheries proposals affecting the Southcentral Alaska Region appeared on the non-consensus agenda. However, for two of the proposals, the Board took action consistent with the Council's recommendations. The Board rejected fisheries proposal **FP21-12** requesting to prohibit the use of monofilament and multifilament mesh dip nets before August 15 in the Upper Copper River District in deference to the Southcentral Alaska and Eastern Interior Alaska Subsistence Regional Advisory Councils. The Board rejected fisheries proposal **FP21-13** requesting to prohibit fishing with dip nets from boats or craft floating in the river, only allow dip net use from banks, on the upper Copper River consistent with the recommendation of the Southcentral Alaska Subsistence Regional Advisory Council.

The Board's actions on the remaining three fisheries proposals were inconsistent with the Council's recommendations and are therefore outlined in the attached report. A sole nonrural proposal **RP19-01** appeared on the non-consensus agenda to allow for the Board deliberation because it was the first ever nonrural proposal for the Board's consideration. The Board agreed with the recommendations of the Southcentral Alaska Subsistence Regional Advisory Councils to deem Moose Pass a rural community and further defined the community of Moose Pass as also encompassing the communities of Crown Point and Primrose Census Designated Areas for nonrural determination status purposes.

The Federal Subsistence Board appreciates the Southcentral 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 noteworthy.

If you have any questions regarding the summary of the Board's actions, please contact DeAnna Perry, Council Coordinator, at 907-209-7817 or deanna.perry@usda.gov.

Sincerely,



Anthony Christianson,
Chair

Enclosure

cc: Federal Subsistence Board
Southcentral Regional Advisory Council members
Sue Detwiler, Assistant Regional Director, Office of Subsistence Management
Amee Howard, Deputy Assistant Regional Director and Acting Fisheries Division Supervisor
Office of Subsistence Management
Robbin La Vine, Policy Coordinator, Office of Subsistence Management
George Pappas, State Subsistence Liaison, Office of Subsistence Management
Katerina Wessels, Council Coordination Division Supervisor
Office of Subsistence Management
DeAnna Perry, Subsistence Council Coordinator, USDA – Forest Service
Interagency Staff Committee
Administrative Record

FEDERAL SUBSISTENCE BOARD 805(c) REPORT

[corrected]

January 26-29, 2021

Anchorage, 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.

SOUTHCENTRAL AREA FISHERIES PROPOSALS

Fisheries Proposal FP21-10: Establish a dip net fishery for Sockeye Salmon in the lower Copper River

DESCRIPTION: FP21-10 requests the Board implement a salmon subsistence fishery in the lower Copper River adjacent to the Copper River Highway with a harvest limit of 15 salmon other than Pink Salmon for the first two members of a household and 10 salmon for additional household members, with not more than 5 Chinook Salmon per household, using dip net, rod and reel, spear, or gaff only.

COUNCIL RECOMMENDATIONS:

Southcentral Alaska Subsistence Regional Advisory Council – **Support** with OSM modification

Eastern Interior Alaska Subsistence Regional Advisory Council – **Oppose**

BOARD ACTION: **Defer** (~~until next fish cycle~~) to allow conflicting user groups to meet and attempt to reach a compromise

JUSTIFICATION: The Board voted to defer this proposal because it has resulted in a disagreement between Regional Advisory Councils, some tribal communities, and other Federally qualified subsistence users. The deferral will give the Southcentral and the Eastern

Interior Regional Advisory Councils time to meet and work toward a compromise that can be supported by those affected. These regions and communities are already faced with a greatly diminished fisheries resource from which to meet their subsistence needs, and it is important to find, or at least explore, a compromise and identify if there are cooperative solutions between the Regional Advisory Councils. Cordova residents already have a meaningful priority for subsistence fishing in the Copper River however not all residents have the means and resources to access locations where that opportunity currently exists. This proposal would provide additional access to Copper River salmon and the harvest is anticipated to be a small portion of the overall Copper River harvest. Regardless, the Board hears the concerns of residents from the upper Copper River watershed that salmon harvest is declining and requires increased effort. The Board does not want to pit subsistence users against each other over a very small proportion of the fishery. It has faith in the Regional Advisory Council process and believes that the Councils may be able to create a consensus proposal that the Board could consider in the future.

Fisheries Proposal FP21-11: Recording and reporting daily salmon harvest in the upper Copper River District

DESCRIPTION: FP21-11 requests that the Board require that daily harvest of salmon be recorded and reported to the agency issuing the permit within three days of harvest in the upper Copper River District

COUNCIL RECOMMENDATIONS:

Southcentral Alaska Subsistence Regional Advisory Council – **Support**

Eastern Interior Alaska Subsistence Regional Advisory Council – **Support**

BOARD ACTION: **Reject**

JUSTIFICATION: The Board's opposition is consistent with the recommendations of the Wrangell St. Elias Subsistence Resource Commission and the Office of Subsistence Management. While the Board agrees in concept with the Southcentral Alaska and Eastern Interior Alaska Subsistence Regional Advisory Councils about the need for in-season harvest information, opposing the proposal is justified per Section 26 .805(c)(1). There is no evidence that a mandatory three-day harvest reporting requirement is the best way to collect such information and there is no substantial evidence that requiring this burden of the subsistence user would be worthwhile in terms of the information gathered. The Board recognized that rural users are frequently not connected online. The proposed mandatory requirement tied to every Federal subsistence fishing permit is burdensome and will likely result in a high degree of non-compliance. The proposed requirement would also only address harvests by Federally-qualified subsistence users who make up a relatively small percentage of the Copper River fishers.

Fisheries Proposal FP21-14: Prohibit use of fish finder from watercrafts in the upper Copper River

DESCRIPTION: FP21-14 request that the Board prohibit use of onboard devices that indicates bathymetry and/or fish locations (fish finders) while fishing from boats or other watercraft in the upper Copper River

COUNCIL RECOMMENDATIONS:

Southcentral Alaska Subsistence Regional Advisory Council – **Oppose**

Eastern Interior Alaska Subsistence Regional Advisory Council – **Support**

BOARD ACTION: **Adopt.** The Board clarified that these devices may not be used; however, they do not have to be removed or uninstalled from the boat or watercraft.

JUSTIFICATION: The Board adopted this proposal (with clarification) in deference to the Eastern Interior Alaska Subsistence Regional Advisory Council and because of the overwhelming public testimony in support of this proposal. The Board opined that this restriction would have a very limited negative impact on subsistence opportunity; although, the Board feel that the burden of conservation should not be placed on the Federally qualified subsistence users in the upper Copper River. The Board found that there was no evidence that this equipment provides substantial benefits on the river; however, the Board thinks that it is a starting point to evaluate how restrictions of this nature can help facilitate future conservation efforts driven by the local users and that in the future a closer look needs to be taken at the distribution of harvest along the whole river system to adjust regulations accordingly. The Board sees the need for the ways to jointly work with the Councils and the State towards conservation and to fully understand the issue. The Board clarified that this regulation would prohibit the use of bathymetry equipment and fish finders while fishing from a boat or watercraft but would not prohibit the devices from being on board entirely as that prohibition would be beyond the jurisdiction of this Board.

Nonrural Proposal RP19-01: Rural determination for Moose Pass

DESCRIPTION: RP19-01 requests Moose Pass be considered a rural community, independent of the greater Seward area.

COUNCIL RECOMMENDATIONS:

Southcentral Alaska Subsistence Regional Advisory Council – **Support**

BOARD ACTION: Adopt with OSM modification to define the community of Moose Pass as encompassing the communities of Moose Pass, Crown Point, and Primrose Census Designated Areas.

JUSTIFICATION: Moose Pass, Crown Point, and Primrose share a rural experience with other Southcentral rural communities that include: reliance on wild foods; reduced amenities and services; geographic isolation; and a shared sense of identity as a cohesive rural community. Public testimony, discussions within these communities, harvest surveys, and harvest reports demonstrate consistent participation in hunting and fishing opportunities in Moose Pass, Crown Point, and Primrose designated places. All residents who provided testimony described the importance of wild foods in their diet and home. It would be difficult to justify separating Primrose and Crown Point from Moose Pass when determining rural status, given their very close juxtaposition and common subsistence-based lifestyles. Opportunities for Primrose and Crown Point to gain rural status determination should be the same as Moose Pass.



ALASKA BOARD OF FISHERIES

2021/2022 CYCLE TENTATIVE MEETING SCHEDULE

(This tentative schedule shifts the 2020/2021 meeting to 2021/2022. Subsequent meeting cycles all shift down a year.)

Prince William Sound Finfish and Shellfish (except shrimp); Southeast and Yakutat Finfish and Shellfish; Statewide All Shellfish (including Prince William Sound shrimp, excluding all other Prince William Sound shellfish, Southeast, and Yakutat)

Meeting Dates	Topics	Location	Comment Deadline
October 20-21, 2021 [2 days]	Work Session ACRs, cycle organization, Stocks of Concern	Anchorage Egan Civic and Convention Center	Oct. 6, 2021
Nov. 30-Dec. 6, 2021 [7 days]	Prince William Sound/Upper Copper and Upper Susitna Rivers Finfish and Shellfish (Except shrimp)	Cordova The Cordova Center	Nov. 15, 2021
January 4-15, 2022 [12 days]	Southeast and Yakutat Finfish and Shellfish	Ketchikan Ted Ferry Civic Center	Dec. 22, 2021
March 10, 2022 [1 day]	Hatchery Committee	Anchorage TBD	Feb. 23, 2022
March 11-16, 2022 [6 days]	Cook Inlet, Kodiak, Westward, Arctic Shellfish and Shellfish General Provisions, and Prince William Sound Shrimp	Anchorage TBD	Feb. 24, 2022

Proposal Deadline: Not applicable (*was April 24, 2020*)

Total Meeting Days: 28

Agenda Change Request Deadline: Monday, August 23, 2021 [*60 days prior to fall work session*]

Updated July 19, 2021



Long-Term Meeting Cycle
 (Three-year cycle)

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. The fisheries include subsistence, sport, guided sport, personal use, and commercial. Special petition and agenda change request procedures are available for the board to consider out-of-cycle requests.

NOTES:

- 1) In the year preceding a board cycle, the board will announce a call for proposal that prescribes which regions, species, and fisheries are set for regulatory review.
- 2) The proposal deadline is April 10 every year. If April 10 falls on a weekend, the proposal deadline is the Friday preceding that weekend.

Meeting Areas and Species
Prince William Sound Area all Finfish and Shellfish (except Shrimp) Southeast/Yakutat Areas all Finfish and Shellfish Cook Inlet, Kodiak, Westward, Arctic Shellfish and Shellfish General Provisions, and Prince William Sound Shrimp <i>Meeting Cycle Years:</i> 2021/2022 2024/2025 2027/2028 2030/2031
Alaska Peninsula/Bering Sea-Aleutian Island/Chignik Areas all Finfish Arctic-Yukon-Kuskokwim Areas all Finfish Bristol Bay Area all Finfish Statewide Provisions for Finfish <i>Meeting Cycle Years:</i> 2022/2023 2025/2026 2028/2029 2031/2032
Cook Inlet Area all Finfish Kodiak Area all Finfish <i>Meeting Cycle Years:</i> 2023/2024 2026/2027 2029/2030 2032/2033

The meeting cycle repeats itself every three years. This schedule was adopted November 9, 1990 and revised based on workload and public participation.



Southcentral Alaska Subsistence Regional Advisory Council

c/o Office of Subsistence Management
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503-6199
Phone: 907-786-3888 Fax: 907-786-3898
Toll Free: 1-800-478-1456

RAC SC 21015.DP

MAY 13 2021

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: PUBLIC COMMENTS ON 2020-2021 ALASKA BOARD OF FISHERIES PROPOSALS

Dear Alaska Board of Fisheries Members:

The Southcentral Alaska Subsistence Regional Advisory Council (Council) is one of ten regional advisory councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act. Section 805 of ANILCA and the Council's charter establish its authority to initiate, review, and evaluate regulations, policies, management plans, and other matters related to subsistence within the Southcentral Alaska region.

At its February 24-25, 2021 meeting, the Council reviewed and discussed several Alaska Board of Fisheries (BOF) proposals for Prince William Sound finfish. Many of the issues addressed by these BOF proposals were similar to issues presented in Federal subsistence fisheries proposals, which came before the Council during its fall 2020 regulatory meeting. These Federal subsistence fisheries proposals were presented to the Council as potential modifications on the Federal subsistence fishery and the Council made recommendations to the Federal Subsistence Board on them.

Now, the Council would like to offer comments on specific BOF proposals. The Council takes its responsibility to provide a meaningful preference for Federal subsistence users seriously and is only willing to consider the proposed restrictions **after** they are first adopted in the State managed subsistence and personal use fisheries. Although there may be value to the BOF proposals, this Council cannot support restrictions placed on Federally qualified subsistence users until restrictions are implemented and enforced on lower-priority fisheries.

The Council specifically offers the following comments to be considered at the upcoming Alaska BOF meeting addressing these proposals:

BOF Proposal 5: OPPOSE

The Council is opposed to modifying the Copper River Salmon Management Policy in any way. There has been a fairly low abundance of King Salmon over the last 10 years and if this policy is modified by lowering the ‘Optimum Escapement Goal,’ to manage for the 10-year rolling average, the State would be managing for a declining fish population. The existing policy should continue to provide for a minimum of 24,000 King Salmon (Sustainable Escapement Goal) in the system. Therefore, the Council opposes BOF Proposal 5 and supports maintaining the status quo for the Copper River Salmon Management Policy.

BOF Proposal 6: SUPPORT

The Council believes that due to the low salmon run forecast, there is a need for personal use and sport fish daily reporting to keep managers informed about conditions in the river to aid in State resource management decisions.

BOF Proposal 7: SUPPORT

The Council recognizes that guiding activity has significantly increased in recent years, specifically in the Chitina area, and it is reasonably expected to continue to increase in the future. Based on the information provided at its recent meeting, the Council felt there was a conservation concern based on the low runs last year for the Upper Copper River and the State’s forecast for next season. This proposal would place more State-level restrictions on a resource that has been proven to be unpredictable and at times, diminishing.

BOF Proposal 8: SUPPORT

The Council felt that this proposal would help relieve some of the conflicts between user groups. Fish often concentrate in certain areas, specifically King Salmon, at the mouth of the Gulkana River; and, if dipnetting is allowed to increase near the tributary mouths of the Upper Copper River, it could have a significant effect on the ability for other user groups to harvest fish.

BOF Proposal 9 & 10: SUPPORT

The Council found that these proposals would significantly affect the harvest by Upper Copper River users. Dipnetting from a boat is an easy way to catch a large amount of fish. Prohibiting dipnetting from a boat at the State-level will have a positive impact on the ability of salmon to migrate to their spawning grounds.

BOF Proposal 14 & 15: SUPPORT

The Council is concerned about high salmon mortality, especially King Salmon. The Council heard anecdotal evidence of ‘high-grading’ and other activities associated with dipnetting, whereby its very nature decreases the probability of survival. The Council recognizes the need to protect the fishery resource and supports State regulations that prohibit or limit the use of monofilament and multifilament mesh associated with increased risk of mortality. It is important that sufficient numbers of healthy fish survive to reach their spawning grounds.

BOF Proposal 16: SUPPORT

The Council believes devices such as depth or fish finders offer only limited utility to target fish; however, it recognized that these devices may have an impact in the future as technology continues to evolve. As a safety issue, one needs to be able to ‘read’ the river instead of trying to

navigate with a device that might not provide adequate navigational information due to the river being silty. Fishing from a boat has become more popular and using devices could enable fishers to target and harvest a large amount of fish preventing enough King and Sockeye salmon to reach their spawning grounds. The Council recognizes that there may law enforcement challenges to prohibiting these devices from being on boats.

BOF Proposal 18: OPPOSE

The Council believes extending the lower boundary and allowing boat dipnetters a longer continuous drift (which may be viewed as trawling), will encourage more participation and result in increased harvests. This will affect the upriver fisheries and migration of King and Sockeye salmon. An extension could also make it more challenging for the Native Village of Eyak (NVE) to gather crucial mark/recapture program data. If there is no way to determine if harvests occurred above or below the NVE research fishwheels, the number of King Salmon reported at the end of the year may not be statistically valid. Such an inaccuracy could affect the management of this important resource. Lastly, this area of the river is difficult to read and extending the boundary could create an increased safety risk. There should not be a fishery established or extended in an area where people are transitioning.

BOF Proposal 22: OPPOSE

The Council believes that the purpose behind this proposal is to have the BOF review the customary and traditional use determination for other less desirable finfish in an attempt to ultimately request a customary and traditional use determination for salmon in this area. The Council does not support making a customary and traditional use determination for salmon because it would prohibit the subsistence fishery from being shut down in times of low abundance. In the State system, everyone is a subsistence user and it is problematic for those outside the Chitina Subdistrict to have as much say and access to the resource as those living locally and depend on the fish in that system do. This increase in access could also be detrimental to the fish stocks and cause future conservation concerns.

The Council appreciates the opportunity to comment on these BOF proposals and recognizes the importance of both State and Federal management of fisheries resources that are relied upon by Southcentral subsistence users. If you have any questions regarding this letter, they can be addressed through our Council Coordinator, DeAnna Perry, at 907-209-7817, deanna.perry@usda.gov.

Sincerely,



Richard Greg Encelewski,
Chair

cc: Federal Subsistence Board
Southcentral Alaska Subsistence Regional Advisory Council Members
Sue Detwiler, Assistant Regional Director, Office of Subsistence Management

Hannah Voorhees Acting Policy Coordinator, Office of Subsistence Management
Tom Kron, Statewide Support Division Supervisor, Office of Subsistence Management
Katerina Wessels, Council Coordination Division Supervisor,
Office of Subsistence Management
DeAnna Perry, Subsistence Council Coordinator, Office of Subsistence Management
George Pappas, State Subsistence Liaison and Acting Fisheries Division Supervisor,
Office of Subsistence Management
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game
Mark Burch, Special Projects Coordinator, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record

Presentation Procedure for Proposals and Closure Reviews

1. Introduction and Presentation of Draft Staff Analysis

2. Report on Board Consultations:

- a. Tribes
- b. ANCSA Corporations

3. Agency Comments:

- a. ADF&G
- b. Federal
- c. Tribal

4. Advisory Group Comments:

- a. Other Regional Advisory Council(s)
- b. Fish and Game Advisory Committees
- c. Subsistence Resource Commissions

5. Summary of Written Public Comments

6. Public Testimony

7. Regional Council Recommendation (motion to adopt)

8. Discussion/Justification

- Is the recommendation consistent with established fish or wildlife management principles?
- Is the recommendation supported by substantial evidence such as biological and traditional ecological knowledge?
- Will the recommendation be beneficial or detrimental to subsistence needs and uses?
- If a closure is involved, is closure necessary for conservation of healthy fish or wildlife populations, or is closure necessary to ensure continued subsistence uses?
- Discuss what other relevant factors are mentioned in OSM Draft Staff Analysis

9. Restate final motion for the record

10. Council's Vote

WP22-12 Executive Summary

General Description	Proposal WP22-12 requests that the deer season in Unit 6 be extended through January 31. <i>Submitted by: Southcentral Alaska Subsistence Regional Advisory Council</i>
Proposed Regulation	<p>Unit 6—Deer</p> <p><i>5 deer; however antlerless deer may be taken only from Oct. 1–Dec. 31. Jan. 31.</i> <i>Aug. 1–Dec. 31–Jan. 31</i></p> <p><i>Unit 6D—1 buck</i> <i>Jan. 1–Jan. 31</i></p>
OSM Preliminary Conclusion	<p>Support Proposal WP22–12 with modification to restrict the harvest limit during the January season to two deer.</p> <p>The modified regulation should read:</p> <p>Unit 6—Deer</p> <p><i>5 deer; however antlerless deer may be taken only from Oct. 1–Dec. 31. Up to 2 of the 5 deer harvest limit may be taken between Jan. 1 and Jan. 31.</i> <i>Aug. 1–Dec. 31–Jan. 31</i></p> <p><i>Unit 6D—1 buck</i> <i>Jan. 1–Jan. 31</i></p>
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	2 oppose

**DRAFT STAFF ANALYSIS
WP22-12**

ISSUES

Proposal WP22-12, submitted by Southcentral Alaska Subsistence Regional Advisory Council, requests that the deer season in Unit 6 be extended through January 31.

DISCUSSION

The proponents believe that lengthening the deer season in Unit 6 through January 31 should be authorized because many subsistence users have not been able to harvest enough deer to feed their families due to mild winters, which decreases hunter success. Early in the season, deer are often found in rugged, mountainous terrain and hunting them can be physically demanding, and deer can be difficult to spot in dense brush. Winter snowpacks that push deer to the beaches where they are more easily accessed by hunters have occurred later in recent winters. Hunters that cannot participate in early-season hunts must wait until later in the season when reduced foliage allows deer to be more easily seen and heavy snowpack forces deer down near the coast where they are more accessible.

Existing Federal Regulation

Unit 6—Deer

5 deer; however, antlerless deer may be taken only from Oct. 1–Dec. 31

Aug. 1–Dec. 31

Unit 6D – 1 buck

Jan. 1- Jan. 31

Proposed Federal Regulation

Unit 6—Deer

*5 deer; however antlerless deer may be taken only from Oct. 1–~~Dec.~~
~~31~~ Jan. 31.*

*Aug. 1–~~Dec. 31~~–Jan.
31*

Unit 6D–1 buck

Jan. 1–Jan. 31

Existing State Regulation

Unit 6 – Deer

<i>Residents—5 deer total</i>	<i>Bucks</i>	<i>Aug. 1–Sept. 30</i>
	<i>Any deer</i>	<i>Oct.1–Dec. 31</i>
<i>Nonresidents—4 deer total</i>	<i>Bucks</i>	<i>Aug. 1–Sept. 30</i>
	<i>Any deer</i>	<i>Oct. 1–Dec. 31</i>

Extent of Federal Public Lands

Federal public lands comprise approximately 71% of Unit 6 and consist of 49.2% U.S. Forest Service managed lands, 13.8% Bureau of Land Management managed lands, and 7.6% National Park Service managed lands (**Figure 1**).

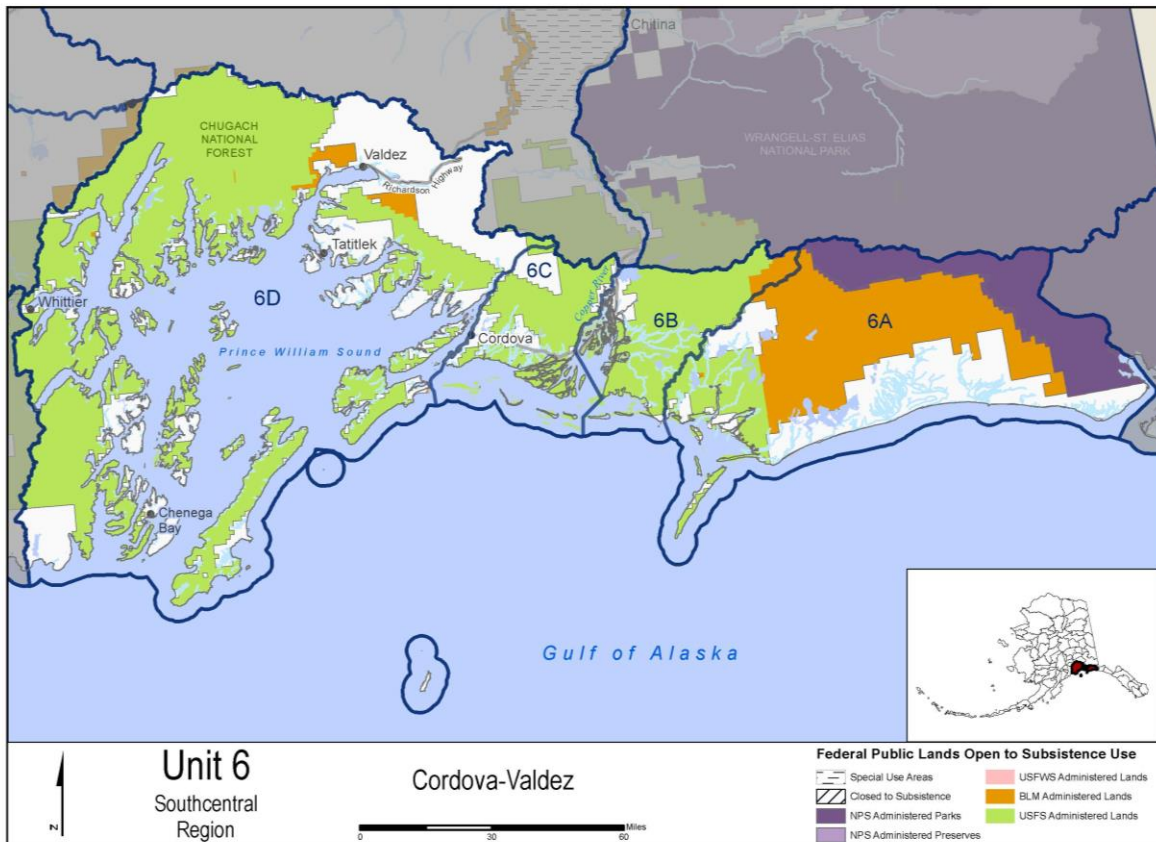


Figure 1. Unit 6 hunt area

Customary and Traditional Use Determinations

The Federal Subsistence Board (Board) has not made a customary and traditional use determination for deer in Unit 6; therefore, all rural residents of Alaska may harvest deer in Unit 6.

Regulatory History

In 1990, the Board adopted subsistence regulations for deer hunting from State regulations. The initial Federal deer season was Aug. 1–Dec. 31 with a limit of 5 deer, but antlerless deer could only be taken from Sept. 15–Dec. 31.

In 1991, Proposal P91-118 was submitted by the Chugach National Forest, Forest Supervisor to reduce the harvest limit from 5 to 4 deer and shorten the antlerless deer season from Sept. 15–Dec. 31 to Nov. 1–Dec. 31 in Units 6C and 6D. The proposal was submitted due to concerns about a population decline following heavy snow years. The Board adopted the proposal with modification to extend the regulatory changes to all of Unit 6 to match recent changes to State regulations (FWS 1991).

In 1996, the Board adopted Proposal P96-21, which extended the antlerless season from Nov. 1–Dec. 31 to Oct. 1–Dec. 31 (FWS 1996).

In 2012, the Alaska Department of Fish and Game (ADF&G) closed the State deer season to residents and nonresidents on December 7, 2012 via Emergency Order. The closure was due to heavy snowfall that concentrated deer on and near beaches, which likely increased the population's vulnerability to harvest. The Copper River/Prince William Sound Fish and Game Advisory Committee (Advisory Committee) and ADF&G agreed the deer population in Unit 6 should be protected from overharvest following the winter of 2011/12, when the population experienced an estimated overwinter mortality of 50%–70% (Westing 2014). The Advisory Committee recommended that both the State and Federal deer seasons be closed on December 7 and that the Cordova District Ranger be delegated the authority to close the season when there are conservation concerns (Copper River/Prince William Sound Fish and Game Advisory Committee, 2012).

In 2012, the Board approved Emergency Special Action (WSA12-10) with modification, shortening the antlerless deer season from Oct. 1–Dec. 31 to Oct.1–Dec. 7 (FWS 2012). The modification gave the Cordova District Ranger the ability to close the season for all hunting if further conservation concerns arose. Federally qualified subsistence users were still able to harvest antlered deer until December 31, 2012.

In 2013, the State issued an Emergency Order to close the resident and nonresident antlerless deer season in Unit 6 at 11:59 p.m. on October 31, 2013. Subsequently, the Board closed Federal public lands in Unit 6 (WSA13-07) to the harvest of antlerless deer by Federally qualified subsistence users, effective at 11:59 p.m. on Nov. 1, 2013 (FWS 2013). These actions were taken to reduce the hunting mortality of female deer and aid in population recovery following the severe winter of 2011/12.

In 2016, the Board adopted Proposals WP16-11 and WP16-12, addressing season length and harvest limits for deer in Unit 6. Proposal WP16-11 lengthened the season in Unit 6D through January 31 with a harvest limit of 1 buck, citing increased difficulty harvesting deer early in the season because of later onset of winter snows due to climate change. The extended season was limited to just bucks to minimize impacts to the population that could result from harvesting females. Proposal WP16-12 increased the Federal harvest limit from 4 to 5 deer in Unit 6, recognizing that the Federal harvest limit had been lower than the State harvest limit.

Biological Background

Sitka black-tailed deer were introduced to Unit 6 between 1916 and 1923 (Paul 2009). The deer population rapidly increased and expanded throughout Prince William Sound (Reynolds 1979). Sitka black-tailed deer are at the northern limit of their range in Unit 6; however, the population has thrived due to the mild, maritime climate conditions in Prince William Sound, which are similar to their natural range in coastal southeast Alaska (Shishido 1986 *referenced in* Crowley 2011).

Sitka black-tailed deer occupy a variety of habitats throughout the year, from low elevation forests and beaches to alpine habitats (Schoen and Kirchhoff 2007). Deer are more dispersed during summer, but snow depth restricts their winter distribution to lower elevations (Schoen and Kirchhoff 2007). The breeding season begins in late October and peaks in late November (Schoen and Kirchhoff 2007). Throughout the species' range, bucks generally shed their antlers between mid-December and mid-April (Anderson and Wallmo 1984), but in a British Columbia study most antlers were dropped between January and March (British Columbia Ministry of Environment, Lands and Parks 2000). In southcentral Alaska, hunters commonly observe the beginning of antler shed during the latter part of the hunting season in December.

The deer population in Prince William Sound is limited by snow depth and duration. Heavy snow events have caused multiple major winter mortality events in the area (Reynolds 1979, Crowley 2011). Populations typically increase and then disperse after a series of mild winters, but decline following severe winters (Reynolds 1979, Crowley 2011). Deep snow and high harvest during the winter of 2011/2012 resulted in an estimated mortality of 50%–70% of the deer population in Prince William Sound (Westing 2014). Deep snow concentrates deer along beach fringes, which can be overgrazed if deer are forced to remain there for an extended period of time, and can result in starvation (Reynolds 1979). Deer are also more vulnerable to harvest while concentrated on the beaches and harvesting under these circumstances could become additive to total mortality, rather than compensatory, and result in higher total winter mortality. Predation is not considered a significant mortality factor for deer in Prince William Sound (Reynolds 1979).

The State has set a population objective of 24,000–28,000 deer with an annual harvest objective of 2,200–3,000 deer in Unit 6; however, currently there are no means of estimating the abundance of deer in the unit (Crowley 2011, Westing 2013). Instead, ADF&G and the Chugach National Forest use deer-pellet surveys in Unit 6D, which encompasses Prince William Sound, as an index of the relative density of deer. The mean number of deer pellet groups observed declined overall between 1996 to 2019 (**Figure 1**), but

showed a marked increase from 2017-2019, approximating 1996 levels (Westing 2013). However, deer pellet surveys are not sensitive to previous year winter mortality events, because deer deposit pellets through most of the winter until succumbing to starvation in the spring (Crowley 2012, pers. comm.).

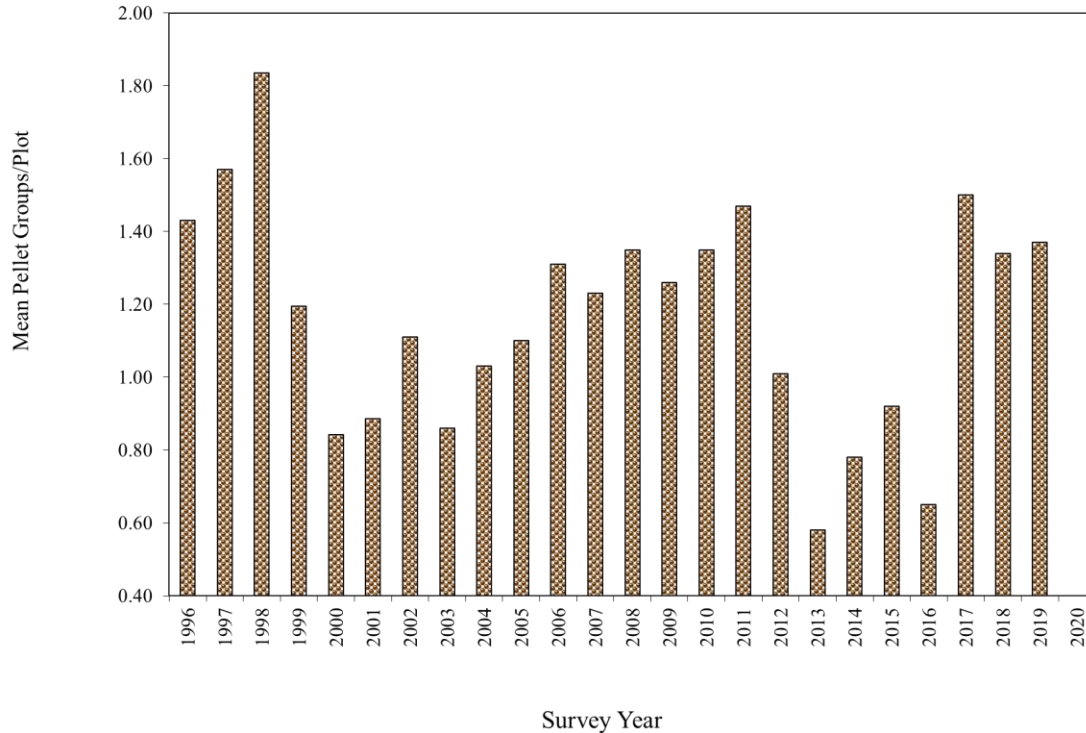


Figure 2. Deer pellet density observed along transects in Unit 6. Deer pellet density provides an index of the relative density of deer in the unit (Crowley 2011, Crowley 2012, pers. comm., Westing 2013, 2014, Westing 2021, pers. comm.).

Thus, there is a one year lag between mortality events and decrease in deer pellet density. Deer pellet counts conducted in 2012 and 2013 by ADF&G and the U.S. Forest Service corroborated the 50-70% mortality rate during the severe winter in 2011/2012 (Crowley 2011, Westing 2013). The 2012/2013 mean number of pellet groups per plot (0.58) was the lowest recorded by ADF&G since 1995 and represented a 61% decline from 2010/2011. Biologists also found evidence of the mortality event during the deer pellet surveys conducted in June 2012. Ten deer carcasses were encountered during transects, whereas zero to one are encountered during normal years. Although differences in topography and snow retention among the islands in Prince William Sound can result in local variation in deer densities, declines in deer pellet densities were observed on all islands and in nearly every location during the 2013 survey, but have largely recovered since then (**Figure 1**, Westing 2021).

Harvest History

Prior to 2011, deer harvest in Unit 6 was estimated from harvest questionnaires mailed to a sample of hunters who were issued State harvest tickets. It is difficult to identify deer harvested by Federally qualified subsistence users, as results are categorized by residents of Unit 6 (local residents), residents outside of Unit 6 (nonlocal residents), and nonresidents (**Table 1**). Thus, the local and nonlocal resident categories include both Federally qualified subsistence users and non-Federally qualified subsistence users. However, beginning in 2011/2012, harvest reports were given to each user issued a State harvest ticket, improving reporting by connecting each user to a community. The interim harvest report showed that approximately 45% of the reported resident harvest was by local Federally qualified subsistence users (residents of Cordova, Chenega Bay, Tatitlek, and Whittier), 50% by non-Federally qualified Alaska residents, and 5% by nonlocal Federally qualified subsistence users (ADF&G 2012). Approximately 98% of the reported harvest by local Federally qualified subsistence users was from Cordova residents (ADF&G 2012), which was similar to the results of the household survey conducted in 2003 (95% of reported harvest). The majority of harvest by non-Federally qualified subsistence users was from Anchorage residents (approximately 38% of reported harvest), and 5% of the reported harvest was associated with Valdez residents, which is a nonrural community in Unit 6 (ADF&G 2012). Local and nonlocal residents were the primary users (29% and 66% of the estimated hunters, respectively) and accounted for 39% and 59% of the estimated harvest between 2010/2011 and 2019/2020, respectively (**Table 1**). McLaughlin (2015) reported a decline in hunter success during the winter of 2014-2015. This may be due in part to the relatively warm winter which allowed the deer to remain more dispersed at higher elevations where they are less available to Federally qualified subsistence users (Westing 2014). Local residents have the highest success rates of the deer hunters in Unit 6, averaging 1.6 deer per year between 2010/11 and 2019/20 (**Table 1**).

From 2006 to 2012, the sex ratio of the harvest was approximately 62% male and 38% female (Crowley 2011, Westing 2013). Harvest reports between 2005/2006 and 2009/2010 showed that most of the annual deer harvest occurred during October (19%–35%), November (25%–35%), and December (18%–24%) (Crowley 2011, Westing 2013). Few deer have been harvested during the extended January season since the season was lengthened in 2016. Harvest chronology is similar to previous years, as users often prefer hunting after snow has pushed deer to lower elevations and because the rut, which occurs in November, increases the harvest vulnerability of bucks (Crowley 2011, Westing 2013). Deer were primarily harvested by hunters using boats (76%–86%) as their primary transportation method (Crowley 2011, Westing 2013). A large proportion of the yearly take of deer by the residents of Cordova, the largest of the three communities, occurs on Hawkins Island, which is in relatively close proximity to town.

Cultural and Traditional Use

Deer are an important resource for the subsistence way of life for residents of Unit 6. The most recent data from comprehensive household subsistence surveys in Unit 6, which were conducted by ADF&G in 2014 in Chenega Bay, Cordova, and Tatitlek, demonstrate the importance of deer. In Chenega Bay, 8 of the 12 participating households (75% of the sample; there was an estimate of 17 total households in the community) reported using deer on a deer in a 2014 comprehensive household subsistence survey

(ADF&G 2021a). More households in the survey used deer than any other large land mammal. Residents in the survey reported harvesting a total of 6 deer for a total weight of 259.2 lbs. It is estimated that the community harvested 9 deer for a total weight of 367.2 lbs.

More residents of Tatitlek also used deer than any large land mammal. In the 2014 comprehensive household survey, 17 of the 21 participating households (81% of the sample; there was an estimated 27 households in the community) reported that they used deer (ADF&G 2021c). Residents claimed that they harvested 28 deer, and it is estimated that the community harvested a total of 38 deer. In Cordova, 83 of the 184 participating households (45% of the same; there was an estimate of 950 households in the community) reported using deer (ADF&G 2021b). Residents reported harvesting 91 deer, and it is estimated that the whole community harvested 472 deer. In terms of large land mammals, only moose was used by more residents than deer in the sample.

Deer has also been one of the most important resources for the culture and traditions of those living in Unit 6, including food sharing. In all three of the communities surveyed, more households shared deer with others than any other large land mammal (ADF&G 2021a, 2021b, and 2021c). In Chenega Bay, 8 households said that they received deer from others (67% of the sample), and 4 households (25% of the sample) claimed that they gave it to others. One-hundred and twenty-one of the surveyed households (66% of the household) reported receiving deer from others, and 64 households (35% of the sample) gave it to others. In Tatitlek, 10 households in (48% of the sample) claimed that they received deer from others, and 9 households (43% of the sample) said that they gave it to others. These findings demonstrate that deer is one of the most important wild resources used for resource redistribution and maintaining social networks in the region.

According to locals, the capacity to harvest deer is variable and depends on winter weather. A large proportion of the yearly take of deer by the residents of Unit 6 is in within the unit (Fall 2006). Local hunters have the most success hunting deer when there is snow. At the February 2021 Southcentral Regional Advisory Council (Council) meeting, the proponent explained: “Deer hunting is very challenging earlier in the season, it's only very late in the season when a lot of people are able to participate, and the deer are sort of pushed down [by snow] and not on the peaks. And that season is getting later and later” (SCRAC 2021b). Supporting this theory that it is more difficult to harvest deer when there isn't snow, another resident at the meeting reported “I hunted four times this year and I didn't connect once, so that's not too common, although I didn't get a chance to hunt when the snow flew” (SCRAC 2021a). The association between snowfall and harvest rates as been mentioned at past Council meetings. In the March 2019 meeting, a resident said, “[It was] a mild winter. Good for the deer population assuming, but that also correlates to probably lower harvest rates because of less snow conditions concentrating the deer in the places where they are harvested” (SCRAC 2019). Local knowledge posits that it is easier to harvest deer during snowy winter months.

Table 1. Unit 6 deer harvest 2010-2020 (Crowley 2012, pers. comm., Westing 2013, 2014, FWS 2015, Westing 2021, pers. comm.).

Year	Local resident		Nonlocal resident		Nonresident		Total deer harvested
	Hunters	Deer harvested (deer/hunter)	Hunters	Deer harvested (deer/hunter)	Hunters	Deer harvested (deer/hunter)	
2010/2011	352	805(2.2)	775	778(1.0)	60	60(1.0)	1643
2011/2012	455	1202(2.6)	888	1426(1.6)	51	48(0.9)	2676
2012/2013	196	156(0.8)	606	367(0.6)	50	13(0.3)	536
2013/2014	212	228(1.1)	490	303(0.6)	41	3(0.1)	534
2014/2015	360	434(1.2)	793	858(1.1)	37	6(0.2)	1298
2015/2016	443	655(1.5)	936	977(1.0)	52	54(1.0)	1686
2016/2017	508	907(1.8)	1216	1601(1.3)	74	46(0.6)	2554
2017/2018	412	558(1.4)	943	849(1.3)	85	48(0.6)	1455
2018/2019	461	773(1.7)	888	916(1.0)	56	16(0.3)	1705
2019/2020	444	773(1.7)	1102	1319(1.2)	63	49(0.8)	2141

Other Alternatives Considered

In addition to the proposal submitted by the proponent, and the modification suggested by OSM in the preliminary conclusion, another modification considered would be to allow two of the five deer harvest limit to be either-sex, while the remainder must be antlered bucks. This would allow additional opportunity, by allowing all five deer to be taken in the extended season. It would address conservation concerns by limiting the harvest of females to two, and conserve bucks by only allowing those retaining antlers to be harvested. This regulation would also be more complicated and could be difficult to enforce as antlers readily fall off of bucks after or during harvest late in the season.

Effects of the Proposal

If this proposal is adopted, it would lengthen the deer season by one month through January 31 in Unit 6. A longer season would provide increased opportunity for Federally qualified subsistence users to harvest deer during the winter when they are more accessible because snow often pushes deer to lower elevations and onto the beaches in Prince William Sound. By allowing the harvest of either sex deer during the

extended season, hunters would not have to discriminate between does, and bucks that have already shed their antlers.

Although the deer population in Unit 6 has largely recovered from the decline after the severe winter of 2011-12, deer are more vulnerable to harvest when pushed to beaches where they are easily accessed by hunters on boats. It is thought that when winter conditions are severe, hunter harvest can become an additive source of mortality to winter kill. Additionally, heavy harvest of does can slow recovery of the deer population after severe winter events.

Federally qualified subsistence users, especially residents of Cordova, harvest a significant portion of the deer taken in Prince William Sound, and are responsible for most of the harvest from Hawkins and Hinchinbrook Islands. While, few bucks have been harvested from Unit 6D during the January season since 2016, increasing the harvest limit and allowing the harvest of does late in the season would likely increase participation in the late season hunt.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22–12 **with modification** to restrict the harvest limit during the January season to two deer.

The modified regulation should read:

Unit 6—Deer

5 deer; however antlerless deer may be taken only from Oct. 1–Dec. 31. Up to 2 of the 5 deer harvest limit may be taken between Jan. 1 and Jan. 31.

Aug. 1–~~Dec. 31~~ Jan. 31

Unit 6D—1 buck

Jan. 1–Jan. 31

Justification

While lengthening the deer season by one month through January 31 and allowing the harvest of does would provide additional opportunity to harvest red meat, it also increases harvest pressure at a time when deer can be pushed to beaches by deep snow where they are most vulnerable. Qualified rural residents already have a long and liberal season for deer in Unit 6, extending 5 months from 1 August through 31 December for up to 5 deer, and an additional month through 31 January for up to one buck. The proposed modification would reduce the impact to deer populations by limiting harvest during the time when they are most vulnerable, but still provide additional opportunity for qualified rural residents. This would also reduce additive mortality during more severe winters and speed recovery of the deer populations following these events.

LITERATURE CITED

- ADF&G. 2012. General Harvest Reports. <https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvestreports.main>. Retrieved: November 26, 2012.
- ADF&G. 2021a. Chenega Bay: 2014. <http://www.adfg.alaska.gov/sb/CSIS/index.cfm?ADFG=harvInfo.harvest>. Retrieved: August 2, 2021
- ADF&G. 2021b. Tatitlek: 2014 <http://www.adfg.alaska.gov/sb/CSIS/index.cfm?ADFG=harvInfo.harvest>. Retrieved: August 2, 2021
- ADF&G. 2021c. Cordova: 2014 <http://www.adfg.alaska.gov/sb/CSIS/index.cfm?ADFG=harvInfo.harvest>. Retrieved: August 2, 2021
- Anderson, A. E., and O. C. Wallmo. 1984. *Odocoileus hemionus*. Mammalian Species, No. 219:1–9.
- British Columbia Ministry of Environment, Lands and Parks. 2000. Mule and black-tailed deer in British Columbia: ecology, conservation and management. Province of British Columbia.
- Copper River/Prince William Sound Fish and Game Advisory Committee. 2012. Meeting minutes for November 15, 2012. Cordova, AK.
- Crowley, D. W. 2011. Unit 6 deer management report. Pages 81–95 in P. Harper, editor. Deer management report of survey and inventory activities 1 July 2008–30 June 2010. ADF&G. Juneau, AK.
- Crowley, D. W. 2012. Wildlife biologist. Personal communication: email, phone. ADF&G. Cordova, AK.
- Fall, J. A., editor. 2006. Update of the status of subsistence uses in *Exxon Valdez* oil spill area communities. *Exxon Valdez* Oil Spill Restoration Project Final Report (Restoration Project 040471), ADF&G, Division of Subsistence. Anchorage, AK.
- FWS. 1991. Staff analysis P91-118. Office of Subsistence Management, FWS. Anchorage, AK
- FWS. 1996. Staff analysis P96-21. Office of Subsistence Management, FWS. Anchorage, AK
- FWS. 2012. Staff analysis WSA12-10. Office of Subsistence Management, FWS. Anchorage, AK
- FWS. 2013. Staff analysis WSA13-07. Office of Subsistence Management, FWS. Anchorage, AK
- FWS. 2015. Harvest database. Office of Subsistence Management. FWS. Anchorage, AK.
- McLaughlin, A. 2015. Proposal for amendment to the Federal Subsistence Hunting Regulations, in FWS. 2016-2018 Wildlife Hunting and Trapping Proposals, Anchorage, AK. 2 pp.
- Paul, T. W. 2009. Game transplants in Alaska. Technical bulletin No. 4, second edition. ADF&G. Juneau, AK.
- Reynolds, J. L. 1979. History and current status of Sitka black-tailed deer in Prince William Sound. Pages 177 – 183 in O. C. Wallmo and J. W. Schoen, editors. Sitka black-tailed deer: Proceedings of a conference in Juneau, Alaska. U.S. Department of Agriculture Forest Service, Alaska Region. Series No. R10-48. 231 pp.

Schoen, J., and M. Kirchhoff. 2007. Sitka black-tailed deer (*Odocoileus hemionus sitkensis*). Pages 1 – 16 in J. W. Schoen and E. Dovichin, editors. The coastal forests and mountains ecoregion of southeastern Alaska and the Tongass National Forest: a conservation assessment and resource synthesis. Audubon Alaska and The Nature Conservancy. Anchorage, AK.

SCSRAC, 2019. Transcripts of the Southcentral Subsistence Regional Advisory Council proceedings. March 25, 2019. Office of Subsistence Management, USFWS. Anchorage, AK.

SCSRAC, 2021a. Transcripts of the Southcentral Subsistence Regional Advisory Council proceedings. February 24, 2021. Office of Subsistence Management, USFWS. Anchorage, AK.

SCSRAC, 2021b. Transcripts of the Southcentral Subsistence Regional Advisory Council proceedings. February 25, 2021. Office of Subsistence Management, USFWS. Anchorage, AK.

Shishido, N. 1986. Seasonal distribution and winter habitat use by Sitka black-tailed deer in the Prince William Sound region, Alaska. Thesis. University of Alaska Fairbanks, Fairbanks, AK 105 pp.

Westing, C. L. 2013. Unit 6 deer management report. Pages 83-96 in P. Harper, editor. Deer management report of survey and inventory activities 1 July 2010–30 June 2012. Alaska Department of the Fish and Game. Species Management Report ADFG/DWC/SMR–2013–1, ADF&G, Juneau, AK.

Westing, C. 2014. Completion of deer pellet surveys in Prince William Sound. Unpublished memo, June 27, 2014. ADF&G., Cordova, AK. 3pp.

Westing, C. 2021. Wildlife biologist. Personal communication: email. ADF&G. Cordova, AK

WRITTEN PUBLIC COMMENTS

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] opposition to all federal deer subsistence proposals. WP2207 -- Wp2212

RICHARD HARRIS <RHDevelopment@gci.net>

Thu 7/15/2021 12:38 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: deanna.perry@usda.gov <deanna.perry@usda.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attn: Theo Matuskowitz,
Office of Subsistence Management
Regarding : Federal deer subsistence proposals Region-1 Southeast Alaska
Proposal Numbers: WP2207, WP2208, WP2209, WP2210, WP2212

As a lifelong deer hunter of Southeast Alaska I am writing to oppose the federal subsistence proposals for deer harvesting in Southeast Alaska. I have hunted some of these areas my entire life, access to the areas listed is very difficult, needing good weather and much planning, I believe the weather controls much of the hunting pressure from non-federally qualified users in these areas(somewhat self regulating). I could understand supporting a lower per hunter harvest number in some areas, but shutting these areas down entirely during the period of Oct. 15 - Dec. 31, to non-federally qualified hunters is not acceptable. limiting hunting to any months other than Oct. 15 - Dec. 31 should be considered a complete shut down as this is the only period a hunter can actually hunt and experience the calling of a deer, during the rutting season. Any regulation changes made should include some changes to the federally qualified user as well, not all but some are doing as much damage to the resource with immediate access and extended hunt seasons as the non-federally qualified user who has limited access and shorter harvest seasons. Also as I understand these proposals have no basis, there is no evidence of a resource shortage or that non-federally qualified users on federal lands are having an actual impact on federally qualified user's ability to harvest adequate supplies of deer in the specified areas. I hope you will take these comments into consideration and reject these proposals.

Thank you,

Richard Harris
P.O. Box 32403
Juneau, Alaska 99803

Richard Harris

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhlWWiOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNJZQAQAoyD...> 1/2

[EXTERNAL] Opposition of Federal subsistence proposals Southeast Alaska for deer WP 2207, wp2208, wp2209, wp2210, wp 2212

CHARLES SCHULTZ <cjs16@me.com>

Sun 7/18/2021 3:53 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: deanna.perry@usda.gov <deanna.perry@usda.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attention Theo Matuskowitz,
Office of Subsistence Management

I am writing to oppose the federal subsistence proposals that affect Southeast Alaska Deer hunting. I oppose WP2207, WP22-08, WP22-09, WP22-10, and WP22-12. Proposals WP22-07, WP 22-08, WP22-09 and prevents non-qualified subsistence users from access to deer hunting on public lands. As an Alaskan resident I also rely on deer meat as a primary source of red meat that is locally available. Limiting non-qualified subsistence users from access to hunt deer in areas around Angoon, Hoonah and Pelican is entirely unfair to those who live in other areas of the state, who are non-qualified Subsistence hunters. There is no science to suggest that the over harvest of deer is related to non-qualified subsistence users, in fact I would suggest that the over harvest in the areas around Hoonah, Angoon, and Pelican may actually be from the subsistence users who may be killing every available deer seen in late season, on the beach and uncaring if the deer is antlerless and uncaring of size. Preservation of breeding antlerless deer may prove to allow fawn bearing deer an opportunity to give birth in the spring. Also education of subsistence hunters to harvest mature deer would improve the size of deer and thereby increase the available pounds of edible meat.

Extending the season in unit 6 is exactly a dichotomy of what the Subsistence Board may be wanting to achieve. The complaint of less harvestable deer will only be compounded if deer seasons are extended during their most vulnerable times. Then the subsistence deer harvest will continue to over extend the available deer to breed for next year, and likely they will complain that non-subsistence harvest is the blame.

Hunters of deer need equal access to public lands. We are all Alaskans trying to provide natural, local deer meat.

Please take the comments of non-subsistence hunters into consideration. Also consider making all Alaskans subsistence users. We all live here. We all have subsistence needs, not based on size of community we live in.

Thanks for your consideration ,
Charles Schultz
Juneau, Alaska

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWwIOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAD6p...> 1/2

WP22-13 Executive Summary

General Description	Proposal WP22-13 requests that deer be removed from the Unit 6 specific designated hunter regulation, allowing any Federally qualified subsistence user to designate another qualified user to harvest deer on their behalf in Unit 6, as is allowed for large mammals in most of the rest of Alaska. <i>Submitted by: Southcentral Alaska Subsistence Regional Advisory Council</i>
Proposed Regulation	<p>§____.26(n)(6)(ii) Unit-specific regulations:</p> <p><i>(D) A Federally qualified subsistence user (recipient) who is either blind, 65 years of age or older, at least 70 percent disabled, or temporarily disabled, may designate another Federally qualified subsistence user (designated hunter) to take any moose, deer, black bear and beaver on their behalf in Unit 6, and goat in Unit 6D, unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but may have no more than one harvest limit in their possession at any one time.</i></p>
OSM Preliminary Conclusion	Support
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS WP22-13

ISSUES

Proposal WP22-13, submitted by the Southcentral Alaska Subsistence Regional Advisory Council, requests that deer be removed from the Unit 6 specific designated hunter regulation, allowing any Federally qualified subsistence user to designate another qualified user to harvest deer on their behalf in Unit 6, as is allowed for large mammals in most of the rest of Alaska. Currently, only elderly or disabled hunters may designate another to harvest deer on their behalf in Unit 6.

DISCUSSION

The proponents would like to change the current designated hunter regulation, specific to Unit 6, so that any Federally qualified subsistence user could designate another qualified user to harvest deer on their behalf. Hunting deer can be physically demanding, especially early in the season, before snow pushes deer to lower elevations. This would allow one member of a family, who is capable of harvesting deer early in the season, to fill the permits of other family members or other individuals later in the season. Currently, a hunter must be blind, at least 65 years of age, 70% disabled, or temporarily disabled to designate another hunter to harvest deer on their behalf.

This analysis, in consultation with the proponent, addresses the original intent of the proponent by just removing “deer” from the existing Unit 6 designated hunter provision. The additional text contained in the proposal as submitted, stating that qualified rural residents may designate others to harvest deer on their behalf, is unnecessary, as it is addressed in existing Federal regulation.

Existing Federal Regulation

§ _____.26(n)(6)(ii) Unit-specific regulations:

(D) A Federally qualified subsistence user (recipient) who is either blind, 65 years of age or older, at least 70 percent disabled, or temporarily disabled, may designate another Federally qualified subsistence user (designated hunter) to take any moose, deer, black bear and beaver on their behalf in Unit 6, and goat in Unit 6D, unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but may have no more than one harvest limit in their possession at any one time.

Proposed Federal Regulation

§ _____.26(n)(6)(ii) Unit-specific regulations:

(D) A Federally qualified subsistence user (recipient) who is either blind, 65 years of age or older, at least 70 percent disabled, or temporarily disabled, may designate another Federally qualified subsistence user (designated hunter) to take any moose, ~~deer~~, black bear and beaver on their behalf in Unit 6, and goat in Unit 6D, unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but may have no more than one harvest limit in their possession at any one time.

Existing State Regulation

An Alaska resident (the beneficiary) may obtain an authorization allowing another Alaska resident (the proxy) to hunt moose, caribou, or deer for them if they are blind, 70-percent physically disabled, 65 years of age or older, or are developmentally disabled. A person may not proxy for more than one beneficiary at a time.

Relevant Federal Regulation

§ _____.25(e) Hunting by designated harvest permit.

If you are a Federally qualified subsistence user (recipient), you may designate another Federally qualified subsistence user to take deer, moose, and caribou, and in Units 1-5, goats, on your behalf unless you are a member of a community operating under a community harvest system or unless unit-specific regulations in §100.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than two harvest limits in his/her possession at any one time except for goats, where designated hunters may have no more than one harvest limit in possession at any one time, and unless otherwise specified in unit-specific regulations in §100.26.

Extent of Federal Public Lands

Federal public lands comprise approximately 71% of Unit 6 and consist of 49.2% U.S. Forest Service managed lands, 13.8% Bureau of Land Management managed lands, and 7.6% National Park Service managed lands (**Figure 1**).

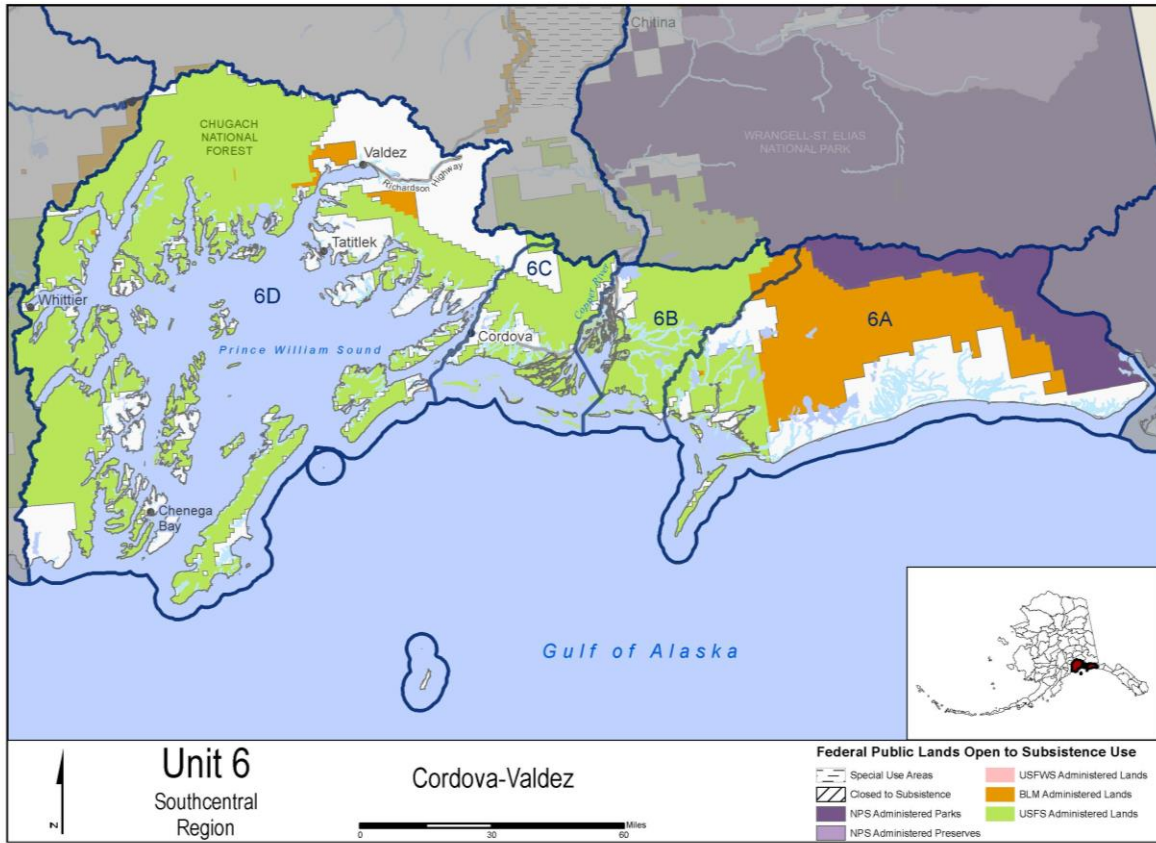


Figure 1. Unit 6 hunt area

Customary and Traditional Use Determinations

The Federal Subsistence Board (Board) has not made a customary and traditional use determination for deer in Unit 6; therefore, all rural residents of Alaska may harvest deer in Unit 6.

Regulatory History

Prior to 2002, there was no designated hunting provision for Unit 6. Three requests for a designated hunter provision in Unit 6 were submitted to the Federal Subsistence Board (Board) in 2002, including: Proposal WP03-15, which proposed that no designated hunter could be used for Unit 6C moose; Proposal WP03-16, which proposed a designated hunter could be used to harvest Unit 6C moose or deer; and Proposal WP03-55, which proposed a designated hunter could be used for any wildlife in Unit 6.

Proposal WP03-15 was submitted because it was thought by some residents that "the limited numbers of available permits continue to be highly coveted and that the drawing method of permit allocation was regarded as the most equitable and appropriate for local circumstances," and that designated hunting provisions can lead to abuses of the drawing system, such as those with large extended families or those willing to sponsor proxies as a way of increasing their chances of being drawn for a permit. The proponent went on to state that sharing is a fundamental part of life in

Cordova and "designated hunter privileges are simply not necessary to further the goals of sharing or resource distribution and serve only to confound the fairness of permit drawing and distribution." He also acknowledged that "proxy or designated hunter provisions are an appropriate and sometimes necessary accommodation in other hunt circumstances but not in the Unit 6(C) moose hunt where a very limited number of permits are available only by drawing."

The proponents of Proposals WP03-16 and WP03-55 expressed the opposite view. They supported designated hunter provisions in Unit 6. They expressed the view that a Federally qualified subsistence user should be allowed to have a designated hunter to harvest subsistence foods without being limited or restricted by physical disabilities. In Proposal WP03-16, the proponents stated that the two elderly successful drawing permit holders had used the State proxy hunting system in the past to obtain their subsistence fish and game. The Native Village of Eyak also pointed out that there are designated hunting provisions in neighboring Units 5, 11, and 13.

The proposal submitted by the Native Village of Eyak, WP03-55, is the only one of the three that placed the specific conditions on the designation to another Federally qualified subsistence user to be "in their family." In conversations with representatives of the proponent, this condition was requested as a way of recognizing traditional practices of their tribal organization. The application of designated hunting provisions to any wildlife was also seen as a way to recognize traditional practices, as the Native Village of Eyak Council members stated that when hunters go out, they hunt for whoever needs the resource and do not limit this practice to certain species (Lambert 2003).

These proposals were largely in response to the Federal subsistence moose drawing hunt in Unit 6C. After deliberation, the Board adopted the current designated hunting provision unique to Unit 6, allowing Federally qualified subsistence users who are blind, 65 years of age or older, 70% disabled, or temporarily disabled, to harvest any moose, deer, black bear, or beaver on their behalf in Unit 6, and goat in Unit 6D, unless the recipient is a member of a community harvest system. The resulting designated hunter provision adopted by the Board was a compromise, recognizing the coveted nature of draw permits for Unit 6C moose, and allowed for the designation of another hunter to harvest deer, moose, caribou, black bear, beaver and goats by hunters who are blind, over 65 years of age, 70% disabled, or temporarily disabled. The only designated hunter permits that have been issued since that time have been for Unit 6C moose.

In 2003, the Board adopted Wildlife Proposal WP03-02 with modification to standardize the designated hunter regulations. The Office of Subsistence Management (OSM) submitted the proposal to provide equal harvest opportunity for subsistence users across the State. Previously, designated hunter regulations had been adopted on a unit by unit basis resulting in certain hunts and units being overlooked. This proposal established a statewide designated hunter program for subsistence harvest of moose, deer and caribou, subject to unit-specific regulations.

Current Events

Wildlife Proposal WP22-02, submitted by OSM, requests removing language from general and unit specific regulations prohibiting the use of a designated hunter if the recipient is a member of a community operating under a community harvest system.

Cultural Knowledge and Traditional Practices

Designated hunting provisions provide recognition of the customary and traditional practices throughout the state. On a statewide basis, findings from a comparison of household harvests in a community documented that "it is not uncommon for about 30 percent of the households in a community to produce about 70 percent or more of the community's wild food harvest (Wolfe 1987: 16-17)." One of the factors proposed as an explanation for the highly productive households is the developmental cycle in multi-household kinship groups; where the mature household (higher producers) is characterized by the largest pool of labor and equipment and the largest set of social obligations to produce food. A conclusion of this study was that individual bag or harvest limits do not allow for these practices and a recommendation for alternative management tools, "such as the transferable bag and the community bag [limits], are identified as being more compatible with the customary harvest patterns of particular rural Alaskan areas" (Wolfe 1987: 17).

Harvest History

Deer are an important subsistence resource for residents of Unit 6. A community survey in 2003 showed that deer were used by more households in Chenega Bay, Cordova, and Tatitlek than any other large mammal species, with a minimum of 65% of households estimated using deer in each community (**Table 1**). In addition, deer were the primary large mammal harvested by households in each community, whereas other large mammal resources were more likely shared from individuals within or outside of the communities (Fall 2006) (**Table 1**). A large proportion of the yearly take of deer by the residents of Cordova, the largest of the three communities, occurs on Hawkins Island, which is in relatively close proximity to town.

Prior to 2011, deer harvest in Unit 6 was estimated from harvest questionnaires mailed to a sample of hunters who were issued State harvest tickets. It was difficult to identify deer harvested by Federally qualified subsistence users, as results were categorized as residents of Unit 6 (local residents), residents outside of Unit 6 (nonlocal residents), and nonresidents (**Table 2**). Thus, the local and nonlocal resident categories included both Federally qualified subsistence users and non-Federally qualified subsistence users. However, beginning in 2011/2012, harvest reports were given to each user issued a State harvest ticket, improving reporting and connected each user to a community. The interim harvest report showed that approximately 45% of the reported resident harvest was by local Federally qualified subsistence users (residents of Cordova, Chenega Bay, Tatitlek, and Whittier), 50% by non-Federally qualified Alaska residents, and 5% by nonlocal Federally qualified subsistence users (ADF&G 2012). Approximately 98% of the reported harvest by local Federally qualified subsistence users was from Cordova residents (ADF&G 2012), which was similar to the results of the household survey conducted in 2003 (95% of reported harvest) (**Table 1**). The majority of harvest by non-Federally qualified subsistence users was from Anchorage residents (approximately 38% of reported harvest), and 5% of the reported harvest was associated with Valdez residents, which is a nonrural community in Unit 6 (ADF&G 2012). Local and nonlocal residents were the primary users (29% and 66% of the estimated hunters, respectively) and accounted for 39% and 59% of the estimated harvest between 2010/2011 and 2019/2020, respectively (**Table 2**). McLaughlin (2015) reported a decline in hunter success during the winter of 2014-2015.

This may be due in part to the relatively warm winter which allowed the deer to remain more dispersed at higher elevations where they are less available to Federally qualified subsistence users (Westing 2014). Local residents have the highest success rates of the deer hunters in Unit 6, averaging 1.6 deer per year between 2010/11 and 2019/20 (**Table 2**).

From 2006 to 2012, the sex ratio of the harvest was approximately 62% male and 38% female (Crowley 2011, Westing 2013). Harvest reports between 2005/2006 and 2009/2010 showed that most of the annual deer harvest occurred during October (19%–35%), November (25%–35%), and December (18%–24%) (Crowley 2011, Westing 2013). Few deer have been harvested during the extended January season since the season was lengthened in 2016. Harvest chronology is similar to previous years, as users often prefer hunting after snow has pushed deer to lower elevations and because the rut, which occurs in November, increases the harvest vulnerability of bucks (Crowley 2011, Westing 2013). Deer were primarily harvested by hunters using boats (76%–86%) as their primary transportation method (Crowley 2011, Westing 2013).

Table 1. Household harvest survey data from communities in Prince William Sound, Alaska in 2003. Households were classified as having used, attempted to harvest, or harvested resources if any member of that household participated in that category. The percentage of households that used a resource included those that harvested and gave it away or acquired the resource from another user, and included all non-commercial uses of the resource (Fall 2006).

Community	Species	Percentage (%) of households			Total animals harvested
		Used	Attempted	Harvested	
Chenega Bay	Deer	81	75	56	50
	Moose	44	6	6	1
	Goat	25	13	6	1
	Sheep	13	6	0	0
	Black bear	13	0	0	0
Cordova	Deer	65	44	39	1354
	Moose	51	14	12	111
	Goat	11	3	1	16
	Sheep	1	1	1	8
	Black bear	10	8	3	35
Tatitlek	Deer	100	56	28	30
	Moose	32	0	0	0
	Goat	40	12	4	1
	Sheep	4	0	0	0
	Black bear	20	8	4	1

Table 2. Unit 6 deer harvest 2010-2020 (Crowley 2012, pers. comm., Westing 2013, 2014, FWS 2015, Westing 2021, pers. comm.). Harvest data was recorded via the State’s deer hunter questionnaire survey until 2010/2011 and via a harvest ticket starting in 2011/2012 (Westing 2021, pers. comm.).

Year	Local resident		Nonlocal resident		Nonresident		Total deer harvested
	Hunters	Deer harvested (deer/hunter)	Hunters	Deer harvested (deer/hunter)	Hunters	Deer harvested (deer/hunter)	
2010/2011	352	805(2.2)	775	778(1.0)	60	60(1.0)	1643
2011/2012	455	1202(2.6)	888	1426(1.6)	51	48(0.9)	2676
2012/2013	196	156(0.8)	606	367(0.6)	50	13(0.3)	536
2013/2014	212	228(1.1)	490	303(0.6)	41	3(0.1)	534
2014/2015	360	434(1.2)	793	858(1.1)	37	6(0.2)	1298
2015/2016	443	655(1.5)	936	977(1.0)	52	54(1.0)	1686
2016/2017	508	907(1.8)	1216	1601(1.3)	74	46(0.6)	2554
2017/2018	412	558(1.4)	943	849(1.3)	85	48(0.6)	1455
2018/2019	461	773(1.7)	888	916(1.0)	56	16(0.3)	1705
2019/2020	444	773(1.7)	1102	1319(1.2)	63	49(0.8)	2141

Effects of the Proposal

Removal of deer from the Unit 6 designated hunting provision would allow any Federally qualified subsistence user to harvest deer in Unit 6 on the behalf of other qualified users. This would allow additional access to deer by families or individuals that are unable to hunt themselves, as Federal regulation allows for designated hunters in the remainder of Alaska for deer, moose, and caribou. Biological effects on the Unit 6 deer population would be minimal because winter severity has as great an effect on Prince William Sound deer populations as does hunting pressure. In-season management authority could be used to mitigate conservation concerns if they develop.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22–13.

Justification

Allowing any Federally qualified subsistence user to designate another qualified user to harvest deer on their behalf in Unit 6 would provide additional access to deer for individuals and families unable to harvest deer themselves, whether as a result of physical limitations, lack of boat access, or other reasons. This would also make the Unit 6 designated hunter regulation more consistent with the statewide regulation for designated hunters.

Literature Cited

- ADF&G. 2012. General Harvest Reports.
<https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvestreports.main>. Retrieved: November 26, 2012.
- Crowley, D. W. 2012. Wildlife biologist. Personal communication: email, phone. ADF&G. Cordova, AK.
- Fall, J. A., editor. 2006. Update of the status of subsistence uses in Exxon Valdez oil spill area communities. Exxon Valdez Oil Spill Restoration Project Final Report (Restoration Project 040471), ADF&G, Division of Subsistence. Anchorage, AK.
- FWS. 2015. Harvest database. Office of Subsistence Management. FWS. Anchorage, AK.
- Lambert, M, 2003. Biologist. Native Village of Eyak, Cordova, AK. Personal Communication
- McLaughlin, A. 2015. Proposal for amendment to the Federal Subsistence Hunting Regulations, in FWS. 2016-2018 Wildlife Hunting and Trapping Proposals, Anchorage, AK. 2 pp.
- Westing, C. L. 2013. Unit 6 deer management report. Pages 83-96 in P. Harper, editor. Deer management report of survey and inventory activities 1 July 2010–30 June 2012. Alaska Department of the Fish and Game. Species Management Report ADFG/DWC/SMR–2013–1, ADF&G, Juneau, AK.
- Westing, C. 2014. Completion of deer pellet surveys in Prince William Sound. Unpublished memo, June 27, 2014. ADF&G., Cordova, AK. 3pp.
- Westing, C. 2021. Wildlife biologist. Personal communication: email. ADF&G. Cordova, AK
- Wolfe, R. J. 1987. The Super-Household: Specialization in Subsistence Economies. Paper presented at the 14th Annual Meeting of the Alaska Anthropological Association. Anchorage.

WP22-14 Executive Summary

General Description	Proposal WP22-14 requests that the black bear harvest limit in Unit 6 be increased from one to two black bears per year, and that the Unit 6D season would close if the harvest quota was met. <i>Submitted by: Dan Schmalzer and Nick Docken of Cordova</i>
Proposed Regulation	<p>Unit 6—Black Bear</p> <p><i>Unit 6 —1 bear 2 bears. In Unit 6D a State registration permit is required. Sept, 1 – June 30</i></p> <p>§____.26(n)(6)(ii) Unit-specific regulations:</p> <p><i>(A) You may use bait to hunt black bear between April 15 and June 15. In addition, you may use bait in Unit 6D between June 16 and June 30. The harvest quota in Unit 6D is 20 bears taken with bait between June 16 and June 30. If the State harvest quota in Unit 6D (RL065) is met, the Federal season in Unit 6D will close at the same time as the State season.</i></p>
OSM Preliminary Conclusion	Support
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**DRAFT STAFF ANALYSIS
WP22-14**

ISSUES

Proposal WP22-14, submitted by Dan Schmalzer and Nick Docken of Cordova, Alaska, requests that the black bear harvest limit in Unit 6 be increased from one to two black bears per year, and that the Unit 6D season would close if the harvest quota was met.

DISCUSSION

The proponents request the ability to harvest 2 black bears in a regulatory year. This would allow Federally qualified subsistence users additional opportunity to harvest red meat. Currently, if a hunter harvests a black bear in the fall, they cannot harvest another in the spring. They cite the cost of living, reduced ferry service, and COVID-19 restrictions as factors making Prince William Sound residents more dependent on wild renewable resources. Additionally, many local residents do not have access to moose and deer because boats or airboats are often necessary to harvest these species. Black bear hunting opportunity is easily accessed from the Copper River Highway and does not require a boat.

Existing Federal Regulation

Unit 6—Black Bear

Unit 6 —1 bear. In Unit 6D a State registration permit is required.

*Sept. 1 –
June 30*

§ _____.26(n)(6)(ii) Unit-specific regulations:

(A) You may use bait to hunt black bear between April 15 and June 15. In addition, you may use bait in Unit 6D between June 16 and June 30. The harvest quota in Unit 6D is 20 bears taken with bait between June 16 and June 30.

Proposed Federal Regulation

Unit 6—Black Bear

Unit 6 —~~1 bear~~ 2 bears. In Unit 6D a State registration permit is required.

*Sept. 1 –
June 30*

Unit 6—Black Bear

§ _____.26(n)(6)(ii) Unit-specific regulations:

(A) You may use bait to hunt black bear between April 15 and June 15. In addition, you may use bait in Unit 6D between June 16 and June 30. The harvest quota in Unit 6D is 20 bears taken with bait between June 16 and June 30. If the State harvest quota in Unit 6D (RL065) is met, the Federal season in Unit 6D will close at the same time as the State season.

Existing State Regulation

Unit 6—Black Bear

<i>Unit 6A, 6B — One bear (Residents and nonresidents)</i>	<i>HT</i>	<i>Aug. 20 – June 30</i>
<i>Unit 6C — One bear (Residents and nonresidents)</i>	<i>HT</i>	<i>Sept. 1 – June 30</i>
<i>Unit 6D — One bear every regulatory year by permit available online at http://hunt.alaska.gov or in person in Anchorage, Cordova, Fairbanks, Glenallen, Palmer, and Soldotna beginning Aug 25 (Residents and nonresidents)</i>	<i>RL065</i>	<i>Sept. 10 – Jun. 10</i>

Extent of Federal Public Lands

Unit 6 is comprised of approximately 71% Federal public lands, and consist of 49% U.S. Forest Service (USFS) managed lands, 14% Bureau of Land Management (BLM) managed lands, and 8% National Park Service (NPS) managed lands (**Figure 1**).

Customary and Traditional Use Determinations

Rural residents of Yakutat and residents of Units 6C and 6D (excluding residents of Whittier) have a customary and traditional use determination for black bear in Unit 6A. Rural residents of Units 6C and 6D (excluding residents of Whittier) have a customary and traditional use determination for black bear in Unit 6 remainder.

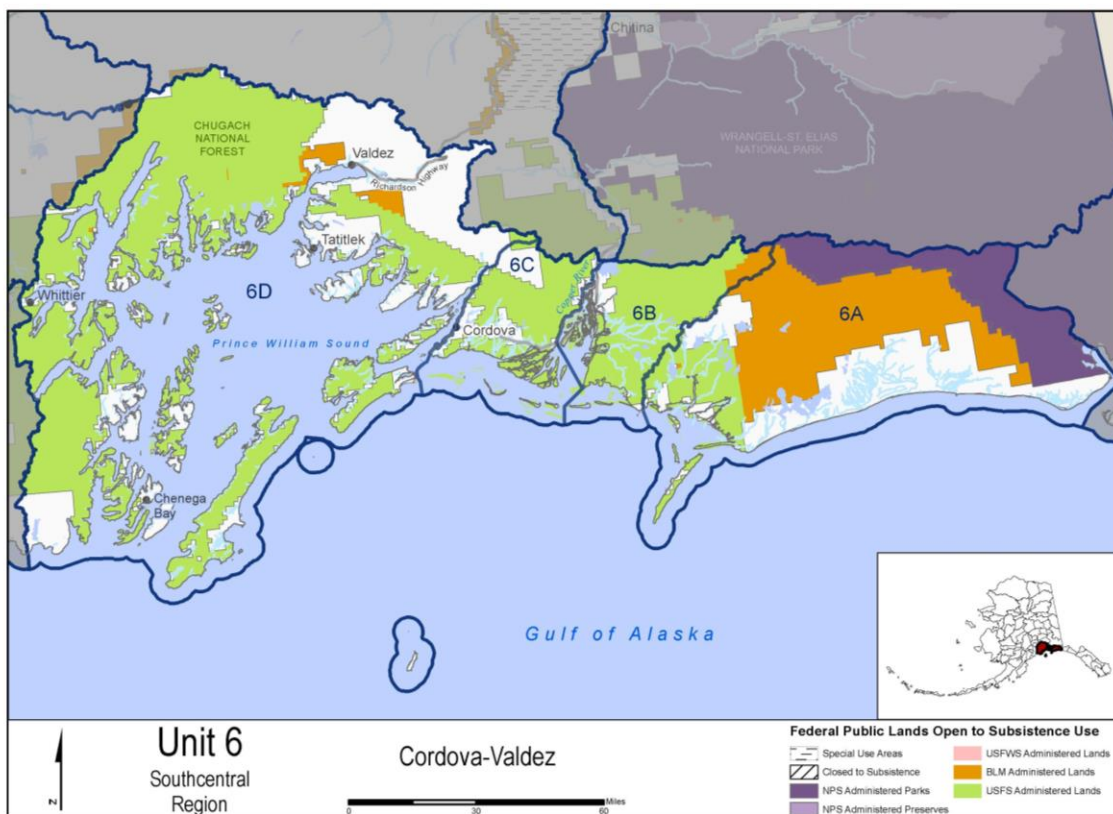


Figure 1. Unit 6 hunt area

Regulatory History

In 1990, the Federal Subsistence Board (Board) adopted interim subsistence regulations for black bear hunting at bait stations that aligned with State regulations. The Federal and State bear baiting season in Units 6A, 6B, and 6C has been Apr. 15 – June 15 and, since regulatory year 2005/06, the State baiting season in Unit 6D has been Apr. 15– June 30.

The Alaska Board of Game (BOG) has taken several incremental measures to reduce black bear harvest in Unit 6D over the past 15 years. In 2003, Unit 6D was closed to the shooting of black bears from a boat. Completing a bear baiting clinic to establish a bear bait station was required in 2005. Also, in 2005 the BOG changed the season dates for Unit 6D from Sept. 1 – June 30 to Sept. 1 – June 10 to reduce harvest of black bears. Beginning in regulatory year 2009/10, the start of the Unit 6D black bear season was changed from Sept. 1 to Sept. 10 to further reduce harvest. The intent of shifting the start of the season 10 days later was to reduce the harvest of black bears as they move from salmon streams to the high country during the fall. Also, in 2009, the BOG approved the use of a harvest reporting system for Unit 6 to better track hunting effort for black bears.

In 2014, the Board adopted Proposal WP14-09 with modification to lengthen the season for hunting black bears with bait in Unit 6D by 2 weeks to run through June 30, to require the use of a Federal registration

permit, and to set a quota of 20 black bears to be taken over bait during the extended Federal baiting season. Requiring the use of a Federal registration permit was seen as a way to better track harvest of black bears at a time when there was a growing conservation concern for the species but use of the State baiting permit was allowed in 2016.

In February 2015, the BOG adopted Proposal 210 to change the black bear hunt in Unit 6D to a registration hunt. The BOG concluded that bears in the area were being overharvested and that a better management tool was needed to assess and control harvest. This new regulation became effective July 1, 2015.

On February 27, 2015, the Alaska Department of Fish and Game (ADF&G) issued an Emergency Order closing the State black bear season in Unit 6D, effective May 27, 2015. This was in response to a steady decline in the black bear population and a tripling of the harvest between the 1990s and 2007, along with a marked decrease in harvest in 2012 and 2013. In addition, the percentage of females in the harvest had exceeded management goals since 2006.

Additionally, on May 19, 2015 wildlife special action request WSA15-09, submitted by ADF&G requested that the Federal subsistence black bear season close on May 27, the same effective date as the Emergency Order issued by the State. They also requested that the Federal Unit 6D black bear permit required from June 11 through June 30 be extended to begin on May 27, so that Federal subsistence users are in compliance with both State and Federal permit requirements. This special action request was unanimously approved by the Board with modification, temporarily extending the dates of the Unit 6D Federal subsistence black bear season from May 27, 2015 through June 30, 2015, because of the small number of black bears harvested by Federally qualified rural residents.

Biological Background

Black bears are common throughout Unit 6, with the exception of Kayak and Middleton Islands along the North Gulf Coast of Alaska, and Montague, Hinchinbrook, Hawkins, and several smaller islands in Prince William Sound (Crowley 2011). The State management goal for black bear in Unit 6 is to maintain a black bear population that will sustain a 3-year average annual harvest of 200 bears composed of at least 75% males with a minimum average skull size of 17 inches (Crowley 2011). The proportion of females taken exceeded the recommended management objective of 25% in 2006, 2007, and 2009 (Crowley 2011).

While there are no accurate population data for black bears in Unit 6, black bear densities tend to be highest in western Prince William Sound (Unit 6D) and lowest along the North Gulf Coast and eastern Prince William Sound (Units 6A, 6B, and 6C) (McIlroy 1970; Modafferi 1978, 1982). Black bear populations in Unit 6 fluctuate due to the severity of winter weather, food abundance, hunting pressure and in some areas, competition with and predation by brown bears (McIlroy 1970, Schwartz et al. 1986).

Harvest monitoring and assessment has been the primary method used to assess the status of the black bear population in Unit 6. In 2009, the BOG approved the use of a harvest reporting system that incorporated an assessment of effort in addition to the harvest (Crowley 2011). Since the late 1980s,

ADF&G has been using the skull size as a biological objective because it is thought that these changes may indicate changes in population size, harvest composition, and the sustainability of harvest levels. A decreasing skull size may indicate a decline in older bears in the population, which may be indicative of a population decline (Lowell 2011). To assess the population age structure, which is a measure of population health, skull size and harvest densities are compared between 8 geographic areas that correspond to well-defined watersheds within Unit 6 (Crowley 2011). The decline in skull size of male black bears, along with high annual harvest during the 5-year period from 2005– 2009, when compared to the previous two 5-year periods, suggested that harvest may be impacting the age structure of the Unit 6 black bear population. A similar trend was not found for female harvested bears.

A sharp decline in black bear harvest was observed in the years following the severe winter of 2011-2012, which may have resulted in low recruitment of young for the following years. This information and the reports of fewer black bear sightings by many user groups prompted the U.S. Forest Service and ADF&G to begin a collaborative research project on Prince William Sound black bears. Fifty-three bears were fitted with satellite/GPS collars during the summers of 2016, 2017, and 2018. That project is ongoing.

Harvest History

Historical and ethnographic accounts of the Alutiiq of Prince William Sound and the Eyak Indians of the Copper River Delta, the traditional inhabitants of the Chugach, indicate that black bears were an important subsistence food source (Simeone 2008). Although black bears were once a major subsistence staple for residents in Prince William Sound communities, Sitka black-tailed deer have replaced black bears in importance according to local residents (Simeone 2008). Between 1986 and 2006, residents of Unit 6, resident hunters living outside of Unit 6, and nonresidents accounted for 11%, 58%, and 31% of the black bear harvest in Unit 6, respectively. A majority of the harvest (85%) occurred in Unit 6D (Simeone 2008). From 2005 – 2010, the hunting pressure and take of black bears in Unit 6 was greatest in Unit 6D (83– 86%), which coincides with the greatest densities of black bears and ease of access by Anchorage hunters through the Anton Anderson Memorial Tunnel (Whittier Tunnel) (Simeone 2008, Crowley 2011). An average of 427 black bears were taken per regulatory year between 2004 and 2013, which exceeds the State management goal to average 200 black bears over a 3-year period.

Without accurate population estimates it is difficult to determine if current harvest levels are sustainable. Although it is difficult to determine the status of black bear populations using harvest data (Garshelis 1993), the decrease in age of harvested male bears during the high harvest from 2005 – 2009 suggested that the harvest was having a population level effect (reducing the overall size of the population) (Crowley 2011). More compelling was the sharp drop in total Unit 6D harvest during 2012 and 2013 (**Table 1**). Additionally, the number of bears taken over bait in Unit 6D, where bear baiting is most prevalent, almost doubled between 2005 (50 bears) and 2009 (97 bears) but declined again in 2011 (**Table 2**).

The total reported harvest of black bears taken in Unit 6D by Federally qualified users, from 2010 to 2019 was 24 black bears (Westing 2021). Between 2010 and 2019, Federally qualified subsistence users harvested 0-7 bears in Unit 6D, accounting for just 1.0% of the total Unit 6D black bear harvest on

average. The percentage of black bears taken over bait by all hunters in Unit 6D ranged from 7% to 35% between 2010 and 2020.

Table 1. Black Bear harvest in Unit 6D from 2010-2019 (Westing 2021, pers. comm.).

Year	Chenega Bay	Cordova	Tatitlek	Total by Federally qualified subsistence users	Total 6D Harvest	% harvested by Rural Residents
2010	1	0	0	1	453	0.2%
2011	3	3	1	7	467	1.5%
2012	2	0	0	2	357	0.6%
2013	1	1	1	3	188	1.6%
2014	0	0	0	0	105	0
2015	0	1	0	1	91	1.1%
2016	0	4	0	4	140	2.3%
2017	1	1	0	2	212	0.9%
2018	1	2	0	3	201	1.5%
2019	0	1	0	1	221	0.5%
Average	0.9	1.3	0.2	2.4	243.5	1.0

Table 2. Black Bear harvest over bait in Unit 6D from 2005-2020 (Westing 2021, pers. comm.).

Year	Harvested over bait	Not harvested over bait	% of harvest baited
2010/2011	67	386	15%
2011/2012	33	434	7%
2012/2013	27	331	8%
2013/2014	31	157	16%
2014/2015	26	79	25%
2015/2016	32	59	35%
2016/2017	37	103	26%
2017/2018	47	166	22%
2018/2019	28	178	14%
2019/2020	33	188	15%

Effects of the Proposal

If adopted, this proposal would allow Federally qualified subsistence users to harvest 2 black bears in Unit 6. This would allow additional harvest opportunity for rural residents of Unit 6 that would help offset increases in the cost of living, reductions in ferry service, and restrictions imposed to mitigate the COVID pandemic.

In Unit 6D, where conservation concerns have existed, Federally qualified subsistence users have harvested less than 8 bears/year, from a total harvest that has ranged from 91-453 bears/year between 2010 and 2020. While some conservation concerns still exist for black bears in Unit 6D, concern would be mitigated if the Federal season closed when the State closes its season, if the black bear harvest quota is reached in Unit 6D (RL065).

Current Federal regulations in Unit 6D require a State registration permit. Permission from ADF&G would be needed to use a State permit with a different harvest limit under Federal regulations. Alternatively, Federal users may be able to obtain two State registration permits, or a Federal permit could be established.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-14.

Justification

Increasing the Federal subsistence harvest limit from 1 to 2 black bears in a regulatory year would increase subsistence harvest opportunity and allow Federally qualified rural residents of Unit 6 to harvest an additional bear, providing an additional source of red meat. The small number of black bears harvested by Federally qualified subsistence users in Unit 6D and closing the Federal subsistence season in Unit 6D if the State quota is met, mitigate conservation concerns.

LITERATURE CITED

- Crowley, D.W. 2011. Unit 6 black bear management report. Pages 130–142 *in* P. Harper, editor, Black bear management report of survey and inventory activities 1 July 2007–30 June 2010. ADF&G. Project 17.0. Juneau, AK.
- Garshelis, D.L. 1993. Monitoring black bear populations: pitfalls and recommendations. Pages 123-144 *in* J.A. Keay, editor. Proceeding of the fourth western black bear workshop. Technical report MPS/NRWR/NRTR-93/12. United States Department of the Interior, National Park Service. Denver, CO.
- Lowell, R.E. 2011. Unit 1B black bear management report. Pages 21-33 *in* P. Harper, editor. Black bear management report of survey and inventory activities 1 July 2007–30 June 2010. ADF&G. Project 17.0 Juneau, AK.
- McIlroy, C.W. 1970. Aspects of the ecology and hunter harvest of the black bear in Prince William Sound. M.S. thesis. University of Alaska, Fairbanks. 69 pp.
- Modafferi, R.D. 1978. Black bear management techniques development. ADF&G. Federal Aid in Wildlife Restoration Progress Report Project. W-17-8 and W-17-9. Juneau, AK. 76 pp.
- Modafferi, R.D. 1982. Black bear management techniques development. ADF&G. Federal Aid in Wildlife Restoration Progress Report Project. W-17-10, W-17-11, W-21-1, and W-221-2. Job 17.2R. Juneau, AK. 73 pp.
- OSM. 2013. Harvest database. Office of Subsistence Management, FWS. Anchorage, AK.

Schwartz, C.C., S.D. Miller, and A.W. Franzmann. 1986. Denning ecology of three black bear populations in Alaska. International conference on Bear research and Management. 7:281-291.

Simeone, William E., 2008. Subsistence harvest and uses of black bears and mountain goats in Prince William Sound. ADF&G Division of Subsistence. Technical Paper No 334. Juneau, AK. 65 pp.

Westing, C. 2021. Wildlife Biologist. Personal communication. ADF&G. Cordova, AK.

WP22–15 Executive Summary

<p>General Description</p>	<p>Wildlife Proposal WP22-15 requests prohibiting trap or snare usage within 1,000 feet of specified trails, roadways, and campgrounds. <i>Submitted by: the Cooper Landing Community Safe Trails Committee</i></p>
<p>Proposed Regulation</p>	<p>§100.26(n)(7)(iii) <i>Unit-specific regulations:</i></p> <p>(B) Setback distance of 1,000 feet on both sides of the trails</p> <ul style="list-style-type: none"> • <i>Crescent Creek Trail starting at the USFS Boundary on toward Crescent Lake</i> • <i>Lower Russian Lake Trail to Barber Cabin & Russian River Falls</i> • <i>West Juneau Bench Trail (first 1.5 miles)</i> • <i>Devil’s Creek Ski Loop</i> <p>(C) Setback distance of 1,000 feet on both sides of roadways except for the designated Quartz Creek Road mile markers.</p> <ul style="list-style-type: none"> • <i>All Federal land south of Quartz Creek road between mile .3 to mile .6. This land lies between the road and Kenai Lake. It includes the last .1 mile of East Quartz Creek Road.</i> • <i>The Old Seward Highway (no longer maintained) that runs from Crescent Creek Trailhead to Tern Lake</i> • <i>All pullouts on Federal land along the Sterling Highway from its junction with the Seward Highway (Tern Lake) to Cooper Landing.</i>

WP22–15 Executive Summary

	<p><i>(D) No trapping in campgrounds and a setback distance of 1,000 feet beyond campground borders if surrounding land is Federally managed.</i></p> <ul style="list-style-type: none"> • <i>Quartz Creek Campground</i> • <i>Crescent Creek Campground</i> • <i>Russian River Campground</i> • <i>Cooper Creek Campgrounds, North & South</i>
<p>OSM Preliminary Conclusion</p>	<p>Oppose</p>
<p>Southcentral Alaska Subsistence Regional Advisory Council Recommendation</p>	
<p>Interagency Staff Committee Comments</p>	
<p>ADF&G Comments</p>	
<p>Written Public Comments</p>	<p>25 Support, 11 Oppose</p>

DRAFT STAFF ANALYSIS WP22-15

ISSUES

Wildlife Proposal WP22-15, submitted by the Cooper Landing Community Safe Trails Committee, requests prohibiting trap or snare usage within 1,000 feet of specified trails, roadways, and campgrounds.

DISCUSSION

The proponent states that population growth of the community and increased tourism is increasing the potential of encounters between recreation users and traps. Serious injuries to pets have occurred near popular trails, beaches and other areas. User groups and land uses are expanding and changing with a recreational user to trapper ratio of 99.6% to 0.04% of the State's population, demonstrating the need to change trapping regulations is long overdue. The proponent also states that news media have covered the community's growing interest to find a solution that is both compromising and positive for all users. Signs asking trappers to voluntarily set traps 400 yards (1,200 feet) away from the areas listed in this proposal were put up in 2019, 2020, and 2021. The proponent expressed that voluntary adherence is not enough. Well understood boundaries that are enforceable are needed.

The proponent conducted a community survey of landowners, post office box holders and businesses in the Cooper Landing census designated area to get feedback on trap setbacks, distance of setbacks, and specific locations. The proponent received approximately a 33% return on the surveys and this proposal reflects the results from those responses. The proponent specifically refers to four trails, three sections of roadways and four campgrounds in the Cooper Landing area, including Crescent Creek trail, Lower Russian trail, West Juneau Bench trail, Devil's Creek ski loop, and Quartz Creek, Crescent Creek, Russian River, and Cooper Creek campgrounds.

The proponent states that impacts to Federally qualified subsistence users would be negligible as it would only restrict trapping on a small portion of USDA Forest Service (USFS) lands in Unit 7. This Proposal would reduce risk of traps being disturbed by recreational users, possibly increase harvest due to less disturbance, and reduce trapping of non-target species. The proponent also states this proposal would reduce the risk associated with abandoned or "ghost traps" near the areas specified in this proposal for off-trapping seasonal activities and will reduce user conflicts. The proponent further states that these changes would better align with USFS mission statements and Alaska National Interest Lands Conservation Act (ANILCA) Title 1 Sec 101 (b) and adoption of this Proposal would help gain support for a similar proposal that is being submitted to the Alaska Board of Game (BOG).

Existing Federal Regulation

None

Proposed Federal Regulation

§100.26(n)(7)(iii) Unit-specific regulations:

(B) Setback distance of 1,000 feet on both sides of the trails

- *Crescent Creek Trail starting at the USFS Boundary on toward Crescent Lake*
- *Lower Russian Lake Trail to Barber Cabin & Russian River Falls*
- *West Juneau Bench Trail (first 1.5 miles)*
- *Devil's Creek Ski Loop*

(C) Setback distance of 1,000 feet on both sides of roadways except for the designated Quartz Creek Road mile markers.

- *All Federal land south of Quartz Creek road between mile .3 to mile .6. This land lies between the road and Kenai Lake. It includes the last .1 mile of East Quartz Creek Road.*
- *The Old Seward Highway (no longer maintained) that runs from Crescent Creek Trailhead to Tern Lake*
- *All pullouts on Federal land along the Sterling Highway from its junction with the Seward Highway (Tern Lake) to Cooper Landing.*

(D) No trapping in campgrounds and a setback distance of 1,000 feet beyond campground borders if surrounding land is Federally managed.

- *Quartz Creek Campground*
- *Crescent Creek Campground*
- *Russian River Campground*
- *Cooper Creek Campgrounds, North & South*

Existing State Regulation

5 AAC 92.510. Areas closed to hunting

(8) Unit 7:

A) the Portage Glacier Closed Area in Unit 7, which consists of Portage Creek drainages between the Anchorage-Seward Railroad and Placer Creek in Bear Valley, Portage Lake, the mouth of Byron Creek, Glacier Creek and Byron Glacier, is closed to hunting; however, migratory birds and small game may be hunted with shotguns, bow and arrow, or falconry from September 1 through April 30;

(B) the Seward Closed Area in Unit 7, which consists of the south side drainage of the Resurrection River downstream from the Kenai Fjords National Park's eastern boundary, and Resurrection Bay drainages between the mouth of the Resurrection River and the mouth of Lowell Creek, are closed to the taking of big game, except black bear;

(C) the Cooper Landing Closed Area, which consists of that portion of Unit 7 bounded by Juneau Creek, beginning at its confluence with the Kenai River, then upstream to the confluence of Juneau Creek and Falls Creek, then easterly along Falls Creek and the north fork of Falls Creek and over the connecting saddle to Devils Creek, then southeasterly along Devils Creek to its confluence with Quartz Creek, then southwesterly along Quartz Creek to the Sterling Highway, then westerly along the Sterling Highway to the Kenai River, and then westerly along the Kenai River to the point of beginning at the mouth of Juneau Creek, is closed to the taking of Dall sheep and mountain goat;

(D) repealed 7/1/2011;

(E) the Russian River Closed Area, which consists of the area within 150 yards from each side of, and including, the Russian River, from the outlet of Lower Russian Lake downstream to the confluence of the Russian River and Kenai River are closed to hunting during June and July;

Note: State regulations do not contain any trapping restrictions for Unit 7, but they do contain trapping restrictions in some management areas. The restrictions listed below are not exhaustive of all areas closed to trapping under State regulations but serve as examples.

The following areas are closed to trapping of furbearers as indicated:

(1) Unit 1(C) (Juneau area):

(A) a strip within one-quarter mile of the mainland coast between the end of Thane Road and the end of Glacier Highway at Echo Cove;

(B) Auke Lake and the area within one-quarter mile of Auke Lake;

(C) that area of the Mendenhall Valley bounded on the south by the Glacier Highway, on the west by the Mendenhall Loop Road and Montana Creek Road and Spur Road to Mendenhall Lake, on the north by Mendenhall Lake, and on the east by the Mendenhall Loop Road and Forest Service Glacier Spur Road to the Forest Service Visitor Center;

(D) a strip within one-quarter mile of the Douglas Island coast along the entire length of the Douglas Highway and a strip within one-quarter mile of the Eaglecrest Road;

(E) that area within the United States Forest Service Mendenhall Glacier Recreation Area;

(F) a strip within one-quarter mile of the following trails as designated on United States Geological Survey maps: Herbert Glacier Trail, Windfall Lake Trail, Peterson Lake Trail, Spaulding Meadows Trail (including the loop trail), Nugget Creek Trail, Outer Point Trail, Dan Moller Trail, Perseverance Trail, Granite Creek Trail, Mt. Roberts Trail and the Nelson Water Supply Trail, Sheep Creek Trail, Point Bishop Trail, Amalga Trail, Auke Nu/John Muir Trail, Eagle Glacier Trail, Point Bridget Trail, Treadwell Ditch Trail, and Salmon Creek Trail; however, traps with an inside jaw spread of five inches or less which are set at least five feet above the ground and snow are allowed if set more than 50 yards from the trail;

(2) Unit 14 (C) that portion of Chugach State Park outside of the Eagle River, Anchorage, and Eklutna management areas is open to trapping under Unit 14(C) seasons and bag limits, except that trapping of wolf, wolverine, land otter, and beaver is not allowed; killer style steel traps with an inside jaw spread seven inches or greater are prohibited; a person using traps or snares in the area must register with the Department of Natural Resources Chugach State Park area office and provide a trapper identification; all traps and snares in the area must be marked with the selected identification; the use of traps or snares is prohibited within

(i) 50 yards of developed trails;

(ii) one-quarter mile of trailheads, campground, and permanent dwellings

Extent of Federal Public Lands

Unit 7 is comprised of 77% Federal public lands and consists of 52% USFS managed lands, 23% National Park Service (NPS) managed lands, and 2% U.S. Fish and Wildlife Service (USFWS) managed lands.

Customary and Traditional Use Determinations

The Federal Subsistence Board (Board) has not made a customary and traditional use determination for furbearers in Unit 7. Therefore, all rural residents of Alaska may harvest this species in this unit.

Regulatory History

In 2014, the Board considered Proposal WP14-01, requesting statewide Federal provisions requiring trapper identification tags on all traps and snares, the establishment of a maximum allowable time limit for checking traps, and establishment of a harvest/trapping report form to collect data on non-target species captured in traps and snares. The proposal analysis indicated statewide application would be unmanageable, would require substantial law enforcement and public education efforts, and could cause subsistence users to avoid the regulation by trapping under State regulations. The proposal was unanimously opposed by all ten Federal Subsistence Regional Advisory Councils, Alaska Department of Fish and Game (ADF&G), and the public as reflected in written public comments. The Board rejected the proposal as part of its consensus agenda.

In 2015, the BOG considered Proposal 180, to prohibit trapping within 250 feet of most public roads and trails in the Cooper Landing Area. The BOG opposed the proposal, stating trappers and local residents need to work together to find a solution or compromise upon which all users can agree. BOG members also noted concerns about the enforceability of the proposal and loss of trapping opportunity by requiring trappers to travel 250 feet off trail and back to set and check traps (ADF&G 2015).

In 2016, the BOG considered Proposal 80, to restrict trapping in cities with populations >1,000 people at its Statewide regulations meeting. Specifically, Proposal 80 proposed prohibiting trapping within ¼ mile of publicly maintained roads, 200 feet of publicly maintained trails, and one mile of permanent dwellings, schools, businesses, and campgrounds. ADF&G stated that proposals restricting trapping should be addressed at regional rather than statewide BOG meetings, so affected local communities can comment. ADF&G also referred to State regulations that limit trapping in certain management areas (see State regulations above). The BOG opposed the proposal due to opposition by 26 Fish and Game Advisory Committees and concern for unintended consequences (e.g. inability to trap nuisance beavers or potentially rabid foxes near villages). The BOG also commented that these types of restrictions could be better handled through city or borough ordinances (ADF&G 2016).

In 2020, Proposal WP20-08, submitted by the East Prince of Wales Fish and Game Advisory Committee, requested to implement a statewide requirement that traps and snares be marked with either the trapper's name or State identification number. The proposal analysis indicated requiring Federally qualified subsistence users to mark traps as an unnecessary burden and would not prevent

illegal trapping activity. A Federal marking requirement would be unenforceable since all users would still be able to avoid the requirement under less restrictive State regulations. The proposal was opposed by nine of the ten Federal Subsistence Regional Advisory Councils; the Kodiak/Aleutians Council voted to take no action. The Board rejected the proposal.

In 2020, Proposal WP20-20, submitted by Robert Gieringer, requested that hunting and trapping in Unit 7 be prohibited within one mile of roads and trails, and that traps be marked with brightly colored tape. This proposal was on the consensus agenda but was removed at the Board meeting by request from a member of the public. The Board rejected the proposal. The Board stated Federal regulations would be more restrictive than State regulations, violating the rural subsistence priority mandated by ANILCA. Furthermore, all users would still be able to hunt and trap without restrictions under State regulations, decreasing the proposal's effectiveness and increasing user confusion. The Board also stated marking traps with brightly colored tape could result in attracting more people to the trap and possibly pets (FSB 2020).

User Conflicts

Historically, user conflicts between local residents and trappers have occurred in the Cooper Landing areas, primarily over pets getting caught in traps (ADF&G 2015). ADF&G stated that while there is a lot of talk about dogs getting caught in traps, the number of dogs actually caught in traps and reported to ADF&G is low (ADF&G 2015). In 2014, ADF&G staff attended public meetings with local residents and trappers to identify compromises such as voluntary trap setbacks from trails and roads; however, none were agreed upon (ADF&G 2015). A local newspaper characterized the discrepancies between local trappers and pet owners as “a breakdown in communications” (McChesney 2015).

The Chair of the BOG stated that young, inexperienced trappers are primarily responsible for unethical trap setting. He stated many new trappers drive south from Anchorage and their first stop is Cooper Landing, where they set traps along gravel roads and pull-outs, which are also frequented by many other people and their pets. He suggested these user conflicts could be addressed through trapper education and by promoting ethical trapping (ADF&G 2016). Two of the guidelines in the Alaska trapper code of ethics are: 1. Check traps regularly, and 2. Promote trapping methods that will reduce the possibility of catching non-target animals (ADF&G 2021). Additionally, an Alaska Trappers Association ethics video stresses the importance of proper trap placement to avoid busy roads, trapping pets, and potentially offending passers-by with the sight of a trapped animal (ATA 2019).

The Alaska Trappers Association (ATA) posted several signs in highly trafficked areas of Cooper Landing in February 2015, warning trappers to avoid conflict by not trapping near trails and turnouts and cautioning pet-owners to be responsible and to keep their pets on a leash (McChesney 2015).

Current Events Involving the Species

Cooper Landing Community Safe Trails Committee plans to submit a proposal for the BOG 2022 meeting requesting that trap or snare usage within 1,000 feet of the same specified trails, roadways, and campgrounds that are identified in this proposal, be prohibited.

Effects of the Proposal

If the Board adopts Proposal WP22-15, Federal qualified subsistence users will be prohibited from using traps or snares within 1,000 feet of specific sections of four trails, four campgrounds, and both sides of specific sections of three different roadways.

This proposal would burden Federally qualified subsistence users who would have to set traps in much less accessible areas, reducing trapping opportunity. However, all users (Federally qualified and non-Federally qualified) could still hunt and trap within 1,000 feet of these specific trails, campgrounds, and roadways under State regulations. Furthermore, adopting this proposal would result in Federal regulations being more restrictive than State regulations.

The maximum distance from roads and trails in other management areas where trapping is prohibited is 0.25 miles. A 1,000-foot setback, while less than 0.25 miles, is still a long distance to offset traps from roads and trails. In 2015, BOG members expressed concern about trappers having to travel 250 feet from trails during their discussion of Proposal 180 (see Regulatory History).

Hunting and trapping restrictions for specific areas may be more effectively addressed through means other than the Board (e.g. BOG, city ordinance, National Forest regulation). While the State does not have any trapping restrictions specific to Unit 7, it does restrict trapping in some management areas (5 AAC 92.550). Management areas in Unit 1C (e.g. Auke Lake, trails, Douglas Highway) prohibit trapping within one-quarter mile. Chugach State Park, outside of Anchorage, prohibits trapping within 50 yards of developed trails. If particular areas around Cooper Landing warrant similar restrictions, a proposal would need to be submitted to the BOG. However, based on the BOG's action on Proposal 180 in 2015, consensus between trappers and local residents on a regulatory solution or compromise may be prudent. (Note: While a proposal adopted by the BOG would apply to all users hunting under State regulations, Federally qualified subsistence users would still be able to trap within 1,000 feet of roads and trails on Federal public lands under Federal regulations if this proposal is not adopted.)

Alternatively, the town of Cooper Landing could issue a city ordinance that restricts trapping to address specific, local conflicts. In May 2019, the Anchorage Assembly passed an ordinance that bans trapping within 50 yards of all developed trails and within one-quarter mile of trailheads and buildings in the Anchorage Municipality. The Forest Supervisor of the Chugach National Forest also has the authority to close/restrict uses of Forest Service lands (36 CFR §261.50). Working with the Forest Supervisor may be another way to address local user conflicts in specific areas. The USFS currently prohibits pets to be off leash in developed recreation sites in all national forests (36 CFR §261.16(j)).

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP22-15.

Justification

Adoption of Proposal WP22-15 would decrease trapping opportunity for Federally qualified subsistence users because users would have to spend more time accessing trapping areas. Additionally, Federal regulations would become more restrictive than State regulations. Finally, all users would still be able to hunt and trap without any restrictions under State regulations.

LITERATURE CITED

ADF&G. 2015. Meeting audio. Alaska Board of Game Southcentral Region meeting, March 13-18, 2015. Alaska Department of Fish and Game. Alaska Board of Game meeting information. <http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo&date=03-13-2015&meeting=anchorage>. Accessed June 2, 2021.

ADF&G. 2016. Meeting audio. Alaska Board of Game Statewide Regulations, Cycles A&B meeting, March 18-28, 2016. Alaska Department of Fish and Game. Alaska Board of Game meeting information. <http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo&date=03-18-2016&meeting=fairbanks>. Accessed June 2, 2021.

ADF&G. 2021. Code of Ethics. A Trapper's Responsibility. Alaska Department of Fish and Game. Juneau, AK. <https://www.adfg.alaska.gov/index.cfm?adfg=trapping.code>. Accessed June 2, 2021.

ATA. 2019. ATA Trapper Ethics. Alaska Trappers Association. <https://www.alaskatrappers.org/ethics.html>. Accessed June 2, 2021.

FSB. 2020. Transcripts of Federal Subsistence Board proceedings. April 21, 2020. Office of Subsistence Management, USFWS. Anchorage, AK.

McChesney, R. 2015. Trapping, recreation collide in Cooper Landing. Peninsula Clarion. March 14, 2015. <https://www.peninsulaclarion.com/news/trapping-recreation-collide-in-cooper-landing/>. Accessed May 28, 2019.

WRITTEN PUBLIC COMMENTS

Alaska Kenai Chapter Safari Club International
P.O. Box 2988

Soldotna, AK 99669
kenaisci@gmail.com



July 18, 2021

RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into "have and have nots" in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the 'rural designated' community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a "rural designated" community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of "rural" for the "North Fork Rural Customary and Traditional Subsistence Use Community". An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford
Joe Hardy
Shawn Killian
Bryan Vermette
Jesse Bjorkman
Sam Evanoff
Roy Smith
Ted Spraker
Rick Abbott

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Alaska Outdoor Council comments - 2022-2024 Wildlife Proposals

Rod Arno <rodarno@gmail.com>

Mon 7/19/2021 12:23 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: Mulligan, Benjamin J (DFG) <ben.mulligan@alaska.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Alaska Outdoor Council
310 K Street, Suite 200
Anchorage, Alaska 99501
July 19, 2021

RE: Public comments for FSB 2022-2024 Wildlife Proposals

The Alaska Outdoor Council (AOC) is a Statewide coalition of individual members and clubs representing 10,000 Alaskans who hunt, trap, fish and recreate on public lands/waters in Alaska. AOC Club Representative have participated in the regulatory process of managing and allocating fish and game in Alaska since before statehood in 1959.

Numerous proposals submitted by Federal Subsistence Regional Advisory Councils, federally recognized subsistence communities, and individuals confirm the fears that many AOC Representatives had at the time of the passage of Alaska National Interest Lands Conservation Act (ANILCA) 1980. Dual management of who can harvest game depending on whether you are on state public and private lands or if you are on federal lands was not the intend of Congress when they passed ANILCA.

AOC opposes WP22-07, WP22-08, WP22-09.
Alaska Department of Fish & Game data should not invoke a complete closure to non-Federally Qualified Subsistence Users under Section 804 of ANILCA. Even the 9th Circuit Court, *Nimlichik Traditional Council v. U.S.*, 227 F.3d 1186 in 2000 understood the priority given in Title VIII of ANILCA was not absolute.

AOC opposes WP22-15.
Congress's findings and declaration in Sec. 801 of ANILCA should leave no room for regulatory action by the Federal Subsistence Board (FSB) regarding anti-trapper claims. Sec. 801(3) of ANILCA should have the FSB concentrating only on "remote federal lands", as was the intent of Congress when they passed 802(2) of ANILCA.

AOC opposes WP22-16 thru 22.
Providing a priority for some individuals or communities to harvest game on federal public lands located on the Kenai Peninsula only exacerbates the conflict between federally qualified hunters and Alaskans living in non-federally qualified areas of the state. Both groups of hunters are similarly situated.

AOC opposes WP22-32.
It would be in Alaskan's best interest if the FSB would reduce the number of Alaskans allowed a priority to harvest game on federal lands just based solely on where they live, not how.

Thanks for the opportunity to provide public comments,

Rod Arno, Public Policy Director
Alaska Outdoor Council

Sent from Rod Arno's iPad.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NW13MDNjZQAQAL9rk...> 1/1

[EXTERNAL] Proposal WP20-15

Randy Zarnke <itrap2@gci.net>

Mon 7/19/2021 8:16 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

The Alaska Trappers Association is opposed to Proposal WP20-15.

Title VIII of ANILCA mandates a priority for rural customary and traditional subsistence uses on federal land in order to protect and preserve those customary and traditional activities including from erosion by changing times.

Trapping is a customary and traditional use protected under Title VIII. Proposal WP20-15 is at odds with ANILCA for this and other reasons.

The [Policy On Closures To Hunting, Trapping and Fishing on Federal Public Lands and Water in Alaska](#) is very clear: *... "Before closing any Federal public lands or waters to subsistence or non-subsistence uses of fish or wildlife, the Board will assess the availability and effectiveness of lesser restrictions and other management options that could preclude the need to implement such closure."*

At a recent meeting the Federal Subsistence Board rejected a similar, more radical proposal to close all hunting and trapping within one mile of roads and houses in the wider Cooper Landing area. In response the FSB issued some questionable advice as follows:

Alternatively, the town of Cooper Landing could issue a city ordinance that restricts trapping to address specific, local conflicts. In May 2019, the Anchorage Assembly passed an ordinance that bans trapping within 50 yards of all developed trails and within one-quarter mile of trailheads and buildings in the Anchorage Municipality. The Forest Supervisor of the Chugach National Forest also has the authority to close/restrict uses of Forest Service lands (36 CFR §261.50). Working with the Forest Supervisor may be another way to address local user conflicts in specific areas. The USFS currently prohibits pets to be off leash in developed recreation sites in all national forests (36 CFR §261.16(j)). The Kenai NWR prohibits trapping near trailheads, campgrounds, and roads to minimize user conflicts while still providing meaningful trapping opportunity in the undeveloped areas of the refuge (Eskelin 2019, pers. comm.). (Note: Kenai NWR is primarily located in Unit 15, which is adjacent to Unit 7.)

To begin, Cooper Landing is not an organized entity.

Further, in the lead-up to the Anchorage ordinance, Theo Matuskowitz, Office of Subsistence Management, declined involvement on the basis that a municipal ordinance cannot supersede ANILCA on the federal lands proposed for MOA trapping restrictions. So now a few years later apparently the FSB has apparently decreed that indeed a local government may override ANILCA as evidenced by the above advice.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQABN...> 1/3

Also, we believe that the Forest Supervisor should mandate an enforced leash law before moving to restrict subsistence trapping prioritized under ANILCA as a way to address local user conflicts in specific areas. That belief presupposes that off-leash dog recreation does not supersede subsistence trapping as protected under Title VIII.

Finally, Kenai NWR trapping closures within 1 mile of roads, while firearm discharge restrictions are only 1/4 mile in many areas, are not supportable as a public safety issue. It is likely past due the FSB consider re-opening overly restricted KNWR areas to subsistence trapping.

The Forest Service has long had leash laws and firearm discharge restrictions in place for public safety reasons. Trapping has not been included in those restrictions because, regardless of what trapping opponents repeat time and time again, traps pose an extremely low public safety risk and accidents involving humans are exceedingly rare.

Prior to a 2015 meeting of the Alaska Board of Game, the BOG chair suggested that local anti-trappers identify discreet locations of local importance for possible set aside as de-facto off-leash dog parks. That suggestion was ignored. Instead the local activists joined with a much larger coalition of non-local activists, many of whom have been long focused on ending all trapping. Extensive closures were sought. The BOG rejected the large-scale trapping closures.

A widely distributed and heavily promoted internet and direct mail survey promulgated by WP20-15's author this past winter seeking to gain input and support for trapping closures appears to have attracted a low level of local support of perhaps around 30%. But that is difficult to say exactly, because we do not have access to all the survey details. Certainly a referendum or ballot initiative that gathered only 30% support would be considered a landslide defeat. And this does not even take into account that the 420 surveys were mailed to all property owners, resident or not; was distributed to 765 email addresses via the Cooper Landing Community Crier and was available on Facebook. So the survey itself is very problematic in that it is impossible to tell actual local participation which may very well be way below even 30% local involvement. Cooper Landing 2020 census population figure is 478 total. Apparently erosion of trapping opportunity is not supported by most Cooper Landing residents. And once again, local anti-trapping interests have paired with the long time anti trapping activists.

There have of course been several instances of loose running dogs being accidentally trapped in the Cooper Landing area over the past 20-30 years. It's not difficult to conclude that both parties share responsibility on many of these occasions.

To help address this issue, the Alaska Trappers Association has provided advisory signage intended to increase awareness and reduce conflict, hosting live workshops on how to recognize extant trapping activity, hands-on instruction on how to release various traps and snares, attending agency meetings and informal household community gatherings.

We are not aware that any of the activists ever attended any of the trapper-sponsored workshops. Ever since the ATA advisory signage went up we are aware of no conflicts in those areas so the signage seems to be a big help.

There may to be some openness to the idea of pairing certain trapping restrictions with mandatory leash laws.

On the other hand, ATA will continue to resist one-sided solutions where all the onus is on the trapper.

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

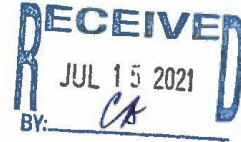
ATA invites the Forest Supervisor to contact us prior to any potential decision.

Thank you for the opportunity to comment.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQABN...> 3/3

ALASKANS FOR WILDLIFE

Federal Subsistence Board
Office of Subsistence Management
Attn: Theo Matuskowitz
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199



July 8, 2021

Dear Federal Subsistence Board,

The Alaskans FOR Wildlife organization <alaskansforwildlife.org> wishes to offer support for the proposal WP22-15 which is offered by sponsors, the Cooper Landing Safe trails Committee in the quest to keep the public recreational users of recreational trails and camping areas safe in their uses, free of conflict with traps and trappers and safe from accidental injury by seeking a trap/snare setback of at least 1,000 feet from the public use areas and trails listed in the proposal.

We support such setbacks from public use areas in general so as to avoid accidental injuries by user parties. Also, importantly, the setback if observed will help to sustain subsistence in the view of a general public.

We feel that a setback is a reasonable requirement which if followed in good faith by trappers will actually, in other words, help *sustain* the practice by a general public recreational trail user.

Public relational trail use is increasing over time, and this proposed requirement for setback where no such requirement of any kind exists is reasonable and will help avoid the negativity of growing conflicts on the use areas.

Please consider the importance of accommodating user safety of these public use areas as proposed in WP22-15.

Thank you for consideration of this support.

Jim Kowalsky, Chair
Alaskans FOR Wildlife
PO Box 81957
Fairbanks, Alaska 99708
jimkowalsky@yahoo.com

[EXTERNAL] Proposal WP22-15

Mike Amos <indyndusty@gmail.com>

Mon 7/19/2021 8:27 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

It has been brought to my attention that a proposal has been submitted asking for trapping setbacks.

Being a resident of Cooper Landing for the last 10 years and frequent user of the trails and public access points near town, I have talked with several people who have been directly affected by traps being placed too close to trails and public use areas resulting in an injured (lost leg) dog or worse yet being killed.

Having a set back for traps is not only ethical but a safety factor as well. The number of licensed trappers in Alaska is only a fraction of one percent, so why is it ok for that trapping minority to hold the rest of the population "Hostage" causing fear for our pets and children to be able to enjoy the outdoors.

Cooper Landing is a destination thousands of people travel to during the summer months, this is changing as more people are traveling to Cooper Landing in the winter months to ski, snowshoe, snowmobile and bike. As a business owner in Cooper Landing I am looking forward to expanding my bike rental business into the winter months by offering Fat tire bikes. Being able to advertise that we have safe trails for everyone and free of traps in, on or near public use areas will be a big plus for new businesses such as mine. Economic growth in Cooper Landing especially during the winter months is a huge bonus for us all.

We're not demanding that trapping be abolished, we're asking for some setbacks to be established so everyone can use these areas equally.

Having a setback of 1000' is not unreasonable and is a great compromise for both parties, being trappers and nontrappers. The overwhelming positive response to the survey sent out in February clearly shows that a proposed 1000' setback is needed.

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Comments in support of proposal WP22-15

Larissa Arbelovsky <1larissakp@gmail.com>

Fri 7/9/2021 3:18 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Matuskowitz,

I am writing today in support of the proposed change to the Federal Subsistence Wildlife Refuge Regulations for 2022-2024 regarding trap setbacks in Cooper Landing (WP22-15). As a hunter, fisherwoman and supporter of subsistence lifestyles and trapping, as well as a skier, hiker, backpacker and dog owner, I appreciate the need to have a balanced system to manage our lands to accommodate the diverse uses. This proposal is very reasonable in only asking for a 1,000 foot setback for traps or snares around extremely popular recreational trails, parking lots & campgrounds in the Cooper Landing management area.

Thank you for your time and consideration in this matter.

Larissa Arbelovsky
907-398-3714
PO Box 2627
Soldotna, AK 99669

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQABC0...> 1/1

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Public Comment Re: proposal WP22-15

Derrick Branson <derrickinak@gmail.com>

Fri 7/9/2021 11:33 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I am writing to express my support for proposal WP22-15. I strongly feel that setbacks for trapping should be increased in the suggested areas.

Thank you,
Derrick Branson

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQABeu...> 1/1

Janette Cadieux
P.O. Box 873
Cooper Landing, AK 99572
jette.cadieux@gmail.com

Federal Subsistence Board
Office of Subsistence Management
(Atten: Theo Matuskowitz)
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199



July 11, 2021

Dear Members of the Federal Subsistence Board:

I am writing in response to your call for comments on Proposal WP22-15. This proposal to limit trapping around trailheads and corridors heavily used by non-trappers in and around the Cooper Landing area is overdue.

I am strongly in favor of Proposal WP22-15. Trapping activities do not mesh well with the varied dominant uses of trailheads and trail corridors in Cooper Landing. There is no reason why forced sharing of these spaces should occur. Trappers have the ability to go farther afield to trap and they should be required to do so. It's a matter of safety for all other users. It is also a matter of fairness and balance. Non-trapping uses are just as valid as trapping yet non-trappers in Cooper Landing have been forced to adapt to the presence of trapping or, more commonly, give up using an area that is trapped. Non-trapping users of these target corridors in Cooper Landing far, far out-number trappers. It is easy for trappers to go farther afield before setting traps. They should be required to do so to reduce conflict with other users.

Cooper Landing is unincorporated and must rely on federal and state regulatory bodies such as the Federal Subsistence Board and the State Board of Game to manage trapping activity for a safe and fair balance of activities. Non-trappers have the rightful claim to enjoy spaces on public lands free of conflicts with trappers. Regulation, and enforcement, must occur to make that possible. Keep in mind, "Shared resources without strong management often fall victim to selfish acts by individuals." -Craig Welch, National Geographic, April 2017. Enforcement will need to occur because bad-actors do exist.

Thank you for your consideration of my opinion on this matter. Establishing and maintaining a safe and fairly balanced use of public lands is possible through Proposal WP22-15.

Sincerely,

Janette Cadieux

[EXTERNAL] Proposal WP22-15 Opposition

Kevin Clark <kevin.r.clark92@gmail.com>

Sun 7/11/2021 7:13 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Federal Subsistence Board
Office of Subsistence Management
Attn: Theo Matuskowitz
[1011 E. Tudor Road](#), MS-121
Anchorage, Alaska 99503-6199

Dear Mr. Matuskowitz,

I am writing to you today to oppose the passing of Proposal WP22-15 requesting consideration of subsistence trapping regulations prohibiting subsistence trappers from using a trap or snare within 1,000 feet of specific trails, roadways, and campgrounds on Federal lands near Cooper Landing. I believe this proposal is an unnecessary overreach for the following reasons;

Common Sense. Anyone that knows anything about trapping understands that this proposal lacks common sense. 90% of the time, pets get caught in traps due to irresponsible pet owners. This is Alaska, not Central Park. It is dangerous stop you and to your pet to walk it off leash outside of city limits. Almost all the reported bear attacks in this state come from some bozo walking their dog off leash. The dog goes and stirs up the bear and brings it right back to the dog owner. The same thing with dogs getting into traps. Some jabrony walks their dog off leash in the winter (knowing full well that it's trapping season) and the dog inevitably comes in contact with a trap set. This could happen if you are 1,000 ft off trail, of 10,000 ft. A dog is gonna be a dog. They are attracted to smells. The problem here isn't trappers trapping to close to trails, the problem is there being absolutely no regulations requiring pet owners to keep their dogs on leash.

Unfair. Anyone that has ever done a winter down here would know that it's dang near impossible to find a place to safely park your vehicle along the road. Most trappers down here have to work public jobs because lets face it, fur prices aren't what they used to be. Not to say that subsistence trappers can't make extra money trapping (which is desperately needed in the winter especially with rising gas prices), but it's hard to make a living doing it these days. And because of that reason most trappers have to trap near a road system or trail in order to be able to run their lines before or after work. Because of their work schedule, they don't have the leisure to take 8hrs to run their traplines. If this proposal passes, your going to effectively shut down trapping in this area completely. The DOT only maintains certain pullouts (some are listed on your proposal), of which there really isn't many. If you shut down trapping near these pullouts and roads, people aren't even going to try. The amount of time and resources it would take to do it correctly (according to your proposal) wouldn't be worth the money you could make. And heaven help if you accidentally screwed up and had the Federal Government levy a fine against you for it.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAHJX...> 1/2

Unsafe. This one is straight forward. If you further limit the country that traps can lawfully trap, the few that do attempt it will be placed in unsafe conditions. Isn't it dangerous enough to partake in trapping without having to park on the side of the road in winter conditions? To try and unload all your gear on a snow bank while simultaneously playing real life frogger with oncoming vehicles? Seriously. You're gonna end up with more vehicle accidents than dogs in traps if you didn't pass this goofy proposal.

Impact on Conservation. Are you prepared to implement a predator control plan once you effectively force all the trappers in this area out of the game? Have you fully considered what will happen when there are no trappers, less land because of that stupid highway project, and now peoples "fur babies" are getting chewed up by coyotes on a regular basis? Or when the grouse/ptarmigan disappear because the marten population booms? The plan and simple facts are this proposal is coming from a place of emotion rather than a place of common sense and science.

In conclusion, I have watched silently as the rights of outdoorsmen has been eroded across this country for years. Look at what just happened in New Mexico. If you start passing these emotion driven regulations, how long until you can't trap on federal land at all? And how much money do these skiers/hikers pump back into the local economy? I highly doubt its anything in comparison to the amount of money trappers do. With purchasing fuel, licenses, trapping supplies, ect. Please let cooler heads prevail here. No trapper wants to catch someone's dog. Not only because we're dog lovers too, but because it causes extra work for us. Have to move your set because of the scent of a dog, having to go to court because the owner wants to sue you. Not to mention that a trap a dog is in, is a trap that's not catching a fur bearer. Trappers try our best to stay away from high use areas. But these dog walking hikers don't stay on trails to begin with! How about passing a law that they can't leave the trail and must maintain their dog on leash the entire time? How about making them purchase a hiker/skier license like we have to purchase a trapping license. How about enforcing SOME regulation on them? Cause as it stands right now they can go anywhere, do anything, and push to impose more regulations on trappers for free. Since when do people that don't have any skin in the game get to enforce those who do?

I hope this letter does not offend anyone. That's not my intention. I know the political pressures of trying to resolve these issues are daunting. But you have to speak up for trappers. We already get treated like scum because people think we are barbaric. I don't trap because I like to kill. I trap because i've seen a disease ridden coyote that doesn't have enough food. I've seen what happens when predator stocks aren't properly managed. I came to this awesome state because I wanted the freedom that everyone claims is up here. It's a little ridiculous that I'm even having to write a letter defending trapping in the "Last Frontier", but hey, here we are.

I hope it hammers home the point that more regulations on trappers is not the answer. Please, don't let the voice of the many destroy the rights of the few. Thank you for your time in reading this.

Respectfully,

Kevin Clark

7-16-21

Dear Subsistence Board:

Ref. Alaska Proposal W22-15, to prohibit trapping ("trap setbacks") within 1000 feet of certain lands, trails, campgrounds, pull-outs, etc. in the vicinity of Cooper Landing.

I encourage you **NOT TO** implement proposed rules which would prohibit trapping within 1000 feet for an extensive list of places in and around Cooper Landing . It appears the purpose of such prohibition mostly would be to protect dogs that are running loose (with or without the proximity of their owners) on the listed public trails, lands, and places possibly under your purview.

Cooper Landing and other Kenai Peninsula public trails and lands actually are more hazardous to hikers and other users from loose dogs than they are from trapping. Lack of consideration is manifested by some dog owners who allow dogs to be off-leash when using the listed places. Rarely would dog owners of leashed dogs be off-trail by up to 1000 feet to be accidentally affected by trapping!

On public lands and trails (and private land) of Cooper Landing and the Kenai Peninsula, I find myself frequently encountering unleashed barking dogs which have threatened me and grand children by running towards us and barking and growling at the same time. Meanwhile the dog owners show up a few minutes later saying "Oh, don't worry, he / she won't hurt you" . Baloney! The THREAT of the off-leash dog is hurt enough, let alone injury due to the possibility of being bitten - *why does my use and my well-being on a trail, public lands or private property have to be disrupted by their loose dog?* **Why do subsistence trappers have to sacrifice merely to satisfy the narrow interests of certain dog owners or other people failing to use public lands responsibly?**

Please see below an excerpt from the regulations of the USDA George Washington National Forest in Virginia. For various reasons the regulations there have evolved to protect the public with respect to dogs. I have highlighted key passages which show the intent to protect the public using those lands from dangerous pet animals.

I believe it appropriate for the Subsistence Board, in coordination (see Fish and Wildlife Coordination Act ([16 U.S.C. 661-667](#))) with other federal land managers (such as those authorized to manage the USDA Chugach National Forest), to maintain consistency with regulations such as those of the George Washington National Forest to protect the public from unconstrained dogs, including to protect trappers pursuing their traditional activities:

Excerpt from George Washing Nat'l Forest Regulations:

"Pets and Animals

Pets must always be on a leash. In campgrounds, keep your pet within your designated campsite unless walking the pet. Leashes cannot exceed 6' in length.

Clean up after your pet, removing all manure, pet food, and litter.

Owners of barking and/or threatening dogs or other pets that disturb visitors may be asked to leave the recreation area.

Pets (except guide dogs) are not allowed on beaches or in swimming areas. "

-George Washington Nat'l Forest 2021

The above rules show an emphasis on protecting humans from unconstrained pet owners and their dogs: Owners of dogs will tell you their dog is under their voice control to support their desire to let their animal be loose. Such assertion is not shown to be true or valid in practice. It's not the trapper or trapping, legitimate hunting with dogs, or other individual people that need to be constrained! **It's irresponsible dog owners and their animals themselves that need to be constrained.**

Not only would additional rules and regulations requiring leashed dogs protect the human public, they would protect the dog. The proposed rules in proposal W22-15 would be unnecessary.

Thank you for your consideration.

Cleve Cowles
Alaska Resident

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Comments on proposal WP22-15

Mike D <michael.d.donnellan@gmail.com>

Mon 7/19/2021 1:20 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello,

I am writing in support of proposal WP22-15 (setting setbacks for trapping in Unit 7). I actually don't think that this proposal goes far enough (I would like to see setbacks of at least 1/4 mile from all established roadways, campgrounds, and trails), but I am willing to support this proposal as a starting point. Out of concern for my dog, I personally avoid using the areas in question for cross country skiing during the wintertime because there are no trapping setbacks. This is not only unfortunate for me, but also for the local businesses that I would support otherwise. It is high time for us many non-consumptive users to be able to safely use the areas that a few trappers unfairly dominate during trapping season (and beyond, via the ghost traps they unethically leave behind). I fully support ethical subsistence trapping on Federal lands, but it is long past time that this common sense compromise be made.

Thank you for considering my comment.

Mike Donnellan
PO Box 181
Girdwood, AK 99587

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAGO...> 1/1

[EXTERNAL] Adopt Proposal WP22-15

Jordan Ebert <jordanebert@LIVE.COM>

Wed 7/14/2021 10:57 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Federal Subsistence Board,

I am writing in support of proposal WP22-15, which would prohibit subsistence trappers from using a trap or snare within 1,000 feet of a number of trails, roadways, and campgrounds on Federal Lands near Cooper Landing. This proposal would be a solution to the growing number of conflicts between recreational users and subsistence trappers, and reduce bycatch of non-intended species such as scavenging birds, bears, small game, and dogs. Results of a survey sent in February 2021 indicate community members strongly favor regulations supporting trapping setbacks from the trails, campgrounds and roads: 86%-92% of respondents supported the setbacks.

Proposal WP22-15 would also cause minimal disruption to subsistence trapping, because trappers would still have access and use to the vast backcountry beyond the 1000' setbacks. This is not an "anti-trapping" campaign but instead is a "safe trails" issue. Additionally, more distance from high use trails and campgrounds would benefit trappers as there would be less activity to scare away wildlife. It would also be more aligned with the historical and traditional ways and means of trapping fur bearing animals.

In May 2019, the Anchorage Assembly passed an ordinance that bans trapping within 50 yards of all developed trails and within one-quarter mile of trailheads and buildings in the Anchorage Municipality. Juneau has quarter mile setbacks on many of their trails. The precedent for setbacks on public lands in our state has already been established.

When Dr. Robert Gieringer submitted a proposal for a one-mile setback during the last meeting of the Federal Subsistence Management Board, the Board suggested that "the town of Cooper Landing could issue a city ordinance that restricts trapping to address specific, local conflicts." But unfortunately Cooper Landing is not an incorporated municipality and does not have the power to issue ordinances, and so the area must depend upon regulatory action by the Federal Subsistence Board, The Alaska State Board of Game and the US Forest Service.

Current trapping regulations allow traps to be set anywhere, creating a hazard for recreational users, their children and their dogs. Proposal WP22-15 would address this safety issue, and ensure that trails are safer for everyone. Please adopt proposal WP22-15.

Sincerely,

Jordan Ebert

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] WP22-15 comments, Unit 7 Kenai Peninsula

Candy FitzPatrick <antarcticandy@yahoo.com>

Mon 7/19/2021 1:39 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Theo Matuskowitz and crew,

In regards to the safe and equitable use of specific portions of trails, roads, and campgrounds (and land surrounding the trails, roads, and campgrounds) in the Chugach National Forest in the Cooper Landing area (Proposal WP22-15, Unit 7), please consider the results of the survey conducted by the Cooper Landing Safe Trails Committee in early 2021. The results of that survey indicated that community members favor regulations supporting trapping setbacks from the trails, roads, and campgrounds.

I am in support of the amicable work that would be conducted between recreational users, subsistence trappers, and appropriate government agencies pertaining to the issues that were covered by that survey and responses (I believe the results have been presented to you and the board). I have little opinion about the actual distance the setback should be and will rely on the information provided by my fellow community members in regards to that.

In addition, I encourage the matching of the regulations in alignment between the federal and state agencies as that would be advantageous in helping to quell confusion about which regulations pertain to what piece of land for all users.

Thank you for your time and efforts for this issue,
Candy FitzPatrick
P.O. Box 877
Cooper Landing, AK 99572

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAEYS...> 1/1

Federal Subsistence Board
Office of Subsistence Management
Attn: Theo Matuskowitz
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199

July 9, 2021

Dear Mr. Matuskowitz,

I am writing to you today in support of Proposal WP22-15 requesting consideration of subsistence trapping regulations prohibiting subsistence trappers from using a trap or snare within 1,000 feet of specific trails, roadways, and campgrounds on Federal Lands near Cooper Landing. As a resident of Cooper Landing I utilize the trails and roadways/campgrounds on a daily basis—especially during trapping season and believe this proposal would ensure a higher level of safety for residents, children, pets, and working animals. My family mushes dogs (11 year old daughter), skis, runs, hikes, and hunts where legally allowed. There have been incidents where people and dogs have run into traps and I feel it is necessary to have set backs to ensure a higher level of safety. I appreciate the OSM staff and boards review of this proposal and all the work they do to protect federal subsistence rights.

Gunal'cheesh,

Sincerely,

Adrienne Fleek
L'ook Beadwork

[EXTERNAL] support

Lydia Furman <lfurman844@gmail.com >

Sat 7/10/2021 2:53 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Federal Subsistence Management Board,

While I am opposed to trapping in general because it is cruel and inhumane, I recognize subsistence trappers are important in Alaska. Therefore I support Proposal WP22-15 for the following reasons:

- Results of a survey sent in February 2021 indicate community members strongly favor regulations supporting trapping setbacks from the trails, campgrounds and roads: 86%-92% of respondents supported the setbacks.
- As ski trails are being developed on campground roads, roads closed in winter and in new local areas (Devil's Pass Ski Loops), an increasing number of people are visiting the area for winter recreation opportunities.
- The psychological impact on many outdoor enthusiasts who fear their dog could be caught in a trap has created a situation that has been described by some as feeling "held hostage" and causes them to avoid outdoor winter recreational activities.
- The Mission Statement of the US Forest Service (USFS) states it must manage its lands and balance the short term and long term needs of people and nature. This can best be accomplished by: "working in collaboration with communities and our partners;" "providing access to resources and experiences that promote economic, ecological and social vitality;" "connecting people to the land and to one another."
- The Forest Service Value Statement states management of its lands for "safety in every way: physical, psychological and social." Traps set in high use areas are not safe.
- The requested setbacks would curtail the incidence of bycatch of non-intended species such as scavenging birds, bears, small game, or even dogs.
- The requested setbacks would prevent the unsightly visual of an animal caught in a trap or snare set in a recreational area, whether dead or not. Such sights are particularly difficult for children.
- The areas requested for setbacks comprise a very small portion of the land surrounding Cooper Landing compared to the vast Alaska backcountry still available to trappers. This is not an "anti-trapping" campaign but instead is a "safe trails" issue.
- More distance from high use trails and campgrounds would benefit trappers as there would be less activity to scare away wildlife. It would also be more aligned with the historical and traditional ways and means of trapping fur bearing animals.
- Current trapping regulations allow traps to be set anywhere, creating a hazard for recreational users, their children and their dogs.
- Only .4% of Alaskans have a trapping permit, which means 99.6% DO NOT engage in trapping, at least not legally. Almost all of our public land is available for trapping despite the exceedingly

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAAlps...> 1/2

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

small number of Alaskans who trap. If trapping was compatible with recreational uses such as skiing, hiking, skijoring and snowshoeing, this inequity and imbalance would not be a problem. However, traps are not safe for recreational users near trails, roadsides and campgrounds. A change in the trapping regulations that reflects the majority of public usage is long overdue.

- The placement of traps in areas used for recreation has been a long standing issue for the community of Cooper Landing and there have been several efforts to create a solution that is fair and workable for both trappers and recreational users. These efforts have continually failed. Now the issue has become even more important as the population of Cooper Landing and the popularity of winter recreational activities have grown. It is clear that some trap placement regulations need to be put in place to stop the conflicts and increase safety.
- There are vast areas of Federal and State lands available for trapping even if the setback request is adopted.
- When Dr. Robert Gieringer submitted a proposal for a one-mile setback during the last meeting of the Federal Subsistence Management Board, the Board suggested that "the town of Cooper Landing could issue a city ordinance that restricts trapping to address specific, local conflicts." Cooper Landing is not an incorporated municipality and does not have the power to issue ordinances. It does have an organized Community Club that listens to the concerns of local residents, and the members of the community have spoken loudly in favor of trap setbacks.
- In May 2019, the Anchorage Assembly passed an ordinance that bans trapping within 50 yards of all developed trails and within one-quarter mile of trailheads and buildings in the Anchorage Municipality. Juneau has quarter mile setbacks on many of their trails. The precedent for setbacks on public lands in our state has already been established. Unfortunately, unincorporated areas and second class boroughs have no authority to establish such regulations and must depend upon regulatory action by the Federal Subsistence Board, The Alaska State Board of Game and the US Forest Service.

Sincerely, Lydia Furman Peter

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAAlps...> 2/2

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Attn: Theo Matuskowitz : Cooper Landing Safe Trails

Allison Galbraith <ak.nanooks@gmail.com>

Mon 7/12/2021 2:37 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi. I would like to indicate my strong support of the Cooper Landing Safe Trails proposal WP22-15. I am a frequent and avid winter user of ski trails etc. in this area and find it absolutely appalling that my ON LEASH skijor/mushing dogs could potentially get caught in a trap. I think a 1,000 foot setback should be a minimum for these mutually exclusive activities of recreation and trapping in these areas. Trails should feel safe for all users and usage should not be solely claimed by one group over another. There is so much safe trapping land that there is absolutely no need to be trapping along trails where other recreational activities occur. It is simply irresponsible and selfish.

Please add me to the list of people who strongly support the adoption of the Cooper Landing Safe Trails proposal WP22-15.

Allison Galbraith
Homer, Alaska

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQACTS...> 1/1

Federal Subsistence Board
Office of Subsistence Management
Attn: Theo Matuskowitz
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199

July 11, 2021

Dear Mr. Matuskowitz,

I am writing to you today in support of Proposal WP22-15 requesting consideration of subsistence trapping regulations prohibiting subsistence trappers from using a trap or snare within 1,000 feet of specific trails, roadways, and campgrounds on Federal Lands near Cooper Landing. I believe this proposal is long overdue. We are not asking for trappers to give up their heritage or subsistence lifestyle. We are asking them to recognize that there are more and more folks recreating on trails and in the back country and we ALL must adapt and make concessions to share the outdoors fairly and equitably. Also, I feel that most of our local trappers who are from Cooper Landing already follow the practices requested in this proposal because they recreate with their families on these same trails and recognize the need for the larger setbacks. The problem lies more with non-local trappers who either do not care, are not ethical, or not familiar with the extent of outdoor enthusiasts and recreationalists active in our community.

I also feel the following reasons should be recognized in supporting Proposal WP22-15.

- Results of a survey sent in February 2021 indicate community members strongly favor regulations supporting trapping setbacks from the trails, campgrounds, and roads. 86%-92% of respondents supported the setbacks.
- As ski trails are being developed on campground roads, roads closed in winter and in new local areas (Devil's Pass Ski Loops), an increasing number of people are visiting the area for winter recreation opportunities.
- The psychological impact on many outdoor enthusiasts who fear their dog could be caught in a trap has created a situation that has been described by some as feeling "held hostage" and causes them to avoid outdoor winter recreational activities.
- The *Mission Statement* of the US Forest Service (USFS) states it must manage its lands and balance the short term and long-term needs of people and nature. This can best be accomplished by:
 - "Working in collaboration with communities and our partners;"
 - "Providing access to resources and experiences that promote economic, ecological and social vitality;"
 - "Connecting people to the land and to one another."
- The *Forest Service Value Statement* states management of its lands for "safety in every way: physical, psychological and social." Traps set in high use areas are not safe.
- The requested setbacks would curtail the incidence of bycatch of non-intended species such as scavenging birds, bears, small game or even dogs.
- The requested setbacks would prevent the unsightly visual of an animal caught in a trap or snare set in a recreational area, whether dead or not. Such sights are particularly difficult for children.
- The areas requested for setbacks comprise an exceedingly small portion of the land surrounding Cooper Landing compared to the vast Alaska backcountry still available to trappers. This is not an "anti-trapping" campaign but instead is a "safe trails" issue.

- More distance from high use trails and campgrounds would benefit trappers as there would be less activity to scare away wildlife. It would also be more aligned with the historical and traditional ways and means of trapping fur bearing animals.
- Current trapping regulations allow traps to be set anywhere, creating a hazard for recreational users, their children, and their dogs.
- Only .4% of Alaskans have a trapping permit, which means 99.6% DON'T engage in trapping, at least not legally. Almost all of our public land is available for trapping
- despite the exceedingly small number of Alaskans who trap. If trapping was
- compatible with recreational uses such as skiing, hiking, skijoring and snowshoeing, this inequity and imbalance would not be a problem. However, traps are not safe for recreational users near trails, roadsides, and campgrounds. A change in the trapping regulations that reflect most of the public usage is long overdue.
- The placement of traps in areas used for recreation has been a long-standing issue for the community of Cooper Landing and there have been several efforts to create a solution that is fair and workable for both trappers and recreational users. These efforts have continually failed. Now the issue has become even more important as the population of Cooper Landing and the popularity of winter recreational activities have grown. Some trap placement regulations need to be put in place to stop the conflicts and increase safety.
- There are vast areas of Federal and State lands available for trapping even if the
- setback request is adopted.
- When Dr. Robert Gieringer submitted a proposal for a 1-mile setback during the last meeting of the Federal Subsistence Management Board, the Board suggested that *"the town of Cooper Landing could issue a city ordinance that restricts trapping to address specific, local conflicts."* Cooper Landing is not an incorporated municipality and does not have the power to issue ordinances. It does have an organized Community Club that listens to the concerns of residents, and the members of the community have spoken loudly in favor of trap setbacks.
- In May 2019, the Anchorage Assembly passed an ordinance that bans trapping within 50 yards of all developed trails and within one-quarter mile of trailheads and buildings in the Anchorage Municipality. Juneau has quarter mile setbacks on many of their trails. The precedent for setbacks on public lands in our state has already been established. Unfortunately, unincorporated areas and second-class boroughs have no authority to establish such regulations and must depend upon regulatory action by the Federal Subsistence Board, The Alaska State Board of Game, and the US Forest Service.

Lastly, I hope that the Federal Subsistence Board takes this as a great opportunity in creating a workable model that other communities in Alaska can utilize to assist in their efforts for avoiding user conflicts and increase safety for their trail users.

Thank you for your time and attention regarding this matter.

Sincerely,

Yvette & Gary Galbraith

Yvette & Gary Galbraith
Upper Kenai Cabins
Cooper Landing Residents

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Cooper Landing trap setback comment WP22-15

Mareth Griffith <magpiemareth@gmail.com>

Fri 7/9/2021 8:33 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning Mr. Matuskowitz,

I am writing to voice my support for a proposal barring traps or snares from being placed within 1000 feet of specific trails, roads and campgrounds in the Cooper Landing area.

I am a resident of Seward, Alaska, and a member of the Seward Nordic Ski Club. I enjoy taking advantage of the ski trails and other winter recreational opportunities between Seward and Cooper Landing. I support the proposal as a way to increase skiers' safety in developed, front-country recreation areas, as well as the safety of small children and pets. USFS regulations currently allow traps to be set within close proximity to trails, and I believe a change in regulations that would keep traps out of front-country, high-use recreational areas is long overdue.

Thank you for your consideration.

Mareth Griffith
32715 Wizard Ave
Seward AK 99664
907-268-8911

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAG9t...> 1/1

[EXTERNAL] Comments For Trapping Proposal WP20-15

THOMAS LESSARD <tlessard@mtaonline.net>

Mon 7/19/2021 12:36 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

WP20-15

Trapping is customary and traditional. These trapping closures will make subsistence trapping more difficult for everyone but especially for elders who have a hard time getting around and young kids who don't have snow machines or cars.

I have trapped in some of the areas they are trying to close, sharing the furs and making hats for gifts for the grandchildren and others. These trapping closures will make it harder to share furs and will make it harder to pass along the trapping traditions to the young kids.

Specific trapping locations are very important over time. Closing the locations will harm the traditions. It will squeeze the trappers. They will have to move to areas where other people already trap and that's a problem.

Moose Pass just got ok'ed for subsistence. They said having subsistence out their back door was a big deal. But these other people who don't trap want subsistence trapping taken away because they say it's too close to their house or skiing trail. They want their dogs to be able to run all over even chasing moose. Sometimes a dog gets in a trap but never a dog that is on a leash.

I think we need leash laws so dogs can't run all over.

Some bird hunters say trappers are going to hurt their dogs. I see bird hunters out hunting with their dogs early in the fall before trapping even begins. By the time trapping seasons roll around the spruce hens are eating spruce needles and the ptarmigan slopes are full of snow. Nobody I know wants to eat spruce hens that are eating needles and it's too hard to hunt when the snow is getting deep. I guess that's why I don't see anybody out bird hunting with their dogs during trapping season.

Another thing they say it's unsafe to set a trap in some places but it's ok to blast away with a shotgun in the very same place. It doesn't make much sense.

They sent a survey to everybody even people who don't live here. They also put the survey on the internet. They didn't get many of them back but say 90% of them want to close trapping so that proves their point. It doesn't prove much of anything because who knows who filled out the survey?

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NW13MDNjZQAQADK...> 1/2

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

One new subsistence guy from Moose Pass said Cooper Landing should make their own dog park on Community Club property. That's a good idea.

They say traps are dangerous and will catch kids. I've never heard of that. But people do get hurt by bears, cars, fish hooks and dog bites. So there are things that are dangerous but traps are not one of them.

Please reject WP20-15

Tom Lessard
Cooper Landing

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQADK...> 2/2

[EXTERNAL] Comments for Trapping Proposal WP20-15

Kathryn Lessard <klessard62@gmail.com>

Mon 7/19/2021 3:56 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

WP20-15

This proposal is designed to restrict or even eliminate a traditional subsistence activity to allow for unrestrained dogs to run free on our trail systems, in campgrounds, on roadways and in developed recreational sites.

The proposal fails to demonstrate that trapping is a public safety problem unlike unrestrained dogs.

Unrestrained dogs are a safety risk to our wildlife, other users and other dogs. There were approximately 4.7 million reported dog bites and 46 deaths due to dog attacks in 2019 in the US. These were mostly children. Approximately 45 deaths in 2020.

As a school nurse for 20 years, I have treated quite a few serious dog bites and no trapping injuries.

I encourage the board to reject this proposal.

Kathryn Lessard
Cooper Landing

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Proposal WP22-15

Debbie Martyn <d.martyn12@gmail.com>

Fri 7/9/2021 8:12 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Federal Subsistence Board
Office of Subsistence Management
Attention : Mr. Theo Matuskowitz

Dear Theo,

In February of 2020 my beautiful Husky Mix dog Champion was caught and killed in an illegal hunting trap that unfortunately had been placed close to a residential area close to my home.

It still saddens me to this day. I wonder how much he must have suffered before he died and so needlessly as well. If we had more laws in place protecting people and their beloved pets, who just want to be able to access recreational areas without fear of getting maimed, hurt, or dying, then these types of needless deaths could be averted forever.

By the way, if placed close to recreational areas and trails used by the public, these hunting traps not only have the potential to maim and/or kill domestic pets, but have the potential to be dangerous to people of any age, including small children who can also get an arm or a leg caught in these traps, disfiguring them forever, or possibly even killing them.

Thank you for supporting Proposal WP22-15.

Best regards,

Deborah Martyn

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAHe5...> 1/1

[EXTERNAL] Subsistence Proposal WP22-15

Julian Mason <julian@ak.net>

Thu 7/8/2021 4:13 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: lthuskys@gmail.com <lthuskys@gmail.com>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I am writing to support Cooper Landing Safe Trails proposal WP22-15. I am a (inactive) licensed trapper and have a home in Cooper Landing. My guests, family, and I use the trails year round. While I obviously have no objection to trapping, I believe that some places should be free of traps so that people and their pets can enjoy the trails without fear. If the Safe Trails proposal is adopted, very little land will be off limits to trapping and virtually the entire national forest will be open.

I appreciate your considering my views, and hope that WP22-15 will be adopted. J

--

This transmission is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, distribution or copying of this information is strictly prohibited. If you have received this transmission in error, please notify me immediately by return e-mail and delete this message and destroy any printed copies. This communication is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. Your cooperation is appreciated.

Federal Subsistence Board
Attn: Theo Matuskowitz

July 19, 2021

Trapping in the Cooper Landing area

This is a letter in full support of the proposed trapping setback of 1000 feet being presented to the Federal Subsistence Board by the Cooper Landing Safe Trails Committee. Though we are not members, we are dog owners and recreationist who do fully support this cause.

We have lived in Cooper Landing since 1992 and can recount numerous instances of individuals having their dogs caught in snares and conibear traps resulting in loss of limbs and/or death. The efforts of the trapping community to self-promote sensible setbacks from trails and trailheads has sadly failed, with traps continuing to be found in high density use areas, quite commonly only a few feet off a trail or road.

We can honestly say that the trapping being done in the Cooper Landing area has 100% affected the use of the trails that we utilize. That one user group (trappers) can have such a negative impact on the rest of the user groups is unequitable, and quite truthfully, unfair.

Please consider the setback proposal so that Cooper Landing residents, and the many visitors who come here, can safely utilize the local trails with their pets without having to worry about their safety.

Thank You,

Dan Michels
Kristen Helgren
Owners of Luci and Gemma

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Wildlife Proposal WP20-15

Dan Mico <danmico@hotmail.com>

Sun 7/18/2021 1:05 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attn: Federal Subsistence Board

Re: Opposition to Proposal WP20-25

I am writing to state my opposition to proposal WP20-15 in its' entirety. Not only would this make trapping more difficult for subsistence users, it would displace those already trapping in the proposed areas creating conflict and putting more pressure into areas adjacent to closures as trappers have to find new lines. Most recently this occurred at the "Devils Creek Ski Loop" (not an officially recognized recreation area) when skiers commandeered an area managed for wildlife habitat that has been trapped for years and forced its' current user to move out.

Additionally, there are plenty of sets such as submerged traps or elevated cubbies that pose no threat to dogs and have no reason to be banned within these distances.

Curtailing the rights of subsistence users for the actions of one or two unethical trappers is not the answer.

Dan Mico
PO Box 51
Moose Pass, AK 99631

(907)288-2026
danmico@hotmail.com

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAGY4...> 1/1

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] WP22-15, Attn: Theo Matuskowitz

MARY LOUISE MOLEND A <sunrise@arctic.net>

Sun 7/11/2021 2:05 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Please enact the requested setback for Cooper Landing because:

- It is inhumane to expose nature lovers to the stress and anxiety of seeing and rescuing a maimed pet ensnared in a trap.
- The requested 1,000 foot setback is not onerous and does not unnecessarily inhibit the activities of trappers who constitute a small percentage of trail users.
- Cooper Landing does not have the statutory authority to create or enforce the requested 1,000 foot setback.

This needs to be done and we can't do it. Please help us.

Mary Louise Molenda
PO Box 752
Cooper Landing, Ak 99572
907-205-0842

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAFZ...> 1/1

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] WP22-15

Mona Painter <painter@arctic.net>

Sun 7/18/2021 11:31 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Federal Subsistence Board

Office of Subsistence Management (Attn: Theo Matuskowitz)

1011 E. Tudor Road, MS-121 Anchorage, Alaska 99503-6199

I am in favor of the Wildlife Proposal 22-15 regarding trap emplacements in Unit 7 on the Kenai Peninsula. I worked on the Cooper Landing Community Safe Trails Committee to develop this proposal. I have been a resident of Cooper Landing for over 62 years and have seen just about every aspect of trapping I can think of from historical photos to seeing traps set just off trails as I was hiking. With a much broader population base in recent years and more and more interest in recreational trail use, I've seen some problems between user groups on local well-used trails. I am encouraged to learn that the different groups are open to discussing compromises.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQANN...> 1/1

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] WP22-15

Laurie Radzinski <l.radzinski@gmail.com >

Wed 7/14/2021 12:55 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I live in Cooper Landing and am in favor of a prohibition on traps and/or snares within 1,000 feet of the trails and areas proposed by the Cooper Landing Safe Trails Committee.

Laurie Radzinski
PO Box 587
Cooper Landing AK 99572

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQANNc...> 1/1

[EXTERNAL] Attn: Theo Matuskowitz; Support Proposal WP22-15

Janet Rhodes <janetrhodes1@msn.com>

Sat 7/10/2021 9:19 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Matuskowitz,

Please support Proposal WP22-15. Here is a list of supporting reasons:

- Results of a survey sent in February 2021 indicate community members strongly favor regulations supporting trapping setbacks from the trails, campgrounds and roads: 86%-92% of respondents supported the setbacks.
- As ski trails are being developed on campground roads, roads closed in winter and in new local areas (Devil's Pass Ski Loops), an increasing number of people are visiting the area for winter recreation opportunities.
- The psychological impact on many outdoor enthusiasts who fear their dog could be caught in a trap has created a situation that has been described by some as feeling "held hostage" and causes them to avoid outdoor winter recreational activities.
- The Mission Statement of the US Forest Service (USFS) states it must manage its lands and balance the short term and long term needs of people and nature. This can best be accomplished by:

"working in collaboration with communities and our partners;"

"providing access to resources and experiences that promote economic, ecological and social vitality;"
"connecting people to the land and to one another."

- The Forest Service Value Statement states management of its lands for "safety in every way: physical, psychological and social." Traps set in high use areas are not safe.
- The requested setbacks would curtail the incidence of bycatch of non-intended species such as scavenging birds, bears, small game, or even dogs.
- The requested setbacks would prevent the unsightly visual of an animal caught in a trap or snare set in a recreational area, whether dead or not. Such sights are particularly difficult for children.
- The areas requested for setbacks comprise a very small portion of the land surrounding Cooper Landing compared to the vast Alaska backcountry still available to trappers. This is not an "anti-trapping" campaign but instead is a "safe trails" issue.
- More distance from high use trails and campgrounds would benefit trappers as there would be less activity to scare away wildlife. It would also be more aligned with the historical and traditional ways and means of trapping fur bearing animals.
- Current trapping regulations allow traps to be set anywhere, creating a hazard for recreational users, their children and their dogs.
- Only .4% of Alaskans have a trapping permit, which means 99.6% DO NOT engage in trapping, at least not legally. Almost all of our public land is available for trapping despite the exceedingly small number of Alaskans who trap. If trapping was compatible with recreational uses such as skiing, hiking, skijoring and snowshoeing, this inequity and imbalance would not be a problem. However, traps are not safe for recreational users near trails, roadsides and campgrounds. A change in the trapping regulations that reflects the majority of public usage is long overdue.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NW13MDNjZQAQAKc6...> 1/2

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

- The placement of traps in areas used for recreation has been a long standing issue for the community of Cooper Landing and there have been several efforts to create a solution that is fair and workable for both trappers and recreational users. These efforts have continually failed. Now the issue has become even more important as the population of Cooper Landing and the popularity of winter recreational activities have grown. It is clear that some trap placement regulations need to be put in place to stop the conflicts and increase safety.

Thanks for your time.

Janet Rhodes

Get [Outlook for Android](#)

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAKc6...> 2/2

7/21/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] WP22-15

Larry Rundquist <rundquist@gci.net>

Mon 7/19/2021 5:53 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Re: Organization: Cooper Landing Community Safe Trails Committee

Address: PO Box 652, Cooper Landing, AK 99572

I fully support the proposal for trapping setbacks as proposed by this Committee. Alaskans are active in the backcountry on and off trails for hunting, fishing, and hiking and should not have to worry about stepping in a trap. This proposal should be expanded state-wide around population centers and the road system.

Thanks...

Larry Rundquist

2912 Alder Dr

Anchorage, Alaska 99508

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWVlOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQACV...> 1/1

[EXTERNAL] 2022-24 Wildlife Proposal: Oppose WP22-15, Unit 7 trap setbacks

Lisa Slepetski <lslepets@alumni.colostate.edu>

Sun 7/18/2021 9:21 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To: Federal Subsistence Board
Office of Subsistence Management
Re: WP22-15 Unit 7 Trap setbacks - Opposed

As a full time, year-round Moose Pass resident and subsistence user of Unit 7 public lands and trails - not only for hunting, trapping, and foraging, but also for recreational hiking and skiing with my dogs - I fully oppose Wildlife Proposal WP22-15, which would prohibit traps and snares within 1,000 feet of trails, roads, and campgrounds. I appreciate the Board's consideration of my comments.

First, this proposal would make Federal Subsistence trapping regulations more restrictive than State of Alaska trapping regulations. The State of Alaska has rejected similar trapping proposals in the past. The vast area proposed for these setbacks include not only Chugach National Forest land, but also Bureau of Land Management, State of Alaska, Kenai Peninsula Borough, and private land. This would also create confusion by both trappers and dog owners if setbacks were required only by subsistence users on federal land, but not by trappers under State regulations. The subsistence taking of wildlife is recognized as an important use of federal lands per the Alaska National Interest Lands Act (ANILCA) and this would be an unnecessary restriction on the rights of subsistence trappers.

This idea that all traps are dangerous and deadly, and not compatible with other user groups, is false. With the different types of traps, snares, and sets, not all of them are harmful, attractive, and/or accessible to loose dogs. I have always taken my dogs with me to check my marten tree cubby sets, as they pose no risk to them. My sets are high enough off the ground, with the trap placed within a deep box, that dogs can't reach. Ethical trappers do not want to catch dogs. Many of us own dogs! Excessive setbacks along such a huge tract of land puts more burden on trappers, while not putting any responsibility on loose dog owners for their own pet's safety. In fact, just the proposed prohibited area along both sides the Sterling Highway from Tern Lake to Cooper Landing is about 7.5 miles long - without even accounting for the other trails and roads within the proposal, that alone would be 2.84 square miles where subsistence trapping would be eliminated. This doesn't even include the area that would also be eliminated along the Old Sterling Highway (which runs parallel to, and south of, the Sterling Highway), making trapping impossible along much of this area within Chugach National Forest;

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQACV6...> 1/3

steep, dangerous, avalanche-prone mountains would meet a trapper before s/he reached the end of the 1,000 ft setback along the Old Sterling Hwy. Many trails and roads have similar terrain limitations.

Also, trapping is not open year-round in Unit 7 (for anything other than small rodents). The longest trapping season in the proposal area is six months - which provides six months without trapping for off leash dogs. Public land is managed for multiple uses, and this separation in time allows for both user groups to engage in their activities for half of the year. The Skilak Lake Loop of the Kenai Wildlife Refuge is closed to trapping, providing year-round, trap-free trails and roads.

In addition, this proposal affects well beyond the boundaries of Cooper Landing, into unpopulated areas of the Seward Highway. One of the "trails" mentioned - Devil's Creek Ski Loop - is not an officially recognized trail, but is actually a moose habitat/fuels reduction management area, the "Devil's Vegetation Project", north of Devil's Creek Trail. The "ski loop" consists of the skid roads that were closed, seeded, and rehabilitated per the Environmental Assessment and Decision Notice (see <https://www.fs.usda.gov/project/?project=38120>). This is an area, open to subsistence snowmachine use, that has been trapped for years both before and after the vegetation projects and is popular with youth learning how to trap marten with tree cubbies; it is away from the actual Devil's Creek Trail, but has a parking lot that is plowed in winter and gentle terrain. Their traps were up weeks before some volunteers groomed it - for the first time ever - last winter. If this proposal passes, I am worried a precedent will be set that if a trapper takes the time and effort to create, brush, and maintain their own trap line, someone else could decide they like it, declare it a trail, and institute a trapping setback on the trapper's own trail. What constitutes a "trail" with regards to trying to prohibit subsistence activities? If certain areas and trails can be deemed "prohibited to trapping", as a subsistence user am I able to propose areas and trails that require dogs to be leashed - or even ban dogs entirely (if not engaged in lawful hunting) - if dogs are harassing wildlife or interfering with my ability to engage in subsistence trapping?

Further, if the intent of this set back is to protect off leash dogs, there are numerous issues to address. Per the Chugach NF website (<https://www.fs.usda.gov/detail/chugach/about-forest/?cid=fseprd564151>): "You may take a dog into the Chugach National Forest however, they must be leashed or restrained in developed recreation areas such as campgrounds, picnic areas and on developed trails." If a dog accidentally runs away, or the owner allows their dog purposely off leash - be it 10 feet or 1,000 ft - there are countless other ways a dog may be harmed or killed. Examples: Bears, moose, coyotes, wolves, porcupine, beavers, otters, tree snow wells/heavy snow/ice falling off trees, thin ice, swift water, hypothermia, or just getting run over by a car, attacked by another dog, getting lost, or simply running away. Trap setbacks are a false sense of security - traps are stationary, but wildlife hazards move! Environmental hazards change with the weather or seasons. Alternatively, a loose dog may be harassing/harming people, other dogs, or wildlife, totally unbeknownst to the owner. I have seen or experienced all of these things in Unit 7. I hunt birds with one of my dogs, and not only have I seen loose (non-hunting) dogs kill grouse and hare out of predatory instinct without the owners knowing and the meat going to waste, but also loose dogs have attacked my hunting dog, and my non-hunting, ON-leash dog. In areas where off leash dogs are permitted, they are still required to be "under control", but how is a dog under control if you can't see what your dog is doing even just 25 feet away in thick forest? I don't even let my hunting dog run very far on the Chugach, as I know that any time my dog is off-leash and I can't see her, there is always some risk! I have never had an incident with my dogs and traps, but I have had numerous problems with loose dogs that were not under owner control. As a dog owner, I do not hunt my bird dog until I have made sure the area is clear of traps. If I see trapping signs, I go

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

somewhere else to hunt. Or, I walk my dog on a leash. Looking for indications that a trapper is working an area is no different than paying attention for moose or bears, or ensuring ice is thick enough to support my weight. My safety, and the safety of my pets, is ultimately my responsibility in the woods. It's just part of winter in Alaska, where trapping helped literally mold the state and the people and formed many of the trails and roads that exist to this day.

Thank you for your time and consideration,
Lisa Slepetski
Moose Pass, AK

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQACV6...> 3/3

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] WP22-15

Jackie's Google <jackiesinak@gmail.com >

Sat 7/10/2021 5:33 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

As a year-round hiker on the Kenai Peninsula I fully support the addition of set-back limits for trapping along the trails and campgrounds in the Cooper Landing areas as listed. I keep my dog leashed while hiking to keep her safe, both from local wildlife and poorly placed traps. I'm sure no trapper would choose to injure a hiker or their pet, adding this regulation will remind them to take care so that our forested areas are available to all and for all purposes.

Thanks,

Jacqueline Smith
Soldotna, AK



Virus-free. www.avg.com

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWVlOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAOU...> 1/1

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] proposal WP22-15

lilicowvet@gmail.com <lilicowvet@gmail.com>

Sun 7/11/2021 6:00 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Sirs,

I am a Homer resident, supporter of local development of sustainable commercial activities that encourage the long term usage of our wildlands. While the economic activities have changed with time and development, it is important to review current regulations in order to promote healthy ecosystems.

New proposals for trapping regulations that move the trapping areas further away from high usage and trail systems does just that. It encourages people to use these trails and enjoy and learn about conservation in concurrence with economic development. Trapping is still allowed, and yes it will be more inconvenient to set and check traps as they are further away from developed trails, but that inconvenience allows other members of the community to develop other commercial activities dependent on those trails.

Please support the review of current trapping regulations in order to further distribute the benefit of our resources so that more people can enjoy the bounty.

Liliana Sotomayor
Homer, AK
lilicowvet@gmail.com

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAKe6...> 1/1

7/13/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Proposal WP20-15

Ted Spraker <tedspraker@gmail.com >

Mon 7/12/2021 2:12 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Proposal WP20-15 requests a 1,000 foot setback on trails in the Cooper Landing area for placing a trap. I am strongly opposed to this request.

There is a small group of Cooper Landing residents that have been asking the Board of Game to restrict trapping simply because they don't approve of trapping or hunting. Now, they are seeking a restriction from the Federal Subsistence Board. Although I respect their opinion, there is no merit or clear justification in their request other than to reduce trapping opportunities for rural residents. There are far more dogs injured or killed on the highway through Cooper Landing each month than free ranging dogs caught in a trap annually. Additionally, with the exception of beaver (closes April 30) and Muskrat (closes May 15) trapping season is only open from Nov. 10 to March 31 in Unit 7, resulting in 7 months of no trapping.

It's my understanding that the Federal Subsistence Board's mission is to provide harvest opportunities for federally qualified rural residents. Adoption of this proposal would unjustifiably diminish opportunities for subsistence uses in this area and establish a confusing regulation when determining 1,000 feet from a trail.

Ted Spraker
49230 Victoria Ave.
Soldotna, AK 99669

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZiNDE2M2RhLWViOTgtNDQ1OS04YjQxLWE0YzY0NW13MDNjZQAQAOZ...> 1/1

[EXTERNAL] Supporting WP22-15

Lorraine Temple <lthuskys@gmail.com>

Mon 7/19/2021 11:06 AM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Federal Subsistence Board, Office of the Subsistence Management,

I totally support proposal WP22-15 to create safer areas near trails, roads and campgrounds by creating trap set backs of 1,000 feet. Traps set close to highly used public areas are a danger to pets, children, the economy and the activity of trapping itself. They create a danger for our pets and children; dogs will catch a scent and go explore and children just like to run as they should and god forbid, they get caught. I feel the reason this has not happened already is that parents are hypervigilant of their children instead of just letting them run and roam and explore as children should be able to do.

Cooper Landing is becoming more of an Alaskan destination as it hosts some of the best trails and jumping off points in the Chugach National Forest and the Kenai National Wildlife Refuge. Both locals and visitors come to this area to bike, hike, ski, skijor, snowmachine, snowshoe and just enjoy the beauty and charm of this location. The very economy of Cooper Landing is potentially threatened by a hesitation of such visitors if safety continues to be an issue as the demographic changes to a more recreational use. A local restaurateur was recently heard describing the desire and need to expand our trail system to winter fat tire biking and skiing to attract more business in the off season months; traps close to the trails are detrimental to winter recreational activities and thwart the opportunity of growing a winter economy.

In the interest of the trapper, traps set near the areas listed are not going to be as productive to the target species as high activity is contrary to wildlife traveling freely in those areas. There is plenty of backcountry available for trappers to utilize safely and more productively than in highly used areas. We need areas where winter activities can occur without the constant terrifying fear of losing a beloved pet to a trap; this proposal is an attractive compromise and viable alternative to the current lack of trapping regulations. I have been skating on Tern Lake and literally been shaking with fear at my dogs running over the southside of the lake where I know trapping occurs; cross country skiing around Kenai Lake has turned into an unpleasant experience as my dogs wander a few feet into the trees as we make our way on the snow covered beach. There was an active trap found just south of the end of Williams Road on the Kenai Lake beach years ago.

I realize most trappers are educated and are responsible in their trap placement. There are unfortunately those that come here and are not. It was overheard years ago at Wildmans that a young man from the Valley bragged that "every turnout from Cooper Landing to Tern Lake had a trap there". When asked what he would do if he caught a dog he answered, "use it for bait". I realize the resources to enforce all areas are limited but having these steadfast regs in place is definitely a more discernible, tangible guideline for trappers to follow.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NW13MDNjZQAQAE...> 1/3

This issue is ongoing with a long history preceding this current proposal and is only escalating. The community overwhelmingly supported the idea of set backs which was reflected in a survey distributed to over 400 property owners, residents and business owners with the majority (90%) suggesting a quarter mile setback was optimal. The Cooper Landing Community Safe Trails committee decided a 1,000ft setback was acceptable but to reiterate, the community was in support of having safe setbacks from highly used public areas for safe recreational use. The cry out from the community underscores the importance of equitable usage as more and more users are recreational v. consumptive. The facts are, only .4% of Alaskans have a trapping permit so, 99.6% DON'T TRAP. Is it really fair that literally all the public land is available to this life threatening activity that hampers the enjoyment of skiing, snowshoeing, skating, hiking, ...with pets and children? It's time for things to change. I think of smoking cigarettes in closed places that was ultimately banned due to public outcry about the adverse health effects to others and the second hand smoke. It took a long time and lots of effort to get this changed, but it happened. In the same vain, the unhealthy, unsafe, unfair placement of traps near areas frequented by recreational users has met its tipping point for change. Please hear the feelings of the people and implement this proposal.

Sincerely,
Lorraine Temple

--



Bike Cooper Landing
rentals & repairs
www.bikecooperlandingak.com

Alaska Husky Spirit

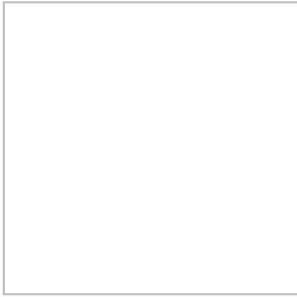
Lorraine Temple ~ PO Box 652 Cooper Landing, AK 99572

AlaskaHuskySpirit.epizy.com (907)299-2855cell

*"To be a star, you must shine your own light,
follow your own path and don't be afraid of the darkness
for that is when stars shine their brightest." ~anonymous*

7/19/2021

Mail - AK Subsistence, FW7 - Outlook



***"Come stay with us in Cooper Landing
overlooking the mighty Kenai River!"***

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOtgTNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAE...> 3/3

[EXTERNAL] Comments on WP22-15

Nick VanderHoff <nvanderhoff@yahoo.com >

Sun 7/18/2021 7:52 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attention: Theo Matuskowitz

I am writing in support of proposal 22-15 which places trapping setbacks of 100' on high use trails, near campgrounds and along certain roadways near Cooper Landing, Alaska, all on Federal lands.

My reasons for supporting Proposal 22-15 include, but are not limited to, the ones listed below:

- Results of a survey sent in February 2021 indicate community members strongly favor regulations supporting trapping setbacks from the trails, campgrounds and roads. 86%-92% of respondents supported the setbacks.
- As ski trails are being developed on campground roads, roads closed in winter and in new local areas (Devil's Pass Ski Loops), an increasing number of people are visiting the area for winter recreation opportunities.
- The psychological impact on many outdoor enthusiasts who fear their dog could be caught in a trap has created a situation that has been described by some as feeling "held hostage" and causes them to avoid outdoor winter recreational
- The Forest Service Value Statement states management of its lands for "safety in every way: physical, psychological and social." Traps set in high use areas are not safe.
- The requested setbacks would curtail the incidence of bycatch of non-intended species such as scavenging birds, bears, small game or even dogs.
- The requested setbacks would prevent the unsightly visual of an animal caught in a trap or snare set in a recreational area, whether dead or not. Such sights are particularly difficult for children.

- More distance from high use trails and campgrounds would benefit trappers as there would be less activity to scare away wildlife. It would also be more aligned with the historical and traditional ways and means of trapping fur bearing animals.
- Current trapping regulations allow traps to be set anywhere, creating a hazard for recreational users, their children and their dogs.

- Only .4% of Alaskans have a trapping permit, which means 99.6% DON'T engage in trapping, at least not legally. Almost all of our public land is available for trapping despite the exceedingly small number of Alaskans who trap. If trapping was compatible with recreational uses such as skiing, hiking, skijoring and snowshoeing, this inequity and imbalance would not be a problem. However, traps are not safe for recreational users near trails, roadsides and campgrounds. A change in the trapping regulations that reflects the majority of public usage is long overdue.

- The placement of traps in areas used for recreation has been a long standing issue for the community of Cooper Landing and there have been several efforts to create a solution that is fair and workable for both trappers and recreational users. These efforts have continually failed. Now the issue has become even more important as the population of Cooper Landing and the popularity of winter recreational activities have grown. It is clear that some trap placement regulations need to be put in place to stop the conflicts and increase safety.

- When Dr. Robert Gieringer submitted a proposal for a 1 mile setback during the last meeting of the Federal Subsistence Management Board, the Board suggested that "the town of Cooper Landing could issue a city ordinance that restricts trapping to address specific, local conflicts." Cooper Landing is not an incorporated municipality and does not have the power to issue ordinances. It does have an organized Community Club that listens to the concerns of local residents, and the members of the community have spoken loudly in favor of trap setbacks.

- In May 2019, the Anchorage Assembly passed an ordinance that bans trapping within 50 yards of all developed trails and within one-quarter mile of trailheads and buildings in the Anchorage Municipality. Juneau has quarter mile setbacks on many of their trails. The precedent for setbacks on public lands in our state has already been established. Unfortunately unincorporated areas and second class boroughs have no authority to establish such regulations and must depend upon regulatory action by the Federal Subsistence Board, The Alaska State Board of Game and the US Forest Service.

John N. VanderHoff

nvanderhoff@yahoo.com

Sent from my iPad

WP22-16/17/18/19/21/22/23/24/26a

Executive Summary

<p>General Description</p>	<p>Proposal WP22-16 requests that the Federal Subsistence Board (Board) recognize the customary and traditional use of moose in Units 7, 15A, and 15B by residents of Moose Pass. <i>Submitted by: Seth Wilson.</i></p> <p>Proposals WP22-17, WP22-18, and WP22-19 request that the Board recognize the customary and traditional use of moose in Units 7, 15A and 15B, and 15C, respectively, by residents of Moose Pass. <i>Submitted by: Lisa Slepetski.</i></p> <p>Proposals WP22-21 and WP22-22 request that the Board recognize the customary and traditional use of caribou in Units 7 and 15B and 15C, respectively, by residents of Moose Pass. <i>Submitted by: Lisa Slepetski.</i></p> <p>Proposals WP22-23 and WP22-24 request that the Board recognize the customary and traditional use of goats in Unit 7 remainder and Unit 15, respectively, by residents of Moose Pass. <i>Submitted by: Lisa Slepetski.</i></p> <p>Proposal WP22-26a requests that the Board recognize the customary and traditional uses of sheep in Unit 7 by residents of Moose Pass. <i>Submitted by: Lisa Slepetski.</i></p>
<p>Proposed Regulation</p>	<p>Customary and Traditional Use Determination—Moose</p> <p><i>Unit 7 Residents of Chenega Bay, Cooper Landing, Hope, Moose Pass, and Tatitlek</i></p> <p><i>Unit 15A and 15B Residents of Cooper Landing, Nanwalek, Ninilchik, Moose Pass, Port Graham, and Seldovia</i></p> <p><i>Unit 15C Residents of Nanwalek, Ninilchik, Moose Pass, Port Graham, and Seldovia</i></p> <p>Customary and Traditional Use Determination—Caribou</p> <p><i>Unit 7 Residents of Cooper Landing, Hope, and Moose Pass</i></p> <p><i>Unit 15B and 15C Rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Moose Pass, Port Graham, and Seldovia</i></p>

WP22-16/17/18/19/21/22/23/24/26a

Executive Summary

	<p>Customary and Traditional Use Determination—Goat</p> <p><i>Unit 7 Rural residents of Chenega Bay, Cooper Landing, remainder Hope, Moose Pass, Nanwalek, Ninilchik, Port Graham, Seldovia, and Tatitlek.</i></p> <p><i>Unit 15 Rural residents of Cooper Landing, Hope, Moose Pass, Nanwalek, Ninilchik, Port Graham, and Seldovia.</i></p> <p>Customary and Traditional Use Determination—Sheep</p> <p><i>Unit 7 No Federal subsistence priority Residents of Moose Pass</i></p>
OSM Preliminary Conclusion	Support Proposals WP22-17/18/19/21/22/23/24/26a and take no action on Proposal WP22-16.
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	2 Oppose

DRAFT STAFF ANALYSIS
WP22-16/17/18/19/21/22/23/24/26a

ISSUES

Proposal WP22-16, submitted by Seth Wilson of Glennallen, requests that the Federal Subsistence Board (Board) recognize the customary and traditional use of moose in Units 7, 15A, and 15B by residents of Moose Pass.

Proposals WP22-17, WP22-18, and WP22-19, submitted by Lisa Slepetski of Moose Pass, request that the Board recognize the customary and traditional use of moose in Units 7, 15A and 15B, and 15C, respectively, by residents of Moose Pass.

Proposals WP22-21 and WP22-22, submitted by Lisa Slepetski of Moose Pass, request that the Board recognize the customary and traditional use of caribou in Units 7 and 15B and 15C, respectively, by residents of Moose Pass.

Proposals WP22-23 and WP22-24, submitted by Lisa Slepetski of Moose Pass, request that the Board recognize the customary and traditional use of goats in Unit 7 remainder and Unit 15, respectively, by residents of Moose Pass.

Proposal WP22-26a, submitted by Lisa Slepetski of Moose Pass, requests that the Board recognize the customary and traditional use of sheep in Unit 7 by residents of Moose Pass. A companion proposal, WP22-26b, requests that a harvest and season be established for sheep in Unit 7.

DISCUSSION

The proponent of Proposal WP22-16 states that residents of Moose Pass have a long tradition of moose hunting on the Kenai Peninsula. Residents of the area currently participate in all available State moose hunting opportunities available locally, and moose is shared within the community.

The proponent of Proposals WP22-17, WP22-18, WP22-19, WP22-21, WP22-22, WP22-23, WP22-24, and WP22-26a notes that Moose Pass was recently recognized as a rural community. The research that went into this determination demonstrated that residents of Moose Pass have customarily and traditionally used a wide variety of resources, including moose, caribou, goats, and sheep. The proponent also notes that competition with non-local Alaskans and non-residents makes it extremely difficult to draw tags in regular State hunts. She states that adding Moose Pass to the existing determination would create a more meaningful opportunity for subsistence harvest.

Because there are existing customary and traditional use determinations for moose, caribou, and goats in the units included in this request, and “no Federal subsistence priority” for Sheep in Unit 7, this analysis will only consider whether the existing determinations should be revised and expanded to include Moose Pass.

Existing Federal Regulation

Customary and Traditional Use Determination—Moose

<i>Unit 7</i>	<i>Residents of Chenega Bay, Cooper Landing, Hope, and Tatitlek</i>
<i>Unit 15A and 15B</i>	<i>Residents of Cooper Landing, Ninilchik, Nanwalek, Port Graham, and Seldovia.</i>
<i>Unit 15C</i>	<i>Residents of Ninilchik, Nanwalek, Port Graham, and Seldovia</i>

Customary and Traditional Use Determination—Caribou

<i>Unit 7</i>	<i>Residents of Cooper Landing and Hope</i>
<i>Unit 15B and 15C</i>	<i>Rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia.</i>

Customary and Traditional Use Determination—Goat

<i>Unit 7, Brown Mountain Hunt Area</i>	<i>Residents of Nanwalek and Port Graham</i>
<i>Unit 7 remainder</i>	<i>Rural residents of Chenega Bay, Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, Seldovia, and Tatitlek</i>
<i>Unit 15</i>	<i>Rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia.</i>

Customary and Traditional Use Determination—Sheep

<i>Unit 7</i>	<i>No Federal subsistence priority</i>
---------------	--

Proposed Federal Regulation

Customary and Traditional Use Determination—Moose

<i>Unit 7</i>	<i>Residents of Chenega Bay, Cooper Landing, Hope, Moose Pass, and Tatitlek</i>
<i>Unit 15A and 15B</i>	<i>Residents of Cooper Landing, Nanwalek, Ninilchik, Moose Pass, Port Graham, and Seldovia</i>

Customary and Traditional Use Determination—Moose

Unit 15C *Residents of Nanwalek, Ninilchik, **Moose Pass**, Port Graham, and Seldovia*

Customary and Traditional Use Determination—Caribou

Unit 7 *Residents of Cooper Landing, ~~and~~ Hope, and **Moose Pass***

Unit 15B and 15C *Rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, **Moose Pass**, Port Graham, and Seldovia*

Customary and Traditional Use Determination—Goat

Unit 7, Brown Mountain Hunt Area *Residents of Nanwalek and Port Graham*

Unit 7 remainder *Rural residents of Chenega Bay, Cooper Landing, Hope, **Moose Pass**, Nanwalek, Ninilchik, Port Graham, Seldovia, and Tatitlek.*

Unit 15 *Rural residents of Cooper Landing, Hope, **Moose Pass**, Nanwalek, Ninilchik, Port Graham, and Seldovia.*

Customary and Traditional Use Determination—Sheep

Unit 7 *~~No Federal subsistence priority~~ **Residents of Moose Pass***

Extent of Federal Public Lands

Unit 7 is comprised of approximately 77% Federal public lands, and consists of 52% U.S. Forest Service (USFS), 23% National Park Service (NPS), and 2% U.S. Fish and Wildlife Service (USFWS) managed lands. NPS lands in Unit 7 are within Kenai Fjords National Park and are closed to all hunting (see **Unit 7 Map**).

Unit 15 is comprised of approximately 47% Federal public lands and consist of 46% USFWS managed lands, 1.1% Bureau of Land Management (BLM) managed lands, 0.4% USFS managed lands, and 0.1% NPS managed lands(see **Unit 15 Map**). NPS managed lands in Unit 15 are within Kenai Fjords National Park and closed to all hunting.

Regulatory History

At the inception of the Federal Subsistence Management Program in Alaska in 1990, the majority of the Kenai Peninsula was classified by the State as the Kenai Peninsula Nonrural Area (now named the Anchorage-Matsu-Kenai Nonsubsistence Area). The State did not allow subsistence uses in nonrural areas. In 1992, the Board adopted customary and traditional use determinations from State regulations. At that time, the State recognized the communities of Nanwalek (English Bay) and Port Graham as having customary and traditional use of moose in an area surrounding these communities in the southwest portion of Unit 15C, but the road-connected portion of the Kenai Peninsula—including Units 7 and most of Unit 15—was determined by the State of Alaska to be a nonsubsistence area.

In 1992, the State did not recognize customary and traditional uses of caribou or sheep in Unit 7, and at that time the Board adopted a determination of “no Federal subsistence priority” for these species. The only customary and traditional use determination for goat in Unit 7 was for residents of Port Graham and English Bay (Nanwalek) in a small area known as Brown Mountain Hunt Area. These two communities also had a customary and traditional use determination for goat in the Port Dick and English Bay hunt area portions of Unit 15C, and Seldovia had a customary and traditional use determination for goat in the Seldovia hunt area, also within Unit 15C.

In April 1994 and 1995, the Board discussed customary and traditional use determinations for all large mammals on the Kenai Peninsula, but deferred these proposals because there was no agreed upon timeline and process in place for making customary and traditional use determinations. After an extensive Federal process involving data gathering, public hearings, and court decisions, on May 3, 1996, the Board made customary and traditional use determinations for moose in all or portions of Unit 15 for residents of Nanwalek (English Bay), Niniilchik, Port Graham and Seldovia. Decisions on the remaining species and communities were deferred until rural determinations on the Kenai Peninsula could be reviewed.

In 1996 Proposal P96-22 was submitted by the Kenai Peninsula Outdoor Coalition, requesting that the customary and traditional use determination for goats in Unit 15C be revised to include only residents of Port Graham and English Bay, and exclude residents of Seldovia. The Board rejected Proposal P96-22. At its April 1997 meeting, the Board adopted a customary and traditional use determination for moose in the Kings Bay drainage portion of Unit 7 for the residents of Chenega Bay and Tatitlek (P97-018b).

During the 2000s, there were several attempts to recognize customary and traditional use of moose and other big game in Units 7 and 15, but no proposals were approved until the end of the decade. In 2001, the Kenaitze Indian Tribe submitted Proposal WP01-49. The proposal had many components concerning customary and traditional use determinations for caribou and moose in southcentral and southwestern Alaska for residents of Units 7 and 15. The Board deferred the proposal pending the outcome of the Board’s review of its rural determinations on the Kenai Peninsula.

The Board then addressed customary and traditional use determinations in Unit 15 in 2003, but deferred decision until the completion of a report by the Institute for Social and Economic Research on rural determination and methodology and a review of rural determinations as required by regulation every 10

years. The Board revised its rural determinations in 2007, but it did not make any new customary and traditional use determinations for the Kenai Peninsula at that time.

In 2008, the Board adopted Proposal WP08-22a, which recognized customary and traditional use for the community of Cooper Landing for moose in Units 7, 15A, and 15B. In 2010, the Board adopted Proposal WP10-32a, recognizing the customary and traditional uses of caribou in Unit 7 by residents of Hope. The same determination was made for Cooper Landing in 2014 (WP14-08). Also in 2010, the Board adopted Proposal WP10-33, recognizing the customary and traditional uses of moose by residents of Hope in Unit 7. In 2014, the Board adopted Proposal WP14-10 with modification, adding residents of Tatitlek and Chenega Bay to the customary and traditional use determination for moose in Unit 7 remainder.

In 2020, Michael Adams of Cooper Landing submitted Proposal WP20-18a, asking the Board to recognize the customary and traditional use of goats in Unit 7 by Cooper Landing. Upon clarification, the proponent stated that he did not intend to include the Brown Mountain Hunt Area in his request; this is an area on the southern Kenai Peninsula where rural residents of Nanwalek and Port Graham have a previous customary and traditional use determination for goats. The Board adopted Proposal WP20-18a with modification to specify that the determination applies to Unit 7 remainder, and to also include the communities of Chenega Bay, Hope, Nanwalek, Ninilchik, Port Graham, Seldovia, and Tatitlek. The portion of Unit 7 excluding Brown Mountain Hunt Area was redefined as Unit 7 remainder.

Also in 2020, the Board adopted Proposal WP20-22a, recognizing the customary and traditional uses of caribou in subunits 15B and 15C by residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia. That same year, Ninilchik Traditional Council submitted Proposal WP20-23a, requesting that the Board recognize Ninilchik's customary and traditional use of goats in Unit 15. The Board adopted Proposal WP20-23a with modification to also include the communities of Cooper Landing, Hope, Nanwalek, Port Graham, and Seldovia.

Ninilchik's customary and traditional use determination for sheep in Unit 15 was also made in 2020 (WP20-24a). Prior to this change, there was no Federal subsistence priority for sheep in Unit 15. Analysis of WP20-24a was therefore limited to the community included in the proposal, Ninilchik, and no other communities were considered for inclusion in the customary and traditional use determination for sheep in Unit 15 at that time. There is currently no Federal subsistence priority for sheep in Unit 7, the adjacent Game Management Unit on the Kenai Peninsula in which Cooper Landing is located.

The community of Moose Pass (defined as including the census designated places (CDPs) of Moose Pass, Crown Point, and Primrose) received rural status in 2021 when the Board adopted Proposal RP19-01. Therefore, no previous customary and traditional use determinations have been made for the community.

Community Characteristics

The Moose Pass area is situated within the traditional territory of the Lower or Outer Cook Inlet Dena'ina Athabaskans on the northwestern portion of the Kenai Peninsula. Not far from the Moose Pass area, Dena'ina people fished and hunted within the Kenai River watershed. The Alutiiq or Sugpiaq traditional territory bordered the southeastern portion of the peninsula.

The contemporary town of Moose Pass is in the western extent of the Chugach National Forest. The community includes the CDPs of Crown Point, Moose Pass, and Primrose. Moose Pass was settled during the developmental phase of mining and railway construction on the Kenai Peninsula, which began in the early 1900s (Barry 1976; Rakestraw 2002). The community's name is said to derive from an encounter between a mail carrier traveling by dog team and a moose (DCRA 2021). The population in Moose Pass experienced growth during the 1970s and 1980s as workers with the oil industry and government agencies moved into the area. Since that time, tourism and recreation industries have continued to bring in more people to the community and surrounding area (Whitmore-Painter 2002). In 2019, the estimated population was 391 (ADLWD 2020).

Eight Factors for Determining Customary and Traditional Use

A community or area's customary and traditional use is generally exemplified through the eight factors: (1) a long-term, consistent pattern of use, excluding interruptions beyond the control of the community or area; (2) a pattern of use recurring in specific seasons for many years; (3) a pattern of use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics; (4) the consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the community or area; (5) a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate; (6) a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation; (7) a pattern of use in which the harvest is shared or distributed within a definable community of persons; and (8) a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to the community or area.

The Board makes customary and traditional use determinations based on a holistic application of these eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who generally exhibit some or all of the eight factors. The Board does not use such determinations for resource management or restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limits or season restrictions rather than by limiting the customary and traditional use finding.

In 2010, the Secretary of the Interior asked the Board to review, with Regional Advisory Council input, the customary and traditional use determination process and present recommendations for regulatory changes. At its fall 2013 meeting, the Southcentral Alaska Subsistence Regional Advisory Council made a recommendation to "change the way such determinations are made by making area-wide customary and traditional use determinations for all species," and supported other Regional Advisory Councils when choosing a process that works best in their regions (SCRAC 2013:107–110). In June 2016, the Board clarified that the eight-factor analysis applied when considering customary and traditional use

determinations is intended to protect subsistence use, rather than limit it. The Board stated that the goal of the customary and traditional use determination analysis process is to recognize customary and traditional uses in the most inclusive manner possible.

Use of wild resources by Moose Pass residents was demonstrated through public testimony during consideration of Rural Proposal RP19-01 (Public Hearing 2019). The community's use of wild resources is also demonstrated by a comprehensive subsistence survey conducted by the Alaska Department of Fish and Game (ADF&G) Division of Subsistence from 2000 to 2001 (Davis et al. 2003), and ADF&G harvest reports.

During the public hearing, many residents of Moose Pass reported the value of being able to gather firewood, berries, and mushrooms from the lands outside their backdoor, but also related their willingness to travel as far as necessary to take advantage of all opportunities to hunt and fish. Also important for almost all who provided testimony was the ability and commitment to feed their family with wild foods that are available locally. "We've fed our children moose, black bear, goat, sheep, salmon and trout throughout the years" (Public Hearing 2019).

ADF&G conducted its only comprehensive subsistence survey in the Moose Pass area from 2000 to 2001. All 148 households in the community were invited to participate in the study. Results indicated that 99% of the 99 households that participated in the survey used wild foods, 92% harvested resources, 87% reported receiving resources from others, and 60% reported sharing their harvested resources with others (Davis et al. 2003).

The average number of different resources harvested per surveyed household in Moose Pass averaged just under 8; the total average household harvest was 236 pounds, and the average per person harvest was 87 pounds (Davis et al. 2003).

Use of moose by residents of Moose Pass

During the ADF&G subsistence survey study period 28.3% of surveyed households attempted to harvest moose, 8.1% of surveyed households harvested moose, and 41.4% of surveyed households used moose. An estimated 12 moose were harvested by the community, resulting in 16.1 pounds of moose meat per person (Davis et al. 2003). Moose were among resources shared: 36.4% of surveyed households received moose and 9.1% of surveyed households gave away the resource (Davis et al. 2003).

Use of caribou by residents of Moose Pass

During the ADF&G subsistence survey study period one percent of surveyed Moose Pass households attempted to harvest caribou and were successful, and 10.1% of all surveyed households used the resource. An estimated 9 caribou were harvested by the community, resulting in 3.4 pounds of caribou meat per person (Davis et al. 2003). Caribou were among resources shared: 9.1% of surveyed households received caribou, and 3% of surveyed households gave away the resource (Davis et al. 2003).

Use of goat and sheep by residents of Moose Pass

Goats and sheep fill a common niche in subsistence hunting and diet. During the ADF&G subsistence survey study period, three percent of surveyed households attempted to harvest goat, and 2% of all surveyed households were successful. An estimated 3 goats were harvested by the community, resulting in 0.5 pounds of goat meat per person (Davis et al. 2003). Goats were among resources shared: 3% of surveyed households received goat, and 3% of surveyed households gave away the resource (Davis et al. 2003).

Four percent of surveyed Moose Pass households hunted for sheep during the survey year, but no sheep were harvested. Approximately 5% of surveyed households received and used sheep.

Moose Pass' wildlife use areas

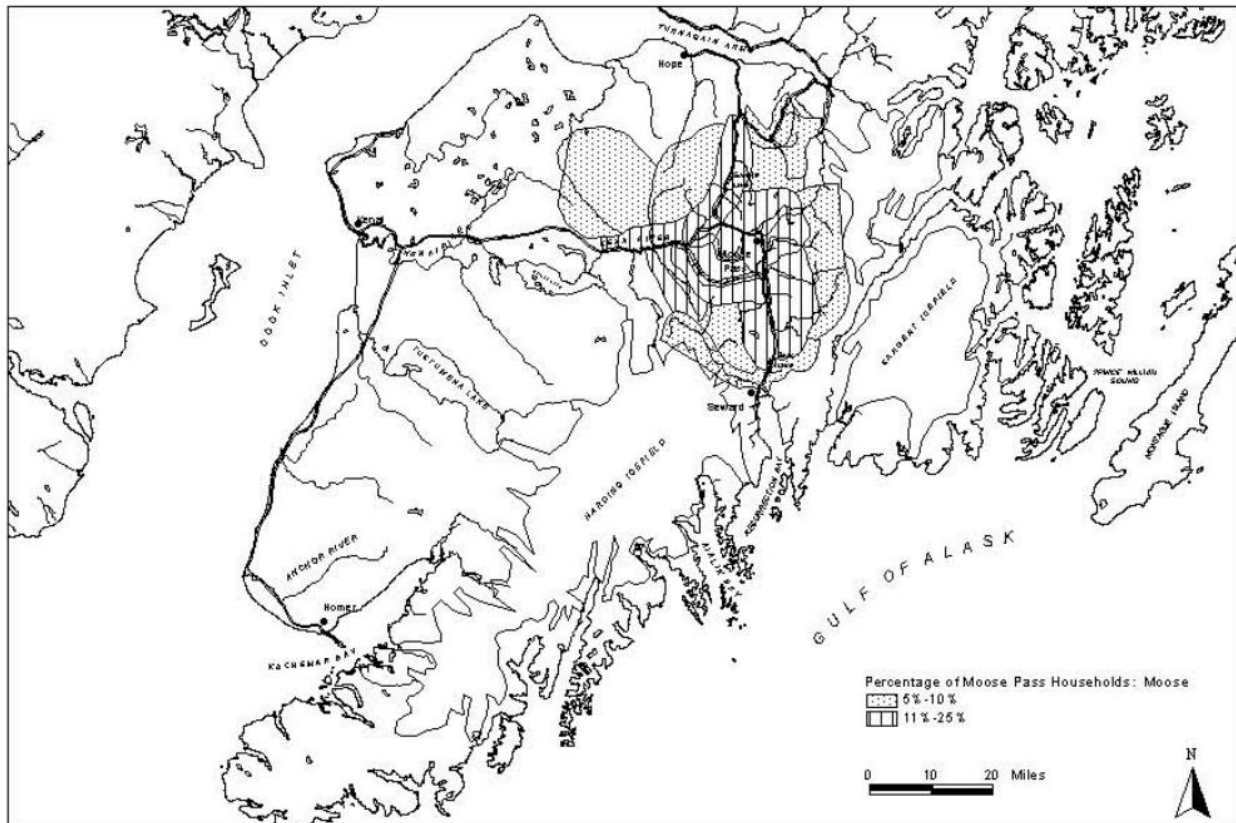
The ADF&G Division of Subsistence survey also mapped Moose Pass study area locations for hunting, fishing, and gathering activities during the period 1990-2000. Mapped community use areas should not be considered exhaustive but do provide valuable information on confirmed areas of search and use for wild resources. The map data demonstrate a preference for intensive local land and water use as opportunities are available, typical of a subsistence practice characterized by efficiency of effort and cost. Residents traveled farthest to harvest salmon, marine fish, and marine invertebrates, with most of the harvest coming from the confluence of the Kenai and Russian rivers, the waters of Resurrection Bay, the beaches stretching between Kenai and Homer and the waters out into the Cook Inlet.

Most other resources, including moose, caribou, bear, and goat were taken in the mountains surrounding Moose Pass, Cooper Landing, and Sunrise, or the foothills and flats northeast of Sterling (Davis et al. 2003). Documented moose use occurred within Units 7 and 15 (Map 1). Within Unit 7, areas within Federal conservation units attracted the most Moose Pass moose hunters (Davis et al. 2003). During the 2019 public hearing, a resident of Moose Pass testified that while growing up in the community, she harvested her first moose in the Abernathy Creek area (Public Hearing 2019).

During the 1990 to 2000 period, “[eight] percent of Moose Pass households reported hunting caribou on the Kenai Peninsula. Seven percent of them hunted around the Resurrection Creek west to the Chickaloon River and south to the mountains west of Summit Lake. Other households hunted just east of Summit Lake and near the Sterling Highway near Resurrection Pass Trail” (Davis et al. 2003: 98). This area includes portions of both Unit 7 and Unit 15. During the 2019 public hearing, a resident of Moose Pass testified that while growing up in the community, she harvested a caribou in the Abernathy Creek area (Public Hearing 2019).

According to ADF&G's subsistence survey, “Fifteen percent of Moose Pass households reported hunting for goats on the Kenai in the 1990s. Most of these households hunted in the vicinity of Grant, Ptarmigan, Vogt, and southern Kenai lakes, where 11 percent of households reported hunting. Five percent or less of Moose Pass households reported hunting for goat in the mountains around Trail Creek, Summit Lake, Crescent Lake, Bear Lake and near the city of Seward. Other spots for goat hunting were around Resurrection Bay and along the Resurrection River” (Davis et al. 2003: 98-100).

Areas where Moose Pass residents reported harvesting sheep during the study period include “areas south of the Seward Highway near Tern and Grant Lakes around Crescent Lake...the corridor of mountains stretching south from Trail Creek to Bear Lake, including Lark, Andy Simons, Sheep, and Paradise Mountains...[and] scattered areas on the eastern half of the Kenai Peninsula, some along the rocky shores of the Gulf of Alaska” (Davis et al. 2003: 100). Use areas for goat and sheep are concentrated in Unit 7. However, mapped use areas should not be considered exhaustive.



Map 1. Documented Moose Pass moose use area 1990-2000, showing percentage of surveyed households using each area (Davis et al. 2003). Mapped use areas should not be considered exhaustive.

Participation in State hunts

Residents of Moose Pass hunt moose under State regulations in Units 7 and 15. Current resident hunting opportunity for moose in Unit 7 is by drawing permit for one bull or one antlerless moose (DM210 and DM211, respectively) and by harvest ticket with antler restriction (Unit 7 remainder). All opportunities except for the DM211 hunt are also open to nonresidents, increasing competition. From 2009 to 2019, State harvest records indicate that there were 112 reported hunts for moose in Unit 7 by residents of Moose Pass and 11 moose were harvested, for an average success rate of about 10% (**Table 1**).

During the same period, there were 12 hunts for moose in Unit 15 by residents of Moose Pass, and 1 moose harvest (**Table 1**). Current resident hunting opportunity for moose under State regulations in Unit

15 is characterized by drawing (DM508), tier II (TM549), and registration permits (RM572), as well as a general season with antler restrictions. Because of competition for permits and other restrictions on hunting, lack of participation should not be interpreted as lack of interest.

Table 1. Attempted and successful moose hunts by residents of Moose Pass in Units 7 and 15 from 2009 to 2019 (ADF&G 2021b). This data includes both general season and permit hunts. Dashes indicate years in which no hunts were attempted in a particular subunit.

Year	Unit 7		Unit 15A		Unit 15B		Unit 15C	
	Hunted	Harvested	Hunted	Harvested	Hunted	Harvested	Hunted	Harvested
2019	8	1	--	--	--	--	--	--
2018	6	0	--	--	--	--	1	0
2017	15	4	1	0	--	--	--	--
2016	12	0	--	--	1	0	--	--
2015	9	0	1	0	--	--	1	0
2014	11	1	--	--	--	--	1	0
2013	11	0	1	0	--	--	--	--
2012	5	0	--	--	--	--	1	0
2011	3	1	--	--	--	--	--	--
2010	18	2	--	--	--	--	3	1
2009	14	2	--	--	--	--	1	0
Totals	112	11	3	0	1	0	8	1

Current resident hunting opportunity for caribou under State regulations in Unit 7 is by drawing permit within a portion of the Unit (DC001). This opportunity is also open to nonresidents, which increases competition. From 2009 to 2019, there were 9 hunts for caribou in Unit 7 by residents of Moose Pass, and 5 caribou were harvested (**Table 2**).

Current resident hunting opportunity for caribou under State regulations in Unit 15 is by drawing permit within portions of 15B and 15C (DC608 and DC618). Both these opportunities are also open to nonresidents, increasing competition. From 2009 to 2019, there was 1 caribou hunt in Unit 15B by residents of Moose Pass, and one caribou was harvested (**Table 2**). No caribou were harvested in Unit 15C by residents of Moose Pass during this time period.

Current resident hunting opportunity for goats under State regulations in Unit 7 is by registration permit (RG331-352) or drawing permit (DG331-352). Both opportunities are also open to nonresidents, increasing competition. From 2009 to 2019, there were 7 hunts for goats in Unit 7 by residents of Moose Pass, and 2 harvests.

Current resident hunting opportunity for goats under State regulations in Unit 15 is by registration permits (RG364, RG374, RG375, RG352-363) and drawing permits (DG364, DG352-363). Several of these

opportunities are also open to nonresidents, increasing competition. From 2009 to 2012, there were no hunts for goats in Units 15 by residents of Moose Pass (**Table 3**).

The State harvest system for sheep in Unit 7 is broken up into drawing permit hunts and a harvest ticket hunt (for one ram with full curl or larger). The drawing hunt areas include Round Mountain (Units 7 and 15A, DS150) and Crescent Lake (Unit 7, DS156). From 1999 through 2019, there were 19 hunts for sheep in Unit 7 by residents of Moose Pass, and 3 harvests (**Table 4**).

Table 2. Caribou harvests by residents of Moose Pass in Units 7 and 15B from 2009 to 2019 (Fowler 2021, pers. comm.). Data rows are not included in the table for years when no hunts were conducted. Dashes indicate years in which no hunts were attempted in a particular subunit.

Year	Unit 7		Unit 15B	
	Hunted	Harvested	Hunted	Harvested
2017	1	0	--	--
2015	--	--	1	1
2013	2	0	--	--
2012	2	0	--	--
2011	2	2	--	--
2010	2	0	--	--
Totals	9	2	1	1

Table 3. Attempted and successful goat hunts by residents of Moose Pass in Unit 7 from 2009 to 2019 (ADF&G 2021b). Data rows are not included in the table for years when no hunts were conducted.

Year	Unit 7	
	Hunted	Harvested
2013	4	1
2011	2	1
2010	1	0
Totals	7	2

Table 4. Attempted and successful sheep hunts by residents of Moose Pass in Unit 7 from 1999 to 2019 (Fowler 2021, pers. comm.). Data rows are not included in the table for years when no permits were issued.

Year	Hunted	Harvested
2017	1	0
2016	2	0
2015	2	0
2013	3	1

Year	Hunted	Harvested
2012	2	0
2011	2	0
2010	4	2
2009	3	0
Total	19	3

Effects of the Proposal

WP22-16, WP22-17, WP22-18, and WP22-19

If these proposals are adopted, residents of Moose Pass would be added to the customary and traditional use determination for moose in Unit 7 and all subunits in Unit 15, allowing them to harvest moose under Federal subsistence regulations across the Kenai Peninsula. If the proposal is rejected, residents of Moose Pass could continue to hunt moose under State regulations in Units 7 and 15.

WP22-21 and WP22-22

If these proposals are adopted, the residents of Moose Pass would be added to the customary and traditional use determination for caribou in Units 7, 15B, and 15C, allowing them to harvest caribou under Federal subsistence regulations across most of the Kenai Peninsula. If the proposal is rejected, residents of Moose Pass could continue to hunt caribou under State regulations in Units 7, 15B, and 15C.

WP22-23 and WP22-24

If these proposals are adopted, the residents of Moose Pass would be added to the customary and traditional use determination for goats in Unit 7 remainder and Unit 15, allowing them to harvest goat under Federal subsistence regulations across most of the Kenai Peninsula. If the proposal is rejected, residents of Moose Pass could continue to hunt goat under State regulations in Unit 7 remainder and 15.

WP22-26a

If this proposal is adopted, the residents of Moose Pass would be added to the customary and traditional use determination for sheep in Unit 7, allowing them to harvest sheep under Federal subsistence regulations in the unit if a Federal season is established.

OSM PRELIMINARY CONCLUSION

Support Proposals WP22-17/18/19/21/22/23/24/26a and **take no action** on Proposal WP22-16.

Justification

WP22-16, WP22-17, WP22-18, and WP22-19

Moose Pass residents' patterns of moose hunting and harvest exhibit the characteristics of customary and traditional use in Unit 7 and all subunits of Unit 15. Use of moose by Moose Pass residents has been documented on the Kenai Peninsula, as shown through community testimony related to Moose Pass' recent rural designation, a subsistence survey, and data from residents hunting for moose under State regulations. No action need be taken on WP22-16, as it duplicates the content of proposals WP22-17 and WP22-18.

WP22-21 and WP22-22

Moose Pass' residents' patterns of caribou hunting and harvest generally exhibit the characteristics of customary and traditional use in Units 7, 15B, and 15C. Use of caribou has been documented on the Kenai Peninsula, as shown through community testimony related to Moose Pass' recent rural designation, a subsistence survey, and data from residents hunting for caribou under State regulations.

WP22-23 and WP22-24

Moose Pass' residents' patterns of goat hunting and harvest generally exhibit the characteristics of customary and traditional use in Unit 7 remainder and Unit 15. Use of goat has been documented on the Kenai Peninsula, as shown through community testimony related to Moose Pass' recent rural designation, a subsistence survey, and data from residents hunting for goat under State regulations. Harvest records for Moose Pass residents hunting for goats under State hunts should be interpreted in the context of a history of limited hunting opportunity, particularly in Unit 15.

WP22-26a

Moose Pass residents' patterns of sheep hunting and harvest generally exhibit the characteristics of customary and traditional use in Unit 7, as demonstrated through a subsistence survey and community testimony.

LITERATURE CITED

ADF&G 2019a. Drawing hunt permits information: frequently asked questions. <https://www.adfg.alaska.gov/index.cfm?adfg=huntlicense.drawfaqs#cost>. Retrieved: August 12, 2019.

ADF&G. 2019b. 2019-2020 Alaska drawing permit hunt supplement. https://www.adfg.alaska.gov/static/applications/web/nocache/license/huntlicense/pdfs/2019-2020_draw_supplement.pdfDDB3E5422A81D382A439F6878368477C/2019-2020_draw_supplement.pdf. Retrieved: July 16, 2019.

ADF&G. 2021a Community subsistence information system. ADF&G, Division of Subsistence online database. Anchorage, AK.

ADF&G. 2021b. General harvest reports. <https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvestreports.main>. Retrieved: June 9, 2021.

- ADLWD. 2020. Alaska population overview, 2019 estimates.
<https://live.laborstats.alaska.gov//pop/estimates/pub/19popover.pdf>. Retrieved June 11, 2021.
- Barry, M. J. 1976. A history of mining on the Kenai Peninsula. Alaska Northwest Publishing Company. Anchorage, AK.
- Davis, B., Fall, J. A., & Jennings, G. 2003. Wild resource harvests and uses by residents of Seward and Moose Pass, Alaska, 2000. ADF&G, Division of Subsistence Tech. Paper No. 271. Juneau, AK.
- DCRA. 2021. Division of regional and community affairs Alaska information portal: Moose Pass.
<https://dced.maps.arcgis.com/apps/MapJournal/index.html?appid=7a5d6f060f2541d0aa719ab8fb1551f2>.
Retrieved: July 9, 2021.
- Fowler, Nick. 2021. Area Biologist. Personal communication: email. Alaska Department of Fish and Game, Anchorage, AK.
- McDonough, T,J. and J. Selinger. 2008. Goat management on the Kenai Peninsula Alaska: a new direction. Proceedings of the biennial symposium of the Northern Wild Sheep and Goat Council 16:50-67
- OSM. 2021. Alaska Federal Subsistence Program Database: Federal Subsistence Permit System Reports.
<https://subsistence.fws.gov/>. Retrieved June 25, 2021.
- Public Hearing. 2019. Transcripts of the public hearing on nonrural determination proposal RP19-01. October 9, 2019. Office of Subsistence Management, USFWS. Anchorage, AK.
- Rakestraw, L. 2002. A history of the United States Forest Service in Alaska. Retrieved from
<https://foresthistor.org/wp-content/uploads/2017/01/A-History-of-the-US-Forest-Service-in-Alaska.pdf>
- SCRAC. 2013. Transcripts of the Southcentral Subsistence Regional Advisory Council proceedings. November 5-7, Anchorage, AK. Office of Subsistence Management, USFWS. Anchorage, AK.
- Whitmore-Painter, A. 2002. Moose Pass, pp.43-50 in Kenai Peninsula Historical Association (eds.), Alaska's Kenai Peninsula: The road we've travelled. Kenai Peninsula Historical Association. Hope, AK.

Written Public Comments

Alaska Kenai Chapter Safari Club International
P.O. Box 2988
Soldotna, AK 99669
kenaisci@gmail.com



July 18, 2021

RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into "have and have nots" in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the "rural designated" community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a “rural designated” community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of “rural” for the “North Fork Rural Customary and Traditional Subsistence Use Community”. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural are to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford

Joe Hardy

Shawn Killian

Bryan Vermette

Jesse Bjorkman

Sam Evanoff

Roy Smith

Ted Spraker

Rick Abbott

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Alaska Outdoor Council comments - 2022-2024 Wildlife Proposals

Rod Arno <rodarno@gmail.com>

Mon 7/19/2021 12:23 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: Mulligan, Benjamin J (DFG) <ben.mulligan@alaska.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Alaska Outdoor Council
310 K Street, Suite 200
Anchorage, Alaska 99501
July 19, 2021

RE: Public comments for FSB 2022-2024 Wildlife Proposals

The Alaska Outdoor Council (AOC) is a Statewide coalition of individual members and clubs representing 10,000 Alaskans who hunt, trap, fish and recreate on public lands/waters in Alaska. AOC Club Representatives have participated in the regulatory process of managing and allocating fish and game in Alaska since before statehood in 1959.

Numerous proposals submitted by Federal Subsistence Regional Advisory Councils, federally recognized subsistence communities, and individuals confirm the fears that many AOC Representatives had at the time of the passage of Alaska National Interest Lands Conservation Act (ANILCA) 1980. Dual management of who can harvest game depending on whether you are on state public and private lands or if you are on federal lands was not the intent of Congress when they passed ANILCA.

AOC opposes WP22-07, WP22-08, WP22-09.

Alaska Department of Fish & Game data should not invoke a complete closure to non-Federally Qualified Subsistence Users under Section 804 of ANILCA. Even the 9th Circuit Court, *Ninilchik Traditional Council v. U.S.*, 227 F.3d 1186 in 2000 understood the priority given in Title VIII of ANILCA was not absolute.

AOC opposes WP22-15.

Congress's findings and declaration in Sec. 801 of ANILCA should leave no room for regulatory action by the Federal Subsistence Board (FSB) regarding anti-trapper claims. Sec. 801(3) of ANILCA should have the FSB concentrating only on "remote federal lands", as was the intent of Congress when they passed 802(2) of ANILCA.

AOC opposes WP22-16 thru 22.

Providing a priority for some individuals or communities to harvest game on federal public lands located on the Kenai Peninsula only exacerbates the conflict between federally qualified hunters and Alaskans living in non-federally qualified areas of the state. Both groups of hunters are similarly situated.

AOC opposes WP22-32.

It would be in Alaskan's best interest if the FSB would reduce the number of Alaskans allowed a priority to harvest game on federal lands just based solely on where they live, not how.

Thanks for the opportunity to provide public comments,

Rod Arno, Public Policy Director
Alaska Outdoor Council

Sent from Rod Arno's iPad.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWw/OTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAL9rk...> 1/1

WP22-20/25a/27 Executive Summary

<p>General Description</p>	<p>Proposal WP22-20 requests that the Federal Subsistence Board (Board) recognize the customary and traditional use of moose in Unit 15C by residents of Cooper Landing. <i>Submitted by: Michael Adams.</i></p> <p>Proposal WP22-25a requests that the Board recognize the customary and traditional use of sheep in Unit 7 by residents of Cooper Landing. <i>Submitted by: Michael Adams.</i></p> <p>Proposal WP22-27 requests that the Board recognize the customary and traditional use of sheep in Unit 15 by residents of Cooper Landing. <i>Submitted by: Michael Adams.</i></p>
<p>Proposed Regulation</p>	<p>Customary and Traditional Use Determination--Moose</p> <p><i>Unit 15C Residents of Cooper Landing, Ninilchik, Nanwalek, Port Graham, and Seldovia</i></p> <p>Customary and Traditional Use Determination--Sheep</p> <p><i>Unit 7 No Federal subsistence priority Residents of Cooper Landing</i></p> <p><i>Unit 15 Residents of Cooper Landing and Ninilchik</i></p>
<p>OSM Preliminary Conclusion</p>	<p>Support</p>
<p>Southcentral Alaska Subsistence Regional Advisory Council Recommendation</p>	
<p>Interagency Staff Committee Comments</p>	
<p>ADF&G Comments</p>	
<p>Written Public Comments</p>	<p>2 Oppose</p>

DRAFT STAFF ANALYSIS
WP22-20/25a/27

ISSUES

Proposal WP22-20, submitted by Michel Adams of Cooper Landing, requests that the Federal Subsistence Board (Board) recognize the customary and traditional use of moose in Unit 15C by residents of Cooper Landing.

Proposal WP22-25a, also submitted by Michael Adams of Cooper Landing, requests that the Board recognize the customary and traditional use of sheep in Unit 7 by residents of Cooper Landing. A companion proposal, WP22-25b, requests that a harvest and season be established for sheep in Unit 7.

Proposal WP22-27, also submitted by Michael Adams of Cooper Landing, requests that the Board recognize the customary and traditional use of sheep in Unit 15 by residents of Cooper Landing.

DISCUSSION

The proponent states that residents of Cooper Landing have a history of customary and traditional use of resources throughout Units 7 and 15. The proponent indicates that Cooper Landing residents participate in all subsistence harvest opportunities available in the region. The proponent argues that exclusion from the customary and traditional use determination for moose in Unit 15C and sheep in Units 7 and 15 has denied Cooper Landing residents subsistence opportunity to date.

Because there is an existing customary and traditional use determination for moose in Unit 15C and sheep in Unit 15, and “no Federal subsistence priority” for Sheep in Unit 7, this analysis will only consider whether the existing determinations should be revised and expanded to include Cooper Landing.

Existing Federal Regulation

Customary and Traditional Use Determination—Moose

<i>Units 15A and 15B</i>	<i>Residents of Cooper Landing, Nanwalek, Ninilchik, Port Graham, and Seldovia</i>
--------------------------	--

<i>Unit 15C</i>	<i>Residents of Ninilchik, Nanwalek, Port Graham, and Seldovia</i>
-----------------	--

Customary and Traditional Use Determination—Sheep

<i>Unit 7</i>	<i>No Federal subsistence priority</i>
---------------	--

<i>Unit 15</i>	<i>Residents of Ninilchik</i>
----------------	-------------------------------

Proposed Federal Regulation

Customary and Traditional Use Determination—Moose

Units 15A and 15B *Residents of Cooper Landing, Nanwalek, Ninilchik, Port Graham, and Seldovia*

Unit 15C *Residents of **Cooper Landing**, Ninilchik, Nanwalek, Port Graham, and Seldovia.*

Customary and Traditional Use Determination—Sheep

Unit 7 *~~No Federal subsistence priority~~ **Residents of Cooper Landing***

Unit 15 *Residents of **Cooper Landing and Ninilchik***

Extent of Federal Public Lands/Waters

Unit 7 is comprised of approximately 77% Federal public lands, and consists of 52% U.S. Forest Service (USFS), 23% National Park Service (NPS), and 2% U.S. Fish and Wildlife Service (USFWS) managed lands. NPS lands in Unit 7 are within Kenai Fjords National Park and are closed to all hunting (see **Unit 7 Map**).

Unit 15 is comprised of approximately 47% Federal public lands and consist of 46% USFWS managed lands, 1.1% Bureau of Land Management (BLM) managed lands, 0.4% USFS managed lands, and 0.1% NPS managed lands(see **Unit 15 Map**). NPS managed lands in Unit 15 are within Kenai Fjords National Park and close to all hunting. Subunit 15C consists of approximately 28% Federal public lands, of which 99% is USFWS managed lands (Kenai National Wildlife Refuge) and 1% NPS managed lands.

Regulatory History

At the inception of the Federal Subsistence Management Program in Alaska in 1990, the majority of the Kenai Peninsula was classified by the State as the Kenai Peninsula Nonrural Area (now named the Anchorage-Matsu-Kenai Nonsubsistence Area). The State did not allow subsistence uses in nonrural areas. In 1992, the Board adopted customary and traditional use determinations from State regulations. At that time, the State recognized the communities of Nanwalek (English Bay) and Port Graham as having customary and traditional use of moose in an area surrounding these communities in the southwest of Unit 15C, but the road-connected portion of the Kenai Peninsula—including Units 7 and most of Unit 15—was determined by the State of Alaska to be a nonsubsistence area. The State did not recognize customary and traditional uses of sheep in Unit 7 or 15, and the Board adopted a determination of “no Federal subsistence priority” for this species.

In April 1994 and 1995, the Board discussed customary and traditional use determinations for all large mammals on the Kenai Peninsula, but deferred these proposals because there was no agreed upon timeline and process set in place for making customary and traditional use determinations. After an extensive Federal process involving data gathering, public hearings, and court decisions, on May 3, 1996, the Board made customary and traditional use determinations for moose in all or portions of Unit 15 for residents of Nanwalek (English Bay), Ninilchik, Port Graham and Seldovia. Decisions on the remaining species and communities were deferred until rural determinations on the Kenai Peninsula could be reviewed.

During the 2000s, there were several attempts to recognize customary and traditional use of moose and other big game in Units 7 and 15, but no proposals were approved until the end of the decade. In 2001, the Kenaitze Indian Tribe submitted Proposal WP01-49. The proposal had many components concerning customary and traditional use determinations for caribou and moose in southcentral and southwestern Alaska for residents of Units 7 and 15. The Board deferred the proposal pending the outcome of the Board's review of its rural determinations on the Kenai Peninsula.

The Board then addressed customary and traditional use determinations in Unit 15 in 2003, but deferred decision until the completion of a report by the Institute for Social and Economic Research on rural determination methodology, including a review of rural determinations as required by regulation every 10 years. The Board revised its rural determinations in 2007, but it did not make any new customary and traditional use determinations for the Kenai Peninsula at that time.

Existing customary and traditional use determinations for Cooper Landing in Units 15 and 15C

Customary and traditional use determinations have previously been made for residents of Cooper Landing for other wildlife species in Unit 15, including Unit 15C. In 2008, the Board adopted WP08-22a, recognizing customary and traditional use of moose in Units 15A and 15B (as well as all of Unit 7) by Cooper Landing. In 2020, the Board adopted proposal WP20-22a with modification, recognizing customary and traditional use of caribou in Units 15C (as well as 15B) by Cooper Landing Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia. That same year, the Board adopted proposal WP20-23a with modification, recognizing customary and traditional use of goat in all of Unit 15 by Cooper Landing, as well as Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia (**Table 1**).

Table 1. Existing customary and traditional use determinations for Cooper Landing on the Kenai Peninsula.

Unit 15	Species	Unit 7	Species
Unit 15B and 15C	Caribou	Unit 7	Caribou
Unit 15	Goat	Unit 7, Remainder	Goat
Unit 15A and 15B	Moose	Unit 7	Moose

Previous recognition of Cooper Landing’s use of moose on the Kenai Peninsula

As indicated in **Table 1**, residents of Cooper Landing have had their customary and traditional use for moose recognized on most of the Kenai Peninsula, with the exception of Unit 15C, which is the area addressed in this analysis.

The Board has considered a similar proposal once before. In 2014, the Board rejected Proposal WP14-07, which requested a customary and traditional use determination for moose in Unit 15C for Cooper Landing. At that time, the Southcentral Alaska Subsistence Regional Advisory Council (Council) did not support the proposal due to lack of information and testimony from residents of Cooper Landing.

Previous customary and traditional use determinations for sheep on the Kenai Peninsula

No previous customary and traditional use determinations for sheep have been made for Cooper Landing in any unit or subunit; nor has the community been specifically considered for such a determination prior to this proposal.

Ninilchik’s customary and traditional use determination for sheep in Unit 15 was made in 2020 (WP20-24a). Prior to this change, there was no Federal subsistence priority for sheep in Unit 15. For this reason, analysis of WP20-24a was limited to the community included in the proposal, Ninilchik, and Cooper Landing was not considered. The current Federal subsistence hunt is managed under a draw permit system with a bag limit of one ¾ curl ram.

Community Characteristics

Cooper Landing is a small, unincorporated community and Census Designated Place (CDP) within Unit 7 and the Kenai Peninsula Borough. The town is located along the Sterling Highway, about 97 road miles from Anchorage and approximately 59 road miles from the City of Kenai. In 2017, the estimated population of the Cooper Landing CDP was 269 (ADLWD 2020).

Dena’ina Athabascans inhabited the northern Kenai Peninsula long before settlers arrived beginning in the 1800s. Dena’ina people spent winters in the area hunting and trapping before moving onto the coast in spring (Holmes 1985). Beginning in 1848, Russian gold prospectors and miners with the Russian-American Company moved into the area. For the historical settlers of Cooper Landing, the availability of wild resources “played an important role in helping residents establish the communit[y]” (Seitz et al.

1994:122). Moose and sheep were among the preferred large game animals hunted on the Kenai Peninsula, which also included caribou and bears (Barry 1973).

Big game guiding, fox farming, and trapping eventually replaced gold mining as the primary economic activities in the area (Painter 1983). Because trophy hunters often left meat behind, the guiding industry provided an important source of local food for Cooper Landing guides, their families, and the wider community. Cooper Landing gradually became more accessible to outsiders as the road system connected it to Seward in 1938, Kenai in 1948, and Anchorage in 1951 (Seitz et al. 1994). The road system eventually allowed for easy access into the area by non-local tourists, sport fishers, and others (Mead & Hunt & CRC 2014).

Eight Factors for Determining Customary and Traditional Use

A community or area's customary and traditional use is generally exemplified through the eight factors: (1) a long-term, consistent pattern of use, excluding interruptions beyond the control of the community or area; (2) a pattern of use recurring in specific seasons for many years; (3) a pattern of use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics; (4) the consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the community or area; (5) a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate; (6) a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation; (7) a pattern of use in which the harvest is shared or distributed within a definable community of persons; and (8) a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to the community or area.

The Board makes customary and traditional use determinations based on a holistic application of these eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who generally exhibit some or all of the eight factors. The Board does not use such determinations for resource management or restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limits or season restrictions rather than by limiting the customary and traditional use finding.

In 2010, the Secretary of the Interior asked the Board to review, with Regional Advisory Council input, the customary and traditional use determination process and present recommendations for regulatory changes. At its fall 2013 meeting, the Southcentral Council made a recommendation to "change the way such determinations are made by making area-wide customary and traditional use determinations for all species," and supported other Regional Advisory Councils when choosing a process that works best in

their regions (SCRAC 2013:107–110). In June 2016, the Board clarified that the eight-factor analysis applied when considering customary and traditional use determinations is intended to protect subsistence use, rather than limit it. The Board stated that the goal of the customary and traditional use determination analysis process is to recognize customary and traditional uses in the most inclusive manner possible.

As noted in the regulatory history section of this analysis, the Board has previously recognized customary and traditional uses of other wildlife (caribou, moose, and goat) by Cooper Landing in all or portions of Units 7 and 15, including within Unit 15C (caribou and goat). Based on these previous determinations, Cooper Landing has already established a recognized pattern of harvest and use of wild resources in Units 7 and 15 consistent with the eight factors. Cooper Landing has had its customary and traditional use of moose recognized on all of the Kenai Peninsula except for Unit 15C (**Table 1**).

Subsistence is practiced by a large portion of the population of Cooper Landing. In a 1991 Alaska Department of Fish and Game (ADF&G) subsistence survey, 94% of 61 surveyed households selected as part of a stratified random sample reported harvesting wildlife, fish, and plant resources (Seitz et al. 1994), and 89% participated in at least one harvesting activity. The harvest of wild resources, measured in useable weight, was 91.5 pounds per capita (Seitz et al. 1994). Salmon comprised 43% of the total wild resources harvested (by useable weight), followed by large mammals (31%), other fish (16%), and wild plants, eggs, and marine invertebrates (10%) (Seitz et al. 1994). For comparison, Hope's harvest of wild resources in useable weight per capita during the same period was 110.7 pounds, and Whittier's was 79.9 pounds (Seitz et al. 1994).

Use of moose by residents of Cooper Landing

Along with other large land mammals, moose hunting has been part of the seasonal subsistence cycle for residents of Cooper Landing, occurring between August and November. Moose were among the most sought after wildlife by the early settlers on the Kenai Peninsula (Barry 1973). During key informant interviews as part of ADF&G's 1991 subsistence survey, long-time residents of Cooper Landing stated that their families utilized moose at least as far back as 1920 (Seitz et al. 1994).

ADF&G's 1991 subsistence survey showed that moose were the most widely used land mammal in Cooper Landing during the study period. Twenty-eight percent of households hunted moose, and 10% of households successfully harvested them. Residents harvested an estimated 10 moose total for the community, providing about 4,823 pounds of usable meat. This was an average of 49 pounds per household or 19 pounds per capita (Seitz et al. 1994).

Moose hunters on the Kenai Peninsula, including Cooper Landing residents, use a variety of transportation methods. Some households use automobiles and boats for access to the general area of their hunt and proceed by foot. A few households have reported using an aircraft for reconnaissance, followed

by hunting on foot (O'Brien 2003, pers. comm.). Planes were used 8 to 11% of the time (ADF&G 1991). Horses were also used during hunting trips in the past (Seitz et al. 1994).

Use of sheep by residents of Cooper Landing

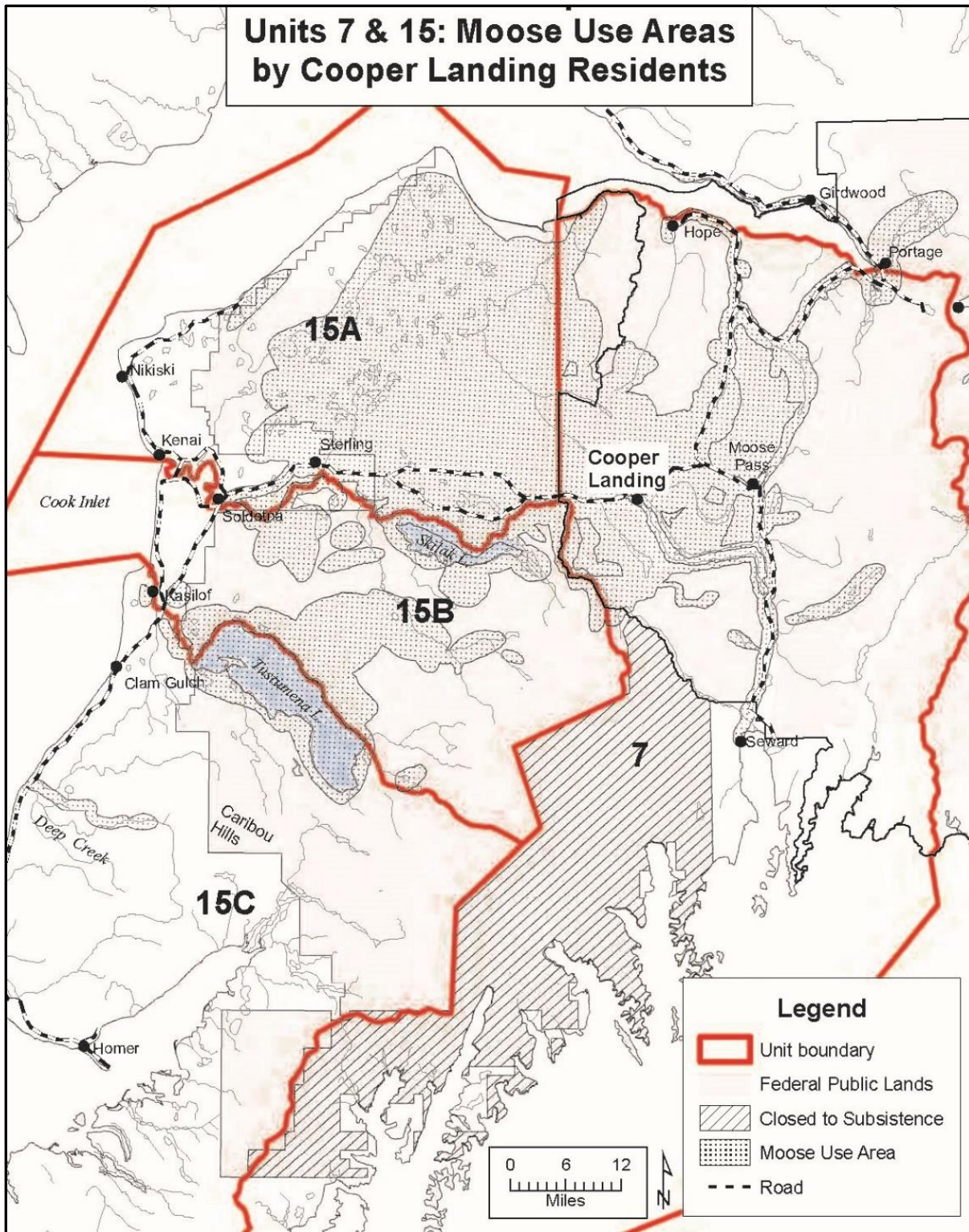
During ADF&G's 1991 subsistence survey study period, no surveyed Cooper Landing households harvested or used sheep. However, 1.2% of surveyed households had used goat (Seitz et al. 1994), which fills a similar niche in subsistence hunting and diet. For details of sheep hunting opportunity in Units 7 and 15 under State regulations, see the section "Participation in state hunts," below.

Moose and sheep use areas

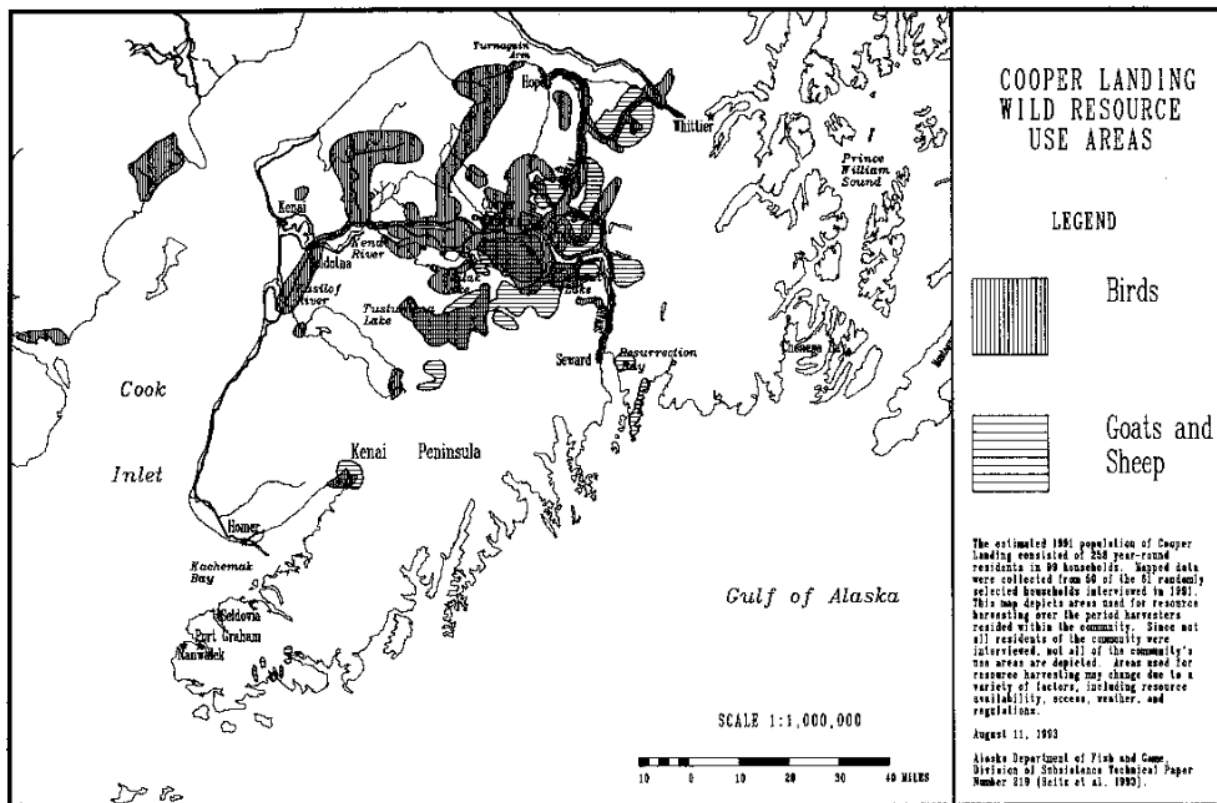
As part of the 1991 subsistence survey, ADF&G mapped the harvest and search areas used for moose and sheep by 50 Cooper Landing households, asking them to document all areas used while living in the community. While Cooper Landing residents harvest resources throughout much of the Kenai Peninsula, they harvest most intensively in areas closest to the community, typical of a subsistence practice characterized by efficiency of effort and cost. A map of Cooper Landing's moose use area from this study includes the northern portion of Unit 15C (the area considered in this analysis), covering the southern and eastern shores of Tustumena Lake (Seitz et al. 1994, **Map 1**).

According to the same study, "goats or sheep were hunted in the mountains around Cooper Landing and the mountains of Turnagain Pass; the mountains east of Tustumena Lake, the head of Kachemak Bay, the southern top of the Kenai Peninsula; and in the mountains east of Resurrection Bay" (Seitz et al. 1994: 42, **Map 2**). This includes portions of Units 15 and 7, the areas being considered for a customary and traditional use determination for sheep in this analysis.

Mapped community use areas should not be considered exhaustive but do provide valuable information on confirmed areas of search and use for wild resources. Maps of Cooper Landing's search areas for other resources, including salmon, other fish, birds, and black bears demonstrate a wide pattern of resource use across the Kenai Peninsula (Seitz et al. 1994).



Map 1. Cooper Landing residents' documented use area for moose, with subunit boundaries shown (Seitz et al. 1994, OSM 2014). Mapped use areas should not be considered exhaustive.



Map 2. Cooper Landing residents' documented use area for goats and sheep (Seitz et al. 1994). Mapped use areas should not be considered exhaustive.

Sharing of resources and transmission of knowledge

Sharing wild foods is a common practice in Cooper Landing. Wild foods were shared with those in need and those who were unable to fish and hunt for themselves (Seitz et al. 1994). ADF&G Division of Subsistence reported that most households in Cooper Landing were involved in giving or receiving wild resources during its study period. About 81% of households surveyed received at least one kind of wild resource from another household. Seventy-two percent of the households gave away wild resources to other people. Cooper Landing residents received an average of three different types of wild resources and gave away an average of two types of wild resources (Seitz et al. 1994).

Moose was given away by about 11% of surveyed households, and 39% of surveyed households reported receiving moose meat (Seitz et al. 1994). No sharing of sheep was documented, but 1% of surveyed households surveyed had given away and received goat meat, which fills a similar niche in local subsistence hunting and diet.

Recent historical context of subsistence hunting by Cooper Landing residents

Since the opening of Cooper Landing to the road system, the seasonal nature of hunting—including timing and access—has been determined by regulations oriented towards outside sport hunters (Seitz et al. 1994). Increased competition from outside hunters—both in hunting lotteries and in the form of

physical crowds—was a recurring theme in ADF&G interviews in Cooper Landing (Seitz et al. 1994). Non-local hunters are able to easily access the area through the road system. The resulting competition limits opportunity for locals, and crowded hunting conditions discourage locals from attempting to use resources that are open to harvest.

Participation in State hunts

The ADF&G reporting system provides information on which communities hunt under State regulations. Residents of Cooper Landing hunt moose under the State system in Unit 15C. Current resident hunting opportunity for moose in Unit 15C is by harvest ticket with antler restrictions, drawing permits (DM512, DM514, DM516, DM518, and DM549), tier II permit (TM549), and may be announced season (AM550). Due to restrictions and competition, lack of participation should not necessarily be interpreted as lack of interest in hunting moose in Unit 15C.

From 1987 through 2019, State harvest records indicate that there were 12 general season hunts for moose in Unit 15C by residents of Cooper Landing and 1 moose was harvested. Additionally, 4 drawing permits were issued to residents of Cooper Landing. Of these, two hunts occurred, but no moose were harvested by permit (**Table 2**).

Table 2. Moose hunts by residents of Cooper Landing under State general season (harvest tickets) and drawing permits in 15C from 1987 to 2019. (Herreman 2021, pers. comm.). Data rows are not included in the table for years when no harvest tickets or drawing permits were issued.

Year	Harvest Tickets Hunted	Drawing Permits Issued	Drawing Permits Used	Harvest
2019	0	1	1	0
2014	1	0	0	0
2012	0	1	0	0
2009	1	0	0	0
2007	1	0	0	0
2004	1	2	1	0
2003	1	0	0	0
2002	1	0	0	0
2000	1	0	0	0
1997	1	0	0	0
1992	2	0	0	0
1989	1	0	0	0
1987	2	0	0	0
Total	12	4	2	1

The State harvest system for sheep in Units 7 and 15 is broken up into drawing permit hunts and a harvest ticket hunt (for one ram with full curl or larger). The drawing hunt areas include Round Mountain

(Units 7 and 15A, DS150) and Crescent Lake (Unit 7, DS156). From 1999 to 2019, State harvest records indicate that there were 40 general season hunts and 2 drawing permit hunts for sheep by residents of Cooper Landing in Unit 7, and 4 sheep were harvested (**Table 3**).

Table 3. Sheep hunts by residents of Cooper landing under State general season (harvest tickets) and drawing permits in Unit 7 from 1987 to 2019 (Herreman 2021). Data rows are not included in the table for years when no harvest tickets or drawing permits were issued.

Year	Draw Permits issued	Draw Permits Used	Harvest Tickets issued	Harvest Tickets Used	Harvest
2018	0	0	1	0	0
2017	0	0	1	1	0
2016	0	0	3	2	0
2015	0	0	3	3	2
2014	0	0	1	1	0
2013	0	0	2	2	0
2012	0	0	1	1	0
2011	0	0	2	2	0
2010	1	1	0	0	0
2005	0	0	1	1	0
2004	0	0	0	0	0
2003	1	1	0	0	0
2002	3	0	4	1	0
2001	2	0	2	0	0
2000	0	0	4	4	0
1999	0	0	3	2	0
1998	0	0	1	1	0
1997	0	0	3	3	0
1996	0	0	1	1	0
1995	1	0	1	0	0
1994	0	0	2	2	0
1993	2	0	4	3	0
1992	0	0	4	4	1
1991	0	0	3	0	0
1990	0	0	2	2	0
1989	0	0	3	2	1
1988	0	0	2	1	0
1987	0	0	1	1	0
Total	10	2	55	40	4

From 1987 through 2019, State harvest records indicate that there were 3 general season hunts and 15 drawing permit hunts for sheep by residents of Cooper Landing in Unit 15, and 2 sheep were harvested (**Table 4**).

Table 4. Sheep hunts by residents of Cooper landing under State general season (harvest tickets) and drawing permits in Unit 15 from 1987 to 2019 (Herreman 2021). Data rows are not included in the table for years when no harvest tickets or drawing permits were issued.

Year	Draw Permits issued	Draw Permits Used	Harvest Tickets issued	Harvest Tickets Used	Harvest
2019	0	0	0	0	0
2018	0	0	1	1	0
2017	0	0	1	0	0
2016	0	0	3	1	0
2015	0	0	3	0	0
2014	0	0	1	0	0
2013	0	0	2	0	0
2012	0	0	1	0	0
2011	0	0	2	0	0
2010	1	0	0	0	0
2009	0	0	0	0	0
2008	0	0	0	0	0
2007	0	0	0	0	0
2006	0	0	0	0	0
2005	0	0	1	0	0
2004	0	0	0	0	0
2003	1	0	0	0	0
2002	0	0	4	3	0
2001	0	0	2	2	0
2000	0	0	4	0	0
1999	0	0	3	1	0
1998	0	0	1	0	0
1997	0	0	3	0	0
1996	0	0	1	0	0
1995	1	0	1	1	0
1994	0	0	2	0	0
1993	2	1	4	1	0
1992	0	0	4	0	0
1991	0	0	3	3	2
1990	0	0	2	0	0
1989	0	0	3	1	0
1988	0	0	2	1	0

Year	Draw Permits issued	Draw Permits Used	Harvest Tickets issued	Harvest Tickets Used	Harvest
1987	0	0	1	0	0
Total	5	1	55	15	2

Effects of the Proposal

If this proposal is adopted, residents of Cooper Landing would be added to the customary and traditional use determination for moose in Unit 15C and sheep in Units 7 and 15, allowing them to harvest these species under Federal subsistence regulations. There is currently no Federal subsistence season for sheep in Unit 7, but Cooper Landing would be eligible for such a hunt once established.

Currently, the Federal subsistence hunt for sheep hunt in Unit 15 is for a harvest limit of 1 ram with $\frac{3}{4}$ curl horn or larger by drawing permit (DS1509). Only one sheep permit is awarded each year for the Federal subsistence hunt in Unit 15. If Cooper Landing is added to the customary and traditional use determination for sheep, this would increase competition for these drawing permits.

If the proposal is rejected, Cooper Landing residents could continue to hunt moose under State regulations in 15C. They could also continue to hunt sheep under State regulations in Units 7 and 15.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-20/25a/27.

Justification

WP22-20

The Board has previously recognized customary and traditional use of other wildlife, including caribou and goat, in Unit 15C by residents of Cooper Landing. Based on these previous determinations, Cooper Landing has already established a recognized pattern of harvest and use of wild resources in Unit 15C consistent with the eight factors. Cooper Landing residents' pattern of moose hunting and harvest generally exhibit the characteristics of customary and traditional use in Unit 15C, as shown through comprehensive subsistence surveys and data from residents hunting for moose in Unit 15C under State regulations. Cooper Landing has had its customary and traditional use of moose recognized on all of the Kenai Peninsula except for Unit 15C. Adopting this proposal will expand recognition of customary and traditional use of moose by residents of Copper Landing to the entire Kenai Peninsula, consistent with the Board's Policy of making inclusive, area-wide determinations.

WP22-25a

The Board has already recognized Cooper Landing's customary and traditional use of other wildlife, including caribou, goat, and moose, in all or portions of Unit 7. Based on these previous determinations, Cooper Landing has already established a recognized pattern of harvest and use of wild resources in Unit 7 consistent with the eight factors. Cooper Landing residents' pattern of sheep hunting and harvest generally exhibit the characteristics of customary and traditional use in Unit 7, as demonstrated through comprehensive subsistence surveys and records of harvest effort in State hunts.

WP22-27

The Board has already recognized customary and traditional uses of other wildlife, including caribou, goat, and moose in all or portions of Unit 15. Based on these previous determinations, Cooper Landing has already established a recognized pattern of harvest and use of wild resources in Unit 15 consistent with the eight factors. Cooper Landing residents' pattern of sheep hunting and harvest generally exhibit the characteristics of customary and traditional use in Unit 15, as demonstrated through comprehensive subsistence surveys and records of harvest effort in State hunts.

LITERATURE CITED

ADF&G. 1991. Seven criteria worksheet: moose – GMU 7. ADF&G, Division of Subsistence. Juneau, AK.

ADF&G. 2021. General harvest reports. <https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvestreports.main>. Retrieved: June 9, 2021.

ADLWD. 2020. Alaska population overview, 2019 estimates. <https://live.laborstats.alaska.gov//pop/estimates/pub/19popover.pdf>. Retrieved June 11, 2021.

Barry, M. J. 1973. A history of mining on the Kenai Peninsula. Alaska Northwest Publishing Company. Anchorage, AK.

Fall, J. A. and J. Seitz. 1991. Background information for findings on customary and traditional uses of game populations in Southcentral and Southwest Alaska. ADF&G, Division of Subsistence. Anchorage, AK.

Fall J., V. Vanek, L. Brown, G. Jennings, R. J. Wolfe and C. Utermohle. 2000. Wild resource harvests and uses by residents of selected communities of the Kenai Peninsula Borough. ADF&G, Division of Subsistence Technical Paper No. 253. Juneau, AK.

Herreman, J. 2021. Wildlife biologist. Personal communication: email. July 13, 2021.

Holmes, C. 1985. Progress report, project F-021-2(15)/(A09812), Sterling Highway archaeological mitigation: phase I excavations at four sites on the Kenai Peninsula. Alaska Department of Transportation and Public Facilities, Division of Geological and Geophysical Surveys. Public Data File 85-4. Fairbanks, AK.

Mead & Hunt and Cultural Resource Consultants, LLC. 2014. Alaska roads historic overview: applied historic context of Alaska's roads.

O'Brien, T. 2003. Personal communication through letter, fax and telephone conversation with Patricia Petrivelli, U.S. Fish and Wildlife Service, January 2003.

OSM. 2014. Staff analysis WP14-07. Pages 417-430 *in* Federal Subsistence Board meeting materials. April 15-17, 2014. Office of Subsistence Management, USFWS. Anchorage, AK.
<https://www.doi.gov/sites/doi.gov/files/uploads/FSB%20Book%2004-14%282%29.pdf>. Retrieved June 21, 2021.

Painter, M. 1983. Cooper Landing *in* A larger history of the Kenai Peninsula, Walter and Elsa Pederson, eds. Adams Press. Chicago.

SCRAC. 2013. Transcripts of the Southcentral Subsistence Regional Advisory Council proceedings. November 5-7, Anchorage, AK. Office of Subsistence Management, USFWS. Anchorage, AK.

Seitz, J., L. Tomrdle, and J.A. Fall. 1994. The use of fish and wildlife in the Upper Kenai Peninsula communities of Hope, Whittier, and Cooper Landing. ADF&G, Div. of Subsistence Tech. Paper No. 219. Juneau, AK.

Written Public Comments

Alaska Kenai Chapter Safari Club International
P.O. Box 2988
Soldotna, AK 99669
kenaisci@gmail.com



July 18, 2021

RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into "have and have nots" in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the "rural designated" community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a “rural designated” community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of “rural” for the “North Fork Rural Customary and Traditional Subsistence Use Community”. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural are to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford

Joe Hardy

Shawn Killian

Bryan Vermette

Jesse Bjorkman

Sam Evanoff

Roy Smith

Ted Spraker

Rick Abbott

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Alaska Outdoor Council comments - 2022-2024 Wildlife Proposals

Rod Arno <rodarno@gmail.com>

Mon 7/19/2021 12:23 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: Mulligan, Benjamin J (DFG) <ben.mulligan@alaska.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Alaska Outdoor Council
310 K Street, Suite 200
Anchorage, Alaska 99501
July 19, 2021

RE: Public comments for FSB 2022-2024 Wildlife Proposals

The Alaska Outdoor Council (AOC) is a Statewide coalition of individual members and clubs representing 10,000 Alaskans who hunt, trap, fish and recreate on public lands/waters in Alaska. AOC Club Representatives have participated in the regulatory process of managing and allocating fish and game in Alaska since before statehood in 1959.

Numerous proposals submitted by Federal Subsistence Regional Advisory Councils, federally recognized subsistence communities, and individuals confirm the fears that many AOC Representatives had at the time of the passage of Alaska National Interest Lands Conservation Act (ANILCA) 1980. Dual management of who can harvest game depending on whether you are on state public and private lands or if you are on federal lands was not the intent of Congress when they passed ANILCA.

AOC opposes WP22-07, WP22-08, WP22-09.

Alaska Department of Fish & Game data should not invoke a complete closure to non-Federally Qualified Subsistence Users under Section 804 of ANILCA. Even the 9th Circuit Court, *Ninilchik Traditional Council v. U.S.*, 227 F.3d 1186 in 2000 understood the priority given in Title VIII of ANILCA was not absolute.

AOC opposes WP22-15.

Congress's findings and declaration in Sec. 801 of ANILCA should leave no room for regulatory action by the Federal Subsistence Board (FSB) regarding anti-trapper claims. Sec. 801(3) of ANILCA should have the FSB concentrating only on "remote federal lands", as was the intent of Congress when they passed 802(2) of ANILCA.

AOC opposes WP22-16 thru 22.

Providing a priority for some individuals or communities to harvest game on federal public lands located on the Kenai Peninsula only exacerbates the conflict between federally qualified hunters and Alaskans living in non-federally qualified areas of the state. Both groups of hunters are similarly situated.

AOC opposes WP22-32.

It would be in Alaskan's best interest if the FSB would reduce the number of Alaskans allowed a priority to harvest game on federal lands just based solely on where they live, not how.

Thanks for the opportunity to provide public comments,

Rod Arno, Public Policy Director
Alaska Outdoor Council

Sent from Rod Arno's iPad.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhlWwIOTgtNDQ1OS04YjQxLWE0YzY0NWl3MDNjZQAQAL9rk...> 1/1

WP22–25b/26b Executive Summary

<p>General Description</p>	<p>Proposal WP22-25b requests establishing a Federal subsistence sheep hunt with a season of Aug. 10 – Sep. 20, with a harvest limit of one Dall sheep and that the Kenai National Wildlife Refuge Manager be delegated authority to open and close the season in consultation with the Alaska Department of Fish and Game (ADF&G) and the Chair of the Southcentral Alaska Subsistence Regional Advisory Council (Council). <i>Submitted by: Michael Adams</i></p> <p>Proposal WP22-26b requests that a Federal subsistence sheep hunt be established in Unit 7. <i>Submitted by: Lisa Slepetski</i></p>
<p>Proposed Regulation</p>	<p>Unit 7- Sheep</p> <p><i>1 sheep by Federal registration permit. The season may be No Federal open- opened or closed by announcement of the Kenai Wildlife season- Refuge manager in consultation with ADF&G and the chair of the Southcentral Regional Advisory Council. Aug. 10- Sep. 20</i></p>
<p>OSM Preliminary Conclusion</p>	<p>Support Proposal WP22-25b with modification to establish a Federal drawing permit hunt for sheep in Unit 7 with a harvest limit of one ram with full curl horn or larger, and delegate authority to the Seward District Ranger of the Chugach National Forest to close the season, set the harvest quota, the number of permits to be issued and any needed permit conditions via delegation of authority letter only (Appendix 1) and take no action on WP22-26b.</p> <p>The modified regulation should read:</p> <p>Unit 7 –Sheep</p> <p><i>1 ram with full curl horn or larger by Federal drawing No Federal open season- permit. Aug. 10- Sep. 20</i></p>
<p>Southcentral Alaska Subsistence Regional Advisory Council Recommendation</p>	
<p>Interagency Staff Committee Comments</p>	

WP22–25b/26b Executive Summary

ADF&G Comments	
Written Public Comments	1 Oppose

DRAFT STAFF ANALYSIS
WP22-25B/26B

ISSUES

Proposals WP22-25b, submitted by Michael Adams of Cooper Landing and WP22-26b, submitted by Lisa Slepetski of Moose Pass, request that a Federal subsistence sheep hunt be established in Unit 7. Proposal WP22-25b specifically requests establishing a season of Aug. 10 – Sep. 20, with a harvest limit of one Dall sheep and that the Kenai National Wildlife Refuge Manager be delegated authority to open and close the season in consultation with the Alaska Department of Fish and Game (ADF&G) and the Chair of the Southcentral Alaska Subsistence Regional Advisory Council (Council).

DISCUSSION

The proponents state these changes are needed to provide Federal subsistence opportunity to harvest sheep in Unit 7 and that there is a history of sheep harvest by residents of Unit 7. The proponents further state that the requested changes would provide opportunity for rural residents of Unit 7 to engage in subsistence sheep hunting and provide a meaningful subsistence preference.

Note: Proposals WP22-25a and WP22-26a request a customary and traditional use determination for sheep in Unit 7 by residents of Cooper Landing and Moose Pass, respectively.

Existing Federal Regulation

Unit 7- Sheep

No Federal open season

Proposed Federal Regulation

Unit 7- Sheep

1 sheep by Federal registration permit. The season may be opened or closed by announcement of the Kenai Wildlife Refuge manager in consultation with ADF&G and the chair of the Southcentral Regional Advisory Council.

~~*No Federal open season*~~

Aug. 10- Sep. 20

Existing State Regulation

Unit 7- Sheep

East of Fuller Lake trail, south of Dike Creek and a straight line from the source of Dike Creek east through the divide south of Trout Lake to Juneau Creek, west of Juneau Creek, and north of the Sterling Highway

Residents: One ram with full-curl horn or larger by permit DS150 Aug. 10- Sep. 20

Nonresidents: One ram with full-curl horn or larger every four regulatory years by permit DS150 Aug. 10- Sep. 20

South of the Sterling Highway, west of Seward Highway, and north and east of Kenai Lake

Residents: One ram with full-curl horn or larger by permit DS156 Aug. 10- Sep. 20

Nonresidents: One ram with full-curl horn or larger every four regulatory years by permit DS156 Aug. 10- Sep. 20

Remainder

Residents: One ram with full-curl horn or larger by permit. Youth hunt only. HT Aug. 1- Aug. 5

Nonresidents: One ram with full-curl horn or larger every four regulatory years by permit. Youth hunt only HT Aug. 1- Aug. 5

Residents: One ram with full-curl horn or larger by permit HT Aug. 10- Sep. 20

Nonresidents: One ram with full-curl horn or larger every four regulatory years by permit HT Aug. 10- Sep. 20

Extent of Federal Public Lands

Unit 7 is comprised of 77.4% Federal public lands and consist of 52.2% U.S. Forest Service (USFS) managed lands, 23.1% National Park Service (NPS) managed lands and 2.1% U.S. Fish and Wildlife Service (USFWS) managed lands.

Customary and Traditional Use Determinations

There is no Federal subsistence priority for sheep in Unit 7.

Regulatory History

Sheep hunting was closed on the Kenai Peninsula by Federal managers in 1942 due to a low population estimate of 350 sheep for the entire peninsula (Scott et al 1950). In 1953, the Cooper Landing Closed Area was established, which was also closed to all sheep and mountain goat hunting. Sheep hunting remained closed on the Kenai Peninsula until Federal managers opened it again in 1957.

In 1959, with the passage of statehood, the State of Alaska took over management and established a sheep season for one ram with a $\frac{3}{4}$ curl horn or larger from Aug. 10 – Aug. 31. In 1964, the sheep season was extended to September 20 and the harvest limit changed to one ram with $\frac{7}{8}$ curl horn. Although the season remained unchanged, the harvest limit was changed to one ram with a full curl horn in 1989.

In 2015, the Alaska Board of Game (BOG) passed a regulation restricting the use of aircraft for sheep hunting to placing and removing hunters from camps, maintaining existing camps and salvaging harvested sheep from Aug. 10 – Sep. 20. An aircraft may not be used to locate sheep for hunting or to direct hunters to sheep during the hunting season.

In 2016, the BOG adopted two proposals regarding sheep in Unit 7. Based on proposal 30, there would be a nonresident harvest limit established of one ram with a full curl horn every four regulatory years. Based on proposal 47 the BOG established a statewide youth hunting season for Dall sheep.

Prior to 2020, no Federal sheep hunts existed on the Kenai Peninsula. During the 2020 Federal wildlife regulatory cycle, the Board adopted Proposal WP20-24a, establishing a customary and traditional use determination for sheep in Unit 15 for residents of Ninilchik. After this determination was made, the Board adopted Proposal WP20-24b, establishing a drawing permit hunt for sheep in Unit 15 with a harvest limit of one ram with a $\frac{3}{4}$ curl horn or larger and a season of Aug. 10 to Sep. 20.

Biological Background

Sheep occur naturally throughout the Kenai Mountains, which extend the length of the eastern Kenai Peninsula. Sheep are most abundant in the drier interior portions, where they coexist with mountain goats, and are least abundant in the coastal mountains. Sheep seldom stray far from alpine tundra habitat, river benches and river valleys adjacent to steep cliffs or rocky terrain used to escape predators (Krausman and Boyer 2003). Sheep use the ridges, meadows and steep slopes for feeding and resting. Ewes seek rugged cliffs that provide solitude and protection from predation to give birth to a single lamb. The lamb stays with the ewe until they are strong enough to travel and begin feeding on vegetation usually within two weeks after birth and are weaned by October. Ewes normally give birth for the first time at age 3, whereas adult rams often don't breed successfully until they are 7-8 years old when they have large horns and are dominant. Mating usually occurs during the rut in late November

and early December and takes place in the home range of females. Except during the rut, adult female-juvenile groups remain largely separate from the adult male groups. Sheep populations usually increase during periods of mild weather and decrease during severe winters and/or when predation is high.

ADF&G conducts surveys when weather conditions allow, meaning the flight and visibility ceiling are high enough to survey the entire area and turbulence and temperatures are low. All of these variables are figured into the “count conditions” which are rated by the observer on a scale of 1-3, where 1 = excellent (sheep are up high, light is great, and temperature and turbulence is low), 2 = good to fair conditions, 3 = poor (results are likely to be significantly biased by the conditions).

Surveys are flown following the topography of the landscape. Transects are flown parallel to the mountain starting at the tree/shrub line and working up the mountain. Each face receives 2-3 passes depending on mountain height and visibility. When sheep are observed, pilots circle the location so that the observer can count and classify the animals in each group, as well as note habitat conditions and GPS (Global Positioning System) location. Animals are classified as adults (subadults and adults) and lambs. Often, additional sheep are encountered while circling, which are noted so that they are not recounted on consecutive passes. By starting transects at lower elevations, animals higher on the ridge are less likely to move down below the tree/alder line where they can disappear. Survey length depends on count conditions, area covered, and number of animals seen. The aerial surveys within the sampling units are conducted following the contours of the mountains during the early morning (within three hours of sunrise) or in the evening (within three hours of sunset) when there is the greatest sheep activity and the best visibility.

State management objectives for sheep in Units 7 and 15 are to complete minimum count surveys in all management areas outside Kenai Fjords National Park at least once every three years and maintain viable subpopulations of at least 50 or more sheep. If a sheep population falls below 50 animals, harvest would be suspended. Only two range-wide surveys have been conducted for sheep on the Kenai Peninsula, one in 1968 and the other in 1992 (Herreman 2014).

In the early 20th century, sheep populations sharply declined before growing again. Many sheep were harvested in the early 1900s on the Kenai Peninsula during mining activities centered around the towns of Hope and Sunrise. The sheep population then increased from 350 in 1942 to 2,190 in 1968 and then declined to 1,600 in 1992. Annual sheep surveys conducted from 1968 to the late 1990s indicate that the sheep population fluctuated between 1,000 to 2,000 animals. Starting in 1992, minimum counts have been conducted by ADF&G for sheep in 32 count areas on the Kenai Peninsula, 14 in Unit 15 and 18 in Unit 7 (**Figure 1**) (Herreman 2018).

Kenai Peninsula sheep populations have declined since the mid-20th century. Overall, there has been an 80% decline since the 1960s (2,200-2,500). More recent survey data for all management areas (Unit 15 and Unit 7) showed a significant decline in sheep from 1997 (1,545) to 2008 (658) (Herreman 2018). From 2011 to 2020, the population for Units 7 and 15 ranged from 379 to 644 sheep (**Figure 2**) (Herreman pers. comm. 2021). As of 2020 it is estimated that fewer than 400 sheep remain on the Kenai Peninsula based on minimum count data (**Table 1**) (Herreman pers. comm. 2021).

The Kenai National Wildlife Refuge subpopulation has the largest number of sheep on the Kenai Peninsula. In 2015, the estimated Kenai National Wildlife Refuge sheep population was 163 animals. The Resurrection Trail subpopulation had an estimated population of 165 in 2015. The Grant Lake population was estimated at 77 for the same year. The two remaining subpopulations (Cooper Mountain and Crescent Lake) were both approaching the minimum viable population threshold in 2015 at 52 and 56, respectively (Herreman 2018).

It does not appear that harvest under current regulations of a full-curl ram are responsible for the long-term decline of sheep populations on the Kenai Peninsula. Population trends in the southern management areas (357-360) and information from locals suggest that the sheep range may be moving north. Pederson (1944) reported that homesteading families harvested sheep as far south as Mallard Bay in management area 360. One theory is that climate change is causing more frequent icing events which have been shown to cause sheep population declines (Nichols 1975). In addition, climate change may also be changing the snow conditions with more frequent, heavier and wetter snows (Nichols 1971). Dial et al. (2007) and Dial et al. (2016) noted that alpine tundra habitat in the Kenai Mountains has been declining at a rate of approximately 17.4% per decade, tree and shrub line elevation has been increasing, and the overall quality of sheep habitat has been declining due to climate change.

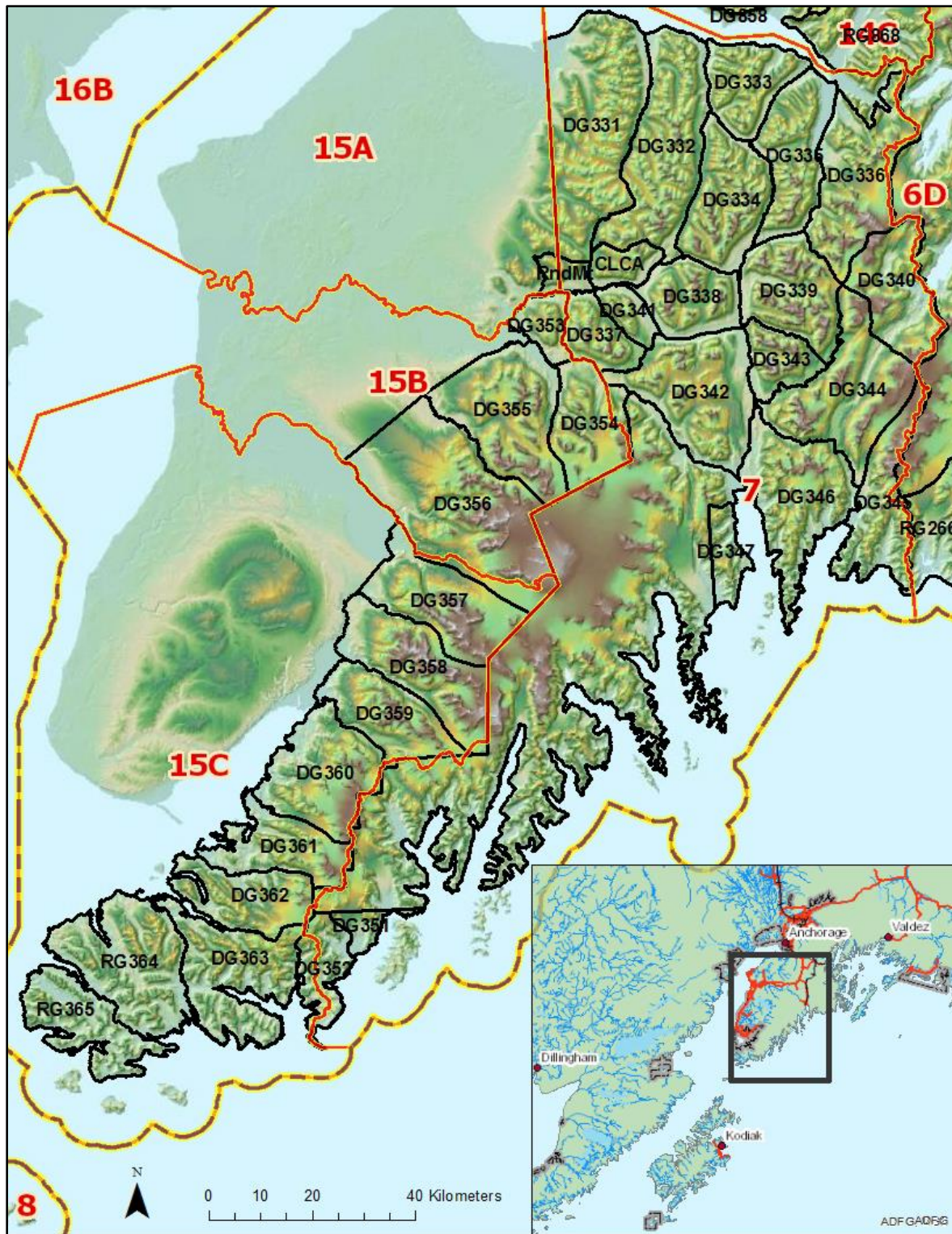


Figure 1. Map of Dall sheep and mountain goat survey units for the Kenai Peninsula, Units 7 and 15, Southcentral Alaska (Herreman 2018).

Table 1. Minimum count survey results in Units 7 and 15, on the Kenai Peninsula, 2011-2020. (Herreman pers. comm. 2021).

Year	Full Curl	< Full-curl	Ewe Like	Lambs	Unclassified Sheep	Total Sheep Observed
2011	1	57	134	42	0	235
2012	3	37	42	10	0	92
2013	4	65	210	60	0	340
2014	1	43	185	21	28	287
2015	3	99	280	81	2	470
2016	4	100	230	48	2	385
2017	7	76	194	47	2	335
2018	7	60	174	48	2	297
2019	2	28	77	16	2	126
2020	2	10	76	16	0	104

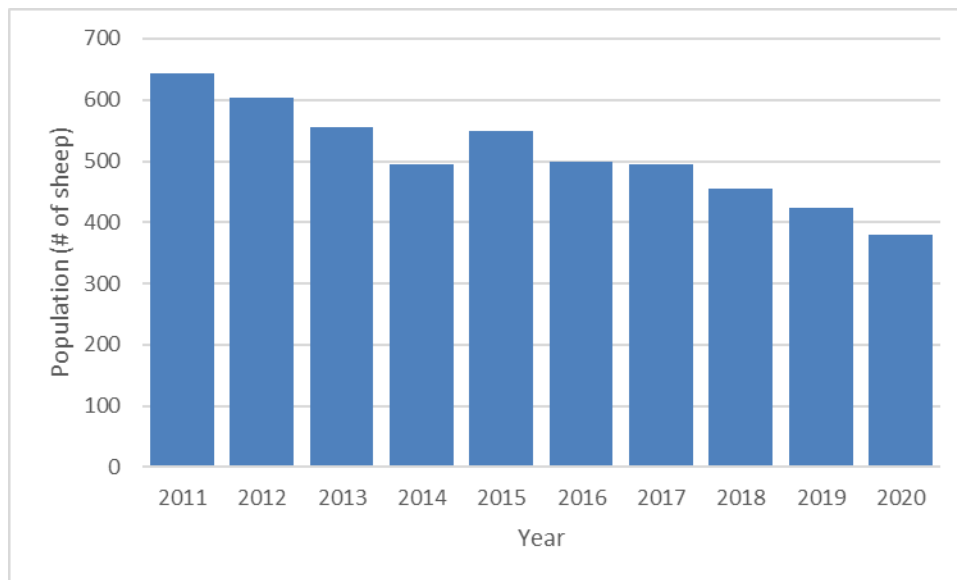


Figure 2. Estimated population of sheep in Units 7 and 15 showing declining trend (Herreman pers. comm. 2021).

Habitat

Sheep in Alaska inhabit alpine areas adjacent to steep cliffs or rocky terrain that provide escape from predators. Most sheep populations in Alaska are migratory, occupying different ranges during the summer and winter. Sheep populations exhibit a high degree of fidelity to their seasonal ranges (Rachlow and Boyer 1998). The smallest ranges typically occur in midwinter (Geist 1971) when they select wind-swept areas with suitable forage and rugged escape terrain. Sheep in Kluane National Park, Yukon, Canada, spent 70% of their time foraging in areas with snow depth <5 cm and in areas with high primary productivity of plants on their winter range (Hoefs and Cowan 1979, Hoefs and Bayer 1983, Hoefs 1984). Overcrowding on the wind-swept ridges during winter can put sheep in a negative energy balance and force sheep to depend heavily on their fat and protein reserves built up during the summer. Lambs and yearlings are particularly susceptible to die offs during periods of food shortages in winter. Limiting disturbance during the late winter/early spring can be critical to maintaining local sheep populations, especially following severe winters with heavy snowfall or icing events. In the spring, sheep move down near tree line to feed on the first patches of emergent green plants. During the summer, ewes and lambs from interior Alaska select high alpine meadows intermixed with steep rugged escape terrain to graze on grasses and herbs, particularly *Dryas* spp., and shrubs (willow leaves and shoots). As winter approaches their diet shifts to lichens, grasses, sedge stems and mosses (Rachlow and Boyer 1998).

Harvest History

There has never been an open Federal subsistence season for sheep in Unit 7. Federally qualified subsistence users have been able to hunt sheep in Unit 7 with a harvest ticket under the State general regulations except in the Round Mountain (**Figure 2**) and Crescent Lake (**Figure 3**) areas, where Federally qualified hunters must compete for a limited number of State drawing permits (three DS150 and six DS156 permits, respectively). Sheep are susceptible to overharvest by sport and subsistence hunters in local areas and thus there is a need to closely manage harvests for those populations that are easily accessible. Harvesting full-curl rams is often the most conservative strategy, especially after population declines. Full curl management for a majority of Unit 7 has been in place for the general season and drawing permit hunts since 1989.

The average annual total reported sheep harvest in Unit 7 from 2010 to 2019 was 3.9 animals, which was lower than the previous 10 years when the average annual reported sheep harvest was 6.9 animals (**Figure 4**). While the overall reported harvest has been on a decreasing trend for the last 20 years, hunter success rate has only slightly decreased over the same period (**Figure 5**). The number of hunters attempting to harvest sheep in Unit 7 has also decreased over the last 20 years (**Figure 6**). From 2000-2019, 108 sheep total have been reported harvested in Unit 7. Of the 108 reported sheep harvested, 10.2% were harvested by nonresidents, 15.7% by rural residents and 74.1% were harvested by non-rural Alaska residents (ADF&G 2021a).

DS150 Sheep Drawing Permit Hunt

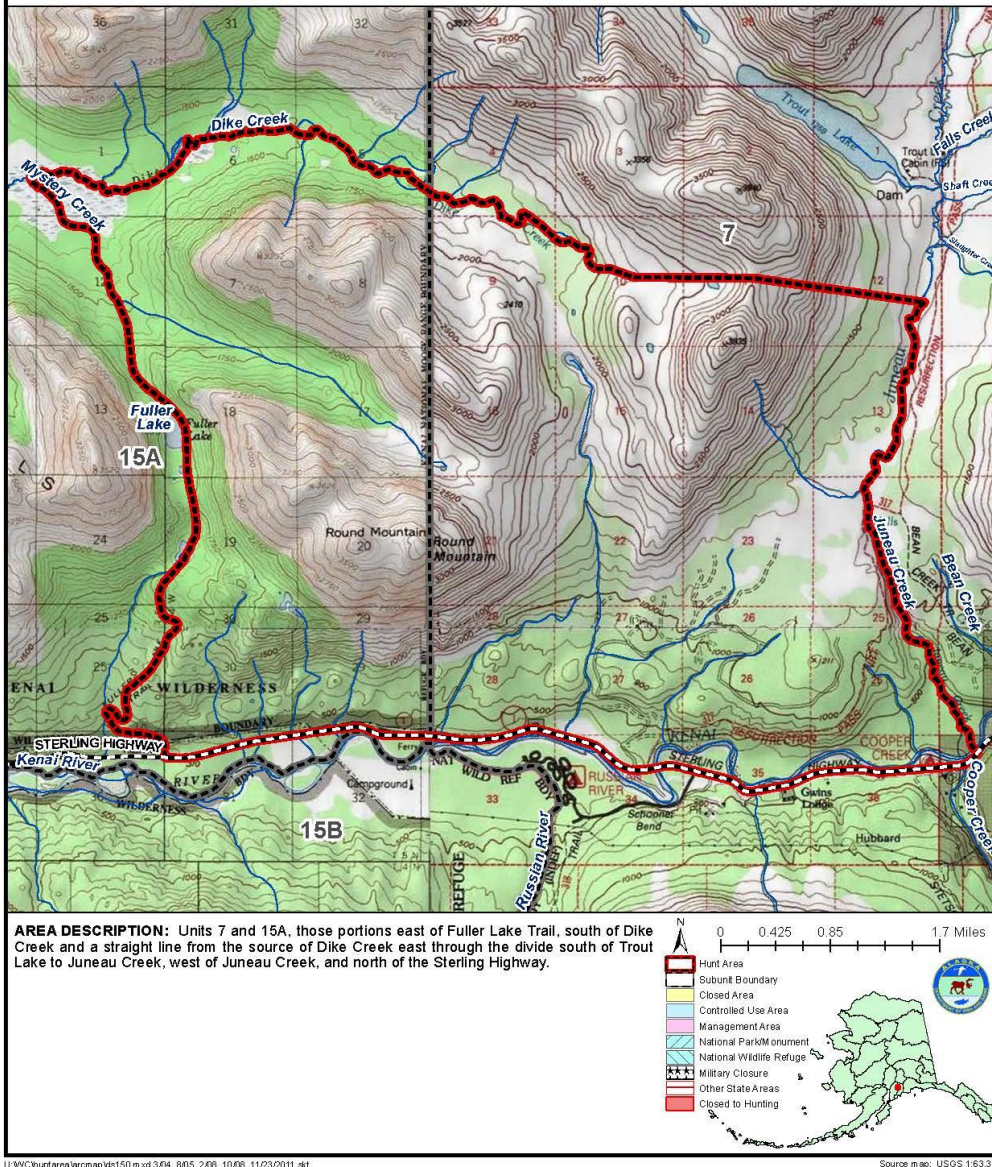


Figure 2. Hunt area of the Round Mountain draw permit (ADF&G 2021b).

DS156 Sheep Drawing Permit Hunt

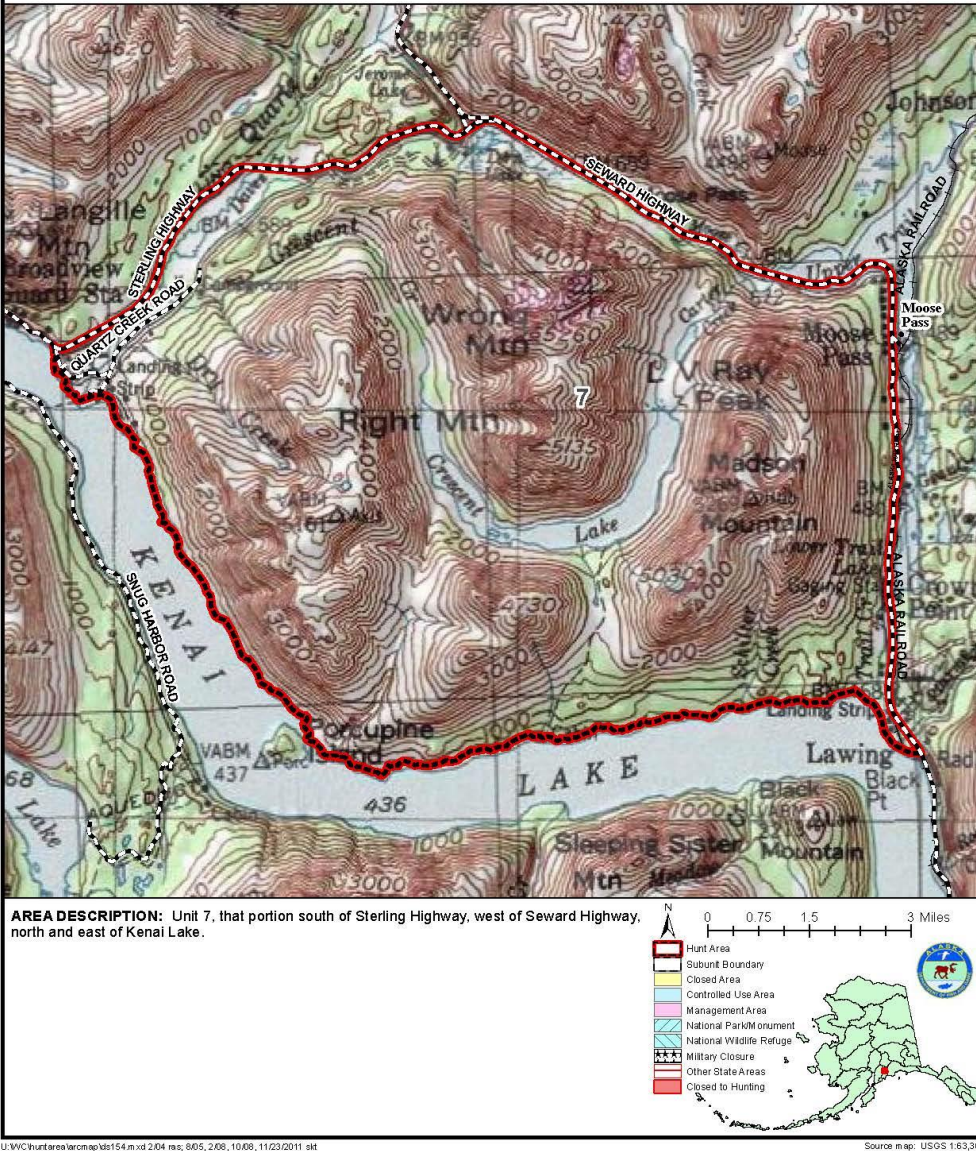


Figure 3. Hunt area for the Crescent Lake draw area (ADF&G 2021b).

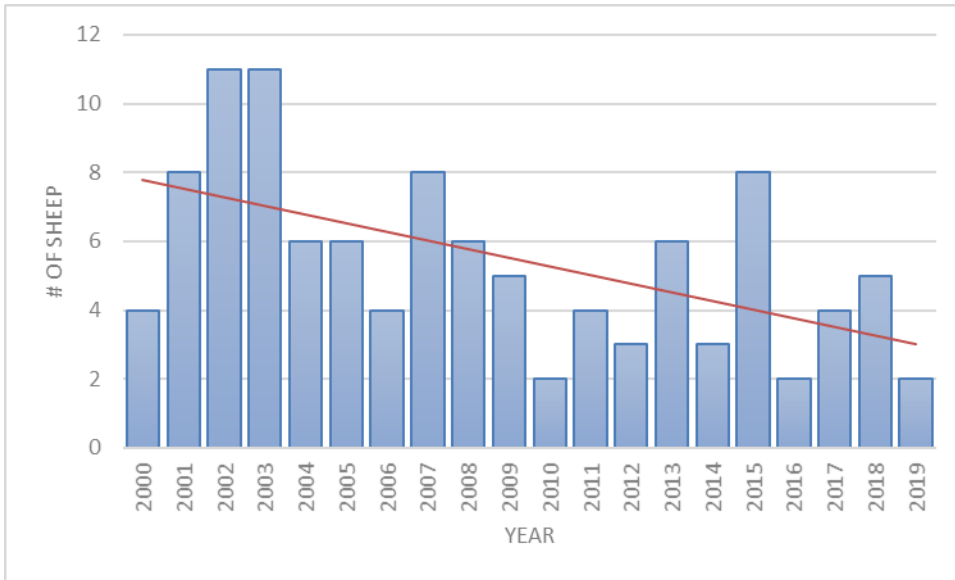


Figure 4. Annual reported harvest of sheep in Unit 7 for 2000-2019 (ADF&G 2021a).

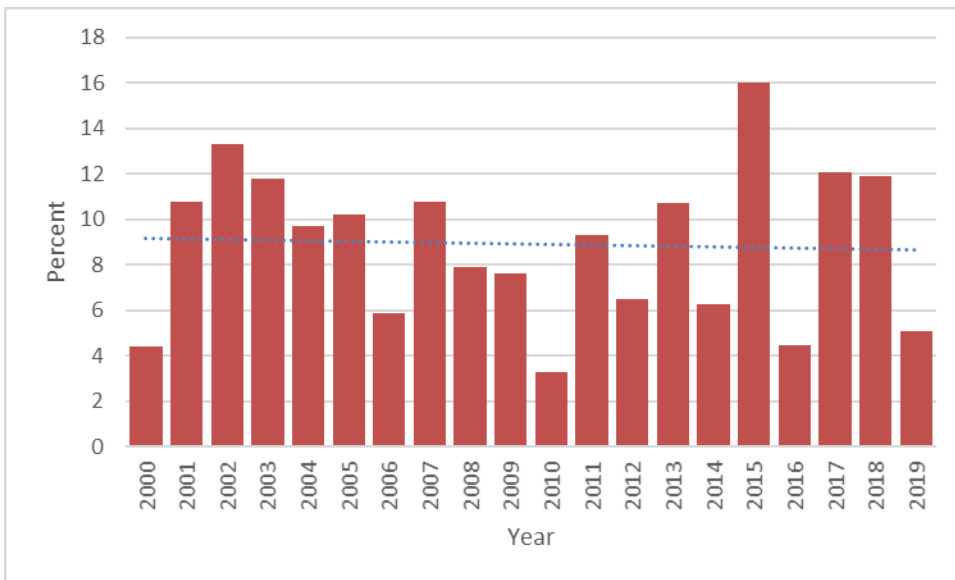


Figure 5. Percent successful sheep hunters in Unit 7 (ADF&G 2021a).

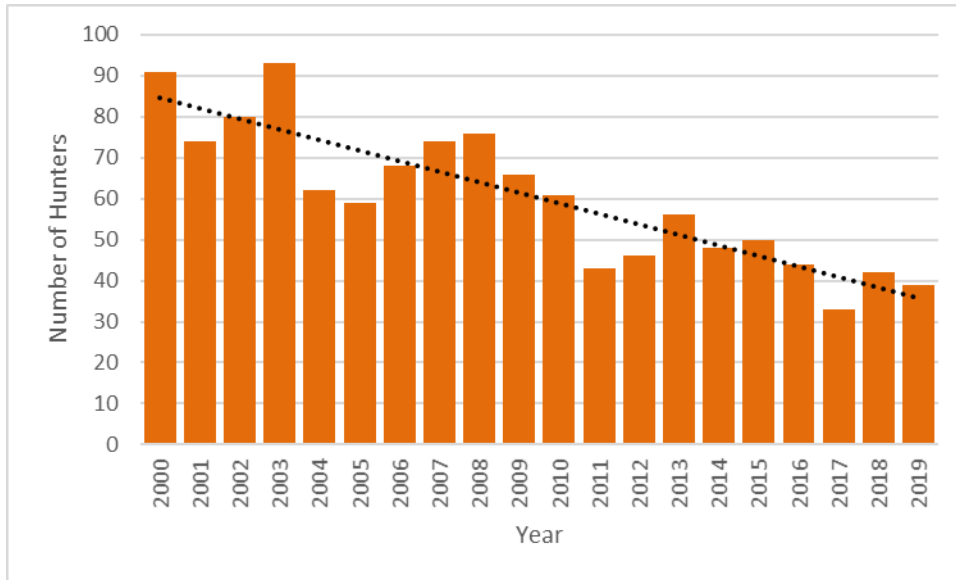


Figure 6. Number of sheep hunters in Unit 7 (ADF&G 2021a).

Other Alternatives Considered

One alternative considered was a harvest limit of one ram with three-quarter curl horn or larger by Federal drawing permit. This would provide more opportunity for Federally qualified subsistence users than those hunting under State regulations, which have a one ram with full-curl horn or larger harvest limit. It would not allow for the harvest of ewes or immature rams, keeping the most important age classes protected. This approach mitigates but does not eliminate conservation concerns as the increased harvest may not be sustainable given the declining status of the sheep populations in Unit 7. The Council may want to further consider this alternative.

Another alternative to be considered if the proposal is adopted as submitted is to delegate additional authority for the hunt to an in-season manager. A harvest limit of one sheep would allow the harvest of immature rams or ewes, which may have a negative effect on such small populations. To alleviate this concern, the Federal land manager would be able to set the harvest limit, including sex restrictions, harvest quotas and permit conditions in addition to closing the season via delegated authority.

Effects of the Proposal

Establishing a Federal season for sheep in Unit 7 would provide additional opportunity for Federally qualified subsistence users to harvest sheep on Federal public lands. Currently, there is no Federal subsistence season for sheep in Unit 7.

The declining sheep populations in Unit 7 are subject to overharvest if not managed carefully. Two of the sheep populations in Unit 7 are at or near the minimum viable population threshold of 50 animals. Severe winters could reduce these populations below this threshold, and the take of even a few

additional sheep could result in overharvest. Aligning season dates with the State would reduce regulatory confusion and provide the best opportunity for collaborative harvest management and enforcement. ADF&G has been managing the sheep populations in Unit 7 with drawing permits for the Round Mountain and Crescent Lake areas and a general hunt (harvest ticket) for the remainder of Unit 7. Because of the small and relatively unstable herd sizes, fluctuating permit numbers and the risk of overharvest, any Federal permits issued should still fall within the same general framework established by the State for those hunts. Thus, Federal registration permit hunts should not be issued for ‘any sheep’ but be specific to localized populations as done by the State. Appropriate allocation coordination must be made to determine how many Federal and State permits should be issued to limit the potential for overharvest.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-25b **with modification** to establish a Federal drawing permit hunt for sheep in Unit 7 with a harvest limit of one ram with full curl horn or larger, and delegate authority to the Seward District Ranger of the Chugach National Forest to close the season, set the harvest quota, the number of permits to be issued and any needed permit conditions via delegation of authority letter only (**Appendix 1**) and **take no action** on WP22-26b.

The modified regulation should read:

Unit 7- Sheep

1 ram with full curl horn or larger by Federal drawing permit.

~~*No Federal open-season*~~

Aug. 10- Sep. 20

Justification

Establishing a Federal sheep season in Unit 7 would provide additional opportunity for Federally qualified subsistence users to harvest sheep on Federal public lands. Currently, there is no Federal subsistence season for sheep in Unit 7 and Federally qualified subsistence users have to rely on the limited number of State drawing permits in Unit 7 or use a harvest ticket in Unit 7 remainder in order to harvest sheep in the unit. Providing this opportunity for subsistence harvest of sheep is consistent with Section 804 of the Alaska National Interest Lands Conservation Act, which calls for priority consumptive use of fish and wildlife populations by rural Alaska residents. The demand for sheep in Unit 7 from all hunters under State regulations is greater than the harvestable surplus as shown by the harvest history and population data. Due to the small size of the sheep populations, habitat limitations and susceptibility to over hunting, these populations are highly regulated by the State. The continued decline of sheep populations on the Kenai Peninsula requires adaptive management practices to ensure conservation of the resource.

Since the demand for sheep is greater than the harvestable surplus, a drawing permit is recommended so that harvest is limited, and the threat of overharvest minimized. Delegating authority to the Seward District Ranger will allow for greater hunt management flexibility through in-season adjustments and a timelier response to changes in population status, hunting conditions or hunter access while providing harvest opportunities for subsistence users. Harvesting mature rams is often the most conservative strategy, especially after population declines. Full curl management for a majority of Unit 7 has been in place for the general season and drawing permit hunts since 1989. The Seward District Ranger will have the ability to close the season when the harvest quota has been reached. Setting permit conditions, such as reporting requirements, will assist the Seward District Ranger in closing the season early if needed. The Federal manager will need to work closely with the State to monitor harvest under both State and Federal hunts if this proposal is adopted by the Board.

LITERATURE CITED

Alaska Department of Fish and Game (ADF&G) 2019. Kenai Peninsula Overview. Presentation at the Alaska Board of Game, Southcentral Region: March 14-19, 2019.

ADF&G. 2021a. Harvest General Reports database. https://secure.wildlife.alaska.gov/index.cfm?adfg=harvest.main&_ga=1.109733509.1089519111.1465854136, accessed June 8, 2021. Anchorage, AK.

ADF&G. 2021b. Hunting Maps database. <https://www.adfg.alaska.gov/index.cfm?adfg=huntingmaps.byspecies> accessed June 9, 2021. Anchorage, AK.

Dial, R.J., E. E. Berg, K. Timm, A. McMahon, and J. Geck. 2007. Changes in the alpine forest-tundra ecotone commensurate with recent warming in southcentral Alaska: Evidence from orthophotos and field plots. *Journal of Geophysical Research* 112, G04015:1-15.

Dial, R.J., S.T. Smeltz, P.F. Sullivan, C.L. Rubasm K. Timm, J.E. Geck, T.S. Carl, T.S. Golden, and E.C. Berg. 2016. Shrubline but not treeline advance matches climate velocity in montane ecosystems of south-central Alaska. *Global Change Biology* 22(5):1841-1856.

Geist, V. 1971. *Mountain sheep: A study in behavior and evolution*. University of Chicago Press, Chicago.

Herreman, J.H. 2014. Units 7 and 15 Dall Sheep management report. Chapter 1, Pages 1-1 through 1-7 in P. Harper, editor. Dall sheep management report of survey and inventory activities 1 July 2010- 30 June 2013, ADF&G. Species Management Report ADF7G/DWC/SMR 2014-4, Juneau, AK.

Herreman, J.H. 2018. Dall Sheep Management Report and Plan, Game Management Unit 7 and 15: Report period 1 July 2011–30 June 2016, and plan period 1 July 2016–30 June 2021. Alaska Department of Fish and Game, Species Management Report and Plan, Juneau, AK.

Herreman, J.H. 2021. Unit 7 Area Biologist. Personal communication: e-mail. Alaska Department of Fish and Game, Homer, AK.

Hoefs, M. 1984. Productivity and carrying capacity of a subarctic sheep winter range. *Arctic* 37:141-147.

Hoefs, M. and I.M. Cowan. 1979. Ecological investigation of a population of Dall sheep (*Ovis dalli dalli* Nelson), *Syesis* 12(Supplement 1):1-81.

Hoefs, M. and m. Bayer. 1983. Demographic characteristics of an un hunted Dall sheep, *Ovis dalli dalli*. Canadian Journal of Zoology 61:1346-1357.

Krausman, P.R. and R.T. Bowyer. 2003. Mountain Sheep. Pages 1095-1115 in G.A. Feldhamer, B.C. Thompson, and J.A. Chapman, eds. Wild Mammals of North America: biology, management, and conservation. Second edition. John Hopkins University Press, London.

Nichols, L. 1971. The Dall sheep and its management in Alaska. Pages 2-8 in E. Decker, editor. Transactions of the 1st North American Wild Sheep Conference, 14-15 April 1971. Fort Collins, Colorado. Colorado State University, Department of Fishery and Wildlife Biology, Fort Collins, Colorado.

Nichols, L. 1975. Report and recommendations of the Dall and Stone Sheep Workshop Group. Pages 208-266 in J.B. Trefethen, editor. The wild sheep in modern North America: Proceedings of the workshop on the management biology of North American wild sheep, 18-20 June 1974, Missoula, MT.

Pedersen, E. 1944. Kachemak Bay Story. Friends of the Homer Public Library. Homer, AK. Rachlow, J.L. and R.T. Bowyer. 1998. Habitat selection by Dall's sheep (*Ovis dalli*): Maternal trade-offs. Journal of Zoology, London 245:465-475.

Scott, D. R., E.F. Chatelain, and W.A. Elkins. 1950. The status of the Dall sheep and caribou in Alaska. North American Wildlife Conference Transcripts 15:612-626.

Written Public Comment

Alaska Kenai Chapter Safari Club International
P.O. Box 2988
Soldotna, AK 99669
kenaisci@gmail.com



RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into “have and have nots” in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the ‘rural designated’ community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a “rural designated” community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of “rural” for the “North Fork Rural Customary and Traditional Subsistence Use Community”. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural are to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford

Joe Hardy

Shawn Killian

Bryan Vermette

Jesse Bjorkman

Sam Evanoff

Roy Smith

Ted Spraker

Rick Abbott

Appendix 1

Seward District Ranger
U.S. Forest Service
Chugach National Forest
P.O. Box 390
Seward, Alaska 99664

Dear Seward District Ranger:

This letter delegates specific regulatory authority from the Federal Subsistence Board (Board) to the Seward District Ranger of the Chugach National Forest to issue emergency or temporary special actions if necessary to ensure the conservation of a healthy wildlife population, to continue subsistence uses of wildlife, for reasons of public safety or to assure the continued viability of a wildlife population. This delegation only applies to the Federal public lands subject to Alaska National Interest Lands Conservation Act (ANILCA) Title VIII jurisdiction within Unit 7 for the management of Dall sheep on these lands.

It is the intent of the Board that actions related to management of Dall sheep by Federal officials be coordinated, prior to implementation, with the Alaska Department of Fish and Game (ADF&G), representatives of the Office of Subsistence Management (OSM) and the Chair of the affected Council(s) to the extent possible. The Office of Subsistence Management will be used by managers to facilitate communication of actions and to ensure proposed actions are technically and administratively aligned with legal mandates and policies. Federal managers are expected to work with managers from the State and other Federal agencies, the Council Chair or alternate, local tribes and Alaska Native Corporations to minimize disruption to subsistence resource users and existing agency programs, consistent with the need for special action.

DELEGATION OF AUTHORITY

1. Delegation: The Seward District Ranger of the Chugach National Forest is hereby delegated authority to issue emergency or temporary special actions affecting Dall sheep on Federal lands as outlined under the Scope of Delegation. Any action greater than 60 days in length (temporary special action) requires a public hearing before implementation. Special actions are governed by Federal regulation at 36 CFR 242.19 and 50 CFR 100.19.

2. Authority: This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6), which state: “The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements and open or close specific fish or wildlife harvest seasons within frameworks established by the Board.”

3. Scope of Delegation: The regulatory authority hereby delegated is limited to the following authorities within the limits set by regulation at 36 CFR 242.26 and 50 CFR 100.26:

- To close the season, set the harvest quota, the number of permits to be issued and any needed permit conditions for Dall sheep.

This delegation also permits you to close and reopen Federal public lands to nonsubsistence hunting but does not permit you to specify permit requirements or harvest and possession limits for State-managed hunts.

This delegation may be exercised only when it is necessary to conserve Dall sheep populations, to continue subsistence uses, for reasons of public safety or to assure the continued viability of the populations. All other proposed changes to codified regulations, such as customary and traditional use determinations, shall be directed to the Board.

The Federal public lands subject to this delegated authority are those within Unit 7.

4. Effective Period: This delegation of authority is effective from the date of this letter and continues until superseded or rescinded.

5. Guidelines for Delegation: You will become familiar with the management history of the wildlife species relevant to this delegation in the region, with current State and Federal regulations and management plans and be up to date on population and harvest status information. You will provide subsistence users in the region a local point of contact about Federal subsistence issues and regulations and facilitate a local liaison with State managers and other user groups.

You will review special action requests or situations that may require a special action and all supporting information to determine (1) consistency with 50 CFR 100.19 and 36 CFR 242.19, (2) if the request/situation falls within the scope of authority, (3) if significant conservation problems or subsistence harvest concerns are indicated, and (4) what the consequences of taking an action or no action may be on potentially affected Federally qualified subsistence users and non-Federally qualified users. Requests not within your delegated authority will be forwarded to the Board for consideration. You will maintain a record of all special action requests and rationale for your decision. A copy of this record will be provided to the Administrative Records Specialist in OSM no later than sixty days after development of the document.

For management decisions on special actions, consultation is not always possible, but to the extent practicable, two-way communication will take place before decisions are implemented. You will also establish meaningful and timely opportunities for government-to-government consultation related to pre-season and post-season management actions as established in the Board's Government-to-Government Tribal Consultation Policy (Federal Subsistence Board Government-to-Government Tribal Consultation Policy 2012 and Federal Subsistence Board Policy on Consultation with Alaska Native Claim Settlement Act Corporations 2015).

You will immediately notify the Board through the Assistant Regional Director for OSM, and coordinate with the Chair(s) or alternate of the affected Council(s), local ADF&G managers and other affected Federal conservation unit managers concerning emergency and temporary special actions being considered. You will ensure that you have communicated with OSM to ensure the special action is aligned with ANILCA Title VIII, Federal Subsistence regulations and policy and that the perspectives of the Chair(s) or alternate of the affected Council(s), OSM and affected State and Federal managers have been fully considered in the review of the proposed special action.

If the timing of a regularly scheduled meeting of the affected Council(s) permits without incurring undue delay, you will seek Council recommendations on the proposed temporary special action(s). If the affected Council(s) provided a recommendation, and your action differs from that recommendation, you will provide an explanation in writing in accordance with 50 CFR 100.10(e)(1) and 36 CFR 242.10(e)(1).

You will issue decisions in a timely manner. Before the effective date of any decision, reasonable efforts will be made to notify the public, OSM, affected State and Federal managers, law enforcement personnel and Council members. If an action is to supersede a State action not yet in effect, the decision will be communicated to the public, OSM, affected State and Federal managers and the local Council members at least 24 hours before the State action would be effective. If a decision to take no action is made, you will notify the proponent of the request immediately. A summary of special action requests and your resultant actions must be provided to the coordinator of the appropriate Council(s) at the end of each calendar year for presentation to the Council(s).

You may defer a special action request, otherwise covered by this delegation of authority, to the Board in instances when the proposed management action will have a significant impact on a large number of Federal subsistence users or is particularly controversial. This option should be exercised judiciously and may be initiated only when sufficient time allows for it. Such deferrals should not be considered when immediate management actions are necessary for conservation purposes. The Board may determine that a special action request may best be handled by the Board, subsequently rescinding the delegated regulatory authority for the specific action only.

6. Support Services: Administrative support for regulatory actions will be provided by the Office of Subsistence Management.

Sincerely,

Anthony Christianson
Chair

Enclosures

cc: Federal Subsistence Board
Assistant Regional Director, Office of Subsistence Management
Deputy Assistant Regional Director, Office of Subsistence Management
Subsistence Policy Coordinator, Office of Subsistence Management
Wildlife Division Supervisor, Office of Subsistence Management
Southcentral Alaska Subsistence Council Coordinator, USDA-Forest Service
Chair, Southcentral Alaska Subsistence Regional Advisory Council
Deputy Commissioner, Alaska Department of Fish and Game
Special Projects Coordinator, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record

WP22–28/29 Executive Summary

General Description	<p>Proposal WP22-28 requests to extend the length of the moose hunting season in Unit 7 remainder to Sep. 25. <i>Submitted by: Michael Adams</i></p> <p>Proposal WP22-29 requests to extend the length of the moose hunting season in Unit 7 remainder to Sep. 25. <i>Submitted by: Seth Wilson</i></p>
Proposed Regulation	<p>Unit 7- Moose</p> <p><i>Unit 7, remainder—1 antlered bull with spike-fork or 50- inch antlers or with 3 or more brow tines on either antler, by Federal registration permit only. Aug. 10-Sep. 2025.</i></p>
OSM Preliminary Conclusion	<p>Support Proposal WP22-28 and Take no action on WP22-29</p>
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	<p>1 Oppose</p>

DRAFT STAFF ANALYSIS
WP22-28/29

ISSUES

Wildlife Proposals WP22-28, submitted by Michael Adams of Cooper Landing and WP22-29, submitted by Seth Wilson of Glennallen, request to extend the length of the moose hunting season in Unit 7 remainder to Sep. 25.

DISCUSSION

The proponents state the Federal subsistence season should not be more restrictive than the State of Alaska hunting season, which currently closes five days later than the Federal season and that this proposal would allow for more opportunity for participation by Federally qualified subsistence users.

Existing Federal Regulation

Unit 7- Moose

Unit 7, remainder—1 antlered bull with spike-fork or 50-inch antlers or with 3 or more brow tines on either antler, by Federal registration permit only. Aug. 10-Sep. 20.

Proposed Federal Regulation

Unit 7- Moose

Unit 7, remainder—1 antlered bull with spike-fork or 50-inch antlers or with 3 or more brow tines on either antler, by Federal registration permit only. Aug. 10-Sep. ~~20~~ 25.

Existing State Regulation

Unit 7- Moose

Residents and Nonresidents 7 remainder- One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side HT Sept 1-Sept 25

Extent of Federal Public Lands/Waters

Unit 7 is comprised of 77.4% Federal public lands and consist of 52.2% U.S. Forest Service (USFS) managed lands, 23.1% National Park Service (NPS) managed lands and 2.1% U.S. Fish and Wildlife Service (USFWS) managed lands.

Customary and Traditional Use Determinations

Rural residents of Chenega Bay, Cooper Landing, Hope and Tatitlek have a customary and traditional use determination for moose in Unit 7.

Regulatory History

In 2008, Karl Romig submitted proposal WP08-22a. He requested that the Federal Subsistence Board (Board) recognize the customary and traditional use (C&T) of moose by residents of Cooper Landing in Unit 7. The Board agreed with the Southcentral Alaska Subsistence Regional Advisory Council's (Southcentral Council's) recommendation and adopted the proposal. Mr. Romig also submitted WP08-22b, which requested establishing a moose season in Unit 7 remainder. The Board adopted WP08-22b with modification and established an Aug. 10 — Sep. 20 season with a harvest limit of 1 antlered bull with a spike-fork or 50-inch antlers or with 3 or more brow tines on either antler. This hunt had identical harvest limits as State regulations but, the Federal season started 10 days earlier than the State season.

In 2010, Paul Genne and Dennis Ressler submitted proposal WP10-33. They requested that the Board recognize the C&T of moose by residents of Hope and Sunrise in Unit 7. The Board agreed with the Southcentral Council's recommendation and adopted the proposal.

In 2011 the Board adopted Wildlife Special Action WSA11-02, submitted by the Kenai National Wildlife Refuge, which changed the harvest limits in Unit 7 remainder from 1 antlered bull with a spike-fork or 50-inch antlers or with 3 or more brow tines on either antler to 1 antlered bull with a spike-fork or 50-inch antlers or with 4 or more brow tines for the Aug. 10 — Sep. 20, 2011 season only. This Wildlife Special Action followed the adoption of the Alaska Board of Game (BOG) Proposal 169, which established the same harvest limits and season in State regulations. Both proposals reflected conservation concerns in Units 7 and 15.

In 2013, Alaska Board of Game (BOG) Proposal 143 requested the harvest limit in Units 7 and 15 be changed back to what they were before a population decline prompted the change to 4 brow tines. The BOG adopted an amended version of the proposal to allow the harvest of 1 antlered bull with a spike-fork in addition to the current 50-inch antlers or with 4 or more brow tines on either antler.

In 2014, Andy McLaughlin submitted Proposal WP14-10. He requested C&T for moose for residents of Chenega and Tatitlek. The Board agreed with the Southcentral Council's recommendation and adopted the proposal.

For the 2015 regulatory year (RY), the BOG shifted the moose season for Unit 7 remainder from Aug. 20 – Sep. 20 to Sep. 1 – 25. This accounted for the changing climate, as the summers had been staying warmer longer. Pushing the season back allowed users to harvest moose when conditions were cooler and allowed easier handling of the meat (ADF&G 2015).

In 2018, the BOG adopted Proposal 65, changing the harvest limit in Units 7 and 15 from 4 brow tines to 3 brow tines per side because bull:cow ratios in Unit 15 had been above the ADF&G management objective of 20-25 bulls:100 cows since 2012 (**Figure 1**). ADF&G adjusts regulations on a Kenai Peninsula-wide basis from information primarily from Unit 15 because of its abundant moose population data (ADF&G 2019). Although counts and estimates for Units 15A and 7 showed populations declining, the overall moose population on the Kenai Peninsula was increasing. Proposal 78, submitted by Kenai/Soldotna Fish and Game Advisory Committee (AC), established an any-bull draw hunt in the Placer River area of Unit 7 based on these population metrics. This hunt was established with the understanding that the population in Units 15A and 7 were declining. The BOG decided to adopt the proposal and allow ADF&G biologists to determine the number of permits to allocate per unit (ADF&G 2019).

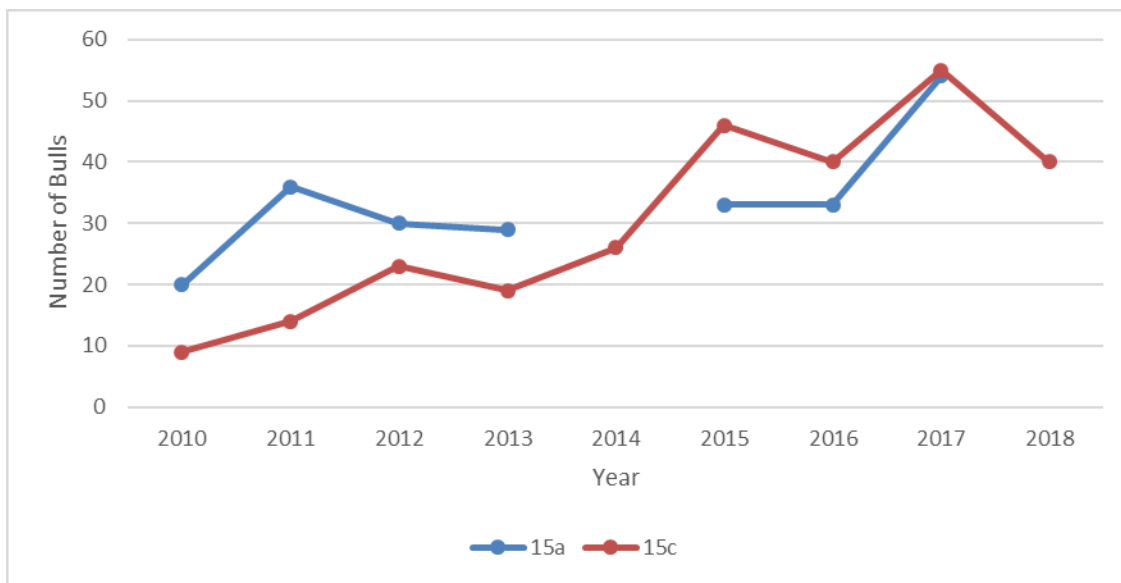


Figure 1. Bull:Cow Ratios in Units 15A and 15C (Herreman 2018)

Biological Background

A moose population estimate has never been performed for moose in Unit 7. Trend count areas were established in the 1960s but have not been consistently surveyed. However, trend counts have been conducted every other year in the Resurrection Creek and Juneau Creek count areas since the 1990s. While these surveys are not rigorously comparable, the established population trend is declining and

has been since the 1970s. ADF&G management objectives for Unit 7 are to maintain a minimum bull-to-cow ratio of 20-25:100 (Herreman 2018).

Recent trend count data has bull:cow ratios of 17, 12 and 25 bulls:100 cows in 2010, 2011 and 2013, respectively. Calf to cow ratios for the same timeframe are 10, 18 and 16 calves:100 cows, respectively (Herreman 2018).

There have been no habitat assessments and few enhancement projects in Unit 7. Poor habitat is suspected of being the limiting factor for the moose population (Herreman, 2018).

Harvest History

Hunter harvest in recent years is lower than the historical highs. The historic average harvest is 104 moose per year from 1963- 1983 (Herreman 2018). The average reported harvest from 2015- 2019 was 20 moose. The previous 5-year period (2010- 2014) average was 24.4 moose (**Figure 2**). While harvest increased in 2014 after the antler restriction was lifted, hunter success in Unit 7 remainder has primarily declined since then (ADF&G 2021).

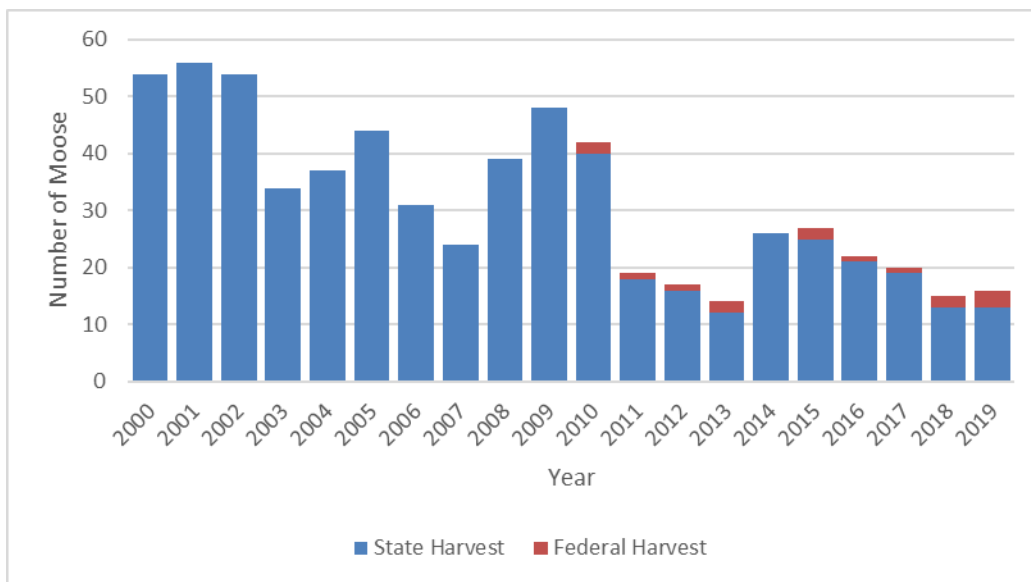


Figure 2. Total reported moose harvest for Unit 7 (ADF&G 2021 & OSM 2021).

Other Alternatives Considered

Comments from Kenai National Wildlife Refuge suggested modifying the original proposal. Since the Federal season is currently longer than the State season, the comments were to shift the season opener Aug. 10 to Aug. 20 and maintain the proposed closure date of Sep. 25. While this change would shorten the Federal season by five days overall, the season would extend into the early rut when bulls are more susceptible to harvest. This should allow for success rates consistent with what users are currently harvesting. The Federal users that hunt the early part of the season would still be able to hunt without pressure from sport hunters, as the Federal season would begin 12 days before the State season

(Eskelin, pers. comm., 2021). OSM chose to support the proposal as submitted so as not to reduce the opportunity of Federally qualified users because there is no conservation concern. The Council may want to consider this alternative.

Effects of the Proposal

Extending the season would allow Federally qualified subsistence users greater access to the resource and would allow them to harvest when temperatures are cooler and conditions are better for handling and processing meat. Plus, the Federal regulation allows for the harvesting of a spike-fork bull, while State regulations allow a spike only bull. The more liberal Federal limit may allow for more Federal harvest. Currently, the State season closes later than the Federal season. Adopting this proposal will align the end date of Federal and State seasons.

The State modified their season and harvest limit in 2015 and hunter success has continued to drop. Extending the season on Federal lands may not increase the number of moose taken in Unit 7 remainder as all Federally qualified subsistence users can already hunt until September 25 under State regulations. In addition, very low annual reported Federal harvest (≤ 5 moose per year) suggest over-harvest should not be a concern.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-28 and **Take no action on** WP22-29

Justification

State of Alaska regulations already allow the harvesting of moose in Unit 7 remainder until September 25, mitigating any conservation concerns. There may be no cumulative impacts to moose population numbers from this extension, as all Federally qualified subsistence users can currently hunt under State regulations. Adoption of Proposal WP22-28 provides more opportunity for Federally qualified subsistence users and reduces regulatory complexity by aligning Federal and State season end dates. No action needs to be taken on WP22-29 if action is taken on WP22-28.

LITERATURE CITED

ADF&G. 2015. The Alaska Board of Game Southcentral Region Meeting, March 13- 18, 2015. Audio Transcript. Anchorage, AK.

ADF&G. 2019. The Alaska Board of Game Southcentral Region Meeting, March 14- 19, 2019. Audio Transcript. Anchorage, AK.

ADF&G. 2021. Harvest Reports, Internet:
<https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvest.lookup>

Eskelin, T. 2021. Biologist Science Technician (Wildlife). Personal communication. E-mail. USFWS, Kenai National Wildlife Refuge, AK.

Herreman, J. H. 2018. Moose Management Report and Plan, Game Management Unit 7: Report period 1 July 2010–30 June 2015, and plan period 1 July 2015–30 June 2020. Alaska Department of Fish and Game, Species Management Report and Plan, Juneau

OSM. 2021. Wildlife Harvest Data, 05 June 2021 Internet:

<https://subsistence.fws.gov/apex/f?p=104:5:7708711082469::NO:RP,5::>

Written Public Comment

Alaska Kenai Chapter Safari Club International
P.O. Box 2988
Soldotna, AK 99669
kenaisci@gmail.com



RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into “have and have not” in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the ‘rural designated’ community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a “rural designated” community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of “rural” for the “North Fork Rural Customary and Traditional Subsistence Use Community”. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural are to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford

Joe Hardy

Shawn Killian

Bryan Vermette

Jesse Bjorkman

Sam Evanoff

Roy Smith

Ted Spraker

Rick Abbott

WP22–30/31 Executive Summary

General Description	<p>Proposal WP22-30 requests to extend the length of the moose hunting season in Unit 15 to Sep. 25. <i>Submitted by: Michael Adams</i></p> <p>Proposal WP22-31 requests to extend the length of the moose hunting season in Unit 15 to Sep. 25. <i>Submitted by: Chugach Regional Resources Commission</i></p>
Proposed Regulation	<p>Unit 15-- Moose</p> <p><i>Units 15A, remainder, 15B, and 15C—1 antlered bull with Aug. 10-Sep. 2025. spike-fork or 50-inch antlers or with 3 or more brow tines on either antler, by Federal registration permit only</i></p> <p><i>Unit 15C—1 cow by Federal registration permit only Aug. 10-Sep. 2025.</i></p>
OSM Preliminary Conclusion	<p>Support Proposal WP22-30 and Take no action on WP22-31</p>
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	<p>1 Oppose</p>

DRAFT STAFF ANALYSIS
WP22-30/31

ISSUES

Wildlife Proposals WP22-30, submitted by Michael Adams of Cooper Landing and WP22-31, submitted by Chugach Regional Resources Commission, request to extend the length of the moose hunting season in Unit 15 to Sep. 25.

DISCUSSION

The proponents state the Federal subsistence season should not be more restrictive than the State hunting season, which is currently open five days later than the Federal season and would allow for more opportunity for participation by Federally qualified subsistence users.

Existing Federal Regulation

Unit 15—Moose

Units 15A, remainder, 15B, and 15C—1 antlered bull with spike-fork or 50-inch antlers or with 3 or more brow tines on either antler, by Federal registration permit only Aug. 10-Sep. 20.

Unit 15C—1 cow by Federal registration permit only Aug. 10-Sep. 20.

Proposed Federal Regulation

Unit 15-- Moose

Units 15A, remainder, 15B, and 15C—1 antlered bull with spike-fork or 50-inch antlers or with 3 or more brow tines on either antler, by Federal registration permit only Aug. 10-Sep. ~~20~~ 25.

Unit 15C—1 cow by Federal registration permit only Aug. 10-Sep. ~~20~~ 25.

Existing State Regulation

Unit 15-- Moose

15A Skilak Loop Wildlife Management Area Residents and nonresidents. no open season

Unit 15-- Moose

<i>15A remainder</i>	<i>Residents: One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side, by bow and arrow only.</i>	<i>HT</i>	<i>Aug 22- Aug 29</i>
	OR		
	<i>Residents: One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side.</i>	<i>HT</i>	<i>Sept 1- Sept 25</i>
	<i>Non-residents.</i>		<i>no open season</i>
<i>15B bounded by a line running from the mouth of Shantatalik Creek on Tustumena Lake, northward to the headwaters of the west fork of Funny River; then downstream along the west fork of Funny River to the Kenai National Wildlife Refuge boundary; then east along the refuge boundary to its junction with the Kenai River; then eastward along the north side of the Kenai River and Skilak Lake; then south along the western side of Skilak River, Skilak Glacier, and Harding Icefield; then west along the Unit 15B boundary to the mouth of Shantatalik Creek</i>	<i>Residents and non-residents. One bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side by permit.</i>	<i>HT</i>	<i>Sept 1- Sept 20</i>
	<i>Residents. One bull by permit.</i>	<i>DM508</i>	<i>Sept 1- Sept 25</i>
<i>15B Kalgin Island</i>	<i>Residents and non-residents. One moose by permit available in person in Anchorage, Soldotna, Homer, and Palmer beginning Aug 4.</i>	<i>RM572</i>	<i>Aug 20- Sept 20</i>
<i>15B west of Sterling Hwy</i>	<i>Residents and non-residents. One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side, by bow and arrow only. OR</i>	<i>HT</i>	<i>Aug 22- Aug 29</i>

Unit 15-- Moose

	<i>Residents and non-residents. One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side.</i>	<i>HT</i>	<i>Sept 1-Sept 25</i>
<i>15B remainder</i>	<i>Residents. One bull by permit. OR</i>	<i>DM508</i>	<i>Sept 1-Sept 25</i>
	<i>Residents and non-residents. One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side, by bow and arrow only. OR</i>	<i>HT</i>	<i>Aug 22-Aug 29</i>
	<i>Residents and non-residents. One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side.</i>	<i>HT</i>	<i>Sept 1-Sept 25</i>
<i>15C southwest of a line from Point Pogibshi to the point of land between Rocky and Windy bays</i>	<i>Residents. One bull by permit.</i>	<i>TM549</i>	<i>Aug 25-Sept 30</i>
	<i>Non-residents.</i>		<i>no open season</i>
<i>R 15C beginning at the mouth of Eastland Creek on Kachemak Bay, then northerly along Eastland Creek and the center fork of Eastland Creek to its headwaters, then northwesterly approximately one mile to the first branch of the south fork of Anchor River, then downstream along the south fork to the bridge at the North Fork Road, then westerly along the North Fork</i>	<i>Residents. One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side. OR</i>	<i>HT</i>	<i>Sept 1-Sept 25</i>
	<i>Residents. One bull by permit. OR</i>	<i>DM518</i>	<i>Sept 1-Sept 25</i>
	<i>Residents and non-residents. One antlerless moose by permit; taking of calves or cows accompanied by calves prohibited. OR</i>	<i>DM549</i>	<i>Oct 20-Nov 20</i>
	<i>Residents. One moose by permit. Applications available online Oct 1-31 at http://hunt.alaska.gov if season is announced. Hunter Education required</i>	<i>AM550</i>	<i>may be announced</i>

Unit 15-- Moose

<i>Road to the Sterling Hwy, then southerly on the Sterling Hwy to Diamond Creek, then downstream on Diamond Creek to Kachemak Bay, then along the mean high tide line to the point of origin</i>	<i>Nonresidents. One bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side</i>	<i>HT</i>	<i>Sept 1-Sept 25</i>
<i>15C remainder</i>	<i>Residents. One bull with a spike on at least one side or 50-inch antlers or antlers with 3 or more brow tines on at least one side. OR</i>	<i>HT</i>	<i>Sept 1-Sept 25</i>
	<i>Residents. One bull by permit. OR</i>	<i>DM512 DM514 DM516 DM518</i>	<i>Sept 1-Sept 25</i>
	<i>Residents. One moose by permit. Applications available online Oct 1-31 at http://hunt.alaska.gov if season is announced. Hunter Education required.</i>	<i>AM550</i>	<i>may be announced</i>
	<i>Residents and non-residents. One bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side.</i>	<i>HT</i>	<i>Sept 1-Sept 25</i>

Extent of Federal Public Lands/Waters

Unit 15 is comprised of 47.2% Federal public lands and consist of 45.7% U.S. Fish and Wildlife Service (USFWS), 1.1% Bureau of Land Management (BLM) managed lands, 0.3% U.S. Forest Service (USFS) and 0.1% National Park Service (NPS) managed lands.

Customary and Traditional Use Determinations

Rural residents of Cooper Landing, Ninilchik, Nanwalek, Port Graham and Seldovia have a customary and traditional use determination for moose in Unit 15A and 15B.

Rural residents of Ninilchik, Nanwalek, Port Graham and Seldovia have a customary and traditional use determination for moose in Unit 15C.

Regulatory History

In July 1995, the Federal Subsistence Board (Board) adopted a customary and traditional use determination (C&T) for moose for Ninilchik, Nanwalek, Port Graham, and Seldovia in Units 15B and 15C. At the same time, the Board authorized an Aug. 10 – Sep. 20 season with a harvest limit of one antlered bull with spike-fork, 50-inch or three or more brow tines on at least one antler in Units 15B and 15C.

In 1996, the District Court of Alaska remanded the Ninilchik v. US lawsuit to the Board via M96-01, which determined that residents of Nanwalek, Ninilchik, Port Graham and Seldovia have C&T for moose in Unit 15A. The District Court of Alaska also remanded M96-02 to the Board, which established an Aug. 18 – Sep. 20 moose season with a harvest limit of one bull with a spike-fork or 50-inch antlers or antlers with 3 or more brow tines on at least one side in Unit 15A. Proposal M96-02 was a temporary action that expired on June 30, 1998.

Wildlife Proposal P98-39, submitted by the Southcentral Alaska Subsistence Regional Advisory Council (Council) established a moose season in Unit 15A, from Aug. 18 – Sep. 20, with a harvest limit of one bull with a spike-fork or 50-inch antlers or antlers with 3 or more brow tines on at least one side. This proposal was identical to M96-02 and was adopted to establish a codified regulation.

In 2001, Proposal WP01-50 modified the moose season in Unit 15A, starting the season 8 days earlier. The modified season went from Aug. 10 – Sep. 20 allowing Federally qualified subsistence users 10 days of hunting before the State general season opened on August 20. The harvest limit remained the same.

In 2006, Proposal WP06-68 submitted by the Council established an additional moose season in Units 15B and 15C from Oct. 20 – Nov. 10. The establishment of this hunt provided additional subsistence opportunity that was more in line with traditional seasonal subsistence activities.

In 2008, proposal WP08-22a, submitted by Karl Romig of Cooper Landing, established C&T for moose by rural residents of Cooper Landing in Units 15A and 15B.

In 2011 the Alaska Board of Game (BOG) adopted Proposal 169 which, in part, modified the harvest limit of moose in Unit 15 from one bull with a spike-fork or 50-inch antlers or antlers with 3 or more brow tines on at least one side to one bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side. This change was based on conservation concerns, as Alaska Department of Fish and Game (ADF&G) data from the 2010 fall survey showed population declines and a low bull:cow ratio.

In 2013, State Proposal 143 modified the harvest limit from one bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side to one bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side in all of Unit 15. Bull:cow ratios had increased above the management objective enough to allow more harvest. ADF&G recommended to the BOG to adopt this proposal.

In 2014, Proposal WP14-19, submitted by the Ninilchik Traditional Council, requested a cow moose season from Oct. 20 — Nov. 10 for Units 15B and 15C. Upon recommendations from the Office of Subsistence Management (OSM) to avoid additional stress on an already post-rut stressed population, the Board established an Aug. 10 — Sep. 20 cow moose season with a one cow harvest limit for Unit 15C, as the population was too low in the rest of Unit 15 to support cow harvest.

In 2015, the BOG adopted two proposals regarding moose in Unit 15. The first was an amended version of Proposal 157 that aligned all Unit 15 general moose seasons to Sep. 1 — 25. The BOG also adopted Proposal 158 based on ADF&G data that showed the moose population metrics at or above intensive management goals. This proposal established a nonresident general season hunt in Unit 15C. Harvest limits were set at 50-inch antlers or antlers with 4 or more brow tines on at least one side, with a season of Sep. 1 — 25.

In 2019, the BOG adopted several State proposals that changed moose harvest limits in Unit 15. Proposal 65 changed harvest limits from one bull with 50-inch antlers or 4 or more brow tines on at least one side to 50-inch antlers or 3 or more brow tines on at least one side. Proposal 69 established a general season hunt for moose in Unit 15B with a season of Sep. 1 — 20 and eliminated the drawing permit hunt. State Proposal 78 established a resident any-bull draw hunt in Units 15 and 7. Proposals 65 and 78 maintained the moose season of Sep. 1 — 25 everywhere in Unit 15 except for the new hunt in 15B. Population data gathered by ADF&G showed increasing population and bull:cow ratios and supported the BOG's decision.

Biological Background

The State management objectives for moose in Unit 15 are as follows (Herreman 2018):

- Unit 15A: Maintain a post hunting bull:cow ratio of 25 bulls:100 cows
- Unit 15B-west: Maintain a 20-25 bull:100 cow ratio and allow for maximum hunting participation
- Unit 15B- east: Maintain a 40 bull:100 cow ratio and a harvest of large antlered bulls under aesthetically pleasing settings
- Unit 15C: Maintain a bull:cow ratio of 20-25 bulls:100 cows and a healthy and productive population

Units 15A and 15C were under Intensive Management Plans from 2012- 2017 with the following objectives (Herreman 2018):

- Unit 15A
 - Population objective: 3,000- 3,500 moose
 - Harvest objective: 180-350 moose
- Unit 15C
 - Population objective: 3,000- 3,500 moose
 - Harvest objective: 200-350 moose

Since 2012, bull:cow ratios in Units 15A and 15C have been at or above the State management objective of 20-25 bulls:100 cows (**Figure 1**). Population data for Unit 15A show the moose population at or below the intensive management objective since the early 1990s (**Figure 2**). Although there have been no population censuses in Unit 15B since 2001, ADF&G stated indications were that the population trend was increasing in 2019 (ADF&G 2019). Population censuses for 15C show populations at or above the intensive management objective since 2002 (**Figure 3**) (ADF&G 2019).

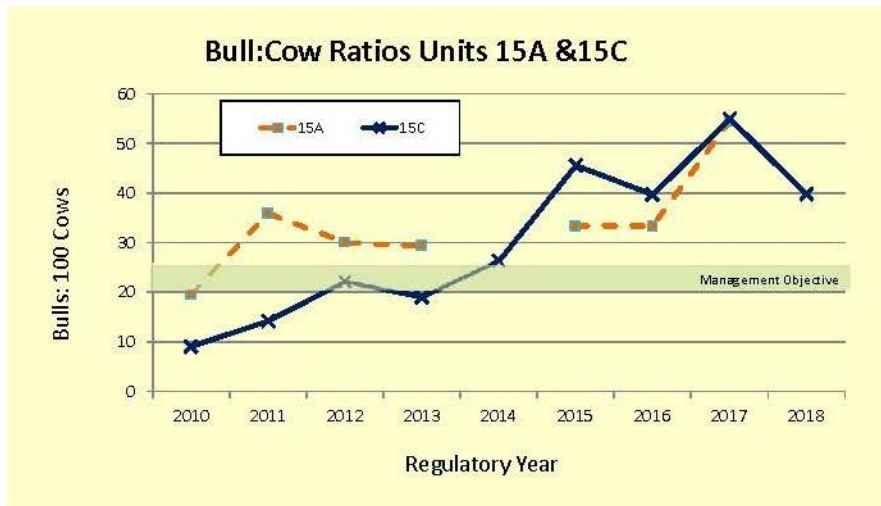


Figure 1. Bull to Cow Ratios for Unit 15 (figure from ADF&G 2019)

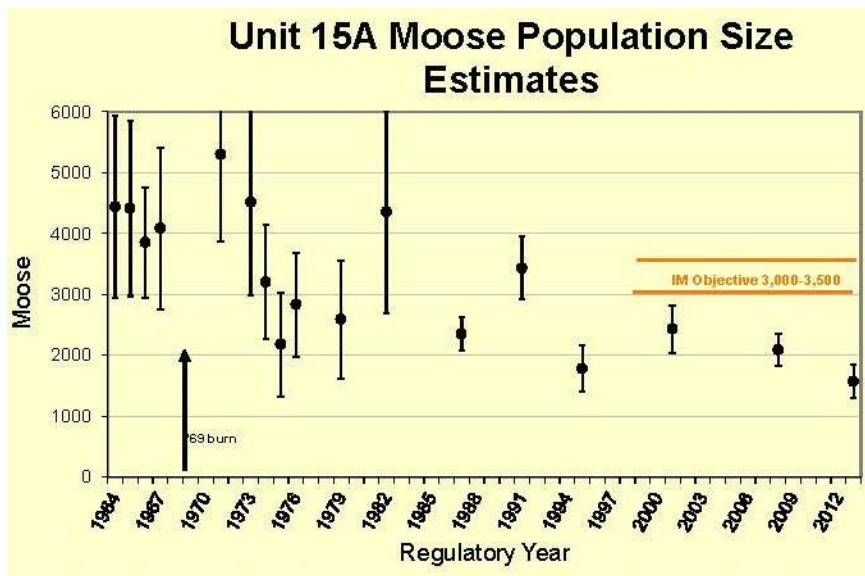


Figure 2. Moose population estimates for Unit 15A (figure from ADF&G 2019).

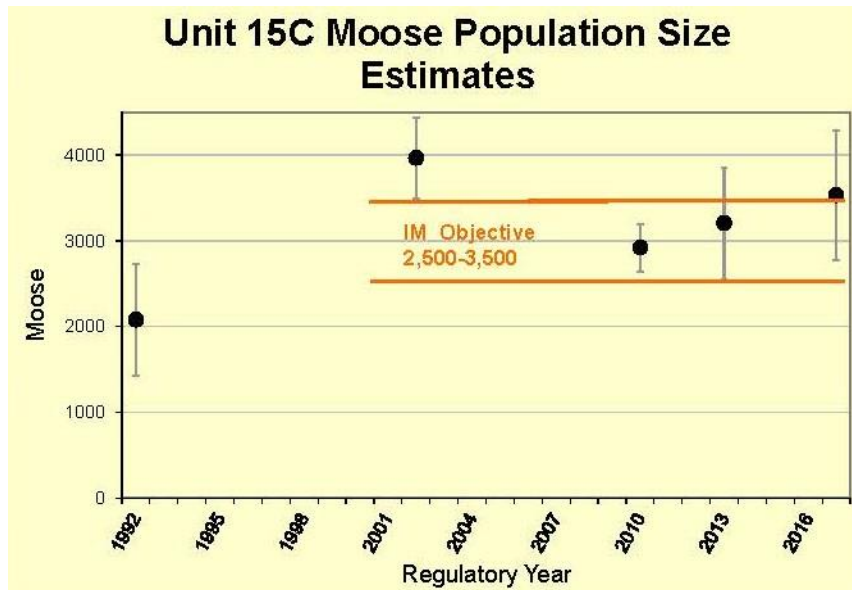


Figure 3. Moose population estimates for Unit 15C (figure from ADF&G 2019).

Habitat

No habitat assessments were conducted during the 2010- 2015 management plan period. Several habitat improvement projects were implemented during the period. In 2013, an 85-acre plot of aspen and spruce was clear cut and replanted with birch north of the Sterling Highway in Unit 15A. Prescribed burns are currently being planned for the entire unit to improve habitat (Herreman 2018).

Harvest History

Less strict Federal (currently, a spike-fork, 50-inch antlers or 3 or more brow tines) and State (currently, a spike, 50-inch antlers or 3 or more brow tines) harvest limits compared to the 2011 restriction of greater than 50-inch antlers and 4 or more brow tines, allows a larger harvest of the Kenai Peninsula moose population. In 2011 and 2012, antler restrictions limited the number of moose harvested. Once these restrictions were changed, harvest levels started to rise back to the levels of the early 2000's as moose harvest increased (**Figure 4**).

Reported harvest in Unit 15 from 2006 to 2019 averaged 284 moose per year. Reported Federal harvest from 2014 to 2019 averaged 12 moose per year and accounted for 4.4% of total harvest. Since 2014, cows have made a small portion of the overall Federal moose harvest, averaging 27.2% (**Figure 5**). Reports from Federal hunter's state they are harvesting later in the season because temperatures are too high to properly care for harvested animals in the earlier part of the Federal season. (Eskelin, pers. comm. 2021).

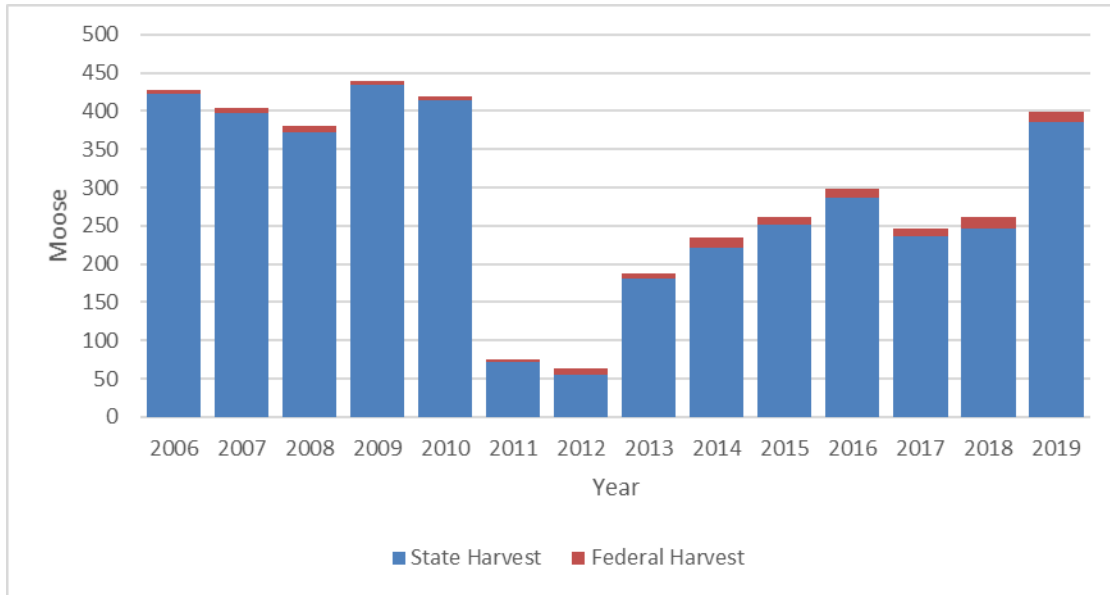


Figure 4. Reported harvest of moose in Unit 15 (ADF&G 2021 & OSM 2021).

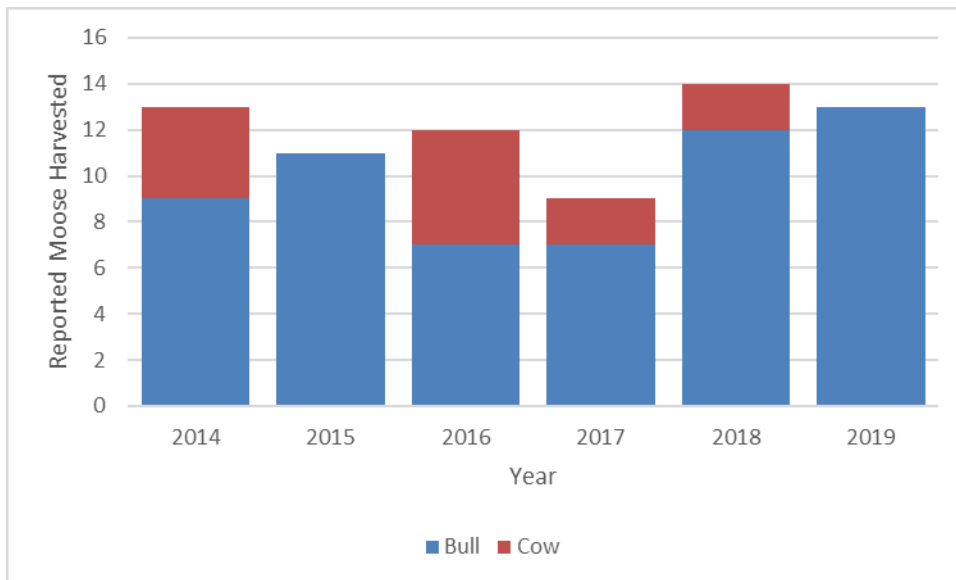


Figure 5. Reported Federal harvest of bulls and cows in Unit 15 (OSM 2021).

Other Alternatives Considered

Comments from Kenai National Wildlife Refuge suggested modifying the original proposal. Since the Federal season is currently longer than the State season, the comments were to shift the season opener to Aug. 20 and maintain the proposed closure date of Sep. 25. While this change would shorten the Federal season by five days overall, the season would extend into the early rut when bulls are more susceptible to harvest. This should allow for success rates consistent with what users are currently harvesting. The Federal users that hunt the early part of the season would still be able to hunt without pressure from sport hunters, as the Federal season would begin 12 days before the State season

(Eskelin, pers. comm., 2021). OSM chose to support the proposal as submitted so as not to reduce the opportunity of Federally qualified users because there is no conservation concern. The Council may want to consider this alternative.

Effects of the Proposal

Extending the season will allow Federally qualified subsistence users greater access to the resource. Currently, the Federal season closes earlier than the State season. The State modified their season and harvest limit in 2013 and the trend in hunter success has increased. Extending the season on Federal lands may not substantially increase the number of moose taken in Unit 15, as all Federally qualified subsistence users may already hunt until September 25 under State regulations. The only increase in harvest may be more spike-fork bull and cow moose being taken which are allowed under Federal, but not State, regulations. But, lower annual Federal harvest (average ≤ 10 moose per year for the last 10 years) suggest over-harvest should not be a concern (OSM 2021).

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-30 and **take no action** on WP22-31.

Justification

State regulations already allow the general season harvesting of moose in Unit 15 until September 25. There would be no cumulative impacts to moose population numbers from this extension, as all Federally qualified subsistence users may currently hunt under State regulations. Adoption of WP22-30 also provides more opportunity when climactic conditions are preferable and provides a meaningful priority for Federally qualified subsistence users. No action needs to be taken on WP22-31 due to action taken on WP22-30.

LITERATURE CITED

ADF&G, 2019. The Alaska Board of Game Southcentral Region Meeting, March 14- 19, 2019. Kenai Peninsula Overview. Anchorage, AK.

ADF&G. 2021. Harvest Reports, 04 June 2021 Internet:
<https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvest.lookup>

Eskelin, T. 2021. Biologist Science Technician (Wildlife). Personal communication. E-mail. USFWS, Kenai National Wildlife Refuge, AK.

Herreman, J.H. 2018. Moose Management Report and Plan, Game Management Unit 15: Report period 1 July 2010- 30 June 2015, and plan period 1 July 2015- 30 June 2020. Alaska Department of Fish and Game, Species Management Report and Plan, Juneau, AK.

OSM. 2021. Wildlife Harvest Data, 05 June 2021 Internet:
<https://subsistence.fws.gov/apex/f?p=104:5:7708711082469::NO:RP,5::>

Written Public Comments

Alaska Kenai Chapter Safari Club International
P.O. Box 2988
Soldotna, AK 99669
kenaisci@gmail.com



RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into “have and have nots” in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the “rural designated” community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a “rural designated” community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of “rural” for the “North Fork Rural Customary and Traditional Subsistence Use Community”. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural are to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford

Joe Hardy

Shawn Killian

Bryan Vermette

Jesse Bjorkman

Sam Evanoff

Roy Smith

Ted Spraker

Rick Abbott

WP22-32 Executive Summary

General Description	<p>Proposal WP22-32 requests the Federal Subsistence Board to recognize customary and traditional uses by rural residents of the North Fork Road area and Nikolaevsk for black bears, brown bears, caribou, mountain goats, moose, and Dall sheep in Unit 15.</p> <p><i>Submitted by: Cork Graham</i></p>
Proposed Regulation	See page 208
OSM Preliminary Conclusion	Support
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	2 Oppose

DRAFT STAFF ANALYSIS

WP22-32

ISSUES

Proposal WP22-32, submitted by Cork Graham, requests the Federal Subsistence Board (Board) recognize customary and traditional uses by rural residents of the North Fork Road area and Nikolaevsk for black bears, brown bears, caribou, mountain goats, moose, and Dall sheep in Unit 15.

DISCUSSION

Written and visual descriptions of rural residents in the proposal differ. The proponent was asked, and he clarified that he wishes to be inclusive and seeks to include rural residents of the Nikolaevsk (nick oh LIE yefsk) Census Designated Place (CDP) (**Figure 1**) and rural residents of the Anchor Point CDP (**Figure 2**), which is the Anchor Point CDP outside the Homer Nonrural Area (**Figure 3**) (Cork 2021, pers. comm.). Thus, this North Fork Road area begins where the North Fork Road intersects with Comic Circle, about two miles east of Anchor Point. To the south, this North Fork Road area begins at the Anchor River Bridge (where the North Fork Road intersects with the Anchor River). The North Fork Road intersects the Homer Nonrural Area at these two points.

The proponent states his intent is to afford wildlife subsistence harvest in the Kenai National Wildlife Refuge. He describes the rural lifestyle of many residents of his North Fork rural community to include traditional homesteading, off-grid living, growing food, and raising livestock. The food security of many residents relies on their capacities to hunt moose, bear, grouse, waterfowl, and other wildlife, and to fish both fresh and saltwater fishes. When hunting and fishing, residents follow Alaska Department of Fish and Game (ADF&G) regulations. He describes the importance of Federal recognition to increase harvest opportunities such as those given nearby Ninilchik, Cooper Landing, and Hope and Copper Center and Glennallen. Recognition of North Fork rural community members' customary and traditional uses of local resources will help improve food security of these rural Alaskans. Mr. Graham includes testimonials written by three other residents of this North Fork rural community describing their reliance on wild resources.

The Board has not previously recognized customary and traditional uses of wildlife by rural residents of the North Fork Road area or Nikolaevsk.

North Fork Road area and Nikolaevsk residents' customary and traditional uses of wildlife in Unit 15 are described below. The proponent is requesting to be added to the existing list of communities that already have customary and traditional use determinations in Unit 15 for black bear, brown bear, caribou, goat, moose, and sheep. Therefore, this analysis focuses on only the customary and traditional uses of the proposed areas, North Fork Road area and Nikolaevsk, for those species.

Existing Federal Regulation

Customary and Traditional Use Determination—Black Bear

Unit 15A and 15B *Rural residents of Ninilchik*

Unit 15C *Rural residents of Nanwalek, Ninilchik, and Port Graham*

Customary and Traditional Use Determination—Brown Bear

Unit 15 *Rural residents of Ninilchik*

Customary and Traditional Use Determination—Caribou

Unit 15A *All rural residents*

Unit 15B and 15C *Rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia*

Customary and Traditional Use Determination—Goat

Unit 15 *Rural residents of Cooper Landing, Nanwalek, Ninilchik, Port Graham, and Seldovia*

Customary and Traditional Use Determination—Moose

Units 15A and 15B *Rural residents of Cooper Landing, Nanwalek, Ninilchik, Port Graham, and Seldovia*

Unit 15C *Rural residents of Nanwalek, Ninilchik, Port Graham, and Seldovia*

Customary and Traditional Use Determination—Sheep

Unit 15 *Residents of Ninilchik*

Proposed Federal Regulation

Customary and Traditional Use Determination—Black Bear

Unit 15A and 15B *Rural residents of Ninilchik, North Fork Road, and Nikolaevsk*

Unit 15C *Rural residents of Nanwalek, Ninilchik, Port Graham, North Fork Road, and Nikolaevsk*

Customary and Traditional Use Determination—Brown Bear

Unit 15 *Rural residents of Ninilchik, North Fork Road, and Nikolaevsk*

Customary and Traditional Use Determination—Caribou

- Unit 15A* *All rural residents*
- Unit 15B and 15C* *Rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, Seldovia, **North Fork Road, and Nikolaevsk***

Customary and Traditional Use Determination—Goat

- Unit 15* *Rural residents of Cooper Landing, Nanwalek, Ninilchik, Port Graham, Seldovia, **North Fork Road, and Nikolaevsk***

Customary and Traditional Use Determination—Moose

- Units 15A and 15B* *Rural residents of Cooper Landing, Nanwalek, Ninilchik, Port Graham, Seldovia, **North Fork Road, and Nikolaevsk***
- Unit 15C* *Rural residents of Nanwalek, Ninilchik, Port Graham, Seldovia, **North Fork Road, and Nikolaevsk***

Customary and Traditional Use Determination—Sheep

- Unit 15* *Residents of Ninilchik, **North Fork Road, and Nikolaevsk***

Relevant Federal Regulation

36 CFR _____.5 Eligibility for subsistence use.

...

(c) Where customary and traditional use determinations for a fish stock or wildlife population within a specific area have not yet been made by the Board (e.g., “no determination”), all Alaskans who are residents of rural areas or communities may harvest for subsistence from that stock or population under the regulations in this part.

Extent of Federal Public Lands

Unit 15A is comprised of approximately 58% Federal public lands and consists of 99% U.S. Fish and Wildlife Service managed lands and 1% U.S. Forest Service managed lands.

Unit 15B is comprised of approximately 76% Federal public lands and consists of 93% U.S. Fish and Wildlife Service managed lands, 6% Bureau of Land Management managed lands, 1% U.S. Forest Service managed lands.

Unit 15C is comprised of approximately 28% Federal public lands and consists of 99% U.S. Fish and Wildlife Service managed lands and 1% National Park Service managed lands.

Regulatory History

At the inception of the Federal Subsistence Management Program in Alaska in 1990, the majority of the Kenai Peninsula was in the Kenai Peninsula nonrural area established by the State (subsequently, the Anchorage-Matsu-Kenai Nonsubsistence Area (5AAC 99.015(3)). The exception was the southernmost portion around the communities of Port Graham, Nanwalek (English Bay), and Seldovia in Unit 15C. The State did not allow subsistence uses in nonrural areas. In 1992, at the conclusion of its rural/nonrural determination process, the Federal Subsistence Management Program deemed that large portions of the Kenai Peninsula were rural. The status of a number of Kenai Peninsula communities changed from nonrural to rural, and these communities were eligible to fish, hunt, and trap under Federal subsistence regulations (56 Fed. Reg. 2, 238 [January 3, 1991]).

In 1992, the Board adopted customary and traditional use determinations existing in State regulations for the communities of Nanwalek, Port Graham, and Seldovia to hunt, fish, and trap in the southern portion of Unit 15C (57 Fed. Reg. 104, 22959 [May 29, 1992]). In the remainder of Unit 15, for some species the Board adopted a “No Federal subsistence priority.” The Board intended to minimize disruption to Alaska’s and the State’s continuing fish and game management in view of the uncertainty over the resumption of State management of subsistence (55 Fed. Reg. 126; 27115, 27118 [June 29, 1990]). In contrast, for all other species the Board did not adopt customary and traditional use determinations. The absence of a determination was not a “negative” determination but instead allowed all rural residents of Alaska to harvest during Federal seasons (see 36 CFR _____.5 *Eligibility for subsistence use* at Applicable Federal Regulations, above) (57 Fed. Reg. 104, 22953 [May 29, 1992]).

In 1992, comprehensive assessments of customary and traditional uses of all species were begun in regard to the Kenai Peninsula and Upper Tanana areas (57 Fed. Reg. 104, 22947–22948 [May 29, 1992]). In 1995, the Board then revised its process for making customary and traditional use determinations, following recommendations of Regional Advisory Council chairs. The Board would “entertain proposals to revise the customary and traditional use determinations at the same time as it accepts proposals for changes to the seasons and harvest limits” (60 Fed. Reg. 153, 40460 [August 9, 1995]).

After an extensive Federal process involving data gathering, public hearings, and court decisions, on May 3, 1996, the Board made customary and traditional use determinations for moose in all or portions of Unit 15 for rural residents of Nanwalek (English Bay), Ninilchik, Port Graham, and Seldovia. Decisions on the remaining species and communities were deferred until rural determinations on the Kenai Peninsula could be reviewed, in 2001 (67 Fed. Reg. 88, 30561 [May 7, 2002]).

See regulatory history of customary and traditional use determinations for black bears, brown bears, caribou, mountain goats, moose, and Dall sheep in **Appendix 1**.

Background

Customary and traditional patterns of uses of wildlife by residents of the North Fork Road area and Nikolaevsk have been affected by local regulations. In 1978, the State recognized most of Unit 15 as a

nonrural area in which subsistence regulations could not be promulgated. Wildlife has been managed primarily for sport hunts through drawings, quotas, and limited permits. Each of these systems reduces the number of hunters who are able to harvest and applications for draw permits have high participation rates making one difficult to obtain.

Community Characteristics

Although some mining and homesteading took place on the Kenai Peninsula, growth and change remained slow until after the State completed the Sterling Highway in 1951. The highway directly linked the major communities of the Peninsula to Anchorage and the rest of the state's road system. This made it easier for people to settle in the Peninsula and it facilitated economic development, particularly through the increase of tourism. Discovery of oil and gas in Cook Inlet in 1957 resulted in rapid population growth, diversification, and expansion of the local economy (Fall et al. 2000).

North Fork Road Area

In 1998, ADF&G Division of Subsistence identified 166 households with an estimated population of 467 people in the North Fork Road rural area (Fall et al. 2000). Later population estimates combine the North Fork rural area with the Homer Nonrural Area, and therefore later accurate population estimates of the North Fork Road rural area are not available.

The North Fork Road traverses the North Fork Anchor River. There are no commercial services in the North Fork Road area. Area residents use services such as stores, schools, and postal facilities in Anchor Point, Nikolaevsk, or Homer (ADCCED 2021 and Fall et al. 2000). The proponent described people living along Cottonwood Lane and the upper reaches of the Chakok River north of Cottonwood Lane, and people living in the Epperson's Knob and Hidden Hills areas, some living on homesteads not road connected. He explained that it is common for people in this area to live off-the-grid, grow their own produce, raise livestock, and harvests moose, bear, grouse, waterfowl, and fresh and saltwater fishes.

Nikolaevsk

In 1998, ADF&G Division of Subsistence identified 50 households and an estimated population of 235 people at Nikolaevsk. In 2000, the population of Nikolaevsk was estimated at 294 people, 318 in 2010, and 294 in 2020, according to the U.S. Census. Notably, mean household size was 4.7 people in 1998 (ADOL 2021 and Fall et al. 2000).

The first Old Believer community in Alaska was founded at Nikolaevsk in 1968 (Moore 1983:120 and Basargin 1984 *in* Fall et al. 2000). Old Believers are members of Russian Orthodoxy who immigrated from Russia and strive to be as self-sufficient as possible (Dolitsky and Kuz'mina 1986:227 *in* Fall et al. 2000). Old Believers later founded communities of Nahdka and Kluchevaya, located approximately a mile up the road from Nikolaevsk and also situated in the Nikolaevsk CDP. They have their own small church building and maintain separate community governing bodies.

Most people in Nikolaevsk live on the Nikolaevsk Road, which splits-off from the North Fork Road approximately nine miles east of Anchor Point. There is a school at Nikolaevsk that services the three Old Believer communities and others in the North Fork Road area. School covers K-12. There are 12 licensed businesses including a fabric shop, veterinary services, and general store (ADCCED 2021).

Nikolaevsk residents produce and harvest much of their own food. Household members garden, fish, raise cattle, and hunt. It is common for households to also specialize in traditional skills such as boat building and garment making. Families often sell and trade their goods with others in the community. Many participate in commercial fisheries (ADCCED 2021; Dolitsky and Kuz'mina 1986:227 in Fall et al. 2000).

Eight Factors for Determining Customary and Traditional Use

Customary and traditional uses in a community or area is generally exemplified through the eight factors: (1) a long-term, consistent pattern of use, excluding interruptions beyond the control of the community or area; (2) a pattern of use recurring in specific seasons for many years; (3) a pattern of use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics; (4) the consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the community or area; (5) a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate; (6) a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation; (7) a pattern of use in which the harvest is shared or distributed within a definable community of persons; and (8) a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to the community or area.

The Board makes customary and traditional use determinations based on a holistic application of these eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who generally exhibit the eight factors. The Board does not use such determinations for resource management or restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limits or season restrictions rather than by limiting the customary and traditional use finding.

Harvest and Use of Black Bear, Brown Bear, Caribou, Goat, Moose, and Sheep

North Fork Road Area

In a single year of harvest information, 1998, North Fork Road area households harvested an estimated 3 black bears, 29 caribou, and 14 moose, which accounted for 26 pounds per person (**Table 1**). These resources made up 26% of the total subsistence harvest (ADF&G 2021a and Fall et al. 2000). In the 1998 study, North Fork Road area households reported harvesting black bears in Unit 15B, caribou in Unit 15B and areas outside the Kenai Peninsula area, and moose in areas outside the Kenai Peninsula area.

Table 1. North Fork Road Area in 1998: The estimated harvest, in numbers of animals, of black bear, brown bear, caribou, goat, moose, and sheep, based on household harvest surveys (CI 95%, lower harvest estimate is the lower bound of the estimate or the reported harvest, which ever is larger) (blank cell=0, ADF&G 2021a).

Resource	Estimated harvest	Lower estimate	Higher estimated	Pounds per person
Black Bear	3	1	7	0.4
Brown Bear				
Caribou	29	10	53	9.2
Goat				
Moose	14	5	24	16.6
Sheep				

In 1998, North Fork area households (58 of 166 households were interviewed, 35%) reported if they used, attempted to harvest, or harvested black bears, brown bears, caribou, goats, moose, or sheep (**Table 2**). They also reported sharing these resources.

Table 2. North Fork Road area 1998: The percentage of interviewed households that reported using, attempting to harvest, harvesting, receiving, or giving black bears, brown bears, caribou, goats, moose, or sheep, based on household harvest surveys (blank cell=0, ADF&G 2021a).

Resource	Percentage of households using	Percentage of households attempting to harvest	Percentage of households harvesting	Percentage of households receiving	Percentage of households giving
Black bear	5%	3%	2%	3%	2%
Brown bear					
Caribou	19%	9%	7%	12%	7%
Goat					
Moose	50%	38%	9%	43%	9%
Sheep					

A search of the ADF&G harvest reporting database does not reveal harvests by this area because the area does not have a post office and reports are combined with nearby communities. Thus, information

is not readily available that would reveal if harvests have occurred, how many resources have been harvested, and where harvests may have occurred.

Nikolaevsk

In a single year of harvest information, 1998, Nikolaevsk households harvested an estimated 14 caribou and 4 moose, which accounted for 18 pounds per person (**Table 3**). These resources made up 13% of the total subsistence harvest (ADF&G 2021a, Fall et al. 2000). In the 1998 study, Nikolaevsk households reported harvesting caribou in Unit 7 and outside the Kenai Peninsula area and reported harvesting moose in Units 15A, 15B, and 15C.

Table 3. Nikolaevsk in 1998: The estimated harvest, in numbers of animals, of black bears, brown bears, caribou, goats, moose, and sheep, based on household harvest surveys (CI 95%, lower harvest estimate is the lower bound of the estimate or the reported harvest, whichever is larger) (blank cell=0, ADF&G 2021a).

Resource	Estimated harvest	Lower estimate	Higher estimated	Pounds per person
Black Bear				
Brown Bear				
Caribou	14	5	22	8.6
Goat				
Moose	4	1	7	9.3
Sheep				

In 1998, Nikolaevsk households (37 of 50 households were interviewed, 74%) reported if they used, attempted to harvest, or harvested black bears, brown bears, caribou, goats, moose, or sheep (**Table 4**). They also reported if they shared these resources.

Table 4. Nikolaevsk in 1998: The percentage of interviewed households that reported using, attempting to harvest, harvesting, receiving, or giving black bears, brown bears, caribou, goats, moose, or sheep, based on household harvest surveys (blank cell=0, ADF&G 2021a).

Resource	Percentage of households using	Percentage of households attempting to harvest	Percentage of households harvesting	Percentage of households receiving	Percentage of households giving
Black bear	3%			3%	
Brown bear					
Caribou	24%	11%	8%	16%	11%
Goat					
Moose	35%	35%	5%	30%	3%
Sheep					

A search of the ADF&G fur sealing database reveals that between 1993 and 2010, Nikolaevsk reported harvesting 6 black bears in Unit 15C, one black bear outside the Kenai Peninsula area, and one brown bear outside the Kenai Peninsula area. Fur sealing records after 2010 are not readily available (OSM 2021a).

A search of the ADF&G harvest report database reveals from 1986 to 2019, cumulative, Nikolaevsk residents reported harvesting 3 goats and 45 moose, all from Unit 5C. Moose hunting occurred in Units 15A, 15B, 15C (**Table 5**).

Table 5. Nikolaevsk 1986 through 2019 cumulative: the number of hunters and the reported harvest of goats, moose, and sheep in Units 15A, 15B, or 15C, based on ADF&G harvest reporting database (blank cell=0, ADF&G 2021b and OSM 2021a).

Resource	Unit 15A hunters	Unit 15A harvest	Unit 15B hunters	Unit 15B harvest	Unit 15C hunters	Unit 15C harvest
Goat					5	3
Moose	4		2		256	45
Sheep					1	

Sharing of Wild Resources

Wild resources harvested for subsistence were widely shared in the North Fork Road area and Nikolaevsk in 1998 with 62% and 73% of interviewed households, respectively, reporting sharing their harvests of wild resources with other households (**Table 6**).

Table 6. The percentage of interviewed households that reported using, attempting to harvest, harvesting, receiving, or giving at North Fork Road area and Nikolaevsk in 1998, based on household surveys (ADF&G 2021a).

Community	Study year	Percentage of households using	Percentage of households attempting to harvest	Percentage of households harvesting	Percentage of households receiving	Percentage of households giving
North Fork Rd	1998	98%	86%	86%	62%	93%
Nikolaevsk	1998	100%	89%	89%	73%	78%

Diversity of Wild Resource Harvests

North Fork Road area and Nikolaevsk residents depend on a diversity of resources, harvesting an average of 8 and 9 different kinds of resources, respectively, in 1998, similar to other road-connected communities on the Kenai Peninsula (9 different kinds in Fritz Creek and 8.5 in Ninilchik) (**Table 7**).

Table 7. The estimated harvest of wild resources for subsistence, in pounds edible weight per person, by rural residents of the North Fork Road area and Nikolaevsk in 1998, based on household surveys (ADF&G 2021a).

Community	Study year	Salmon	Non-salmon fishes	Land mammals	Marine mammals	Birds and eggs	Marine invertebrates	Plants and berries	Total pounds per person
North Fork Road Area	1998	30	27	31	0	1	5	3	98
Nikolaevsk	1998	67	33	22	0	0	4	7	133

Effects of Proposal

If the Board adopts this proposal, rural residents of the North Fork Road area and Nikolaevsk will be eligible to harvest black bears, brown bears, caribou, goats, moose, and sheep during Federal seasons in Unit 15. These wildlife resources and nonsubsistence uses will not be affected.

If the Board does not adopt this proposal, rural residents of the North Fork Road area and Nikolaevsk will continue to be eligible during State seasons only to harvest black bears, brown bears, caribou, goats, moose, and sheep in Unit 15. These wildlife resources and nonsubsistence uses will not be affected.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-32

Justification

Customary and traditional patterns of use of wildlife by residents of the North Fork Road area and Nikolaevsk have been affected by local regulations. In 1978, the State recognized most of Unit 15 as a nonrural area in which subsistence regulations could not be promulgated. Wildlife has been managed primarily for sport hunting through drawings, quotas, and limited permits. Each of these systems, particularly draw permits, reduces the number of hunters.

Limited information exists describing subsistence uses by rural residents of the North Fork Road area. Both communities have demonstrated subsistence uses of wildlife in Unit 15. These uses have been primarily in Unit 15C where both communities and most resources are situated. Customary and traditional use determinations are broad and inclusive and for the reasons stated above, the Board should recognize customary and traditional uses of rural residents of the North Fork Road area and Nikolaevsk in Units 15A, 15B, and 15C, as requested.

LITERATURE CITED

ADCCED. 2021. Online database. Alaska Department of Commerce, Community & Economic Development Division of Community and Regional Affairs, Research and Analysis. <https://dcra-cdo-dcced.opendata.arcgis.com/>, retrieved July 8, 2021. Juneau, AK.

ADF&G. 2021a. Community Subsistence Information System. Online database, <http://www.adfg.alaska.gov/sb/CSIS/>, accessed on July 1, 2021. Alaska Department of Fish and Game Division of Subsistence, Juneau, AK.

ADF&G. 2021b. Online harvest reporting database. <https://secure.wildlife.alaska.gov/index.cfm?fuseaction=harvestreports.main>, retrieved July 12, 2021. Alaska Department of Fish and Game. Juneau, AK.

ADOL. 2021. Population estimates: cities and census designated places. Alaska Department of Labor and Workforce Development, Research and Analysis. <https://live.laborstats.alaska.gov/pop/index.cfm>, retrieved July 8, 2021. Juneau, AK.

Dolitsky, A.G., and L.P. Kuz'mina.1986. Cultural change vs. persistence: a case from Old Believer settlements. *Arctic* 39(3): 223–231. 8 pages.

Fall, James A., and V. Vanek, L. Brown, G. Jennings, R.J. Wolfe, and C. Utermohle. 2000. Wild resource harvests and uses by residents of selected communities of the Kenai Peninsula Borough. Alaska Department of Fish and Game Division of Subsistence Technical Paper No. 253. Juneau, AK.

Graham, C. 2021. Proponent of Proposal WP22-32. Personal communication: by phone April 30, 2021.

Herreman, J. 2020. Caribou management report and plan, Game Management Units 7 and 15: Report period 1 July 2012–30 June 2017, and plan period 1 July 2017–30 June 2021. Alaska Department of Fish and Game, Species Management Report and Plan ADF&G/DWC/SMR&P-2020-19, Juneau AK. 27 pages.

Moore, B. 1983. Nikolaevsk. Pages 120–123 *in* W. and E. Pedersen, editors, *A larger history of the Kenai Peninsula*. Adams Press, Chicago. 3 pages.

OSM. 2007. Staff analysis WP07-17a. Pages 195–209 *in* Federal Subsistence Board Meeting materials. April 30–May 2, 2007. Office of Subsistence Management, USFWS. Anchorage, AK.

OSM. 2014a. Analysis for Proposal WP14-07. Pages 417–430 *in* Federal Subsistence Board meeting materials. April 15–17, 2014, in Anchorage. U.S. Fish and Wildlife Service Office of Subsistence Management, Anchorage, AK. 13 pages.

OSM. 2014b. ANILCA 805(c) report to Southcentral Subsistence Regional Advisory Council. On file, Office of Subsistence Management, USFWS. Anchorage, AK.

OSM. 2021a. Electronic database. Office of Subsistence Management, USFWS. Anchorage, AK.

OSM. 2021b. Map of Homer Nonrural Area. On file, Office of Subsistence Management., USFWS. Anchorage, AK.

SCRAC. 2007. Transcripts of Southcentral Subsistence Regional Advisory Council proceedings, March 16, 2007, in Anchorage, AK. Office of Subsistence Management, USFWS. Anchorage, AK.

U.S. Census Bureau. 2021. U.S. Census block maps, places. https://www2.census.gov/geo/maps/DC2020/DC20BLK/st02_ak/place/, retrieved 2020.

WRITTEN PUBLIC COMMENTS

Alaska Kenai Chapter Safari Club International
P.O. Box 2988
Soldotna, AK 99669
kenaisci@gmail.com



July 18, 2021

RE: Public Comments Processing, Office of Subsistence Management
(Attn: Theo Matuskowitz) subsistence@fws.gov
Oppose proposals WP22-15 through 32.

The Alaska Kenai Chapter of Safari Club International (KPSCI) is the largest conservation group on the Kenai Peninsula. Our chapter was founded in 1989 on three primary principles: Wildlife Conservation, Education and Humanitarian Services, and Advocacy for Hunting and Hunters Rights.

KPSCI represents hunters from across the Kenai Peninsula, including rural and non-rural communities. Our annual fundraiser is attended by 400-500 hunters, fisherman and wildlife conservationists who have a long history of customary and traditional use of harvesting fish and wildlife in Alaska. The KPSCI board and membership, consists of local hunters who participated from the beginning in opposition to the establishment of the Kenai Peninsula rural designations and customary and traditional use determinations. The chapter has a long history of not only opposing these erroneous determinations but engaged with our national chapter to pursue legal actions against them. The actions of the FSB has turned our community into “have and have nots” in regards to fish and wildlife harvest. Our organization does support a subsistence priority in rural parts of Alaska where congress had intended for the priority to apply, but not on the road connected Kenai where the characteristics of the communities have little to no difference.

Congress deliberately crafted ANILCA provisions to minimize impacts on public uses of public lands in conservation system units by Alaska residents for access and traditional activities necessarily related to harvests of fish and wildlife resources. Along with minimizing those impacts, Congress included numerous unique provisions in ANILCA to assure meaningful public involvement and to satisfy specific criteria as a threshold for federal decisions affecting those uses in Alaska. Furthermore, the congressional record clearly indicates that congress did not intend for the road connected Kenai Peninsula communities to be designated for a subsistence priority.

As an example, our organization finds the irony in WP22-15, diminishing trapping opportunity by the anti-hunting/trapping folks from the ‘rural designated’ community of Cooper Landing. Trapping is a customary and traditional use activity protected under ANILCA. These actions clearly illustrate why communities such as Cooper Landing should not have been granted a rural designation with C&T determinations as their community characteristics do not reflect or meet the criteria of Title VIII and the intent of congress.

Another example these erroneous proposals is WP22-32. The FSB ruled against a rural determination for the Russian villages in the North Fork/Homer area. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural area to include North Fort Road. How can the FSB justify rewarding illegal behavior?

For these reasons we adamantly oppose proposals WP22-15 through 32.

- WP22-15 All furbearers in Unit 7: Establish trap setbacks along trails, road, and campground. Diminishes a subsistence activity in a “rural designated” community.
- WP22-16 Adopt a customary and traditional (C&T) finding for Moose Pass residents for moose.
- WP22-17 Extend moose season in Unit 7 for Moose Pass residents to Aug. 10 to Sept. 20.
- WP22-18 Extend hunting area for Moose Pass to include 15A and 15B. Season Aug. 10 to Sept 20 and Oct. 20 to Nov. 10. Add a registration hunt in these areas with a bag limit of one cow moose/per hunter.
- WP22-19 Add 15C to the moose hunting season for Moose Pass residents, season Aug. 10 to Sept. 20. Bag limit increased to spike/FORK-50 inch or 3 brow tines on at least one side. Note: fork antlered bulls are not legal in the general non-rural season.
- WP22-21 Allows Moose Pass to harvest caribou in Unit 7 under a registration permit rather than the limited entry draw, season Aug. 10 to Dec. 31. The general season is Aug. 10 to Sept. 20, in a draw hunt, for non-rural residents.
- WP22 Establishes a Federal (rural resident) drawing system for Moose Pass residents in Unit 7, season Aug. 10 to Sept. 20 for caribou hunting.
- WP22-23 Establishes a federal drawing system for mountain goat in Unit 7 for Moose Pass residents. Season Aug. 10 to Nov. 14. The general (non-rural) season is Aug. 10 to Oct. 15 by limited draw followed by a registration Nov. 1 to 14 in areas where the quota was not reached. The federal hunt will open all areas regardless of reaching the quota.
- WP22-24 Establishes the same mountain goat special draw season in Unit 15 for Moose Pass residents.
- WP22-25a/25b Establishes a rural sheep season in Unit 7 for one sheep, no horns or gender restrictions.
- WP22-26a/b Not sure what this proposal asks for, request is to open a sheep season for Moose Pass residents. No season or bag limit shown.
- WP22-28 Extends moose season in Unit 7 by five days, from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-29 Same as 28, extends moose season in Unit 7 to Aug. 10 to Sept. 25.
- WP22-30 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-31 Extends moose season for rural residents in Unit 15 from Aug. 10 to Sept. 20 to Aug. 10 to Sept. 25.
- WP22-32 Request for a positive finding of “rural” for the “North Fork Rural Customary and Traditional Subsistence Use Community”. An individual that received a subsistence moose permit for three years was told he lived outside the rural community of Ninilchik so his recent request was denied. This action resulted in proposal WP22-32 to expand the Ninilchik rural are to include North Fort Road. Nothing like rewarding illegal behavior!

The Kenai Chapter of Safari Club International opposes WP22-15 through WP22-32. We urge the FSB to vote NO on these proposals. KPSCI is the representative of the vast majority of the hunters, fisherman and wildlife conservationists residing on the Kenai Peninsula.

Sincerely,

Alaska's Kenai Chapter of Safari Club International

2021 Board of Directors

Mike Crawford
Joe Hardy
Shawn Killian
Bryan Vermette
Jesse Bjorkman
Sam Evanoff
Roy Smith
Ted Spraker
Rick Abbott

7/19/2021

Mail - AK Subsistence, FW7 - Outlook

[EXTERNAL] Alaska Outdoor Council comments - 2022-2024 Wildlife Proposals

Rod Arno <rodarno@gmail.com>

Mon 7/19/2021 12:23 PM

To: AK Subsistence, FW7 <subsistence@fws.gov>

Cc: Mulligan, Benjamin J (DFG) <ben.mulligan@alaska.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Alaska Outdoor Council
310 K Street, Suite 200
Anchorage, Alaska 99501
July 19, 2021

RE: Public comments for FSB 2022-2024 Wildlife Proposals

The Alaska Outdoor Council (AOC) is a Statewide coalition of individual members and clubs representing 10,000 Alaskans who hunt, trap, fish and recreate on public lands/waters in Alaska. AOC Club Representative have participated in the regulatory process of managing and allocating fish and game in Alaska since before statehood in 1959.

Numerous proposals submitted by Federal Subsistence Regional Advisory Councils, federally recognized subsistence communities, and individuals confirm the fears that many AOC Representatives had at the time of the passage of Alaska National Interest Lands Conservation Act (ANILCA) 1980. Dual management of who can harvest game depending on whether you are on state public and private lands or if you are on federal lands was not the intend of Congress when they passed ANILCA.

AOC opposes WP22-07, WP22-08, WP22-09.
Alaska Department of Fish & Game data should not invoke a complete closure to non-Federally Qualified Subsistence Users under Section 804 of ANILCA. Even the 9th Circuit Court, *Nimlichik Traditional Council v. U.S.*, 227 F.3d 1186 in 2000 understood the priority given in Title VIII of ANILCA was not absolute.

AOC opposes WP22-15.
Congress's findings and declaration in Sec. 801 of ANILCA should leave no room for regulatory action by the Federal Subsistence Board (FSB) regarding anti-trapper claims. Sec. 801(3) of ANILCA should have the FSB concentrating only on "remote federal lands", as was the intent of Congress when they passed 802(2) of ANILCA.

AOC opposes WP22-16 thru 22.
Providing a priority for some individuals or communities to harvest game on federal public lands located on the Kenai Peninsula only exacerbates the conflict between federally qualified hunters and Alaskans living in non-federally qualified areas of the state. Both groups of hunters are similarly situated.

AOC opposes WP22-32.
It would be in Alaskan's best interest if the FSB would reduce the number of Alaskans allowed a priority to harvest game on federal lands just based solely on where they live, not how.

Thanks for the opportunity to provide public comments,

Rod Arno, Public Policy Director
Alaska Outdoor Council

Sent from Rod Arno's iPad.

<https://outlook.office365.com/mail/subsistence@fws.gov/inbox/id/AAQkADZINDE2M2RhLWVtOgtNDQ1OS04YjQxLWE0YzY0NW13MDNjZQAQAL9rk...> 1/1

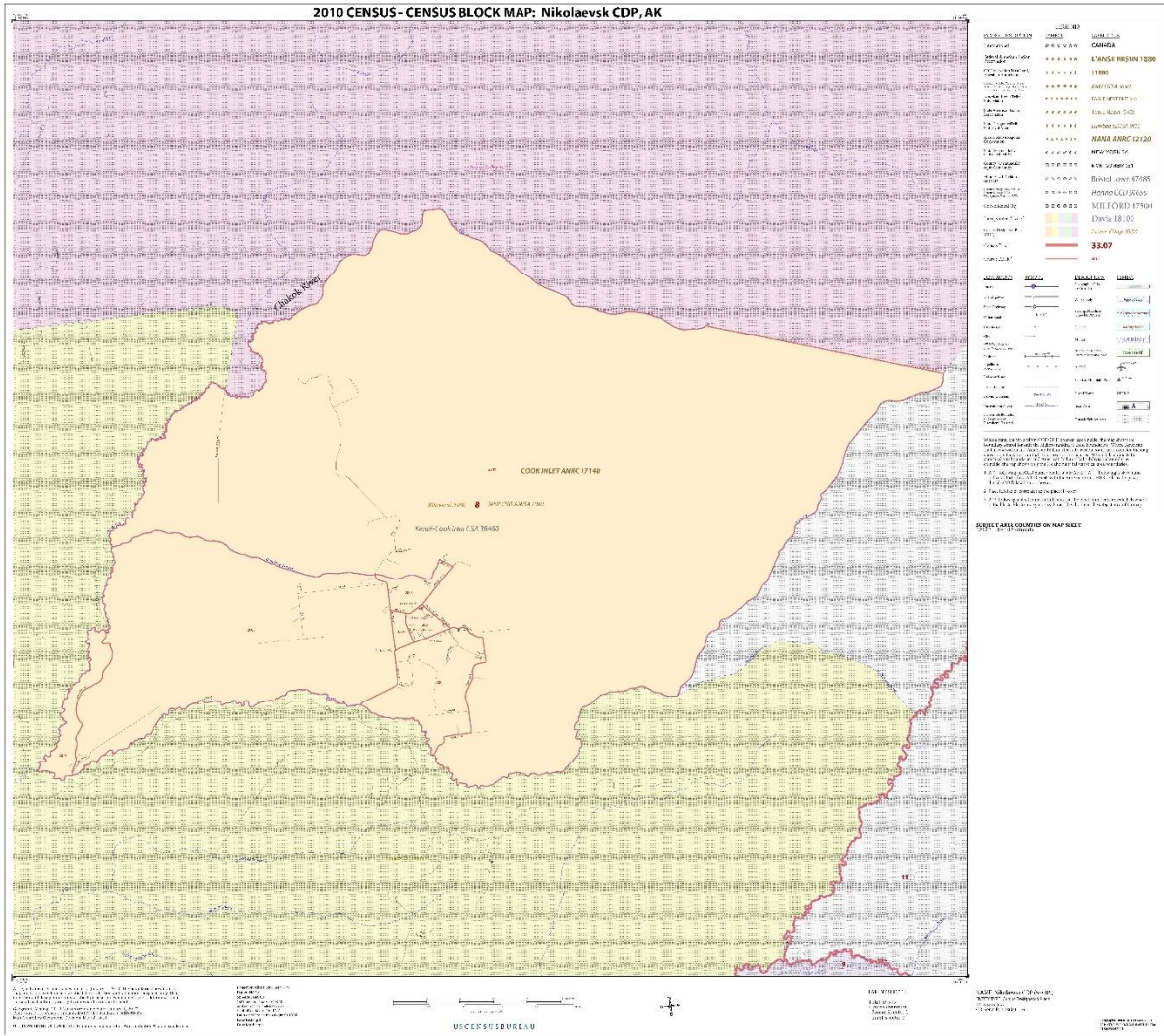


Figure 1. Map showing the Nikolaevsk Census Designated Place (cream colored, no texture) (US Census Bureau 2021).

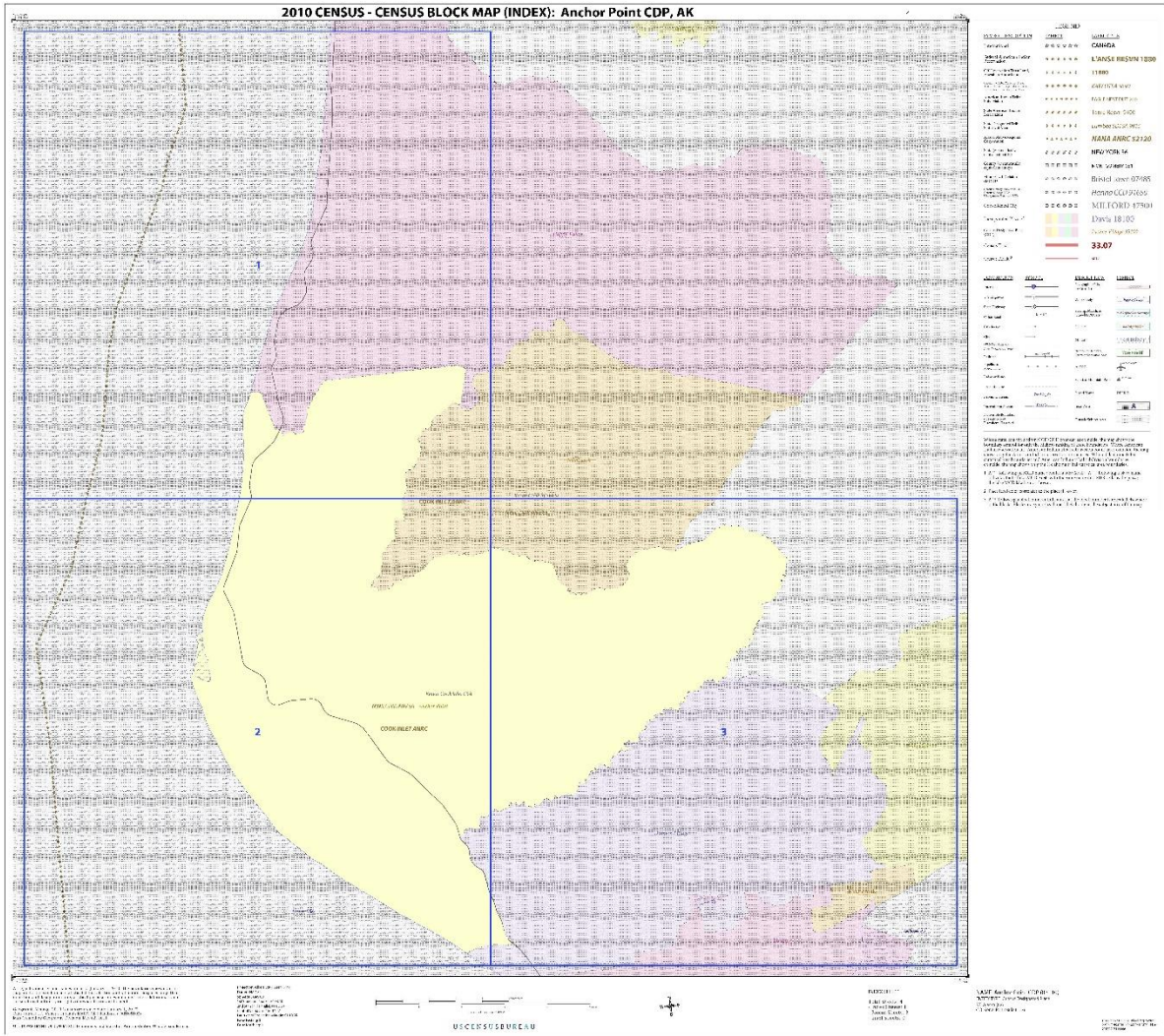


Figure 2. Map showing the Anchor Point Census Designated Place (yellow colored, no texture) (US Census Bureau 2021).

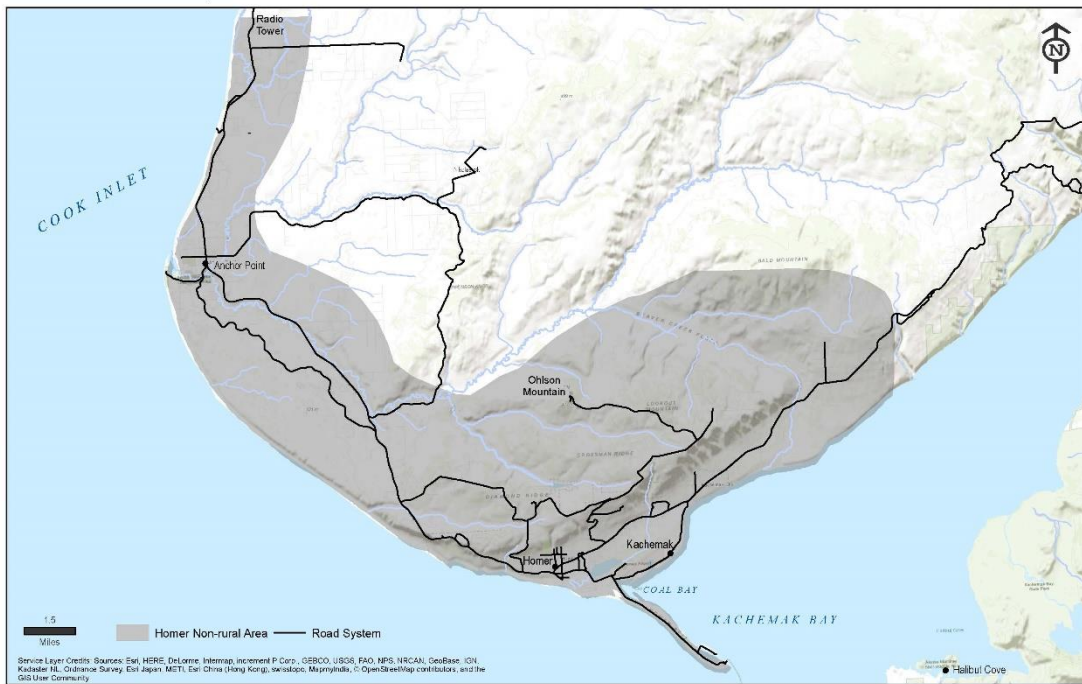


Figure 3. Map showing the Homer Nonrural Area (gray area) (OSM 2021b).

APPENDIX 1

REGULATORY HISTORY

Black Bears

In 1992, all rural residents became eligible to hunt black bears during Federal seasons in Unit 15 (57 Fed. Reg. 104, 22959 [May 29, 1992]).

In 1996, the Board adopted the Southcentral Subsistence Regional Advisory Council's (the Southcentral Council) recommendation to support Proposal WP96-22 regarding black bears. The Board recognized customary and traditional uses of black bears in by Nanwalek and Port Graham in Unit 15C and "No Federal subsistence priority" for black bears in Units 15A and 15B (61 Fed. Reg. 147, 39704 [July 30, 1996]).

In 2007, the Board adopted the Southcentral Council's recommendation to support Proposal WP07-16a and established a customary and traditional use determination for rural residents of Ninilchik for Units 15A and 15B black bears and added rural residents of Ninilchik to the customary and traditional use determination for Unit 15C black bears (82 Fed. Reg. 122, 35734 [June 24, 2008]).

In 2007, the Board rejected Request for Reconsideration RFR07-02, submitted by the State, requesting the Board to reconsider its action on Proposal WP07-16a (72 Fed. Reg. 247 [December 27, 2007]).

Brown Bears

In 1992, the Board adopted "No Federal subsistence priority" for Unit 15 brown bears (57 Fed. Reg. 104, 22959 [May 29, 1992]).

In 2007, the Board adopted Proposal WP07-17a with modification and established a customary and traditional use determination for rural residents of Ninilchik for Unit 15C brown bears. The Southcentral Council recommended the Board support the proposal as written and include Units 15A and 15B¹ brown bears in the determination, also (73 Fed. Reg. 122, 35734 [June 24, 2008]).

In 2007, the Board rejected Request for Reconsideration RFR07-03, submitted by the State, requesting the Board to reconsider its action on Proposal WP07-17a, specifically, to rescind its recognition of subsistence uses of Unit 15C brown bears by rural residents of Ninilchik (73 Fed. Reg. 122, 35734 [June 24, 2008]).

¹ The Federal Subsistence Board book indicates that the Council recommended the Board recognize customary and traditional uses of brown bear in Unit 15A only and is in error (OSM 2007). The Council adopted a motion supporting "17A" referring to the proposal WP07-17a. This was erroneously interpreted as Unit 15A in the Council recommendation (SCRAC 2007:547).

In 2012, the Board adopted the Southcentral Council's recommendation to support Proposal WP12-22a, and established a customary and traditional use determination for rural residents of Ninilchik for Units 15A and 15B brown bears (72 Fed. Reg. 73433 [December 27, 2007]; 77 Fed. Reg. 114, 35490 [June 13, 2012]).

Caribou

In 1992, all rural residents became eligible to hunt caribou during Federal seasons in Unit 15 (57 Fed. Reg. 104, 22959 [May 29, 1992]).

In 2020, the Board adopted the Southcentral Council's recommendation to support Proposal WP20-22a with modification and established a customary and traditional use determination for rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia for caribou in Units 15B and 15C. In Unit 15A, all rural residents of Alaska remained eligible to hunt caribou during a Federal season (85 Fed. Reg. 226, 74803 [November 23, 2020]).

Goats

In 1992, the State recognized customary and traditional uses of goats by rural residents Port Graham and English Bay in Unit 15C the Port Dick and English Bay hunt areas and for Seldovia in Unit 15C Seldovia hunt area. All rural residents became eligible to hunt goats during Federal seasons in Units 15A and 15B (57 Fed. Reg. 104, 22959 [May 29, 1992]).

In 1996, the Board rejected the part of Proposal WP96-22, submitted by the Kenai Peninsula Outdoor Coalition, requesting the Board adopt "No Federal subsistence priority" for mountain goats in the Unit 15C Seldovia hunt area (61 Fed. Reg. 147, 39704 [July 30, 1996]).

In 2020, the Board adopted the Southcentral Council's recommendation to support Proposal WP20-23a with modification and established a customary and traditional use determination for rural residents of Cooper Landing, Hope, Nanwalek, Ninilchik, Port Graham, and Seldovia for Unit 15 goats (85 Fed. Reg. 226, 74803 [November 23, 2020])

Moose

In 1992, the Board adopted "No Federal subsistence priority" for Unit 15A and 15B moose. For Unit 15C, the Board adopted the existing State customary and traditional use determination for English Bay and Port Graham in Unit 15C however "No Federal subsistence priority" in Port Dick and English Bay hunt areas (57 Fed. Reg. 104, 22959 [May 29, 1992]).

In 1995, the Southcentral Council, after public meetings held from February 28 to March 2, reviewed and submitted to the Board recommendations for customary and traditional use determinations for Units 7 and 15. The Board adopted and issued a proposed rule announcing its action. After a public comment period, the Council held a public meeting on July 12, 1995, where it reevaluated and revised its recommendations to the Board. The Council recommended the Board adopt customary and

traditional use determinations for rural residents of Ninilchik, Seldovia, Nanwalek, and Port Graham for Unit 15 moose. At its July 14, 1995, public meeting, the Board adopted the Council's recommendation regarding Units 15B and 15C. It deferred on Unit 15A "because use of the subunit by them is extremely low" (60 Fed. Reg. 153, 40461-2 [August 9, 1995])

In 1996, the Board did not follow the Southcentral Council's recommendation and instead rejected Proposal WP96-23, which was a request to establish a customary and traditional use determination for Unit 15A moose by rural residents of Ninilchik, Nanwalek, Port Graham, and Seldovia (61 Fed. Reg. 147, 39704 [July 30, 1996]).

In 1996, the District Court of Alaska remanded the case *Ninilchik v. United States* (Case No. A95-293) back to the Board for it to reconsider its decision regarding customary and traditional uses of Unit 15A moose in light of the court's ruling overturning the Board's decision to close Unit 15A to subsistence hunting. Subsequently, the Board recognized customary and traditional uses by residents of Ninilchik, Nanwalek, Port Graham, and Seldovia for Unit 15A moose through Proposal M96-01 (62 Fed. Reg. 103, 29022 [May 29, 1997]).

In 1996, the Board rejected Request for Reconsideration RFR96-05, submitted by the State, requesting the Board to rescind its recognition of customary and traditional uses of Unit 15A and 15B moose by rural residents of Nanwalek, Ninilchik, Port Graham and Seldovia (62 Fed. Reg. 103, 29022 [May 29, 1997]).

In 1996, the Board rejected Request for Reconsideration RFR96-01, submitted by the Kenai Peninsula Outdoor Coalition, a request to rescind recognition of customary and traditional uses of Unit 15A moose by rural residents of Ninilchik, Nanwalek, Port Graham, and Seldovia (62 Fed. Reg. 103, 29022 [May 29, 1997]).

In 1997, the Board rejected Request for Reconsideration RFR97-18, submitted by the Safari Club International, requesting the Board to rescind its recognition of customary and traditional uses of Unit 15A moose by rural residents of Ninilchik, Nanwalek, Port Graham, and Seldovia (63 Fed. Reg. 124, 35338 [June 29, 1998]).

In 1997, the Board rejected Request for Reconsideration RFR97-10, submitted by the State, requesting the Board rescind its recognition of customary and traditional uses of Unit 15A and 15B moose by rural residents of Ninilchik, Nanwalek, Port Graham, and Seldovia (63 Fed. Reg. 124, 35338 [June 29, 1998]).

In 2008, the Board adopted the Southcentral Council's recommendation to support Proposal WP08-22a, and added Cooper Landing to the customary and traditional use determinations for Units 15A and 15B moose (73 Fed. Reg. 122, 35734 [June 24, 2008]).

In 2008, the Board followed the Southcentral Council's recommendation and rejected Proposal WP08-24, a request for recognition of customary and traditional uses by rural residents of Kachemak-Selo, Razdolna, and Voznesenka areas for Unit 15B and 15C moose. The Council said insufficient

information was available to evaluate these communities' customary and traditional uses of moose (73 Fed. Reg. 122, 35728 [June 24, 2008]).

In 2014, the Board followed the Southcentral Council's recommendation and rejected Proposal WP14-07, a request for recognition of customary and traditional uses of rural residents of Copper Landing for Unit 15C moose. Information was lacking, and proponents from the community had not taken the opportunity to provide oral and written testimony at the meeting to provide additional information to support adding Cooper Landing to the customary and traditional use determination for moose (OSM 2014a, 2014b).

Dall Sheep

In 1992, the Board adopted "No Federal subsistence priority" for Unit 15 Dall sheep (57 Fed. Reg. 104, 22959 [May 29, 1992]).

In 2020, the Board adopted the Southcentral Council's recommendation to support Proposal WP20-22a and established a customary and traditional use determination for rural residents of Ninilchik for Unit 15 sheep (85 Fed. Reg. 226, 74803 [November 23, 2020]).

WP22-33 Executive Summary

General Description	Proposal WP22-33 requests eliminating the sealing requirement for black bear in Units 11 and 12. <i>Submitted by: Wrangell-St. Elias National Park Subsistence Resource Commission (WRST SRC)</i>
Proposed Regulation	<p>§__.26</p> <p><i>(j) Sealing of bear skins and skulls. (1) Sealing requirements for bear apply to brown bears taken in all Units, except as specified in this paragraph (j), and black bears of all color phases taken in Units 1-7, 1113-17, and 20.</i></p>
OSM Preliminary Conclusion	Support Proposal WP22-33.
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Kodiak/Aleutians Subsistence Regional Advisory Council Recommendation	
Bristol Bay Subsistence Regional Advisory Council Recommendation	
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional	

WP22–33 Executive Summary

Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Northwest Arctic Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
North Slope Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS WP22-33

ISSUES

Proposal WP22-33, submitted by the Wrangell-St. Elias National Park Subsistence Resource Commission (WRST SRC), requests eliminating the sealing requirement for black bear in Units 11 and 12.

DISCUSSION

The proponent states that people living in remote locations need to drive to an Alaska Department of Fish and Game (ADF&G) office to have bears sealed. For one SRC member, this is roughly 260 miles or more round-trip. The extra salvage necessary to seal subsistence black bears in Units 11 and 12 is an undue hardship for subsistence hunters who are mainly interested in the meat.

The proponent further states that Federal regulations are currently more stringent than State regulations, which only require harvest tickets, but not sealing. The proponent states that harvest ticket reports provide sufficient harvest information to monitor and protect black bear populations without sealing, and there is not currently a conservation concern for black bear. One SRC member noted that numerous sightings from fall flights indicate Unit 11 has a robust black bear population, while another member has personally harvested two bears in one year out of a small valley and within a couple days, new bears had moved into the area.

The proponent additionally requests that harvest ticket and sealing requirements be included in the unit specific regulations, instead of with the general provisions in the front of the regulations booklet, stating this would be clearer and easier for subsistence users to understand as the current layout of the Federal Subsistence Management Regulations booklet is confusing.

The proponent's request that bear sealing and permit/harvest ticket requirements be more clearly presented in the public regulatory booklet is outside the scope of a regulatory proposal. However, the suggestion has been forwarded to the appropriate reviewer.

Existing Federal Regulation

§__.26

(j) Sealing of bear skins and skulls. (1) Sealing requirements for bear apply to brown bears taken in all Units, except as specified in this paragraph (j), and black bears of all color phases taken in Units 1-7, 11-17, and 20.

Proposed Federal Regulation

§__.26

(j) Sealing of bear skins and skulls. (1) Sealing requirements for bear apply to brown bears taken in all Units, except as specified in this paragraph (j), and black bears of all color phases taken in Units 1-7, ~~11~~13-17, and 20.

Existing State Regulation

5 AAC 92.165. Sealing of bear skins and skulls

(a) Sealing is required for hides and skulls of brown bear taken in any unit in the state, hides and skulls of black and brown bear taken in any unit in the state before the hide or skull is sold, hides and skulls of black bear of any color variation taken from January 1 through May 31, and skulls of black bear of any color variation taken from June 1 through December 31 in Units 1 - 7, 14(A), 14(C), 15 - 17, and 20(B). The seal must remain on the skin until the tanning process has commenced. A person may not possess or transport the untanned skin or skull of a bear taken in a unit where sealing is required, or export from the state the untanned skin or skull of a bear taken anywhere in the state, unless the skin or the skull, or both as required in this section have been sealed by a department representative within 30 days after the taking, or a lesser time if requested by the department

Extent of Federal Public Lands/Waters

Unit 11 is comprised of 87% Federal public lands and consist of 84% National Park Service (NPS) managed lands, 3% U.S. Fish and Wildlife Service (USFWS), and 0.1% Bureau of Land Management (BLM) managed land.

Unit 12 is comprised of 60% Federal public lands and consist of 48% NPS managed lands, 11% USFWS managed lands, and 1% BLM managed lands.

Customary and Traditional Use Determinations

Rural residents of Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Slana, Tazlina, Tonsina, and Units 11 and 12 have a customary and traditional use determination for black bear in Unit 11 north of Sanford River.

Rural residents of Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Nabesna Road (mileposts 25-46), Slana, Tazlina, Tok Cutoff Road (mileposts 79-110), Tonsina, and Unit 11 have a customary and traditional use determination for black bear in Unit 11 remainder.

The Federal Subsistence Board has not made a customary and traditional use determination for black bear in Unit 12. Therefore, all rural residents of Alaska may harvest this species in this unit.

Special requirements of NPS lands: Under the guidelines of ANILCA, NPS regulations identify Federally qualified subsistence users in National Parks and Monuments by: 1) identifying residents zone communities which include a significant concentration of people who have customarily and traditionally use subsistence resources on park lands/ and 2) identifying and issuing subsistence use permits to individuals residing outside of the resident zone communities who have a personal or family history of subsistence use.

Regulatory History

During the Russian Period in Alaska (1799 – 1867), the Russian American Company exported black bear skins to St. Petersburg and Asia (Bockstoce 2009). The sale of black bear skins was generally allowed until 1971 when the State banned the practice of selling black bear skins and implemented mandatory sealing requirements (State of Alaska 1971). Currently, however, black bear hides and skulls may be sold after sealing, but black bear trophies may not be sold (5 AAC 92.200). The State has allowed the sale of handicraft items made from black bear skins since 1998 (5 AAC 92.200), and the Federal Program adopted similar regulations in 2004 (CFR §242.25 (j)).

Since 2008, all Alaska resident hunters must obtain a State harvest ticket and report their hunting efforts. Both units continue to require reporting of any harvest of a black bear. If parts of the black bear are to be sold, sealing is required.

In 2010, the State re-classified black bears as furbearing animals as well as game animals (5AAC 92.9900(a)(32)). Consequently, during State hunts, black bears could be taken with a trap, if trapping regulations were adopted. They have not been adopted.

The Alaska Board of Game (BOG) removed the requirement for getting a bear hide or skull sealed for Unit 11 in regulatory year (RY) 2011/12 and for Unit 12 in RY 2010/11 because the requirement for both harvest tickets and sealing was determined to be redundant (ADF&G BOG 2011, 2011).

Sealing requirements for black bear in Units 11 and 12 have not changed under Federal regulations since the inception of the program in 1990 adopting then current state regulations. Under existing federal regulations, the salvage of the hide and edible meat is required. When sealing is required, hunters must additionally remove the skull from the field.

Biological Background

Unit 11 has not had population surveys conducted. Through field observations and harvest data it is believed that black bear populations are abundant within areas of suitable habitat. NPS biologists estimated there to be 100-200 black bears/1,000 km² around the McCarthy area in 2001 (Robbins 2014). Unit 12 has not had population surveys conducted. Through limited radiotelemetry data, the Unit 12 population was estimated to be 700-1,000 bears in 2012 (Wells 2014).

Harvest History

As much of Unit 11 is National Park and Preserve lands, harvest pressure is primarily limited to Federally qualified subsistence users (Robbins 2014). The number of black bears reported harvested fluctuated each year from 8 – 31 bears annually between 1998 and 2012 (**Figure 1**).

Within Unit 12, there is National Park/Preserve and USFWS lands with historically low human use of black bears, despite liberal hunting regulation (Wells 2014). The reported number of bears harvested fluctuated each year from 23- 68 bears annually between 1995 and 2017.

Circumstantial evidence indicates that berry abundance may affect bear harvest. During years of low berry production, bears are believed to travel more and/or may be more likely attracted to human wildlife kills or food. These behaviors increase the vulnerability of the bears to hunters (Wells 2014). Years with a late spring can delay the emergence of vegetation, which can alter the distribution of the bears, and a hunter's success (Robbins 2014). Local residents primarily harvest bears in the spring, as they are an important meat source.

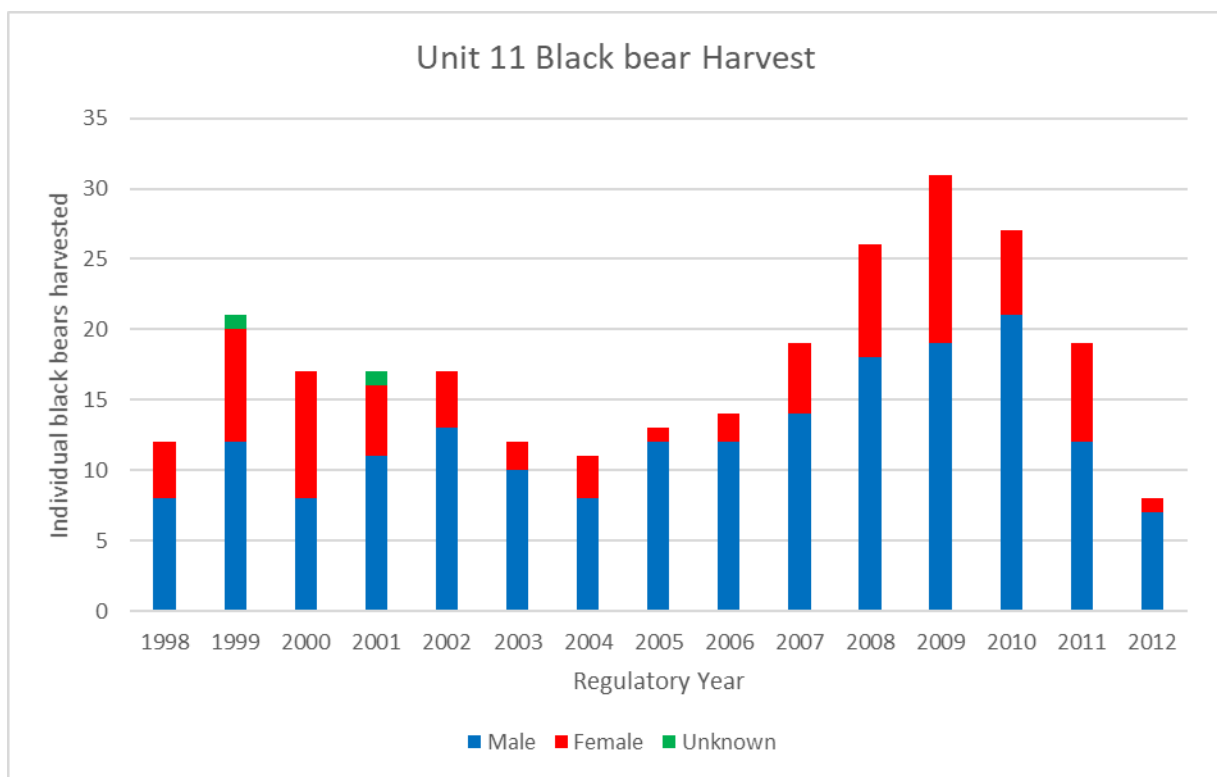


Figure 1. Number of black bears harvested from Unit 11 between 1998 and 2012 (Robbins 2011, 2014; Tobey 2005, 2008).

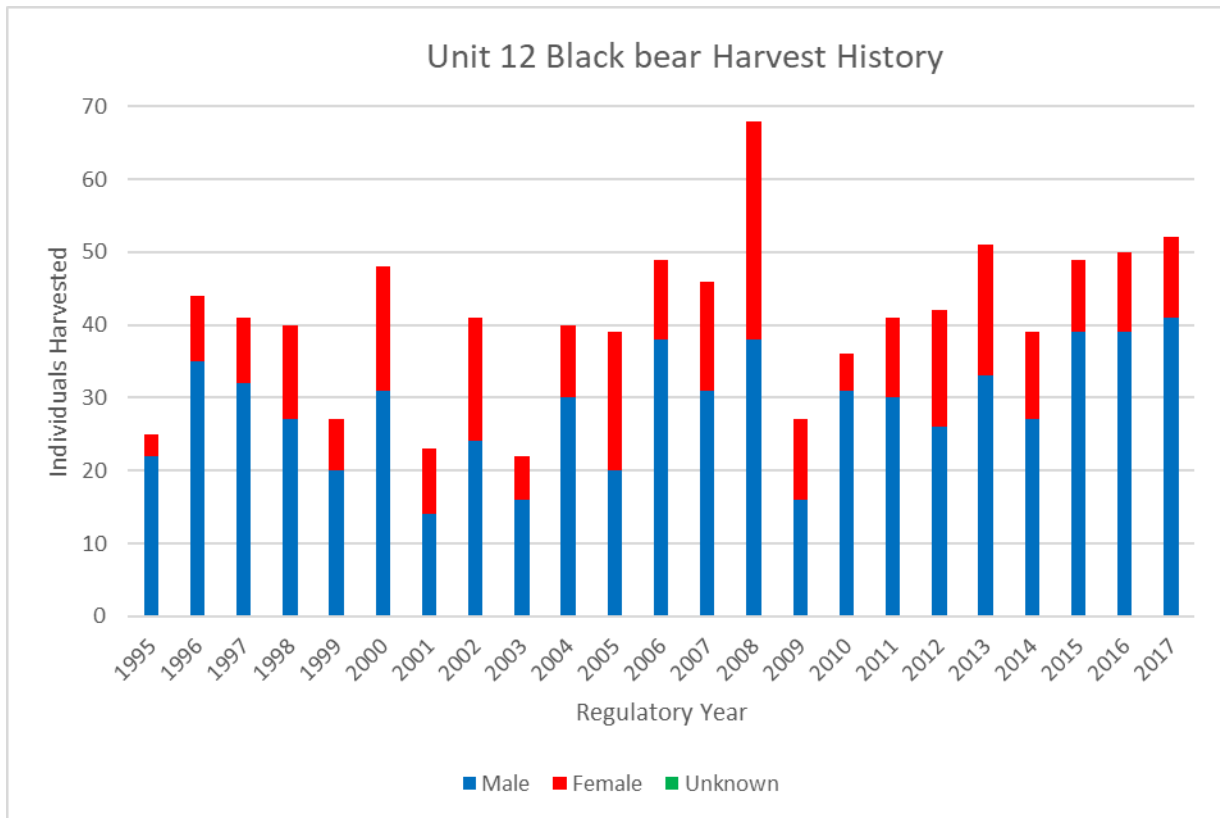


Figure 2. Number of black bears harvested from Unit 12 between 1995 and 2012 (Wells 2014, 2021).

Effects of the Proposal

The proposal, if adopted, would remove the requirement for Federally qualified subsistence users to have the skull and/or skin of a black bear sealed in Units 11 and 12. This proposal would simplify the process of harvesting black bears for Federally qualified subsistence user by removing this unnecessary requirement. Subsistence users would no longer be required to remove the head/skull from the field for sealing and they would no longer need to make special trips to an ADF&G office just to seal bears.

The State removed this requirement over 10 years ago, resulting in Federal regulations being more restrictive, which is contrary to the rural subsistence priority mandated by ANILCA. While Federally qualified subsistence users can hunt under State regulations in parts of these units, they cannot in WRST National Park where only Federal subsistence regulation apply. Therefore, any bear currently harvested within the national park must be sealed. If this proposal is adopted, the State and Federal regulations for sealing would align with each other, reducing regulatory complexity and user confusion.

While current biological data for black bears in these units are lacking, there are no current conservation concerns regarding black bears in Unit 11 or Unit 12 as evidenced through extremely liberal harvest limits and seasons under both State and Federal regulations as well as anecdotal observations from local users.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-33.

Justification

The sealing requirement causes unnecessary hardship for Federally qualified subsistence users when they harvest a black bear within Unit 11 or Unit 12 and there are no conservation concerns. This proposal would reduce regulatory complexity and user confusion by aligning the State and Federal regulations for both Unit 11 and Unit 12.

LITERATURE CITED

ADF&G BOG. 2010. Transcripts of the Interior Region Alaska Board of Game meeting. February 26 – March 7, 2010. Fairbanks, AK. <http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo>. Retrieved: June 11, 2021.

ADF&G BOG. 2011. Transcripts of the Central / Southwest Region Alaska Board of Game meeting. March 4 – 10, 2011. Wasilla, AK. <http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo>. Retrieved: June 11, 2021.

Bockstoce, J.R. 2009. *Furs and frontiers in the far North: The contest among Native and foreign nations for the Bering Strait fur trade*. Yale University Press. 475 pages.

Robbins, W.F. 2011. Unit 11 black bear management report. Pages 149-154 *in* P. Harper, editor. Black bear management report of survey and inventory activities 1 July 2007-30 June 2010. ADF&G. Project 17.0. Juneau, AK.

Robbins, W. F. 2014. Unit 11 black bear. Chapter 10, Pages 10-1 through 10-7 *in* P. Harper and L. A. McCarthy, editors. Black bear management report of survey-inventory activities 1 July 2010–30 June 2013. ADF&G, Species Management Report ADF&G/DWC/SMR-2014-5, Juneau, AK.

State of Alaska. 1971. *Alaska Game and Guiding Regulations #12*. ADF&G, Juneau. 82 pages.

Tobey B. 2005. Unit 11 black bear management report. Pages 159-164 *in* C. Brown editor. Black bear management report of survey and inventory activities 1 July 2001-30 June 2004. ADF&G. Project 17.0. Juneau, AK.

Tobey B. 2008. Unit 11 black bear management report. Pages 149-154 *in* P. Harper, editor. Black bear management report of survey and inventory activities 1 July 2004-30 June 2007. ADF&G. Project 17.0. Juneau, AK.

Wells, J. J. 2014. Unit 12 black bear. Chapter 11, pages 11-1 through 11-13 *in* P. Harper and L. McCarthy, editors. Black bear management report of survey and inventory activities 1 July 2010–30 June 2013. ADF&G Species Management Report ADF&G/DWC/SMR-2014-5, Juneau, AK.

Wells, J. J. 2021. Black bear management report and plan, Game Management Units 12 and 20E: Report period 1 July 2013–30 June 2018, and plan period 1 July 2018–30 June 2023. ADF&G, Species Management Report and Plan ADF&G/DWC/SMR&P-2021-12, Juneau, AK.

WP22-34 Executive Summary

General Description	Proposal WP22-34 requests to change the salvage requirement to a “bone in” for sheep taken in Units 11 and 12. <i>Submitted by: Seth Williams</i>
Proposed Regulation	<p>§__.26(h) Removing harvest from the field.</p> <p><i>(5) You must leave all edible meat on the bones of the front quarters, hind quarters and ribs of sheep harvested in Units 11 and 12 until you remove the meat from the field or process it for human consumption.</i></p>
OSM Preliminary Conclusion	Oppose
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS WP22-34

ISSUES

Wildlife Proposal WP22-34, submitted by Seth Wilson of Glennallen, requests to change the salvage requirement to a “bone in” for sheep taken in Units 11 and 12.

DISCUSSION

The proponent states there should be a meat-on-bone salvage requirement for the two front quarters, two rear quarters and ribs for all sheep taken in Units 11 and 12. The proponent states that deboning the meat in the field may lead to waste of meat that is left on the bone. Keeping the meat on the bone also allows for better meat handling, ensuring that all edible meat is cool and dry until it is out of the field.

Existing Federal Regulation

None

Proposed Federal Regulation

§__.26(h) Removing harvest from the field.

(5) You must leave all edible meat on the bones of the front quarters, hind quarters and ribs of sheep harvested in Units 11 and 12 until you remove the meat from the field or process it for human consumption.

Relevant Federal Regulations

§__.25(a) Definitions

Edible meat means the breast meat of ptarmigan and grouse and those parts of caribou, deer, elk, mountain goat, moose, musk oxen, and Dall sheep that are typically used for human consumption, which are: The meat of the ribs, neck, brisket, front quarters as far as the distal (bottom) joint of the radius-ulna (knee), hindquarters as far as the distal joint (bottom) of the tibia-fibula (hock) and that portion of the animal between the front and hindquarters; however, edible meat of species listed in this definition does not include: Meat of the head, meat that has been damaged and made inedible by the method of taking, bones, sinew, and incidental meat reasonably lost as a result of boning or close trimming of the bones, or viscera. For black bear, brown and grizzly bear, “edible meat” means the meat of the front quarter and hindquarters and meat along the backbone (backstrap).

Salvage means to transport the edible meat, skull, or hide, as required by regulation, of a regulated fish, wildlife, or shellfish to the location where the edible meat will be consumed by humans or processed for human consumption in a manner that saves or prevents the edible meat from waste, and preserves the skull or hide for human use.

§__.25(j) Utilization of fish, wildlife, or shellfish.

(3) You must salvage the edible meat of ungulates, bear, grouse, and ptarmigan.

(5) Failure to salvage the edible meat may not be a violation if such failure is caused by circumstances beyond the control of a person, including theft of the harvested fish, wildlife, or shellfish, unanticipated weather conditions, or unavoidable loss to another animal.

§__.26(h) Removing harvest from the field.

(1) You must leave all edible meat on the bones of the front quarters and hind quarters of caribou and moose harvested in Units 9, 17, 18, and 19B prior to October 1 until you remove the meat from the field or process it for human consumption.

(2) You must leave all edible meat on the bones of the front quarters, hind quarters, and ribs of moose harvested in Unit 21 prior to October 1 until you remove the meat from the field or process it for human consumption.

(3) You must leave all edible meat on the bones of the front quarters, hind quarters, and ribs of caribou and moose harvested in Unit 24 prior to October 1 until you remove the meat from the field or process it for human consumption. Meat of the front quarters, hind quarters, or ribs from a harvested moose or caribou may be processed for human consumption and consumed in the field; however, meat may not be removed from the bones for purposes of transport out of the field.

(4) You must leave all edible meat on the bones of the front quarters, hind quarters, and ribs of caribou and moose harvested in Unit 25 until you remove the meat from the field or process it for human consumption.

Existing State Regulation

None

Relevant State Regulations

5 AAC 92.220. Salvage of game meat, furs, and hides

(d) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990. In addition,

(1) for moose and caribou taken before October 1 in Unit 9(B), Unit 17, Unit 18, those portions of Unit 19(A) within the Holitna/Hoholitna Controlled Use Area, and Unit 19(B), the edible meat of the front quarters and hindquarters must remain naturally attached to the bone until the meat is transported from the field or is processed for human consumption;

(2) for caribou taken before October 1 in Unit 21(A), the edible meat of the front quarters and hindquarters must remain naturally attached to the bone until the meat has been transported from the field or is processed for human consumption;

(3) for moose taken before October 1 in Units 13, 19, 21, 23, 24, and 25, for caribou taken before October 1 in Units 13, 19, 21(A), 21(E), 23, 24, and 25(A), and for bison taken before October 1 in Units 19, 21(A), and 21(E), the edible meat of the front quarters, hindquarters, and ribs must remain naturally attached to the bone until the meat has been transported from the field or is processed for human consumption;

(4) repealed 7/1/2009;

(5) repealed 7/1/2009.

(6) for moose and caribou taken under a community subsistence harvest permit in the area described in 5 AAC 92.074(d), the edible meat of the front quarters, hindquarters, ribs, brisket, neck and back bone must remain naturally attached to the bone until the meat has been transported from the field or is processed for human consumption.

5 AAC 92.990. Definitions

(a) In addition to the definitions in AS 16.05.940, in 5 AAC 84 - 5 AAC 92, unless the context requires otherwise,

(26) "edible meat" means, in the case of a big game animal, except a bear, the meat of the ribs, neck, brisket, front quarters, hindquarters, and the meat along the backbone between the front and hindquarters; in the case of a bear, the meat of the front quarters and hindquarters and meat along the backbone (backstrap); in the case of small game birds, except for cranes, geese, and swan, the meat of the breast; in the case of cranes, geese, and swan, the meat of the breast, back, the meat of the femur and tibia-fibula (legs and thighs), and the meat of the wings, excluding the metacarpals; however, "edible meat" of big game or small game birds does not include meat of the head, meat that has been damaged and made inedible by the method of taking, bones, sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

Extent of Federal Public Lands/Waters

Unit 11 is comprised of 86.9% Federal public lands and consist of 83.6% National Park Service (NPS) managed lands and 3.3% U.S. Forest Service (USFS) managed lands.

Unit 12 is comprised of 59.7% Federal public lands and consist of 48.0% NPS managed lands, 10.8% U.S. Fish and Wildlife Service (USFWS) and 0.9% Bureau of Land Management (BLM) managed lands.

Customary and Traditional Use Determinations

Rural residents of Unit 12, Chistochina, Chitina, Copper Center, Dot Lake, Gakona, Glennallen, Gulkana, Healy Lake, Kenny Lake, Mentasta Lake, Slana, McCarthy/South Wrangell/South Park, Tazlina, Tonsina, residents along the Nabesna Road - Mileposts 0-46 (Nabesna Road), and residents along the McCarthy Road - Mileposts 0-62 (McCarthy Road) have a customary and traditional use determination for sheep in Unit 11, north of the Sanford River.

Rural residents of Chisana, Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Slana, McCarthy/South Wrangell/South Park, Tazlina, Tonsina, residents along the Tok Cutoff – Mileposts 79-110 (Mentasta Pass), residents along the Nabesna Road – Milepost 0-46 (Nabesna Road), and residents along the McCarthy Road – Milepost 0-62 (McCarthy Road) have a customary and traditional use determination for sheep in Unit 11, remainder.

Residents of Unit 12, Chistochina, Dot Lake, Healy Lake, and Mentasta Lake have a customary and traditional use determination for sheep in Unit 12.

Under the guidelines of Alaska National Interest Lands Conservation Act (ANILCA), National Park Service regulations identify qualified local rural subsistence users in National Parks and National Monuments by: (1) identifying Resident Zone Communities that include a significant concentration of people who have customarily and traditionally used subsistence resources on park lands; and (2) identifying and issuing subsistence use (13.440) permits to individuals residing outside of the Resident Zone Communities who have a personal or family history of subsistence use within the park or monument.

Regulatory History

There is currently no “bone in” requirement for sheep hunters in either Federal or State regulation. Although such regulations exist for moose and caribou in both Federal and State hunts as well as for bison in State hunts, there has never been any Federal Subsistence Board (Board) action for bone in requirements for sheep. Proposals WP12-63 in Unit 25 and WP03-29 in Unit 18 implemented this requirement for moose and caribou to avoid meat spoilage while the animal is transported out of the field.

Current Events

The proponent of this proposal has also submitted the same language to the Alaska Board of Game (BOG) for Unit 11 as Proposal 67 for consideration during their January 2022 meeting (ADF&G 2021).

Effects of the Proposal

If this proposal is adopted, subsistence users harvesting sheep in Units 11 and 12 under Federal regulations would be required to leave the edible meat of the front quarters, hind quarters and ribs on

the bones until the meat was removed from the field or was processed for human consumption. If the BOG does not adopt proposal 67, which is only for Unit 11, and the Board does adopt this proposal, for Units 11 and 12, Federal regulations regarding salvage would be more restrictive than State regulations. Federally qualified subsistence users would still be able to harvest and pack out sheep under State regulations, except within Wrangell-St. Elias National Park, which is only open to subsistence hunting under Federal regulations.

This restriction would burden sheep hunters who would have to pack out extra weight when hunting on foot, potentially resulting in multiple trips. However, this regulation may ensure more meat would be salvaged for subsistence uses. It may also provide an example for the BOG to follow.

If this proposal is not adopted, no effects on subsistence uses, other uses, or wildlife populations are anticipated.

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP22-34.

Justification

The proposed regulation would place an undue burden upon subsistence sheep hunters. Most of whom travel by foot many miles just to harvest a Dall sheep. Unless the Federal Subsistence Regional Advisory Councils have reason to support this proposal, there is not enough evidence to justify placing these restrictions on Federally qualified subsistence users. The proposed regulation would apply to only Federally qualified subsistence users harvesting sheep on Federal public lands under Federal regulations, and it would not affect non-Federally qualified users. Federal subsistence wildlife regulations would be more restrictive than State regulations concerning a hunters' responsibility to remove sheep meat from the field.

LITERATURE CITED

Alaska Department of Fish and Game (ADF&G) 2021. Board of Game 2021/2022 Proposal Book. <https://www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook>, accessed June 10, 2021. Boards Support Section. Juneau, AK.

WP22-35 Executive Summary

General Description	Wildlife Proposal WP22-35 requests establishing a may-be-announced caribou season in Unit 11 with a harvest limit of one bull by Federal permit and an §804 analysis. <i>Submitted by: the Ahtna Intertribal Resource Commission.</i>
Proposed Regulation	<p align="center">Unit 11—Caribou</p> <p><i>Season may be announced when Nelchina caribou are present in Unit 11.</i></p> <p><i>One bull caribou by Federal permit for Federally qualified subsistence users identified through a Section 804 subsistence user prioritization analysis.</i></p> <p align="right">No Federal open season <i>May be announced</i></p>
OSM Preliminary Conclusion	<p>Support Proposal WP22-35 with modification to delegate authority to the WRST superintendent to announce season dates, harvest quotas, and the number of permits to be issued; to define harvest areas; and to open and close the season via a delegation of authority letter only (Appendix 1).</p> <p>The modified regulation should read:</p> <p align="center">Unit 11—Caribou</p> <p><i>One bull by Federal registration permit</i></p> <p align="right">No Federal open season <i>May be announced</i></p>
Southcentral Subsistence Regional Advisory Council	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS
WP22-35

ISSUES

Wildlife Proposal WP22-35, submitted by the Ahtna Intertribal Resource Commission (AITRC), requests establishing a may-be-announced caribou season in Unit 11 with a harvest limit of one bull by Federal permit and an §804 analysis.

DISCUSSION

The proponent states:

AITRC understands that recent scientific research and assessment has determined that the Mentasta Caribou Herd (MECH) population has stabilized at a level lower than that envisioned by the now outdated Mentasta Caribou Herd Management Plan as necessary in order to resume subsistence caribou hunting opportunities in Unit 11. We understand that the population status of the MECH is not limited by the condition of the habitat within Unit 11 but has stabilized at its current population level most likely because of high levels of predation.

AITRC also understands from Alaska Department of Fish and Game (ADF&G) Area Management Biologist that recent genetic analysis of mitochondrial DNA has demonstrated that the MECH consists of genetically discrete population of cow caribou that have a high fidelity to the Mentasta range, but that the bull caribou cannot be distinguished genetically from those of the adjacent and often overlapping Nelchina Caribou Herd (NCH). Furthermore, AITRC understands that Nelchina bull caribou collar data demonstrate that Nelchina bull caribou frequent the Mentasta herd such that a bulls-only caribou hunt in Unit 11 during times the Nelchina herd is present in Unit 11 would not affect the biological status of the MECH because Mentasta-distinct cow caribou would not be open to hunting.

With this scientific information in mind, and to resume and continue subsistence uses of caribou in Unit 11 within the Ahtna Traditional Use Territory after more than a generation of no hunting, AITRC proposes to establish a limited bull-only caribou hunt in Unit 11 during times when the NCH is present in Unit 11. Because the harvestable surplus of bull caribou may be insufficient to support all Federal subsistence users with a customary and traditional use determination for caribou in Unit 11, AITRC specifically requests that a limited bulls-only caribou hunt be limited through an ANILCA Section 804 Subsistence User Prioritization Analysis to reduce the pool of eligible Federal subsistence users such that only those Federally qualified rural residents most customarily and traditionally dependent upon caribou in Unit 11 are provided the opportunity to receive a Unit 11 Federal permit for a bull caribou

Note: This analysis only considers the establishment of a season and harvest limit. The §804 analysis may be conducted at a later time if a caribou hunt is opened in Unit 11.

Existing Federal Regulation

Unit 11—Caribou

No Federal open season

Proposed Federal Regulation

Unit 11—Caribou

Season may be announced when Nelchina caribou are present in Unit 11. ~~No Federal open season~~ May be announced

One bull caribou by Federal permit for Federally qualified subsistence users identified through a Section 804 subsistence user prioritization analysis.

Existing State Regulation

Unit 11—Caribou

No open season

Extent of Federal Public Lands/Waters

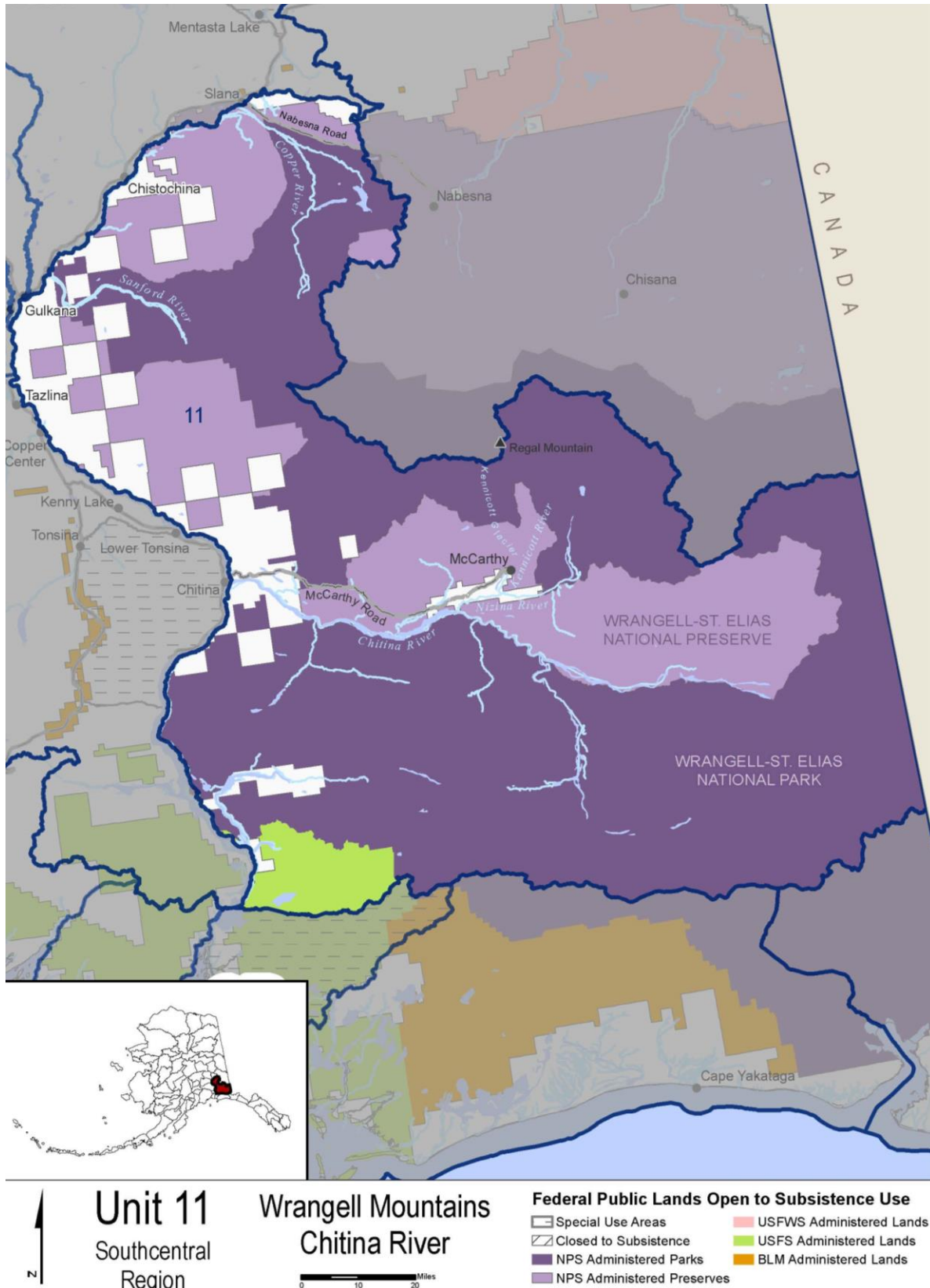
Unit 11 is comprised of 86.8% Federal public lands and consist of 83.5% National Park Service (NPS) managed lands, 3.2% U.S. Forest Service (USFS) managed lands, and 0.1% Bureau of Land Management (BLM) managed lands (**Map 1**).

Customary and Traditional Use Determinations

Rural residents of Units 11, 12, 13A-D, Chickaloon, Healy Lake and Dot Lake have a customary and traditional use determination for caribou in Unit 11, north of the Sanford River.

Rural residents of Units 11, 13A-D, and Chickaloon have a customary and traditional use determination for caribou in Unit 11, remainder.

Under the guidelines of Alaska National Interest Lands Conservation Act (ANILCA), National Park Service regulations identify qualified local rural subsistence users in National Parks and National Monuments by: (1) identifying Resident Zone Communities that include a significant concentration of people who have customarily and traditionally used subsistence resources on park lands; and (2) identifying and issuing subsistence use (13.440) permits to individuals residing outside of the Resident Zone Communities who have a personal or family history of subsistence use within the park or monument.



Map 1. Unit 11

Regulatory History

There has not been a Federal season for caribou hunting in Unit 11 for most of the last three decades, and there have been few proposals to establish one. In 1993, Proposal P93-94 was adopted by the Federal Subsistence Board (Board) to close Federal public lands to caribou hunting in Unit 11. The combination of low caribou numbers and low recruitment were direct indicators of a continuing conservation concern which warranted protection of the small MECH population. Under ANILCA Section 815(3), restricting the taking of fish and wildlife on Federal public lands can be authorized if necessary, for the conservation of healthy populations.

In 1996, Proposal 96-17 submitted by the NPS proposed establishing a limited caribou hunt (15-bull quota) based on the objectives of the Mentasta Caribou Herd Cooperative Management Plan (1995), which was signed by Wrangell-St. Elias National Park and Preserve (WRST), the Alaska Department of Fish and Game (ADF&G), and Tetlin National Wildlife Refuge (NWR). The cooperative plan was also endorsed by both the Southcentral and Eastern Interior Alaska Subsistence Regional Advisory Councils (Councils). The management objectives in the cooperative plan were based on productivity and not the population size. Therefore, the cooperative plan called for establishing a limited hunt despite a declining population due to increased productivity. The Board adopted Proposal P96-17 with modification to reopen the caribou season only to residents of Chitina, Chistochina, Copper Center, Gakona, Gulkana, Mentasta, and Tazlina with a quota of 15 bulls. These communities were identified consistent with the requirements of ANILCA Section 804.

In 1998, Proposal P98-023 was adopted by the Board to close all caribou hunting within Unit 11 because calf recruitment was below the management objectives stated in the Mentasta Caribou Herd Cooperative Management Plan (1995). ADF&G supported the closure because the State season for Mentasta caribou in this area had been closed for several years.

In 2012, the Board rejected Proposal WP12-23, which requested to establish a season of October 21-March 31 for caribou in the portion of Unit 11 within WRST. The Board rejected the proposal because of cited conservation concerns for the MECH, including chronically low numbers, low recruitment, and concerns about incidental take.

Also, in 2012, Proposal WP12-24 submitted by Cheesh' Na Tribal Council was rejected by the Board to establish a season for one bull caribou from Aug. 1– Sept. 30 in Unit 11 by Federal registration permit. The rejection cited conservation concerns for the Mentasta Caribou Herd.

Biological Background

Caribou in Unit 11 may be part of the NCH or MECH as the ranges of these herds overlap (**Map 2**). NCH and MECH are considered distinct herds because females calve in separate areas, although the herds mix during some breeding seasons, resulting in male-mediated gene flow (Roffler et al. 2012). Therefore, the Nelchina and Mentasta herds function as a genetic metapopulation, although Nelchina and Mentasta cows have discrete mitochondrial DNA (Roffler et al. 2012).

Nelchina Caribou Herd

The NCH calving grounds and summer range lie within Unit 13. The rut also generally occurs within Unit 13. About 60-95% of the NCH overwinters in Unit 20E, although Nelchina caribou also overwinter in Unit 12 and across northern portions of Units 13 and 11 (Schwanke and Robbins 2013). Wintering areas vary widely from year to year. Sometimes the herd splits into 2 or 3 groups to winter in different areas (Hatcher 2021 pers. comm.). The Nelchina herd range overlaps the Mentasta herd range in Units 20E, 12, and the northern portion of Unit 11 (**Map 2**). The number of Nelchina bulls overwintering in Unit 11 as well as the timing of their arrival/departure into the unit varies from year to year. (Putera 2021, pers. comm.). Winter competition with the Fortymile caribou herd (FCH) in Unit 20E may be impacting the NCH and range conditions. While the location and timing of the NCH calving grounds in Unit 13 remain static, use of other seasonal ranges varies with resource availability and snow cover (Schwanke and Robbins 2013).

State management goals and objectives for the NCH are based on the principle of sustained yield and are as follows (Schwanke and Robbins 2013):

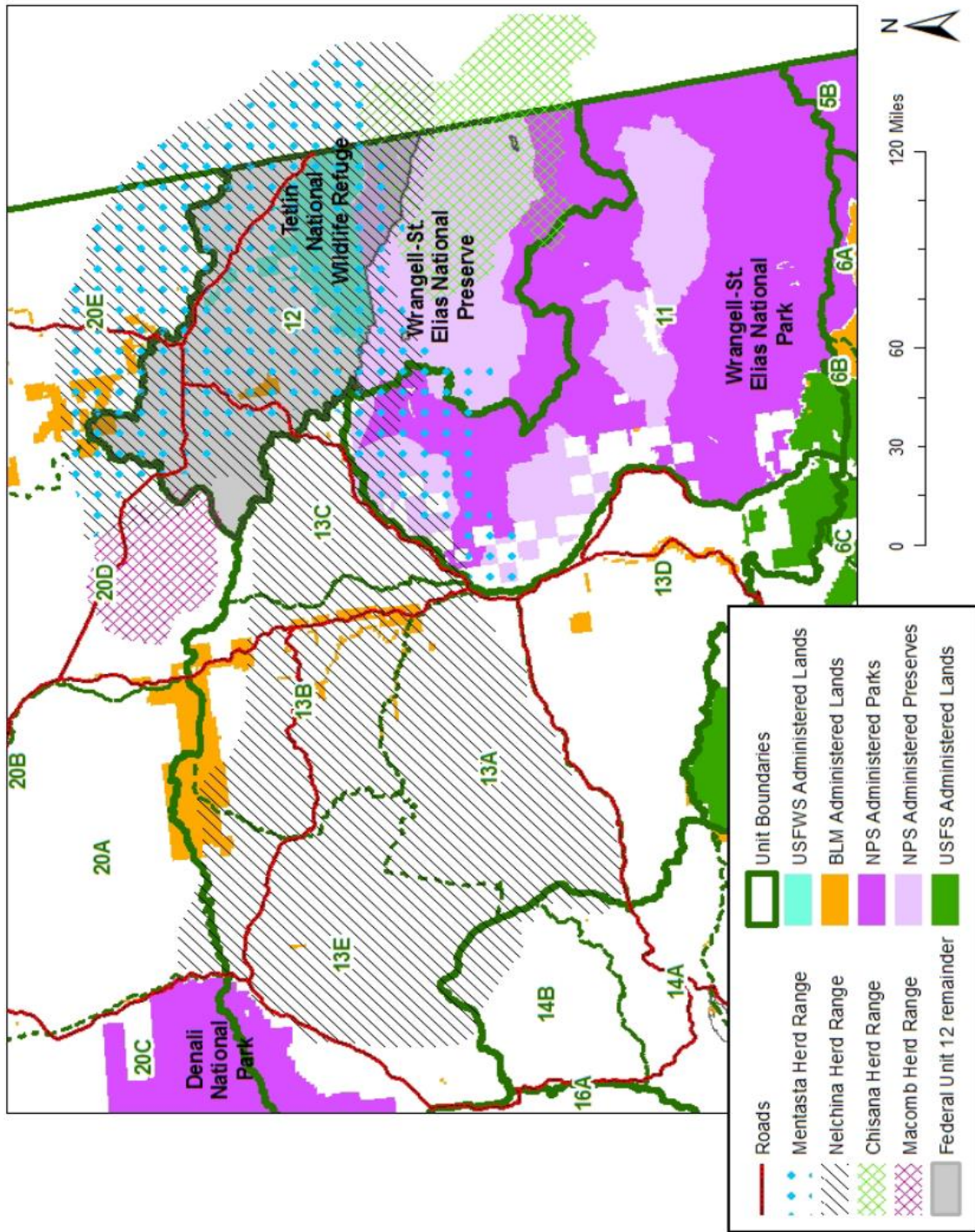
- Maintain a fall population of 35,000–40,000 caribou, with a minimum of 40 bulls:100 cows and 40 calves:100 cows.
- Provide for the annual harvest of 3,000–6,000 caribou.

The State manages the NCH for maximum sustained yield, principally by annual adjustments in harvest quotas. The population of the NCH has fluctuated over time, influenced primarily by harvest (Schwanke and Robbins 2013). Between 2003 and 2019, the NCH population ranged from 31,114 to 53,500 caribou and averaged 40,888 caribou. However, the herd exceeded State population objectives from 2010 to 2017 and in 2019 (**Table 1**). Reduced predation resulting from intensive wolf management programs intended to benefit moose in Unit 13 and the FCH in Units 12 and 20 may have contributed to NCH population increases (Schwanke and Robbins 2013, ADF&G 2021).

The population has fluctuated since climbing to 41,400 animals in 2017 (Rinaldi pers. comm. 2019 as cited in OSM 2020a). In October 2018, the NCH was estimated to be 33,229, which is below the lower State population objective (Hatcher 2020, pers. comm. as cited in OSM 2020a). A combination of liberal hunts throughout their range, severe winter conditions in the eastern part of their range that resulted in high over-winter mortality, emigration of some animals to the FCH, and lower than anticipated productivity reduced the NCH population (Rinaldi pers. comm. 2019 as cited in OSM 2020a). The summer of 2019, the NCH minimum population estimate increased to 53,500 caribou (ADF&G 2019 as cited in OSM 2020a). In October 2019, the population estimate was 46,528 caribou (BLM 2020 as cited in OSM 2020a).

Bull:cow and calf:cow ratios have similarly fluctuated over time. Between 2001 and 2018, the fall bull:cow ratio ranged from 24–64 bulls:100 cows and averaged 40.2 bulls:100 cows. Over the same time period, the fall calf:cow ratio ranged from 19–55 calves:100 cows and averaged 39.1 calves:100 cows (**Table 1**).

From 2008 to 2012, below average fall calf weights and low parturition rates for 3-year-old cows suggested nutritional stress, raising concern for the health of NCH population (Schwanke and Robbins 2013). Schwanke and Robbins (2013) cautioned that without a timely reduction in the NCH population, range quality and long-term herd stability may be compromised.



Map 2. Caribou heard map for Eastern Interior and South Central Alaska

Table 1. Population size and composition of the Nelchina caribou herd (Tobey and Kelleyhouse 2007; ADF&G 2008, 2010, 2018, 2021; Schwanke 2011; Schwanke and Robbins 2013; Robbins 2015, 2016a, 2016b, 2017, pers. comm. as cited in OSM 2020a; Rinaldi 2019, pers. comm. as cited in OSM 2020a; Hatcher 2021, pers. comm.).

Year	Total bulls:100 cows ^a	Calves:100 cows ^a	Summer Population Estimates ^b	Fall Herd Estimates ^d
2003	31	35	31,114	30,141
2004	31	45	38,961	36,677
2005	36	41	36,993	36,428
2006	23 ^c	40 ^c	-	-
2007	34	35	33,744	32,569
2008	39 ^c	40 ^c	-	33,288 ^c
2009	42	29	33,146	33,837
2010	64	55	44,954	48,653
2011	58	45	40,915	41,394
2012	57	31	46,496	50,646
2013	30	19	40,121	37,257
2014	42	45	-	-
2015	36	45	48,700	46,816
2016	57	48	46,673	46,673
2017	35 ^c	35 ^c	-	41,411 ^c
2018	40	20	35,703	33,229
2019	32	41	53,500	46,528
2020	28 ^c	17 ^c	-	35,000 ^c
Average	40	37	40,888	39,409

^a Fall Composition Counts

^b Summer photocensus

^c Modeled estimate

^d Estimates are derived from summer minimum count data, combined with fall harvest and fall composition survey data.

Mentasta Caribou Herd

The MECH, the primary herd within Unit 11, calves and summers within the upper Copper River Basin and the northern and western flanks of the Wrangell Mountains within WRST (OSM 2018, MECH Mgmt. Plan 1995, **Map 2**). A portion of the MECH disperses across Unit 12 and southern Unit 20E in winter, often intermingling with the NCH (MECH Mgmt. Plan 1995). Barten et al. (2001) found that parturient female caribou from the Mentasta herd used birth sites that lowered the risk of predation and traded-off forage abundance for increased safety. Minimizing risk of predation of neonates may result in ungulates selecting habitats that compromise their ability to optimize foraging (Bowyer et al. 1999, Barten et al. 2001). Female Mentasta herd caribou used sites at higher elevations with sub-optimal forage, presumably to avoid predators, and, when <10 day old neonates were lost, females descended from the higher elevations to join other nonparturient females. In addition, females with neonates >10 days old also descended to join the larger group of females, which coincides with moving out of the riskiest period of predation on ungulate neonates (Adams et al. 1995a).

In 1995, Federal and State biologists completed the Mentasta Herd Cooperative Management Plan, which specifies the following management objectives (MECH Mgmt. Plan 1995):

- To the extent possible, allow for human harvest that will have minimal effects on the production, composition, and abundance of Mentasta caribou.
- To provide harvest priority to Federally eligible subsistence users and to allow State authorized hunting to occur whenever possible.
- To monitor the herd demographics and harvest such that all pertinent data on the health of the herd are collected and disseminated to all agencies and citizens concerned with their management.

The MECH Cooperative Management Plan 1995 states “an annual fall harvest quota will be established between 15 and 20 percent of the previous 2-year mean calf recruitment as long as such recruitment is at least 80 calves. In addition, at population levels below 2,000 the harvest limit will be limited to “bulls only” and will be closed if the 2-year mean bull:cow ratio drops below 35 bulls:100 cows.” When fall annual quotas are greater than 70 caribou, both non-Federally and Federally qualified users are allowed to hunt the MECH during the fall season. When the fall annual quota falls below 70 caribou, only Federally qualified users are allowed to hunt the MECH during the fall season. Below a quota of 30 caribou, a Section 804 analysis will determine the allocation of permits among the Federally qualified subsistence users.

Since 2000, managers at the Tetlin NWR and WRST have used a 20:1 mixing ratio of Nelchina caribou to Mentasta caribou as the minimum threshold for considering winter season openings in Unit 12. The location and movement of NCH and MECH are monitored using aerial surveys of radio-collared caribou as well as information received remotely from satellite collars in recent years. This information is used to determine a reliable mixing ratio of the MECH with the NCH. In 2016 and 2017 the number of active collars in the MECH declined to 10 which was too few to adequately determine a reliable mixing ratio with the NCH. In 2018-19, staff from the WRST and ADF&G deployed an

additional 20 GPS/Satellite in the MECH. (Putera 2021, pers. comm.). ADF&G has also deployed a number of GPS/Satellite collars in the NCH.

The MECH population declined from an estimated 3,160 caribou in 1987 to an estimated 479 caribou in 2019 (**Table 2**). The fall population estimate in 2020 was 1150 caribou, however the increase from 2019 is not explained by calf production the previous year but may be due in part to Nelchina caribou returning late from their winter range. Some of these late returning caribou may have failed to migrate back to their traditional calving grounds, remaining within the Mentasta summer range. This theory is supported by the presence of 3 radio collared Nelchina caribou in the Mentasta caribou summer range. The number of caribou observed during the 2021 Mentasta caribou June census dropped back to levels observed in 2019. This supports the temporary presence of Nelchina caribou in the Mentasta caribou summer range in 2020. However, one radio collared Nelchina cow was present during the 2021 June census (Putera 2021, pers. comm.).

The extremely low calf :cow ratio of 2-6 calves: 100 cows from 1991 to 1993 (OSM 1992) resulted in a complete failure of fall recruitment of young in the MECH (Jenkins and Barton 2005). Dale (2000) postulated that this may have been due to poor body condition from poor forage quality in the summer. Poor forage quality in the summer can cause cow caribou to skip a breeding season to regain body condition due to being nutritionally stressed. The resulting decrease in body condition in female caribou can have a negative effect on productivity by causing lower weight gain or survival in calves (Crete and Huot 1993, Dale 2000).

Between 1990 and 1997, Jenkins and Barten (2005) confirmed predation, particularly by gray wolves and grizzly bears, as the proximate cause of the MECH population decline. Grizzly bears were the primary predators of neonates and gray wolves mostly preyed on older juvenile caribou. The combined predation by bears and wolves was 86% during the neonate and summer periods. In comparison, predation of calves in the Denali Caribou Herd from 1984 to 1987 by wolves and bears, during the same time period, was only 53% (Adams et al. 1995b). Factors such as the timing of birth and habitat at the birth site, particularly snow patterns, affected the vulnerability and survival of neonates, and birth mass affected the survival of juveniles through summer (Jenkins and Barten 2005). The MECH declined at the greatest rate from 1990-1993 compared to 1994-1997. Winter severity was postulated to decrease the birth mass of neonates and, thus, the survival and vulnerability of neonates and juveniles (Jenkins and Barton 2005).

The MECH population has remained stable at relatively low levels since 2004 as evidenced by low calf survival (Putera 2021, pers. comm.). Between 1987 and 2020, the bull:cow ratio has fluctuated widely (Putera 2019), ranging from 35-124 bulls:100 cows and averaging 65 bulls:100 cows. June and fall calf:cow ratios fluctuated over the same time period, ranging from 1-38 calves:100 cows and 0-33 calves:100 cows, respectively (**Table 2**, OSM 2018). Low calf survival and high cow mortality from 1987 and 2009 were the primary causes for the population declines in the MECH. The number of cows observed during the fall surveys declined from 2,065 in 1987 to 79 in 2009 (OSM 2012).

Fall surveys conducted within the same 23-year period also revealed severe declines in total observed Mentasta bulls from 847 bulls in 1987 to 40 bulls in the fall 2011 survey. Since 2011, the number of Mentasta bulls has slightly rebounded to 70 bulls observed in the fall 2020 survey (**Table 2**). Although observed fall bull:cow ratios appear high, the number of cows observed is small and the bull component likely includes a number of Nelchina bulls. While Nelchina bulls have wintered within the range of the Mentasta herd (OSM 2018), the range of the Nelchina herd has varied widely due to lichen availability within their traditional area (Collins et al. 2011). Thus, there is limited ability to predict the extent or frequency of mixing between Nelchina and Mentasta bulls, and it is impossible to discern whether the harvest of a bull would be from the Nelchina or Mentasta herd.

Higher numbers of adult bulls in the population are important as it helps maintain synchrony in parturition. Holand et al. (2003) showed that a skewed sex ratio and increased young male age structure of reindeer could result in fewer adult females conceiving during the first estrous cycle due to their hesitation to mate with young bulls. Maintaining synchrony in parturition also provides increased survival chances for calves since parturition is typically timed with the start of plant growth (Bergerud 2000). Late-born offspring have been shown to have lower body mass than caribou offspring produced earlier in the season (Holand et al. 2003), which can lead to lower juvenile survival rates due to density dependent factors of winter food limitation (Skogland 1985) and deep snows (Bergerud 2000).

The term ecotype designates populations of the same species that evolved different demographic and behavioral adaptations to cope with specific ecological constraints. The MECH is considered a sedentary and low-density ecotype (Bergerud 1996, Hinkes et al. 2005) thus, more susceptible to extreme random events versus a migratory and high density ecotype, such as the Nelchina. A key factor in distinguishing between two ecotypes is whether animals were dispersed or aggregated when young were born (Seip 1991, Bergerud 2000). The chronic low calf survival and recruitment for Mentasta caribou could make random environmental events a primary driver for a more severe population decline (Tews et al. 2006). Increased winter mortality due to icing events may result in malnutrition and starvation for more susceptible calves and bulls with depleted energy reserves following the rut (Dau 2011, Miller and Gunn 2003). Bull caribou die at a higher rate than cows due to greater energy demands during early winter rutting activities, which greatly reduce their body reserves (Russell et al. 1993, Miller and Gunn 2003).

Table 2 Population size and composition of the Mentasta Caribou Herd (OSM 2012c, 2018; FWS 2018, OSM 2020b., Putera 2021).

Year	June Calves:100 Cows ^a	Fall Cows	Fall Calves	Fall Bulls	Fall Calves: 100 cows	Fall Bulls: 100 cows ^b	Fall Population Estimate ^c
1987	18	2,065	248	847	12	41	3,160
1988	34	1,540	277	662	18	43	2,480
1989	31	1,615	727	258	16	45	2,600
1990	-	-	-	-	-	-	-
1991	3	1,347	27	566	2	42	1,940
1992	16	973	58	399	6	41	1,430
1993	9	683	27	260	4	38	970
1994	19	591	65	224	11	38	880
1995	26	541	119	189	22	35	850
1996	16	534	59	187	11 ^d	35 ^d	780
1997	15	432	23	159	5	40	610
1998	13	350	35	150	10	42	540
1999	13	230	22	177	10	77	430
2000	1	297	0	175	0	59	470
2001	11	228	12	150	5	66	586
2002	21	190	55	86	29	45	410
2003	17	223	38	101	16	46	522
2004	8	-	-	-	5 ^e	-	293 ^f
2005	23	113	17	78	15	69	261
2006	-	66	20	51	30	77	-
2007	23	93	27	72	29	77	280
2008	14	89	18	65	20	73	319
2009	12	79	8	68	10	86	421
2010	25	88	22	106	25	120	336
2011	-	101	29	40	29	40	-
2012	-	58	20	49	34	84	-
2013	38	88	20	68	23	77	512
2014	-	-	-	-	-	-	-
2015	-	60	20	44	33	73	-
2016	-	54	18	77	33	124	-
2017	11	91	18	79	18	87	389
2018	10	72	16	66	22	92	470
2019	18	113	29	100	26	95	479
2020	6	98	18	75	18	77	1150

^aPrior to 2001, ratios obtained by helicopter. After 2001, includes small bulls that are indistinguishable from cows during fixed-wing flights.

^bObserved high bull:cow ratios likely due to presence of Nelchina bulls.

^cPopulation estimates between 2000 and 2020 are based on a June census of cows corrected for sightability, the fall calf:cow and bull:cow ratio, with 2005-2020 based on a fall ratio of 30 bulls:100 cows. The 2020 estimates includes Nelchina caribou in the summer range.

^d1996 fall composition count was not conducted, because of early mixing with the NCH. Fall calf/cow was estimated from postcalving calf/cow ratio and survival radio-collared cows(0.70; 30 Jun–30 Sep).

^e2004 Fall composition count was not conducted due to budget restraints. Fall calf/cow ratio estimated from post-calving calf:cow ratio and average (1987-2003) calf survivorship (0.63).

^f2004 population estimate is based on extrapolation from June census, adjusted for average calf survivorship and average bull ratios.

Harvest History

Nelchina Caribou Herd

The NCH is a popular herd to hunt and experiences heavy harvest pressure due to its road accessibility and proximity to Fairbanks and Anchorage. The population limits is attempted to be controlled solely by human harvest, and harvest quotas are adjusted annually in order to achieve State management objectives (Hatcher 2021 pers. comm., Schwanke and Robbins 2013). Over 95% of the NCH harvest occurs in Unit 13. Between 2001 and 2019, harvest from the NCH under State regulations ranged from 793–5,785 caribou/year and averaged 2,334 caribou/year (Robbins 2017, pers. comm. as cited in OSM 2020a, ADF&G 2021). Over the same time period, caribou harvest under Federal regulations for Units 12 and 13 combined ranged from 237–610 caribou/year and averaged 421 caribou/year (OSM 2021).

Mentasta Caribou Herd

The total harvest reported between 1977 and 1989 was 1,294 caribou. Annual harvest ranged from 149 animals harvested in 1977 to 45 animals in 1989 (ADF&G 1993). The average annual harvest for the 13-year period was 100 caribou (ADF&G 1993). Harvest success rates decreased from 43% in 1977 to 19% in 1989. The hunting season for the MECH was closed from 1992 through 1995. There was a small Federal subsistence harvest from 1996–1998 due to management objectives being met for calf production and recruitment (MECH Cooperative Management Plan 1995). Harvest in the 1996/97 season was one caribou with 15 permits issued. In the 1997/98 season, 12 permits were issued but no harvest was reported for caribou.

There has been no reported harvest from the MECH since 1998 as there has been no State or Federal season for caribou in Unit 11. However, some incidental harvest of Mentasta caribou may take place during winter hunts targeting the NCH in areas of herd overlap in the adjacent units. While the MECH management plan does not specify an appropriate mixing ratio, the 20:1 ratio has been used in the adjacent units to determine winter season openings by the Board since at least 2000 (OSM 2000). The MECH management plan suggests that incidental harvest of Mentasta caribou is usually minimal (MECH Cooperative Management Plan 1995).

Other Alternatives Considered

One alternative considered is to grant delegate authority to the WRST superintendent, to announce season dates, harvest quotas, and the number of permits to be issued; to define harvest areas; and to open and close the season for caribou on Federally public lands in Unit 11. The timing and numbers of the NCH migrating through or wintering in Unit 11 varies year to year and in some years Nelchina caribou are not present in Unit 11. Granting delegated authority to the WRST superintendent would allow harvest and seasons to reflect when the NCH is present and allow use of most current biological data to minimize incidental harvest of Mentasta caribou, while providing for subsistence opportunity.

A delegation to define harvest areas would facilitate opening areas of Unit 11 to harvest where the caribou present are primarily from the Nelchina herd, while avoiding areas with concentrated numbers of Mentasta caribou.

Effects of the Proposal

If this proposal is adopted, the additional harvest is unlikely to have any biological effect on the NCH. However, impacts to the MECH are a conservation concern and deters from the principles in the MECH management plan. The MECH has fallen short over the past 25 years of any metric that would support opening a season. The MECH Cooperative Management Plan (1995) states “an annual fall harvest quota will be established between 15 and 20 percent of the previous 2-year mean calf recruitment as long as such recruitment is at least 80 calves.” This metric has not been met for the MECH since 1996. Total calf counts in the fall has averaged around 20 for the last 15 years, far below the metric of 80 calves. The MECH population has leveled off at a lower level than planned through the MECH management Plan 1995. Current low population numbers are indicative of poor recruitment and low survival rates among cohorts within the population. An increased opportunity for incidental harvest could further exacerbate the decline of a population that is currently of conservation concern.

If Proposal WP22-35 is adopted, it would allow a harvest of caribou when the NCH migrates through Unit 11, providing increased subsistence hunting opportunity. While the MECH mixes with the Nelchina herd during migration and over winter, exact numbers and mixing ratios are unknown, which hampers management. The timing of this migration differs from year to year, and the number of Nelchina bulls that mix with the MECH within Unit 11 also varies. It is not possible to visually discern which herd an individual bull may be from. Therefore, incidental harvest of individuals from a population with chronically low productivity is likely, which would have detrimental effects on the MECH. Harvesting MECH caribou to the point where recovery is difficult would ultimately affect subsistence users in the long-term. Based on participation and harvest by Federally qualified subsistence users from 1996-1998, when a very limited open Federal caribou season occurred in Unit 11, harvest from a Unit 11 caribou hunt might be expected to be very low. However, if Nelchina caribou are easily accessible along the Nabesna Road, hunting effort and harvest could be higher than was experienced in 1996-1998.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-35 **with modification** to delegate authority to the WRST superintendent to announce season dates, harvest quotas, and the number of permits to be issued; to define harvest areas; and to open and close the season via a delegation of authority letter only (**Appendix 1**).

The modified regulation should read:

Unit 11—Caribou

One bull by Federal registration permit

No Federal open season

May be announced

Justification

The MECH currently exists in low numbers and their occupation of summer and winter ranges results in small groups distributed as a fragmented population. Because of this, total numbers and composition can be significantly affected by sightability when searching for small groups of caribou over vast terrain. Mixing of Nelchina and Mentasta caribou bulls makes interpreting fall composition surveys difficult. There is limited ability to predict the extent, timing, or frequency of mixing between the two herds and it would be impossible to discern whether the bull was from the Mentasta herd or the Nelchina herd. The possibility of increased winter mortality due to icing events may result in malnutrition and starvation for more susceptible bulls with depleted energy reserves following the rut, furthering the decline of the Mentasta caribou population. In addition, calf production and survival remain critically low and have resulted in low numbers of adult cows and bulls observed during the fall population surveys. Calf production and recruitment in particular remains below the management objective of a running two-year mean calf recruitment greater than 80 calves, as stated in the Mentasta Caribou Herd Cooperative Management Plan 1995. These declines are indicative of low production, poor recruitment, and low survival rates among cohorts within the population.

The timing and mixing rate of the two herds is variable and inconsistent year to year. WRST, in coordination with ADF&G with the use of delegated authority would be able to identify when the NCH are in Unit 11 and allow harvest at times, locations, and levels when there would be minimal potential of incidental harvest of MECH.

LITERATURE CITED

Adams, L. G., F.J. Singer, and B.W. Dale. 1995a. Caribou calf mortality in Denali National Park, Alaska. *Journal of Wildlife Management* 59:584-594.

Adams, L.G., B.W. Dale, B. Shults, and L.D. Mech. 1995b. Wolf predation on caribou calves in Denali National Park, Alaska. in *Ecology and conservation of wolves in a changing world*. Eds. S.H. Fritz, and D.R. Seip. Occasional Publications No. 35., Canadian Circumpolar Institute, University of Alberta, Edmonton. Pp. 245-260.

ADF&G. 1993. Annual Performance Report of Surveys-Inventory Activities, 1 July 1992–30 June 1993 Caribou. November 1993. Division of Wildlife Conservation, Alaska Department of Fish and Game. Juneau, AK. Pages 6–7.

ADF&G. 2008. Caribou Annual Survey and Inventory. Federal Aid Annual Performance Report Grant W-33-6, Anchorage, AK.

ADF&G. 2010. Game Management Unit 13: Nelchina Caribou Herd Report. ADF&G. Glennallen, AK.

- ADF&G. 2018. News Release: 04-07-18 – Winter Seasons closed for the Nelchina Caribou Hunts RC561, RC562, and DC485. ADF&G, Glennallen, AK.
- ADF&G. 2021. General harvest reports. <https://secure.wildlife.alaska.gov/index.cfm>. Retrieved: June 5, 2021.
- Barten, N.L., R.T. Bowyer, and K.J. Jenkins. 2001. Habitat use by female caribou: tradeoffs associated with parturition. *Journal of Wildlife Management* 65:77-92.
- Bergerud, A.T. 1996. Evolving perspectives on caribou population dynamics, have we got it right yet? *Rangifer* 9:95–115.
- Bergerud, A.T. 2000. Caribou. Pages 658–693 in S. Demarais and P.R. Krausman, editors. *Ecology and Management of Large Mammals in North America*. Prentice Hall Press. Upper saddle River, NJ. 778 pages.
- Bowyer, R.T., V. Van Ballenberghe, J.G. Kie, and J.A.K. Maier. 1999. Birth-site selection in Alaska moose: maternal strategies for coping with a risky environment. *Journal of Mammalogy* 80: 1070-1083.
- Collins, W.B., B.W. Dale, L.G. Adams, D.E. McElwain, and K. Joly. 2011. Fire, grazing history, lichen abundance, and winter distribution of caribou in Alaska’s Taiga. *Journal of Wildlife Management* 75:369-377.
- Crete, M. and J. Huot. 1993. Regulation of a large herd of caribou: Summer nutrition affects calf growth and body reserves of dams. *Canadian Journal of Zoology* 71:2291-2296.
- Dale, B. 2000. The influence of seasonal spatial distribution on growth and age of first reproduction of Nelchina caribou with comparisons to the Mentasta herd, Research Performance Report. 1 July 1999 – 30 June 2000. Federal Aid Annual Performance Report Grant W-27-3. Study 3.44. Anchorage, AK.
- Dau, J. 2011. Units 21D, 22A, 22B, 22C, 22D, 22E, 232, 24, and 26A caribou management report Pages 187-250 in P.Harper, editor. Caribou management report of survey and inventory activities 1 July 2008-30 June 2010. ADF&G, Juneau, AK.
- FWS. 2018. Harvest database. Office of Subsistence Management, USFWS, Anchorage, AK.
- Hatcher, H. 2021. Wildlife Biologist. Personal communication: e-mail. ADF&G. Glennallen, AK.
- Hinkes, M.T., G.H. Collins, L.J. Van Daele, S.D. Kovach, A.R. Aderman, J.D. Woolington, R.J. Seavoy. 2005. Influence of Population Growth on Caribou Herd Identity, Calving Ground Fidelity, and Behavior. *Journal of Wildlife Management* 69(3):1147–1162.
- Holand, O., K.H. Roed, A. Mysterud, J. Kumpula, M. Nieminen, and M.E. Smith. 2003. The effect of sex ratio and male age structure on reindeer calving. *Journal of the Wildlife Management* 67:25-33.
- Jenkins, K.J., and N.L. Barten. 2005. Demography and decline of the Mentasta caribou herd in Alaska. *Canadian Journal of Zoology*. 83: 1174-1188.
- Mentasta Caribou Herd Cooperative Management Plan. 1995. Wrangell St.-Elias National Park and Preserve, Glennallen, AK 17 pp.

Miller, F.L. and A. Gunn. 2003. Catastrophic Die-off of Peary Caribou on the Western Queen Elizabeth Islands, Canadian High Arctic. *Arctic* 56:381–390.

OSM 1992. Staff analysis P92-18. Pages 94-95 in Federal Subsistence Board Meeting Materials April 6–10, 1992. Office of Subsistence Management, FWS. Anchorage, AK. 1254 pp.

OSM. 2000. Staff analysis P00-59. Pages 628–638 in Federal Subsistence Board Meeting Materials May 2–4, 2000. Office of Subsistence Management, FWS. Anchorage, AK. 661 pp.

OSM. 2012. Staff analysis WP12-24. Pages 575–588 in Federal Subsistence Board Meeting Materials January 17–20, 2012. Office of Subsistence Management, FWS. Anchorage, AK. 1021 pp.

OSM 2018. Staff analysis WP18-54. Pages 1195-1227 in Federal Subsistence Board Meeting Materials April 10-13, 2018. Office of Subsistence Management, FWS, Anchorage, AK 1488 pp.

OSM. 2020a. Staff analysis WSA20-02. Office of Subsistence Management, FWS. Anchorage, AK.

OSM. 2020b. Staff analysis WCR20-42. Office of Subsistence Management, FWS. Anchorage, AK.

OSM. 2021. Federal permits database. Office of Subsistence Management, USFWS. Anchorage, AK. Accessed June 15, 2021.

Putera, J. 2019. Wrangell-St. Elias National Park and Preserve Fall 2019 Wildlife Report. Wrangell-St. Elias National Park and Preserve, Copper Center, AK. 4 pp.

Putera, J. 2021. Wildlife Biologist. Personal communication: e-mail, phone Wrangell-St. Elias National Park and Preserve. Copper Center, AK.

Roffler, G.H., L.G. Adams, S.L. Talbot, G.K. Sage, and B.W. Dale. 2012. Range overlap and individual movements during breeding season influence genetic relationships of caribou herds in south-central Alaska. *Journal of Mammalogy* 93(5): 1318-1330.

Russell, D.E., A.M. Martell, and W.A.C. Nixon. 1993. Range ecology of the Porcupine Caribou Herd in Canada. *Rangifer* Special Issue 8:1– 167.

Schwanke, R.A. 2011. Unit 13 and 14B caribou management report. Pages 90-108 in P. Harper, editor. Caribou management report of survey and inventory activities 1 July 2008 –30 June 2010. ADF&G. Juneau, AK.

Schwanke, R.A. and W.F. Robbins. 2013. Unit 13 and 14B caribou management report. Pages 104-124 in P. Harper, editor. Caribou management report of survey and inventory activities 1 July 2010 –30 June 2012. ADF&G. ADF&G/DWC/SMR-2013-3, Juneau, AK.

Seip, D.R. 1991. Predation and caribou populations. *Rangifer* 7:46–72.

Skogland, T. 1985. The effects of density-dependent resource limitations on the demography of wild reindeer. *Journal of Animal Ecology* 54:359–374.

Tews, J., M.A.D. Ferguson, and L. Fahrig. 2006. Potential net effects of climate change on High Arctic Peary caribou: Lessons from a spatially explicit simulation model. *Ecological Modelling* 207:85–98.

Tobey, B. and R. Kelleyhouse. 2007. Units 13 and 14B caribou management report. Pages 83-99 *in* P. Harper, editor. Caribou management report of survey and inventory activities 1 July 2004-30 June 2006. ADF&G. Juneau, AK.

Appendix 1

Wrangell-St. Elias National Park and Preserve
National Park Service
PO Box 439
Copper Center, AK 99573

Dear Superintendent:

This letter delegates specific regulatory authority from the Federal Subsistence Board (Board) to the superintendent of the Wrangell-St. Elias National Park and Preserve (WRST) to issue emergency or temporary special actions if necessary to ensure the conservation of a healthy wildlife population, to continue subsistence uses of wildlife, for reasons of public safety, or to assure the continued viability of a wildlife population. This delegation only applies to the Federal public lands subject to Alaska National Interest Lands Conservation Act (ANILCA) Title VIII jurisdiction within Unit 11 for the management of caribou on these lands.

It is the intent of the Board that actions related to management of caribou by Federal officials be coordinated, prior to implementation, with the Alaska Department of Fish and Game (ADF&G), representatives of the Office of Subsistence Management (OSM), and the Chair(s) of the affected Council(s) to the extent possible. The Office of Subsistence Management will be used by managers to facilitate communication of actions and to ensure proposed actions are technically and administratively aligned with legal mandates and policies. Federal managers are expected to work with managers from the State and other Federal agencies, the Council Chair or alternate, local tribes, and Alaska Native Corporations to minimize disruption to subsistence resource users and existing agency programs, consistent with the need for special action.

DELEGATION OF AUTHORITY

1. Delegation: The Wrangell-St. Elias National Park and Preserve Superintendent is hereby delegated authority to issue emergency or temporary special actions affecting caribou on Federal lands as outlined under the **Scope of Delegation**. Any action greater than 60 days in length (temporary special action) requires a public hearing before implementation. Special actions are governed by Federal regulation at 36 CFR 242.19 and 50 CFR 100.19.

2. Authority: This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6), which state: “The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board.”

3. Scope of Delegation: The regulatory authority hereby delegated is limited to the following authorities within the limits set by regulation at 36 CFR 242.26 and 50 CFR 100.26:

- To announce season dates, harvest quotas, and number of permits to be issued;
- To define harvest areas; and
- To close the Federal hunt early if the harvest quota is reached before the announced season closing date or Nelchina caribou are no longer present.

This delegation also permits you to close and reopen Federal public lands to nonsubsistence hunting, but does not permit you to specify permit requirements or harvest and possession limits for State-managed hunts.

This delegation may be exercised only when it is necessary to conserve caribou populations, to continue subsistence uses, for reasons of public safety, or to assure the continued viability of the populations. All other proposed changes to codified regulations, such as customary and traditional use determinations, shall be directed to the Board.

The Federal public lands subject to this delegated authority are those within Unit 11.

4. Effective Period: This delegation of authority is effective from the date of this letter and continues until superseded or rescinded.

5. Guidelines for Delegation: You will become familiar with the management history of the wildlife species relevant to this delegation in the region, with current State and Federal regulations and management plans, and be up-to-date on population and harvest status information. You will provide subsistence users in the region a local point of contact about Federal subsistence issues and regulations and facilitate a local liaison with State managers and other user groups.

You will review special action requests or situations that may require a special action and all supporting information to determine (1) consistency with 50 CFR 100.19 and 36 CFR 242.19, (2) if the request/situation falls within the scope of authority, (3) if significant conservation problems or subsistence harvest concerns are indicated, and (4) what the consequences of taking an action or no action may be on potentially affected Federally qualified subsistence users and non-Federally qualified users. Requests not within your delegated authority will be forwarded to the Board for consideration. You will maintain a record of all special action requests and rationale for your decision. A copy of this record will be provided to the Administrative Records Specialist in OSM no later than sixty days after development of the document.

For management decisions on special actions, consultation is not always possible, but to the extent practicable, two-way communication will take place before decisions are implemented. You will also establish meaningful and timely opportunities for government-to-government consultation related to pre-season and post-season management actions as established in the Board's Government-to-Government Tribal Consultation Policy (Federal Subsistence Board Government-to-Government Tribal Consultation Policy 2012 and Federal Subsistence Board Policy on Consultation with Alaska Native Claim Settlement Act Corporations 2015).

You will immediately notify the Board through the Assistant Regional Director for OSM, and coordinate with the Chair(s) or alternate of the affected Council(s), local ADF&G managers, and other affected Federal conservation unit managers concerning emergency and temporary special actions being considered. You will ensure that you have communicated with OSM to ensure the special action is aligned with ANILCA Title VIII, Federal Subsistence regulations and policy, and that the perspectives of the Chair(s) or alternate of the affected Council(s), OSM, and affected State and Federal managers have been fully considered in the review of the proposed special action.

If the timing of a regularly scheduled meeting of the affected Council(s) permits without incurring undue delay, you will seek Council recommendations on the proposed temporary special action(s). If the affected Council(s) provided a recommendation, and your action differs from that recommendation, you will provide an explanation in writing in accordance with 50 CFR 100.10(e)(1) and 36 CFR 242.10(e)(1).

You will issue decisions in a timely manner. Before the effective date of any decision, reasonable efforts will be made to notify the public, OSM, affected State and Federal managers, law enforcement personnel, and Council members. If an action is to supersede a State action not yet in effect, the decision will be communicated to the public, OSM, affected State and Federal managers, and the local Council members at least 24 hours before the State action would be effective. If a decision to take no action is made, you will notify the proponent of the request immediately. A summary of special action requests and your resultant actions must be provided to the coordinator of the appropriate Council(s) at the end of each calendar year for presentation to the Council(s).

You may defer a special action request, otherwise covered by this delegation of authority, to the Board in instances when the proposed management action will have a significant impact on a large number of Federal subsistence users or is particularly controversial. This option should be exercised judiciously and may be initiated only when sufficient time allows for it. Such deferrals should not be considered when immediate management actions are necessary for conservation purposes. The Board may determine that a special action request may best be handled by the Board, subsequently rescinding the delegated regulatory authority for the specific action only.

6. Support Services: Administrative support for regulatory actions will be provided by the Office of Subsistence Management.

Sincerely,

Anthony Christianson
Chair

Enclosures

cc: Federal Subsistence Board
Assistant Regional Director, Office of Subsistence Management
Deputy Assistant Regional Director, Office of Subsistence Management
Subsistence Policy Coordinator, Office of Subsistence Management
Wildlife Division Supervisor, Office of Subsistence Management
Coordinator, Southcentral Subsistence Regional Advisory Council, USDA – Forest Service
Chair, Southcentral Alaska Subsistence Regional Advisory Council
Chair, Eastern Interior Subsistence Regional Advisory Council
Deputy Commissioner, Alaska Department of Fish and Game
Special Project Coordinator, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record

WP22-36 Executive Summary

General Description	Proposal WP22-36 requests to codify temporary regulations that expire June 30, 2022, regarding the community harvest system for moose and caribou in Units 11, 12, and 13. <i>Submitted by the Ahtna Intertribal Resource Commission</i>
Proposed Regulation	See page 268
OSM Preliminary Conclusion	Support Proposal WP22-36 with modification to modify and clarify regulatory language. See page 279
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS WP22-36

ISSUE

Wildlife Proposal WP22-36, submitted by the Ahtna Intertribal Resource Commission (AITRC), requests modifications to community harvest systems for moose and caribou in Units 11, 12, and 13. These modifications are the following: (1) allow community members to opt out of a community harvest system thereby retaining their individual harvest limits; (2) define the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau; (3) specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management (OSM), rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; (4) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system; and (5) codify the community harvest systems for moose and caribou in Unit 12.

DISCUSSION

AITRC seeks to codify temporary Federal regulations approved by the Board in July 2020 (WSA20-02) and January 2021 (WSA21-07) concerning Federal community harvest frameworks for moose and caribou in Units 11, 12, and 13, stating that these proposed changes are necessary to fully implement the AITRC-administered community harvest system for caribou and moose in Units 11, 12, and 13. The proponent additionally states that these community harvest systems are a management partnership between the Federal government and the Federally recognized tribes of the Ahtna Traditional Use Territory.

Note: The analyses for Proposals WP22-01 and WP22-02 contain information used in evaluating this proposal.

The Board approved a community harvest system framework (see **Appendix 1**) in January 2021 as part of Special Action WSA21-07 (see Regulatory History section, below). This framework answers questions concerning how the community harvest system will affect hunting under State and Federal seasons and harvest limits and Federal and State permits and State harvest tickets.

Existing Federal Regulation

36 CFR 242 and 50 CFR 100.26(n)(11)(i) Unit 11 specific regulations

(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework to be established by the Federal Subsistence Board.

§____.26(n)(12)(i) Unit 12 specific regulations

No regulation

§____.26(n)(13)(iii) Unit 13 specific regulations

(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board.

Proposed Federal Regulation

§____.26(n)(11)(i) Unit 11 specific regulations

*(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework to be established by the Federal Subsistence Board. **Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system:***

- (1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) designated hunters are authorized in this community harvest system;*
- (3) community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system;*
- (4) harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

§____.26(n)(12)(i) Unit 12 specific regulations

*(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for caribou is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, subject to a framework established by the Federal Subsistence Board. **Animals taken by those opting to participate in this community harvest system do not count***

toward the harvest limits of any individuals who do not opt to participate in this community harvest system.

- (1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) designated hunters are authorized in this community harvest system;*
- (3) community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (4) harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

(E) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 remainder, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.

- (1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) designated hunters are authorized in this community harvest system;*
- (3) community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (4) harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

(F) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the

Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake and Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian Border, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.

- (1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) designated hunters are authorized in this community harvest system;*
- (3) community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (4) harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

§____.26(n)(13)(iii) Unit 13 specific regulations

(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.

- (1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) designated hunters are authorized in this community harvest system;*
- (3) community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (4) harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

State of Alaska Regulation

The following are State community harvest systems currently in use in Units 11, 12, and 13, the geographic area of focus in this analysis.

Unit 11—Moose

Unit 11 that portion east of the east bank of the Copper River upstream from and including the Slana River drainage [east of the east bank of the Slana River IN HANDY DANDY]—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken by Tier II permit in the entire community harvest area during the Aug. 10–Sept. 20 season, up to 350 Tier II permits may be issued.

Community Moose (CM) 300 Permit Aug. 10–Sept. 20

Unit 11 remainder—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken by Tier II permit in the entire community harvest area during the Aug. 10–Sept. 20 season, up to 350 Tier II permits may be issued.

Community Moose (CM) 300 Permit Aug. 10–Sept. 20

Unit 12—Moose

Unit 12 that portion including all drainages into the west bank of the Little Tok River, from its headwaters in Bear Valley at the intersection of the unit boundaries of Units 12 and 13 to its junction with the Tok River, and all drainages into the south bank of the Tok River from its junction with the Little Tok River to the Tok Glacier—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken in the entire community harvest area during the Aug. 24–28 and Sept. 8–17 seasons.

CM300 Permit Aug. 24–28 Sept. 8–17

Unit 13—Moose

Unit 13—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler

CM300 Permit Aug. 10–Sept. 20 Dec. 1–31

Unit 13—Moose

restrictions for other resident hunts in the same area may be taken by Tier II permit in the entire community harvest area during the Aug. 20 - Sept. 20 season, up to 350 Tier II permits may be issued;

Unit 13—Caribou

Unit 13—Two caribou by community harvest permit only; up to 400 caribou may be taken;

*Community Aug. 10–Sept. 20
Caribou Oct. 21–Mar. 31
(CC) 001
Permit*

Federal Public Lands

Unit 11 is comprised of 87% Federal public lands and consists of 96% National Park Service managed lands and 4% U.S. Fish and Wildlife Service managed lands.

Unit 12 is comprised of 60% Federal public lands and consists of 80% National Park Service managed lands, 18% U.S. Fish and Wildlife Service managed lands, and 2% Bureau of Land Management managed lands.

Unit 13 is comprised of 12% Federal public lands that consist of 49% National Park Service managed lands, 36% Bureau of Land Management managed land and 15% U.S. Fish and Wildlife Service managed lands.

Customary and Traditional Use Determination

Unit 11 Moose

Rural residents of Units 11, 12, 13A–D and Chickaloon, Healy Lake, and Dot Lake have a customary and traditional use determination for moose in Unit 11 north of the Sanford River.

Rural residents of Units 11 and 13A–D and Chickaloon have a customary and traditional use determination for moose in Unit 11 remainder.

Unit 12 Caribou

Rural residents of Unit 12, Chistochina, Dot Lake, Healy Lake, and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12.

Unit 12 Moose

Rural residents of Units 12 and 13C and Dot Lake and Healy Lake have a customary and traditional use determination for moose in Unit 12 that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake.

Rural residents of Units 12 and 13C and Healy Lake have a customary and traditional use determination for moose in Unit 12 that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border.

Rural residents of Unit 11 north of 62nd parallel, 12, and 13A-D and Chickaloon, Dot Lake, and Healy Lake have a customary and traditional use determination for moose in Unit 12 remainder.

Unit 13 Caribou

Rural residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), 13, and 20D (excluding residents of Fort Greely) and Chickaloon have a customary and traditional use determination for caribou in Unit 13B.

Rural residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), and 13 and Chickaloon, Dot Lake, and Healy Lake have a customary and traditional use determination for caribou in Unit 13C.

Rural residents of Units 11, 12 (along the Nabesna Road), and 13 and Chickaloon have a customary and traditional use determination for caribou in Units 13A and 13D.

Rural residents of Units 11, 12 (along the Nabesna Road), and 13 and Chickaloon, McKinley Village, and the area along the Parks Highway between mileposts 216 and 239 (excluding residents of Denali National Park headquarters) have a customary and traditional use determination for caribou in Units 13E.

Unit 13 Moose

Rural residents of Unit 13, Chickaloon, and Slana have a customary and traditional use determination for moose in Units 13A and 13D.

Rural residents of Units 13 and 20D (excluding residents of Fort Greely) and Chickaloon and Slana have a customary and traditional use determination for moose in Unit 13B.

Rural residents of Units 12 and 13 and Chickaloon, Healy Lake, Dot Lake, and Slana have a customary and traditional use determination for moose in Unit 13C.

Rural residents of Unit 13, Chickaloon, McKinley Village, Slana, and the area along the Parks Highway between mileposts 216 and 239 (excluding residents of Denali National Park headquarters) have a customary and traditional use determination for moose in Unit 13E.

National Parks and Monuments

Under the guidelines of Alaska National Interest Lands Conservation Act (ANILCA), National Park Service regulations identify qualified local rural subsistence users in National Parks and National Monuments by: (1) identifying Resident Zone Communities that include a significant concentration of people who have customarily and traditionally used subsistence resources on park lands; and (2) identifying and issuing subsistence use (13.440) permits to individuals residing outside of the Resident Zone Communities who have a personal or family history of subsistence use within the park or monument.

Regulatory History

During the 2018/20 regulatory cycle, AITRC submitted three proposals aimed at both creating more opportunities for hunting moose and caribou and providing AITRC with more authority in management of moose and caribou in Units 11, 12, and 13. Proposal WP18-17 requested an extension of the moose season in Unit 11 and delegation of authority to AITRC to issue Federal registration permits to its Tribal members. Proposal WP18-18 requested that the moose season on Federal public lands in Unit 13E and Unit 13 remainder be changed from Aug. 1-Sept. 20 to Aug. 1-Mar. 31. In addition, AITRC requested authorization to distribute Federal registration permits (FM1301) to Federally qualified Tribal members only and that the BLM and Denali National Park and Preserve distribute (FM1301) permits to other Federally qualified subsistence users. AITRC later withdrew Proposal WP18-18.

Proposal WP18-19 led directly into greater discussions about community harvests. It requested that AITRC be allowed to distribute Federal registration permits to Ahtna Tribal members for the Federal caribou season in Units 13A, 13B, and 13 remainder. In addition, the proponent requested that the Ahtna Advisory Committee be added to the list of agencies and organizations consulted by the Bureau of Land Management Glennallen Field Office Manager when announcing the sex of caribou taken in Units 13A and 13B each year.

During its November 6-7, 2017, meeting, the Southcentral Alaska Subsistence Regional Advisory Council (Council) discussed issues related to AITRC's proposals requesting authority to issue Federal registration permits for caribou and moose hunts in Units 11 and 13. In order to alleviate legal concerns about non-Federal entities issuing Federal permits, the Council adopted a modification of Proposal WP18-19 to establish a community harvest system on Federal public lands for caribou and moose in Units 11 and 13 that would be administered by AITRC and open to Federally qualified subsistence users living within the Ahtna traditional use territory (**Figure 1**).

The Council, along with representatives of AITRC and staff from OSM, discussed possible alternatives to what was originally requested in WP18-19 to alleviate legal concerns associated with AITRC

issuing Federal registration permits. During this discussion, a modification was drafted to allow for a hunt via a community harvest system for caribou and moose in Units 11 and 13. In an effort to consolidate the three proposals submitted by AITRC (WP18-17, WP18-18, and WP18-19), hunts for moose in Unit 11 and for caribou and moose in Unit 13 were added to the community harvest system under consideration in Proposal WP18-19.

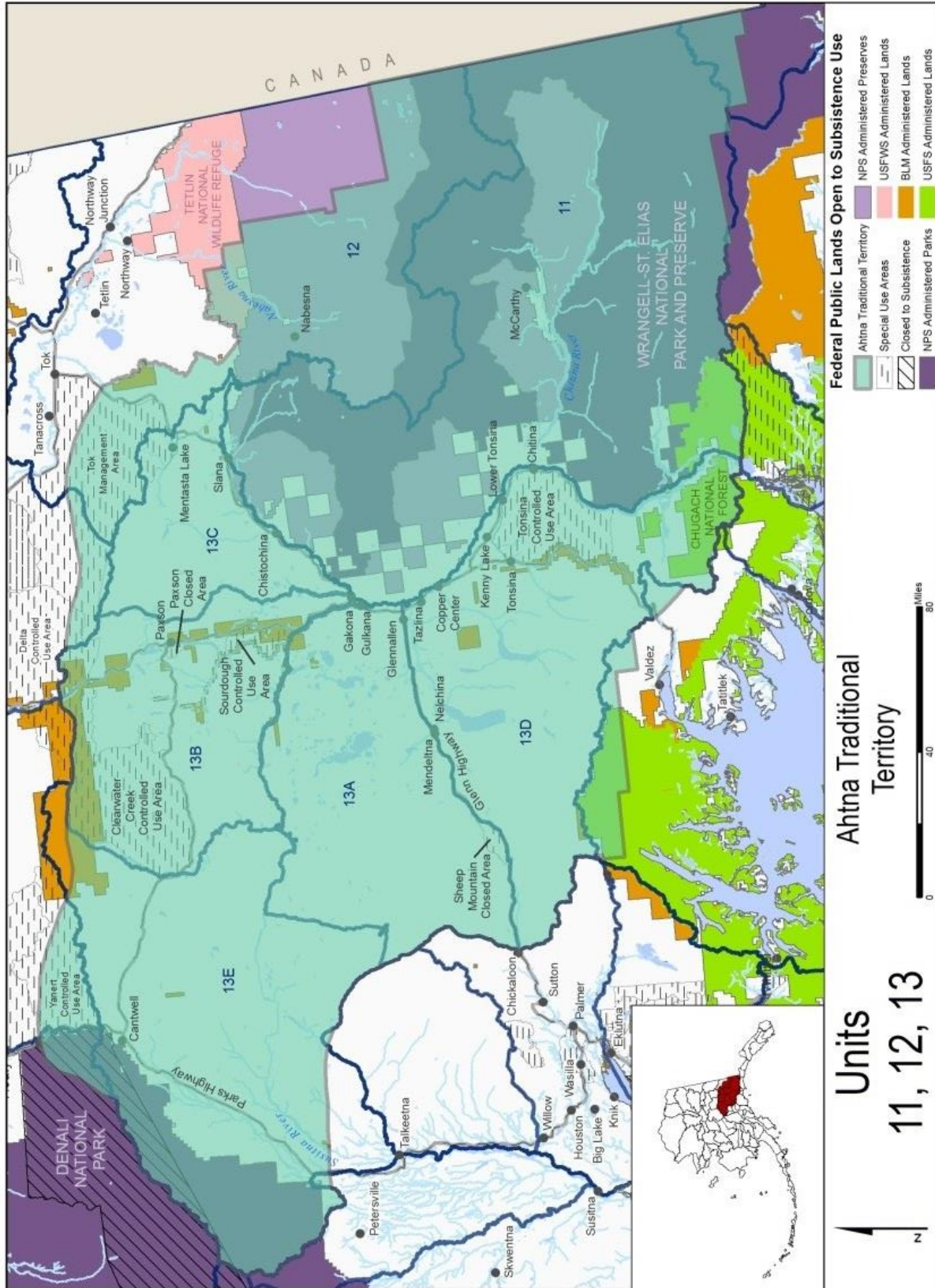


Figure 1. Map showing Ahtna traditional territory (Linnell 2020, pers. comm.).

At its April 2018 meeting, the Board voted to reject Proposal WP18-17 and to defer WP18-19 to its August 2018 work session, pending development of a framework for a community harvest system. In May 2018, AITRC submitted a special action request with a community harvest framework, which after clarification included only Federally qualified subsistence users who were Tribal members living in Ahtna traditional territory. This request was rejected due to its invalid eligibility requirements.

At its August 2018 work session, the Board agreed to meet with AITRC and to present a community harvest framework for discussion purposes. This framework was developed and presented to the Board at its April 2020 meeting.

In April 2020, the Board adopted deferred Proposal WP18-19 with modification. The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest caribou and moose in Unit 13 and moose in Unit 11 as part of a community harvest system, subject to a framework established by the Board under unit specific regulations.

The Board and AITRC have since been working on refining the community harvest system. In July 2020, the Board approved Wildlife Special Action WSA20-02 with modification. Special Action WSA20-02 requested the development of an AITRC-administered community harvest system for moose and caribou in Units 11, 12, and 13 for eight Ahtna traditional communities for the 2020/21 regulatory year. The modification was to (1) name individual communities authorized to participate in the community harvest system on Federal public lands in Units 11, 12, and 13, specifically eight Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina; (2) define geographic boundaries of eligible communities as the most recent Census Designated Places (CDPs) established by the United States Census Bureau; (3) extend this action through the end of the wildlife regulatory cycle, June 30, 2022; (4) specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to land managers and OSM, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; and (5) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system.

In January 2021, the Board approved Special Action WSA20-07, which requested an exception to §____.26(e)(2) for the AITRC-administered community harvest system for moose and caribou in Units 11, 12, and 13 for the 2020-2022 regulatory cycle. §____.26(e)(2) states, “. . . Except . . . as otherwise proved for by this part, an animal taken as part of a community harvest limit counts toward every community member's harvest limit for that species taken under Federal or State of Alaska regulations.” This meant that the harvest limits of all residents of a community are affected whether or not they choose to participate in the community harvest system. The Office of Subsistence Management has been working with AITRC, the National Park Service and the Bureau of Land Management to develop a framework for a community harvest system for moose and caribou in Units 11, 12 and 13 for the 2020/21 regulatory year as directed by the Board. In developing this framework, OSM realized the conflict with §____.26(e)(2) and the need to provide an exception under unit-specific regulations. The Board approved Special Action WSA20-07 to allow AITRC to effectively administer the recently approved community hunts in accordance with existing Federal regulations and

to prevent unintentional and unnecessary restrictions from being placed on any community members who choose not to participate in the community harvest system.

In January 2021, the Board also approved the community harvest system framework for the AITRC-administered community harvest system in Units 11, 12 and 13 (see **Appendix 1**).

AITRC is comprised of representatives of eight Ahtna tribal communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake and Tazlina. All are located in Unit 13. Cantwell residents do not have a customary and traditional use determination for either moose or caribou in Unit 12 and are therefore not eligible to participate in any Unit 12 moose or caribou hunts. The remaining seven communities have a customary and traditional use determination for moose in Unit 12, although five have a determination for only portions of Unit 12. Only Chistochina and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12, so they are the only Ahtna tribal communities eligible to participate in Unit 12 caribou hunts.

Current Events Involving the Species

Wildlife Proposal WP22-01, submitted by the Office of Subsistence Management (OSM), requests clarification of who is and who is not a participant in a community harvest system and how that affects community and individual harvest limits.

Wildlife Proposal WP22-02, submitted by the Office of Subsistence Management (OSM), requests removing language from general and unit specific wildlife regulation prohibiting the use of a designated hunter if the recipient is a member of a community operating under a community harvest system.

Cultural Knowledge and Traditional Practices

See the Cultural Knowledge and Traditional Practices section in the Proposal WP22-01 analysis.

Other Alternatives Considered

If the Board adopts Proposals WP22-01 and WP22-02 or adopts Proposal WP22-36 as submitted, then the Board should also approve the following modification to framework item 16 associated with this community harvest system (see framework in **Appendix 1**). The modification is to clarify that participants and non-participants in a community harvest system may designate someone else to harvest moose or caribou on their behalf under a Federal subsistence designated hunter permit. The Council may want to further consider this alternative.

The modification to framework item 16 could read:

16. Are designated hunters authorized within the community harvest system?

- ~~No~~ **Yes**. Residents of communities operating under a community harvest system – whether or not they register for the community harvest system – may ~~not~~ designate someone else to harvest moose or caribou on their behalf under a Federal subsistence designated hunter permit.

~~If a Federally qualified subsistence user who resides in a community operating under a community harvest system would like someone else to hunt on their behalf, they have the option of registering for the community harvest system.~~

- Residents of communities operating under a community harvest system may serve as a Federal designated hunter for a Federally qualified subsistence hunter who lives in a community that is not operating under a community harvest system, subject to applicable regulatory requirements.

Effects of the Proposal

If this proposal is adopted, then community harvest frameworks in codified regulations for moose and caribou in Units 11 and 13 will be modified. These modifications (1) allow community members to opt out of a community harvest system thereby retaining their individual harvest limits; (2) define the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau; (3) specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; and (4) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system.

Additionally, new community harvest frameworks for Unit 12 moose and caribou will be added to codified regulations. These changes will enable AITRC to fully and effectually implement the community harvest systems for moose and caribou in these units. Effects to nonsubsistence uses, moose and caribou in Units 11, 12, and 13 are not anticipated.

If this proposal is not adopted, then temporary regulations describing community harvest frameworks in Units 11 and 13 for moose and caribou will expire June 30, 2022. These provisions describing frameworks that clarify the intent of the Board will not be added to codified regulations leading to confusion when AITRC and Federal managers try to use these community harvest systems. Additionally, community harvest systems for moose and caribou in Unit 12 will not be added to codified regulations.

Most importantly, this will negatively affect community members wishing to opt out of one or more of these community harvest systems and who will not be able to designate another Federally qualified subsistence user to harvest moose or caribou on their behalf. Effects to nonsubsistence uses, moose, and caribou in Units 11, 12, and 13 are not anticipated.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-36 with **modification** to modify and clarify regulatory language.

The modified regulations should read:

§ ____ .26(n)(11)(i) Unit 11 specific regulations

(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework ~~to be~~ established by the Federal Subsistence Board.

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system;*
- (3) Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

§ ____ .26(n)(12)(i) Unit 12 specific regulations

(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for caribou is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, subject to a framework established by the Federal Subsistence Board.

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (3) Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

(E) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 remainder, subject to a framework established by the Federal Subsistence Board.

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (3) Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

(F) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake and Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian Border, subject to a framework established by the Federal Subsistence Board.

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*
- (2) The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (3) Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

§ ____ .26(n)(13)(iii) Unit 13 specific regulations

(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board.

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau;*

- (2) *The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system; and*
- (3) *Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets.*

Justification

These regulation changes are necessary to enable AITRC and Federal managers to fully and effectually implement these community harvest systems on a long-term basis. These proposed regulations have already been approved by the Board in temporary regulations through June 30, 2022, when they will sunset. The Board should acknowledge these efforts by adopting these changes into codified regulations.

As the frameworks have already been established and approved by the Board, the term “to be” can be deleted from codified regulations in Units 11 and 13. The exception to 50 CFR 100.26(e)(2) provided through WSA2-07 are addressed on a statewide basis through Proposal WP22-01. Therefore, the provision, “Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system” is not necessary in unit-specific regulations. Similarly, the provision, “designated hunters are authorized in this community harvest system” is not needed as this issue is also being addressed on a statewide basis through Proposal WP22-02.

LITERATURE CITED

Linnell, K. 2020. Executive Director Ahtna Intertribal Resource Commission. Personal communication: by email July 18, 2020.

APPENDIX 1

**UNITS 11, 12, AND 13 COMMUNITY HARVEST SYSTEM FRAMEWORK
APPROVED BY THE BOARD IN JANUARY 2021**

AITRC Community Harvest System Framework

This document describes the framework for the community harvest system administered by the Ahtna Intertribal Resource Commission (AITRC), identifies Federal agency points of contact, and describes AITRC's responsibilities as the community harvest system administrator.

1. Who is eligible to register in the AITRC-administered community harvest system?

All Federally qualified individuals whose primary permanent residence is within any of the eight named communities – Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina – are eligible to register in the community harvest system. The only criteria for determining eligibility to register in the community harvest system are Federal qualification and the location of the applicant's primary permanent residence.

2. How is community residency determined?

Eligibility to participate in Federal subsistence harvest opportunities is based on the physical location of one's primary permanent residence. The most recent census designated place (CDP) boundaries drawn by the US Department of Commerce, Bureau of the Census, will be used to determine community boundaries. Maps showing the location of these boundaries are available online (www.ahtnatribal.org/harvest) and from AITRC.

3. How do I register for the community harvest system?

Contact the community harvest system administrator, the Ahtna Intertribal Resource Commission, at (907) 822-4466 or harvest@ahtnatribal.org, or visit their office at Mile 187 Glenn Highway to register.

4. Am I required to register for the community harvest system if I live in one of the eligible communities?

No. Registration in the community harvest system is optional for Federally qualified residents of the eligible communities. You may register in the community harvest system for moose and/or caribou. You may choose either to register in the community harvest system or to participate in hunts under the regular Federal subsistence regulations applicable to those areas (see question 6).

5. If I register for the community harvest system, may I participate in other Federal subsistence hunts?

Yes. You may participate in Federal subsistence hunts that do not overlap with the species and units governed by the community harvest system for which you have registered.

6. What lands are included in the community harvest system?

The community harvest system applies to all Federal public lands open for subsistence uses in Units 11, 12 and 13, subject to restrictions in question 9. (The lands included in the community harvest system are the same lands that are included in a regular Federal subsistence hunt.)

7. What seasons apply to registrants in the community harvest system?

The seasons for the community harvest system are the same as those that apply to people hunting under the existing Federal regulations for those areas. Refer to the Federal subsistence regulations booklet for more details.

8. What is the community harvest quota for the AITRC-administered community harvest system?

The community harvest quota for the AITRC-administered community harvest system is the sum of individual harvest limits for the included species and hunt areas that otherwise would have been available to community harvest system registrants had they chosen to hunt under the regular Federal Subsistence hunting regulations.

9. If I register in the community harvest system, where am I allowed to hunt?

- Community harvest system registrants may only hunt on Federal public lands within Units 11, 12, and 13 where their community or area of permanent residence has a customary and traditional use determination established by the Federal Subsistence Board for the species to be harvested. Refer to the Federal subsistence regulations booklet for more details.
- Additionally, National Park Service regulations limit hunting on lands designated as National Parks (but not National Preserves) to people who live in resident zone communities, live within the National Park, or hold a subsistence eligibility permit issued pursuant to 36 Code of Federal Regulations (CFR) 13.440. This means that only residents of Cantwell may hunt in that portion of Unit 13E that falls within Denali National Park and only residents of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina may hunt within Wrangell-St. Elias National Park.

10. Is a hunting license required to register in the community harvest system?

Persons 18 years of age or older must hold a current State of Alaska resident hunting license in order to register for the community harvest system. A hunting license is not required for those less than 18 years old. Registrants 60 years of age and older or disabled veterans may have a permanent ID card issued by the Alaska Department of Fish and Game instead of an annual hunting license.

11. Are any other Federal or State registration permits or harvest tickets required?

No. Registrants in the community harvest system will receive a hunt registration and, if they choose to hunt, a harvest report from AITRC. Only the community harvest system registration and harvest report are required.

12. Can registrants in the community harvest system hunt for moose or caribou under State of Alaska regulations? And if so, do any special rules apply?

Registration in the community harvest system does not preclude someone from hunting moose or caribou under State of Alaska regulations; however, any moose or caribou harvested by community harvest system registrants under State regulations would count against the community harvest system quota. Community harvest system registrants who harvest a moose or caribou under State regulations must submit the required State harvest report to the State and also must submit their AITRC-issued community harvest report to AITRC about the harvest under State regulations for inclusion in the harvest quota calculation within 5 days of harvest.¹

13. What are the responsibilities of registrants in the community harvest system?

Registrants must carry their individual hunt registration while hunting. A separate AITRC-issued harvest report form is required and must be in the hunter's possession for each animal harvested. When an animal is harvested, the date of harvest should be marked on the form before leaving the field. Registrants are required to submit harvest reports to AITRC on the form provided within 5 days of a successful harvest or within 15 days of the end of the season if unsuccessful.

Upon registration, registrants will receive harvest reports for moose and caribou equal to the individual limits that would have applied under Federal subsistence regulations. Registrants may hunt for themselves or may transfer the harvest report forms issued to them to another registrant.

14. How are eligibility questions and law enforcement concerns to be addressed?

If AITRC has questions about the eligibility of an applicant who provides the requested residency documentation or other concerns of a law enforcement nature, those questions and concerns shall immediately be forwarded to the Federal agency points of contact.

¹ Moose and caribou harvests by community harvest system registrants under State of Alaska regulations count towards the community harvest quota because the community harvest quota is the sum of the individual harvest limits of community harvest system registrants and under 50 CFR 100.25(c)(1) Federal subsistence and State of Alaska harvest limits can't be accumulated.

15. Can I register for the community harvest system if I have already been issued a Federal subsistence moose or caribou permit for lands within the community harvest system area?

Eligible hunters must choose each year between either (1) registering in the community harvest system for moose and/or caribou or (2) hunting for those species under the regular Federal subsistence regulations applicable to those areas.

The Board recognizes that permits have already been issued for the 2020/21 season. Users who have already received permits for the regular 2020/21 Federal subsistence hunts and have not yet harvested any animals under these permits but wish to register in the community harvest system, may turn the Federal permits in to the issuing agency or AITRC within two weeks after authorization of the community harvest system. Once the Federal permits have been turned in, the individual will then be eligible to register in the community harvest system.

16. Are designated hunters authorized within the community harvest system?*

- No. Residents of communities operating under a community harvest system – whether or not they register for the community harvest system – may not designate someone else to harvest moose or caribou on their behalf under a Federal subsistence designated hunter permit.² If a Federally qualified subsistence user who resides in a community operating under a community harvest system would like someone else to hunt on their behalf, they have the option of registering for the community harvest system.
- Residents of communities operating under a community harvest system may serve as a Federal designated hunter for a Federally qualified subsistence hunter who lives in a community that is not operating under a community harvest system, subject to applicable regulatory requirements.

17. Are there any rules that I need to know about access when participating in the community harvest system?

Agency specific access rules apply to community harvest system registrants. Hunters planning to use off-road vehicles (ORVs) including all-terrain vehicles (ATVs), tracked vehicles, and “side-by-sides” as well as aircraft should contact the appropriate land manager for information about allowed means of subsistence access.

² 50 CFR 100.25(e) “*Hunting by designated harvest permit.* If you are a Federally qualified subsistence user (recipient), you may designate another Federally qualified subsistence user to take deer, moose, and caribou, and in Units 1-5, goats, on your behalf **unless you are a member of a community operating under a community harvest system** or unless unit-specific regulations in §100.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter....” (emphasis added).

18. Who are the Federal land management agency points of contact?

Bureau of Land Management – Glennallen Field Office:

Marnie Graham, Field Manager

mgraham@blm.gov

(907) 822-3217 (main office)

(907) 822-7318 (desk)

(907) 795-5761 (cell)

National Park Service – Denali National Park and Preserve

Amy Craver, Subsistence Manager/Cultural Anthropologist

amy_craver@nps.gov

(907) 644-3604 (desk)

National Park Service – Wrangell-St. Elias National Park and Preserve

Barbara Cellarius, Cultural Anthropologist/Subsistence Coordinator

barbara_cellarius@nps.gov

(907) 822-5234 (main office)

(907) 822-7236 (desk)

(907) 205-0157 (cell)

U.S. Fish and Wildlife Service – Tetlin National Wildlife Refuge

Tim Lorenzini, Supervisory Park Ranger

timothy_lorenzini@fws.gov

(907) 883-9409 (desk)

(907) 505-0858 (cell)

Office of Subsistence Management

Lisa Maas, Acting Policy Coordinator/Wildlife Biologist

Lisa_Maas@fws.gov

subsistence@fws.gov

(907) 786-3888 (main office)

(907) 786-3357 (desk)

AITRC's responsibilities as the community harvest system administrator:

- Register all eligible Federally qualified residents of the eligible communities who apply to register in the community harvest system.
- Collect sufficient information about registrants that they can be contacted if there are changes to the hunt conditions or to ensure that harvest reporting takes place.
- Verify residency in an eligible community as part of the registration process, and record how residency was verified (for example, vouched for by a community official (including the name of the official), Alaska driver's license, recent utility bill, voter registration card, or rental or mortgage receipt).
- Verify that registrants 18 years of age or older hold a current State of Alaska resident hunting license or permanent ID card (those 60 years of age or older or disabled veterans) and record the license number as part of the registration process.
- Provide registrants with a document, which identifies the hunter by name or with a unique number that is keyed to name in AITRC's records, to be carried while hunting that verifies their registration in the community harvest system.
- Provide a list of newly registered community harvest system registrants to the Federal agency points of contact on a weekly basis.
- Provide registrants with general information regarding eligible Federal public lands and hunt areas, customary and traditional use determinations, seasons, and harvest limits.
- Inform the registrants that they are required to submit harvest reports to AITRC within 5 days of a successful harvest or within 15 days of the end of the season if unsuccessful. Harvest reports must include the following information for each animal harvested:
 - Species: Moose or Caribou
 - How many days did you hunt? _____
 - How did you get to hunt area? (primary method of getting to where you started walking) (A) Airplane (B) Horse/Dog Sled (C) Boat (D) Airboat (E) Snow Machine (F) 3-4 Wheeler (G) Other off road vehicle (H) Highway vehicle (I) No vehicle used
 - Unit Hunted _____
 - Subunit Hunted _____
 - Hunt Area Hunted _____
 - Specific Harvest Location (for example road or trail and mile marker or a geographic feature or waterbody name)

 - Did you Harvest an animal? Yes ___ No ___
 - If yes, Date of Harvest (mm/dd/yy) ____/____/____
 - Sex of animal: Male ___ Female ___

- Following applies to Moose harvest only:
 - A. Was animal Spike/Fork? Yes ___ No___
 - B. Antler Spread(inches): _____
 - C. Number of brow tines: L _____ R _____
- Track harvest success, including any harvests by registrants under State of Alaska regulations, to ensure that total harvests by community harvest system registrants do not exceed the cumulative harvest limits of the individuals registered in the community harvest system (i.e., the community harvest system quota).
- Administer the community harvest quota and individual harvest reports.
- Provide harvest report information to Federal agency points of contact on a weekly basis unless otherwise specified in these conditions.
- For hunt areas where the Federal Subsistence Board had delegated authority to a local Federal land manager to manage harvest using a quota, provide harvest information to the Federal agency points of contact no later than the next business day after it is submitted to AITRC. As of the 2020-2022 regulatory cycle, these hunt areas are as follows:
 - Chisana caribou herd hunt in Unit 12, that portion east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border. Delegated Federal manager is the Superintendent of Wrangell-St. Elias National Park and Preserve.
 - Winter moose hunt (Nov. 20 to Jan 20) in Unit 11, that portion south and east of a line running along the north bank of the Chitina River, the north and west banks of the Nizina River, and the west bank of West Fork of the Nizina River, continuing along the western edge of the West Fork Glacier to the summit of Regal Mountain. Delegated Federal manager is the Superintendent of Wrangell-St. Elias National Park and Preserve.
- Follow up with hunters regarding more specific harvest locations if requested to do so by the Federal manager in cases where the harvest locations are not sufficiently detailed for the Federal manager's needs.
- Follow up with registrants who have not submitted harvest reports within 15 days of the close of the season, including those individuals that registered but were unsuccessful or did not hunt. These data should be provided to the Federal agency points of contact within 30 days of the close of the season.
- Participate in an annual review of the community harvest system as required in 50 CFR 100.6(e).

WP22-01 Executive Summary

<p>General Description</p>	<p>Proposal WP22-01 requests clarification of who is and who is not a participant in a community harvest system and how that affects community and individual harvest limits. <i>Submitted by: the Office of Subsistence Management</i></p>
<p>Proposed Regulation</p>	<p>§____.25 Subsistence taking of fish, wildlife, and shellfish: general regulations</p> <p><i>(c) Harvest limits</i></p> <p>...</p> <p><i>(5) Fish, wildlife, or shellfish taken by a participant in a community harvest system counts toward the community harvest limit or quota for that species as well as individual harvest limits, Federal or State, for each participant in that community harvest system, however, the take does not count toward individual harvest limits, Federal or State, of any non-participant. Fish, wildlife, or shellfish taken by someone who is not a participant in a community harvest system does not count toward any community harvest limit or quota.</i></p> <p><i>(i) For the purposes of this provision, all residents of the community are deemed participants in the community harvest unless the Board-approved framework requires registration as a prerequisite to harvesting or receiving any fish, wildlife, or shellfish pursuant to that community harvest, in which case only those who register are deemed participants in that community harvest.</i></p> <p>§____.26 Subsistence taking of wildlife</p> <p><i>(e) Possession and transportation of wildlife.</i></p> <p>...</p> <p><i>(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts toward the community harvest limit for that species. Except for wildlife taken pursuant to §____.10(d)(5)(iii) or as otherwise provided for by this part, an animal taken as part of a community harvest limit counts toward every community member's</i></p>

WP22-01 Executive Summary

	<i>harvest limit for that species taken under Federal or State of Alaska regulations.</i>
OSM Preliminary Conclusion	Support
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Kodiak/Aleutians Subsistence Regional Advisory Council Recommendation	
Bristol Bay Subsistence Regional Advisory Council Recommendation	
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Northwest Arctic Subsistence Regional Advisory Council Recommendation	

WP22-01 Executive Summary

Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
North Slope Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS
WP22-01

ISSUES

Wildlife Proposal WP22-01, submitted by the Office of Subsistence Management (OSM), requests clarification of who is and who is not a participant in a community harvest system and how that affects community and individual harvest limits.

Discussion

The proponent requests specific language clarifying who is and who is not a participant in a community harvest system and how this relates to individual and community harvest limits. While developing the framework for a community harvest system in summer 2020, Ahtna Intertribal Resource Commission (AITRC) representatives and Federal agency staff realized that current Federal regulations stipulate that any animals harvested under a community harvest limit count toward the harvest limits of every community member whether or not they choose to participate in the community harvest system. This provision is perceived as unfair to community members who are not interested in participating in a community harvest system because their individual harvest limits are met involuntarily by participants in the community harvest system.

This proposal would affect community and individual harvest limits as well as define who is and who is not a participant in a community harvest system for wildlife, fish, and shellfish, statewide. In addition to clarifying who is and who is not a participant in a community harvest system, the intent of this proposal is to allow community members who opt out of a community harvest system to retain their individual harvest limits.

Note: While the proposal as submitted listed the proposed regulations under §100.25(c)(2), the proponent clarified their intention was to create a separate section for these regulations as §100.25(c)(5).

Existing Federal Regulation

**36 CFR 242.25 and 50 CFR 100.25 Subsistence taking of fish, wildlife, and shellfish:
general regulations**

(c) Harvest limits

§____.26 Subsistence taking of wildlife

(e) Possession and transportation of wildlife.

...

(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts towards the community harvest

limit for that species. Except for wildlife taken pursuant to §____.10(d)(5)(iii)¹ or as otherwise provided for by this part, an animal taken as part of a community harvest limit counts toward every community member's harvest limit for that species taken under Federal or State of Alaska regulations.

Proposed Federal Regulation

§____.25 Subsistence taking of fish, wildlife, and shellfish: general regulations

(c) Harvest limits

...

(5) Fish, wildlife, or shellfish taken by a participant in a community harvest system counts toward the community harvest limit or quota for that species as well as individual harvest limits, Federal or State, for each participant in that community harvest system, however, the take does not count toward individual harvest limits, Federal or State, of any non-participant. Fish, wildlife, or shellfish taken by someone who is not a participant in a community harvest system does not count toward any community harvest limit or quota.

(i) For the purposes of this provision, all residents of the community are deemed participants in the community harvest unless the Board-approved framework requires registration as a prerequisite to harvesting or receiving any fish, wildlife, or shellfish pursuant to that community harvest, in which case only those who register are deemed participants in that community harvest.

§____.26 Subsistence taking of wildlife

(e) Possession and transportation of wildlife.

...

(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts toward the community harvest limit for that species. Except for wildlife taken pursuant to §____.10(d)(5)(iii) or as otherwise provided for by this part, an animal taken as part of a community harvest limit counts toward every community member's harvest limit for that species taken under Federal or State of Alaska regulations.

State of Alaska Regulations

State general regulations describing its community harvest program are in **Appendix 1**.

¹ §____.10(d)(5)(iii) *The fish and wildlife is taken by individuals or community representatives permitted a one-time or annual harvest for special purposes including ceremonies and potlatches;*

Federal Public Lands

Federal public lands comprise approximately 54% of Alaska statewide and consist of 36% U.S. Fish and Wildlife Service managed lands, 28% Bureau of Land Management managed lands, 25% National Park Service managed lands, and 11% U.S. Forest Service managed lands.

Customary and Traditional Use Determination

This is a statewide proposal for wildlife, fish, and shellfish.

Regulatory History

In 1991, after extensive public comment on the Federal Subsistence Management Program's first Temporary Rule, the Federal Subsistence Board (Board) committed to addressing community harvest limits and alternative permitting processes (56 Fed. Reg. 123, 29311 [June 26, 1991]).

In 1992, responding to approximately 40 proposals requesting community harvest systems and numerous public comments requesting alternative permitting systems, the Board supported the concept of adjusting seasons and harvest limits based on customs and traditions of a community (57 Fed. Reg. 103, 22531–2 [May 28, 1992]). The Board said specific conditions for the use of a particular harvest reporting system may be applied on a case-by-case basis and further development and refinement of guidelines for alternative permitting systems would occur as the Federal Subsistence Management Program evolved (57 Fed. Reg. 104, 22948 [May 29, 1992]). These regulations at _____.6 were modified to state that intent more clearly:

§_____.6 Licenses, permits, harvest tickets, tags, and reports²

(f) The Board may implement harvest reporting systems or permit systems where:

(1) The fish and wildlife is taken by an individual who is required to obtain and possess pertinent State harvest permits, tickets, or tags, or Federal permits, harvest tickets, or tags;

(2) A qualified subsistence user may designate another qualified subsistence user to take fish and wildlife on his or her behalf;

(3) The fish and wildlife is taken by individuals or community representatives permitted a one-time or annual harvest for special purposes including ceremonies and potlatches;

(4) The fish and wildlife is taken by representatives of a community permitted to do so in a manner consistent with the community's customary and traditional practices.

In 1993, the Board adopted Proposal P93-12, which clarified that community harvest limits and individual harvest limits may not be accumulated, community harvest systems will be adopted on a

² Subsequently moved to §____.10(d)(5) *Federal Subsistence Board—Power and Duties*.

case-by-case basis and defined under unit-specific regulations, and wildlife taken by a designated hunter for another person, counts toward the individual harvest limit of the person for whom the wildlife is taken. These new regulations specified that for wildlife, after taking your individual harvest limit, you may not continue to harvest in areas outside of your community harvest area (58 Fed. Reg. 103, 31255 [June 1, 1993]). These new regulations were the following:

§____.25 Subsistence taking of wildlife³

(c) Possession and transportation of wildlife

(1) Except as specified in §____.25(c)(3)(ii) [below] or (c)(4) [trapping regulations], or as otherwise provided, no person may take a species of wildlife in any Unit, or portion of a Unit, if that person's total statewide take of that species has already been obtained under Federal and State regulations in other Units, or portions of other Units.

(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts toward the community harvest for that species. Except for wildlife taken pursuant to §____.6(f)(3) [above], an animal taken by an individual as part of a community harvest limit counts toward that individual's bag limit for that species taken under Federal or State regulations for areas outside of the community harvest area.

(3) Individual bag limits (i) bag limits authorized by §____.25 and in State regulations may not be accumulated; (ii) Wildlife taken by a designated hunter for another person pursuant to §____.6(f)(2) [above], counts toward the individual bag limit of the person for whom the wildlife is taken.

In 1993, “community harvest systems” were adopted by the Board simply by adding the use of designated hunters to unit-specific regulations for Unit 25 West moose and Unit 26A sheep (58 FR 103, 31252–3 [June 1, 1993]). In this way, designated harvesters and resource quotas became a common method for allocating harvests communally.

In 1996, administrative clarification was made at §____.25(c)(2) to better represent the Board's intent (61 Fed. Reg. 147, 39711 [July 30, 1996]). Before this clarification was made, a member of a community with a community harvest limit who had not taken an individual harvest limit could take an individual harvest limit after the community had met its harvest limit. The effect of the clarification was that members of community in a community harvest system can harvest only as part of the community harvest system:

³ Subsequently moved to §____.26 *Taking of wildlife*.

§____.25 Subsistence taking of wildlife

(c) Possession and transportation of wildlife

...

*(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts toward the community harvest for that species. Except for wildlife taken pursuant to §____.6(f)(3) [above], an animal taken ~~by an individual~~ as part of a community harvest limit counts toward ~~that individual's bag limit~~ **every community member's harvest limit** for that species taken under Federal or State regulations for areas outside of the community harvest area.*

Later, the language “or as otherwise provided for by this part” was added to the provision. The effect was to allow an exceptions to the provision if the exception was placed in regulation:

*(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts towards the community harvest limit for that species. Except for wildlife taken pursuant to §____.10(d)(5)(iii) **or as otherwise provided for by this part**, an animal taken as part of a community harvest limit counts toward every community member's harvest limit for that species taken under Federal or State of Alaska regulations.*

In April 2020, the Board adopted deferred Proposal WP18-19 with modification, which added a community harvest system for moose in Unit 11 and caribou and moose in Unit 13 to unit-specific regulations. The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest moose in Units 11 and caribou and moose in Unit 13 as part of a community harvest system, subject to a framework established by the Board under unit-specific regulations (see Existing Federal Regulation section in Proposal WP22-36 analysis).

In July 2020, the Board approved Wildlife Special Action Request WSA20-02 with modification to: (1) name individual communities authorized to participate in the community harvest system on Federal public lands in Units 11, 12, and 13, specifically, the eight Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina; (2) define the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau; (3) extend these actions through the end of the wildlife regulatory cycle (June 30, 2022); (4) specify that harvest reporting will take the form of reports collected from hunters by AITRC and be submitted directly to the land managers and OSM, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; and (5) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system (OSM 2020).

In January 2021, the Board approved Wildlife Special Action WSA20-07 temporarily adding the following language to unit-specific regulations for moose and caribou in Units 11, 12, and 13:

“Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.” At this meeting, the Board also approved a community harvest system framework that describes additional details about implementation of the system (see analysis of Proposal WP22-36 Appendix 1) (OSM 2021).

Currently, the following community harvest systems are codified in Federal regulations: Lime Village for Unit 19 caribou and moose; Nikolai for Unit 19 sheep; the community of Wales for Unit 22 muskoxen; Anaktuvuk Pass for Units 24 and 26 sheep; Unit 25 black bear with a State community harvest permit; Ninilchik for Kasilof River and Kenai River community gillnets for salmon; and Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina for moose in Unit 11 and caribou and moose in Unit 13.

Current Events Involving the Species

Proposal WP22-36, submitted by AITRC, requests the Board adopt existing temporary regulations for regarding the community harvest system for moose and caribou in Unit 11, 12, and 13.

Cultural Knowledge and Traditional Practices

Community harvest and designated harvester provisions provide recognition of the customary and traditional practices of sharing and redistribution of harvests. A host of research supports a need for these alternative permitting systems in Federal subsistence regulations to harmonize fundamental harvesting characteristics of rural Alaskan communities with the Federal Subsistence Management Program. Family-based production is the foundation of the mixed subsistence-cash economy found in rural Alaskan communities (cf. Wolfe 1981, 1987; Wolfe and Walker 1987; Wolfe et al. 1984). Family-based production is when two or more individual households linked by kinship distribute the responsibility to harvest, process, and store wild resources based on factors such as skills and abilities, availability of able workers, sufficient income to purchase harvesting and processing technology, and other factors. Units of family-based production typically contain at least one “super-household” that produces surpluses of wild foods (Wolfe 1987). On a statewide basis, about 30% of households in a community are super-households that produce about 70% or more of the community’s wild food harvest (Sahlins 1972; Andrews 1988; Magdanz, Utermohle, and Wolfe 2002; Sumida 1989; Sumida and Andersen 1990). Conversely, 20% to 30% of households in units of family-based production did not produce enough food to feed members of that household (Sahlins 1972). Inequalities in individual and household production levels are equalized via processes of distribution (sharing and feasting) and exchange (trade and barter).

Recent studies on disparities in household food production demonstrate that super-households participate heavily in food-sharing. Wolfe et al. (2007) looked at household food production in 67 rural Alaska communities representing Aleut, Athabascan, Inupiat, Tlingit-Haida, and Yup’ik cultural groups. The majority of these communities were comprised of mostly Alaska Native households with at least one Native head of household, although communities in Southeast Alaska were ethnically mixed. The researchers found that there were household variables commonly associated with levels of

food production throughout these communities. Household variables including higher levels of income, participation in commercial fishing, and households with three or more adult males over 15 years of age were associated with higher levels of food production. Households in which there was a single or elder head of household were associated with lower levels of food production. Most remarkably, the study also demonstrated that high-producing households gave the most food to others and giving to other households may be a primary motivation for over-production. Wolfe et al. (2007) further recommended that policy and management regulations account for food production and sharing practices within Alaskan mixed subsistence-cash communities. They wrote:

The findings about the concentration of subsistence harvests also have social policy implications for the management of hunts and fisheries. Annual and daily bag limits that require that individuals or households harvest at equal levels, as is common for sport fishing and sport hunting, operate from different principles from those operating in subsistence systems. In the subsistence system, individuals and households commonly are not equivalent producers. Instead, a relatively small segment of high-producers harvest most of the fish or game. The average harvests among community households may be in line with bag and harvest limits required for conservation reasons, but the actual production is concentrated in a small number of households. Flexible regulations that allow for this type of concentrated harvest would be most compatible with the actual patterns of subsistence production (Wolfe et al. 2007:29).

Community harvest and designated harvester systems in use in the Federal Subsistence Management Program are intended to provide some flexibility in harvest regulations to make legal the activities of super-households in rural communities. Supporting the distribution of wild foods in villages allows people to continue their subsistence way of life.

Effects of the Proposal

If this proposal is adopted, then Federal regulations will recognize that the Board, when approving the framework for a community harvest system, may allow community members to choose whether they want to participate in the community harvest system or retain their individual harvest limits. The Federal regulations will specify that fish, wildlife, or shellfish harvested under a community harvest system will not count against the individual harvest limits of non-participants. Similarly, fish, wildlife, or shellfish harvested by non-participants will not count against the harvest limit set for the community harvest system. Effects to nonsubsistence uses, wildlife, fish, and shellfish, statewide, are not anticipated.

If this proposal is not adopted, then Federal regulations will continue to stipulate that any harvest within a community harvest system also counts toward the individual harvest limit of every community member regardless of whether they participate in the community harvest system. Additionally, the Board's authority to approve community harvest frameworks, and to allow community members to opt in or opt out of a community harvest, will not be clearly stated. Effects to nonsubsistence uses, wildlife, fish, and shellfish, statewide, are not anticipated.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-01.

Justification

Subsistence users and others will find these regulations less confusing and easier to use. In this way, the proposed regulatory changes provide more equitable harvest options and opportunities for subsistence users. They also prevent unintentional and unnecessary restrictions from being placed on any community members who choose not to participate in a community harvest system, and clarifies a current oversight in Federal regulation.

LITERATURE CITED

- Andrews, E.F. 1988. The harvest of fish and wildlife for subsistence by residents of Minto, Alaska. Alaska Department of Fish and Game Division of Subsistence Technical Paper No. 137. Juneau, AK
- Magdanz, J.S., C.J. Utermohle, and R. J. Wolfe. 2002. The organization of subsistence food production in two Inupiaq communities, Wales and Deering, Alaska. Alaska Department of Fish and Game Division of Subsistence Technical Paper No. 259, Juneau, AK.
- OSM. 1994. Report of the designated hunter task force. Office of Subsistence Management, USFWS, Anchorage, AK. 34 pages.
- OSM. 2020. Federal Subsistence Board News Release, July 17, 2020: Federal Subsistence Board takes action on five Wildlife Special Action Requests WSA20-01 (Unit 13 caribou), WSA20-02 (Units 11, 12, 13 moose and caribou), WSA20-03 (Unit 13 caribou), WSA20-04 (Mulchatna Caribou) and WSA20-05 (Unit 18 moose). <https://www.doi.gov/subsistence/news/general/federal-subsistence-board-takes-action-five-wildlife-special-action>. Retrieved June 15, 2021. Office of Subsistence Management, USFWS, Anchorage, AK.
- OSM. 2021. Federal Subsistence Board News Release, February 3, 2021: Federal Subsistence Board approves changes to subsistence fishing regulations. <https://www.doi.gov/subsistence/news/general/federal-subsistence-board-approves-changes-subsistence-fishing-0>. Retrieved July 14, 2021. Office of Subsistence Management, USFWS, Anchorage, AK.
- Sahlins, M D. 1972. Stone age economics. Aldine Publishing Company, New York.
- Sumida, V.A. 1989. Patterns of fish and wildlife harvest and use in Beaver, Alaska. Alaska Department of Fish and Game Division of Subsistence Technical Paper No. 140, Juneau, AK.
- Sumida, V.A, and D.B. Andersen. 1990. Patterns of fish and wildlife use for subsistence in Fort Yukon, Alaska. Alaska Department of Fish and Game Division of Subsistence Technical Paper No. 179. Juneau, AK.
- Wolfe, R.J. 1981. Norton Sound/Yukon Delta Sociocultural Systems Baseline Analysis. Alaska Department of Fish and Game Division of Subsistence Technical Report No. 59, Juneau, AK.
- Wolfe, R.J. 1987. The super-household: specialization in subsistence economies. Paper presented at the 14th Annual Meeting of the Alaska Anthropological Association, March 12-13, 1987, Anchorage, AK.

Wolfe, R.J., C.L. Scott, W.E. Simeone, C.J. Utermohle, and M.C. Pete. 2007. The “Super-Household” in Alaska Native subsistence economics. National Science Foundation, ARC 0352677. Washington DC. 31 pages.

Wolfe, R.J., J.J. Gross, S.J. Langdon, J.M. Wright, G.K. Sherrod, L.J. Ellanna, V.Sumida, and P.J. Usher. 1984. Subsistence-based economies in coastal communities of Southwest Alaska. Alaska Department of Fish and Game Division of Subsistence Technical Paper No. 59. Juneau, AK. 270 pages.

Wolfe, R.J., and R.J. Walker. 1987. Subsistence economies in Alaska: Productivity, geography, and development impacts. *Arctic Anthropology* 24(2): 56–81.

APPENDIX 1

STATE OF ALASKA COMMUNITY HARVEST PROGRAM

5 AAC 92.074. Community subsistence harvest hunt areas

(a) The commissioner or the commissioner's designee may, under this section and 5 AAC 92.052, issue community-based subsistence harvest permits and harvest reports for big game species where the Board of Game (board) has established a community harvest hunt area under (b) of this section and 5 AAC 92.074.

(b) The board will consider proposals to establish community harvest hunt areas during regularly scheduled meetings to consider seasons and bag limits for affected species in a hunt area. Information considered by the board in evaluating the proposed action will include

(1) a geographic description of the hunt area;

(2) the sustainable harvest and current subsistence regulations and findings for the big game population to be harvested;

(3) a custom of community-based harvest and sharing of the wildlife resources harvested in the hunt area by any group; and

(4) other characteristics of harvest practices in the hunt area, including characteristics of the customary and traditional pattern of use found under 5 AAC 99.010(b).

(c) If the board has established a community harvest hunt area for a big game population, residents of the community or members of a group may elect to participate in a community harvest permit hunt in accordance with the following conditions:

(1) a person representing a group of 25 or more residents or members may apply to the department for a community harvest permit by identifying the community harvest hunt area and the species to be hunted, and by requesting that the department distribute community harvest reports to the individuals who subscribe to the community harvest permit; the community or group representative must

(A) provide to the department the names of residents or members subscribing to the community harvest permit and the residents' or members' hunting license numbers, permanent hunting identification card numbers, or customer service identification numbers, or for those residents or members under 18 years of age, the resident or member's birth date;

(B) ensure delivery to the department of validated harvest reports from hunters following the take of individual game animals, records of harvest information for

individual animals taken, and collected biological samples or other information as required by the department for management;

(C) provide the department with harvest information, including federal subsistence harvest information, within a specified period of time when requested, and a final report of all game taken under the community harvest permit within 15 days of the close of the hunting season or as directed in the permit; and

(D) make efforts to ensure that the applicable customary and traditional use pattern described by the board and included by the department as a permit condition, if any, is observed by subscribers including meat sharing; the applicable board finding and conditions will be identified on the permit; this provision does not authorize the community or group administrator to deny subscription to any community resident or group member;

(E) from July 1, 2014 until June 30, 2018, in the community harvest hunt area described in 5 AAC 92.074(d) , permits for the harvest of bull moose that do not meet the antler restrictions for other resident hunts in the area will be limited to one permit for every three households in the community or group. Beginning July 1, 2018, in the community harvest hunt area described in 5 AAC 92.074(d) , permits for the harvest of bull moose that do not meet the antler restrictions for other resident hunts in the area will be distributed to participants using the scoring criteria described in 5 AAC 92.070.

(2) a resident of the community or member of the group who elects to subscribe to a community harvest permit

(A) may not hold a harvest ticket or other state hunt permit for the same species where the bag limit is the same or for fewer animals during the same regulatory year; however, a person may hold harvest tickets or permits for same-species hunts in areas with a larger bag limit following the close of the season for the community harvest permit, except that in Unit 13, prior to July 1, 2018, only one caribou may be retained per household, and on or after July 1, 2018, up to two caribou may be retained per household;

(B) may not subscribe to more than one community harvest permit for a species during a regulatory year;

(C) must have in possession when hunting and taking game a community harvest report issued by the hunt administrator for each animal taken;

(D) must validate a community harvest report immediately upon taking an animal; and

(E) must report harvest and surrender validated harvest reports within five days, or sooner as directed by the department, of taking an animal and transporting it to the place of final processing for preparation for human use and provide information and biological samples required under terms of the permit;

(F) must, if the community harvest hunt area is under a Tier II permit requirement for the species to be hunted, have received a Tier II permit for that area, species, and regulatory year.

(G) participants in the community harvest hunt area described in 5 AAC 92.074(d) must commit to participation for two consecutive years. This does not apply to participants that applied in 2016 for the 2018 regulatory year.

(3) in addition to the requirements of (1) of this subsection, the community or group representative must submit a complete written report, on a form provided by the department, for the community or group participating in the community harvest hunt area described in 5 AAC 92.074(d), that describes efforts by the community or group to observe the customary and traditional use pattern described by board findings for the game populations hunted under the conditions of this community harvest permit; in completing the report, the representative must make efforts to collect a complete report from each household that is a member of the community or group that describes efforts by the household to observe the customary and traditional use pattern using the eight elements described in this paragraph; a copy of all household reports collected by the community or group representative shall be submitted to the department as a part of the representative's written report; complete reports must include information about efforts to observe the customary and traditional use pattern of the game population, as follows:

(A) Element 1: participation in a long-term, consistent pattern of noncommercial taking, use, and reliance on the game population: the number of years of taking and use of the game population; and involvement of multiple generations in the taking and use of the game population; and use of areas other than the community subsistence hunt area for harvest activities;

(B) Element 2: participation in the pattern of taking or use of the game population that follows a seasonal use pattern of harvest effort in the hunt area: the months and seasons in which noncommercial harvest activities occur in the hunt area;

(C) Element 3: participation in a pattern of taking or use of wild resources in the hunt area that includes methods and means of harvest characterized by efficiency and economy of effort and cost: costs associated with harvests; and methods used to reduce costs and improve efficiency of harvest; and number of species harvested during hunting activities;

(D) Element 4: participation in a pattern of taking or use of wild resources that occurs in the hunt area due to close ties to the area: number of years of taking and use of the game population; and involvement of multiple generations in the taking and use of the game population; and variety of harvesting activities that take place in the hunt area; and evidence of other areas used for harvest activities;

(E) Element 5: use of means of processing and preserving wild resources from the hunt area that have been traditionally used by past generations: complete listing of the parts of the harvested game that are used; and preservation methods of that game; and types of foods and other products produced from that harvest;

(F) Element 6: participation in a pattern of taking or use of wild resources from the hunt area that includes the handing down of knowledge of hunting skills, values, and lore about the hunt area from generation to generation: involvement of multiple generations in the taking and use of the game population; and evidence of instruction and training;

(G) Element 7: participation in a pattern of taking of wild resources from the hunt area in which the harvest is shared throughout the community: amount of harvest of the game population that is shared; and evidence of a communal sharing event; and support of those in need through sharing of the harvest of the game population; and

(H) Element 8: participation in a pattern that includes taking, use, and reliance on a wide variety of wild resources from the hunt area: the variety of resource harvest activities engaged in within the hunt area; and evidence of other areas used for harvest activities.

(d) Seasons for community harvest permits will be the same as those established for other subsistence harvests for that species in the geographic area included in a community harvest hunt area, unless separate community harvest hunt seasons are established. The total bag limit for a community harvest permit will be equal to the sum of the individual participants' bag limits, established for other subsistence harvests for that species in the hunt area or otherwise by the board. Seasons and bag limits may vary within a hunt area according to established

subsistence regulations for different game management units or other geographic delineations in a hunt area.

(e) Establishment of a community harvest hunt area will not constrain nonsubscribing residents of the community or members of the group from participating in subsistence harvest activities for a species in that hunt area using individual harvest tickets or other state permits authorized by regulation, nor will it require any resident of the community or member of the group eligible to hunt under existing subsistence regulations to subscribe to a community harvest permit.

(f) The department may disapprove an application for a community subsistence harvest permit from a community or group that has previously failed to comply with requirements in (c)(1) and (3) of this section. The failure to report by the community or group representative under (c)(1) and (3) of this section may result in denial of a community subsistence harvest permit during the following regulatory year. The department must allow a representative the opportunity to request a hearing if the representative fails to submit a complete report as required under (c)(1) and (3) of this section. A community or group aggrieved by a decision under this subsection will be granted a hearing before the commissioner or the commissioner's designee, if the community or group representative makes a request for a hearing in writing to the commissioner within 60 days after the conclusion of the hunt for which the person failed to provide a report. The commissioner may determine that the penalty provided under this subsection will not be applied if the community or group representative provides the information required on the report and if the commissioner determines that

(1) the failure to provide the report was the result of unavoidable circumstance; or

(2) extreme hardship would result to the community or group.

(g) A person may not give or receive a fee for the taking of game or receipt of meat under a community subsistence harvest permit.

(h) Nothing in this section authorizes the department to delegate to a community or group representative determination of the lawful criteria for selecting who may hunt, for establishing any special restrictions for the hunt and for the handling of game, and for establishing the terms and conditions for a meaningful communal sharing of game taken under a community harvest permit.

(i) In this section,

(1) "fee" means a payment, wage, gift, or other remuneration for services provided while engaged in hunting under a community harvest permit; and does not include reimbursement for actual expenses incurred during the hunting activity within the scope of the community harvest permit, or a non-cash exchange of subsistence-harvested resources.

(2) a "community" or "group" is a mutual support network of people who routinely (at least several times each year) provide each other with physical, emotional, and nutritional assistance in a multi-generational and inter/intra familial manner to assure the long-term welfare of individuals, the group, and natural resources they depend on; for purposes of this regulation, a "community" or "group" shares a common interest in, and participation in uses of, an identified area and the wildlife populations in that area, that is consistent with the customary and traditional use pattern of that wildlife population and area as defined by the board.

WP22-02 Executive Summary

General Description	Proposal WP22-02 requests to remove language from designated hunting regulations prohibiting the use of a designated hunter permit by a member of community operating under a community harvest system. <i>Submitted by the Office of Subsistence Management.</i>
Proposed Regulation	See page 313
OSM Preliminary Conclusion	Support
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Kodiak/Aleutians Subsistence Regional Advisory Council Recommendation	
Bristol Bay Subsistence Regional Advisory Council Recommendation	
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	

WP22-02 Executive Summary

Northwest Arctic Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
North Slope Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS WP22-02

ISSUES

Wildlife Proposal WP22-02, submitted by the Office of Subsistence Management (OSM), requests to remove language from designated hunting regulations prohibiting the use of a designated hunter permit by a member of community operating under a community harvest system.

DISCUSSION

While developing the framework for a community harvest system in summer 2020, Ahtna Intertribal Resource Commission (AITRC) representatives realized that residents of communities in a community harvest system cannot designate another person to harvest on their behalf, pursuant to Federal designated hunter regulations. AITRC and Federal agency staff perceived this provision as unfair to community members who choose not to participate in a community harvest system because their options for acquiring their individual harvest limits are curtailed involuntarily.

The proponent clarified that the intent of this proposal is to allow members of a community with a community harvest system to designate a hunter to harvest on their behalf to fulfill either their individual harvest limit or to count toward the community harvest limit depending on whether or not they choose to participate in the community harvest system.

Existing Federal Regulation

36 CFR 242 and 50 CFR 100.25(e) Hunting by designated harvest permit

If you are a Federally qualified subsistence user (recipient), you may designate another Federally qualified subsistence user to take deer, moose, and caribou, and in Units 1-5, goats, on your behalf unless you are a member of a community operating under a community harvest system or unless unit-specific regulations in §____.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than two harvest limits in his/her possession at any one time except for goats, where designated hunters may have no more than one harvest limit in possession at any one time, and unless otherwise specified in unit-specific regulations in §____.26.

§____.26(n)(6)(ii) Unit 6 specific regulations

(D) A federally qualified subsistence user (recipient) who is either blind, 65 years of age or older, at least 70 percent disabled, or temporarily disabled may designate another federally qualified subsistence user to take any moose, deer, black bear, and beaver on his or her behalf in Unit 6, and goat in Unit 6D, unless the recipient is a member of a community operating

under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but may have no more than one harvest limit in his or her possession at any one time.

§ ____ .26(n)(9)(iii) Unit 9 specific regulations

(E) For Units 9C and 9E only, a federally qualified subsistence user (recipient) of Units 9C and 9E may designate another federally qualified subsistence user of Units 9C and 9E to take bull caribou on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report and turn over all meat to the recipient. There is no restriction on the number of possession limits the designated hunter may have in his/her possession at any one time.

(F) For Unit 9D, a federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take caribou on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than four harvest limits in his/her possession at any one time.

§ ____ .26(n)(10) Unit 10 specific regulations

(iii) In Unit 10—Unimak Island only, a federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take caribou on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than four harvest limits in his/her possession at any one time.

§ ____ .26(n)(22)(iii) Unit 22 specific regulations

(E) A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take musk oxen on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients in the course of a season, but have no more than two harvest limits in his/her possession at any one time, except in Unit 22E where a resident of Wales or Shishmaref acting as a designated hunter may hunt for any number of recipients, but have no more than four harvest limits in his/her possession at any one time.

§ _____.26(n)(23)(iv) Unit 23 specific regulations

(D) For the Baird and DeLong Mountain sheep hunts—A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take sheep on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for only one recipient in the course of a season and may have both his and the recipients' harvest limits in his/her possession at the same time.

(F) A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take musk oxen on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but have no more than two harvest limits in his/her possession at any one time.

§ _____.26(n)(26)(iv) Unit 26 specific regulations

(C) In Kaktovik, a federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take sheep or musk ox on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than two harvest limits in his/her possession at any one time.

(D) For the DeLong Mountain sheep hunts—A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take sheep on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for only one recipient in the course of a season and may have both his and the recipient's harvest limits in his/her possession at the same time.

Proposed Federal Regulation

§ _____.25(e) Hunting by designated harvest permit

If you are a Federally qualified subsistence user (recipient), you may designate another Federally qualified subsistence user to take deer, moose, and caribou, and in Units 1-5, goats, on your behalf ~~unless you are a member of a community operating under a community harvest system or~~ unless unit-specific regulations in §100.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no

more than two harvest limits in his/her possession at any one time except for goats, where designated hunters may have no more than one harvest limit in possession at any one time, and unless otherwise specified in unit-specific regulations in §100.26.

§ _____.26(n)(6)(ii) Unit 6 specific regulations

(D) A federally qualified subsistence user (recipient) who is either blind, 65 years of age or older, at least 70 percent disabled, or temporarily disabled may designate another federally qualified subsistence user to take any moose, deer, black bear, and beaver on his or her behalf in Unit 6, and goat in Unit 6D, ~~unless the recipient is a member of a community operating under a community harvest system.~~ The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but may have no more than one harvest limit in his or her possession at any one time.

§ _____.26(n)(9)(iii) Unit 9 specific regulations

(E) For Units 9C and 9E only, a federally qualified subsistence user (recipient) of Units 9C and 9E may designate another federally qualified subsistence user of Units 9C and 9E to take bull caribou on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system.~~ The designated hunter must obtain a designated hunter permit and must return a completed harvest report and turn over all meat to the recipient. There is no restriction on the number of possession limits the designated hunter may have in his/her possession at any one time.

(F) For Unit 9D, a federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take caribou on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system.~~ The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than four harvest limits in his/her possession at any one time.

§ _____.26(n)(10) Unit 10 specific regulations

(iii) In Unit 10—Unimak Island only, a federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take caribou on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system.~~ The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than four harvest limits in his/her possession at any one time.

§ _____.26(n)(22)(iii) Unit 22 specific regulations

(E) A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take musk oxen on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system~~. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients in the course of a season, but have no more than two harvest limits in his/her possession at any one time, except in Unit 22E where a resident of Wales or Shishmaref acting as a designated hunter may hunt for any number of recipients, but have no more than four harvest limits in his/her possession at any one time.

§ _____.26(n)(23)(iv) Unit 23 specific regulations

(D) For the Baird and DeLong Mountain sheep hunts—A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take sheep on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system~~. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for only one recipient in the course of a season and may have both his and the recipients' harvest limits in his/her possession at the same time.

(F) A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take musk oxen on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system~~. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but have no more than two harvest limits in his/her possession at any one time.

§ _____.26(n)(26)(iv) Unit 26 specific regulations

(C) In Kaktovik, a federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take sheep or musk ox on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system~~. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than two harvest limits in his/her possession at any one time.

(D) For the DeLong Mountain sheep hunts—A federally qualified subsistence user (recipient) may designate another federally qualified subsistence user to take sheep on his or her behalf ~~unless the recipient is a member of a community operating under a community harvest system~~. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for only one recipient in the course of a season and may have both his and the recipient's harvest limits in his/her possession at the same time.

Existing State Regulation

The State of Alaska provides for the transfer of harvest limits from one person to another through its proxy hunting program (5 AAC 92.011; see **Appendix 1**). **Table 1** is a side-by-side comparison of the State’s proxy system to the Federal designated hunter system.

Table 1. State of Alaska Proxy System compared to Federal Designated Hunter System.

State of Alaska Proxy System	Federal Subsistence Management Program Designated Hunter System
Applies where there is an open State harvest season.	Applies to Federal public lands when there is an open Federal harvest season.
Applies to caribou, deer, and moose.	Applies to caribou, deer, moose, and in Units 1–5, goats, as well as other species identified in unit-specific regulations.
Available to a hunter who is blind, physically or developmentally disabled (requires physician’s affidavit), or 65 years of age or older	Available to Federally qualified subsistence users.
Either the recipient or the hunter may apply for the authorization.	Recipient obtains a permit or harvest ticket and designates another Federally qualified subsistence user to harvest on his/her behalf. Designated hunter obtains a Federal designated hunter permit.
No person may be a proxy for more than one recipient at a time.	A person may hunt for any number of recipients, but may have no more than two harvest limits in his/her possession at any one time.
Antler destruction is required.	No antler destruction is required.

Federal Public Lands

Federal public lands comprise approximately 54% of Alaska statewide and consist of 36% U.S. Fish and Wildlife Service managed lands, 28% Bureau of Land Management managed lands, 25% National Park Service managed lands, and 11% U.S. Forest Service managed lands.

Customary and Traditional Use Determination

This is a statewide proposal regarding wildlife.

Regulatory History

In 1991, after extensive public comment on the Federal Subsistence Management Program’s first Temporary Rule, the Federal Subsistence Board committed to addressing community harvest limits and alternative permitting processes (56 Fed. Reg. 123, 29411 [June 26, 1991]).

In 1992, responding to approximately 40 proposals requesting community harvest systems and numerous public comments requesting alternative permitting systems, the Board supported the concept of adjusting seasons and harvest limits based on customs and traditions of a community (57 Fed. Reg. 103, 22531–2 [May 28, 1992]). The Board said specific conditions for the use of a particular harvest reporting system may be applied on a case-by-case basis and further development and refinement of guidelines for alternative permitting systems would occur as the Federal Subsistence Management Program evolved (57 Fed. Reg. 104, 22948 [May 29, 1992]). These regulations at _____.6 were modified to state that intent more clearly:

§ _____.6 Licenses, permits, harvest tickets, tags, and reports¹

(f) The Board may implement harvest reporting systems or permit systems where:

(1) The fish and wildlife is taken by an individual who is required to obtain and possess pertinent State harvest permits, tickets, or tags, or Federal permits, harvest tickets, or tags;

(2) A qualified subsistence user may designate another qualified subsistence user to take fish and wildlife on his or her behalf;

(3) The fish and wildlife is taken by individuals or community representatives permitted a one-time or annual harvest for special purposes including ceremonies and potlatches;

(4) The fish and wildlife is taken by representatives of a community permitted to do so in a manner consistent with the community's customary and traditional practices.

In 1993, the Board adopted Proposal P93-12, which clarified that community harvest limits and individual harvest limits may not be accumulated, community harvest systems will be adopted on a case-by-case basis and defined under unit-specific regulations, and wildlife taken by a designated hunter for another person, counts toward the individual harvest limit of the person for whom the wildlife is taken. These new regulations specified that for wildlife, after taking your individual harvest limit, you may not continue to harvest in areas outside of your community harvest area (58 Fed. Reg. 103, 31255 [June 1, 1993]). These new regulations were the following:

§ _____.25 Subsistence taking of wildlife²

(c) Possession and transportation of wildlife

(1) Except as specified in § _____.25(c)(3)(ii) [below] or (c)(4) [trapping regulations], or as otherwise provided, no person may take a species of wildlife in any Unit, or portion of a Unit, if that person's total statewide take of that species has already been obtained under Federal and State regulations in other Units, or portions of other Units.

¹ Subsequently moved to § _____.10(d) *Federal Subsistence Board—Power and Duties.*

² Subsequently moved to § _____.26 *Taking of wildlife.*

(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts toward the community harvest for that species. Except for wildlife taken pursuant to §____.6(f)(3) [above], an animal taken by an individual as part of a community harvest limit counts toward that individual's bag limit for that species taken under Federal or State regulations for areas outside of the community harvest area.

(3) Individual bag limits (i) bag limits authorized by §____.25 and in State regulations may not be accumulated; (ii) Wildlife taken by a designated hunter for another person pursuant to §____6(f)(2) [above], counts toward the individual bag limit of the person for whom the wildlife is taken.

In 1993, community harvest strategies were adopted by the Board simply by adding the use of designated hunters into unit-specific regulations for Unit 25 West moose and Unit 26C sheep (58 Fed. Reg. 103, 31252–3 [June 1, 1993]). In this way, designated harvesters and resource quotas became a common method for allocating harvests communally.

Unit 25(D)(West)—. . . 1 antlered moose by a Federal registration permit. Alternate permits allowing for designated hunters are available to qualified applicants who reside in Beaver, Birch Creek, or Stevens Village. Moose hunting on public land in this portion of Unit 25(D)(West) is closed at all times except for residents of Beaver, Birch Creek and Stevens Village during seasons identified above. The moose season will be closed when 30 antlered moose have been harvested in the entirety of Unit 25D West (58 Fed. Reg. 103, 31287 [June 1, 1993]).

Unit 26(C)—3 sheep per year; the Aug. 10–Sept 20 season is restricted to 1 ram with 7/8 cur1 horn or larger. A State registration permit is required for the Oct. 1–Apr. 30 season, except for residents of the City of Kaktovik. Kaktovik residents may harvest sheep in accordance with a Federal community harvest strategy for Unit 26(C) which provides for the take of up to two bag limits of 3 sheep by designated hunter. Procedures for Federal permit issuance and community reporting will be mutually developed by Kaktovik and Federal representatives prior to the season opening. Open season: Aug. 10–Sept. 30 and Oct. 1–Apr. 30 (58 Fed. Reg. 103, 31289 [June 1, 1993]).

In 1994, the Board rejected four proposals concerning the use of designated hunters to harvest wildlife for others and redirected staff to work with Regional Advisory Councils and develop regulations for the 1995/96 regulatory year that address designated harvesters on a state-wide basis (59 Fed. Reg. 29033, June 3, 1994).

In October 1994, a Designated Hunter Task Force published its report describing four options for alternative permitting systems (OSM 1994).

In 1996, administrative clarification was made at §____.25(c)(2) to better represent the Board’s intent (61 Fed. Reg. 147, 39711 [July 30, 1996]). Before this clarification was made, a member of a community with a community harvest limit who had not taken an individual harvest limit could take an individual harvest limit after the community had met its harvest limit. The effect of the clarification was that members of community in a community harvest system can harvest only as part of the community harvest system:

§____.25 Subsistence taking of wildlife

(c) Possession and transportation of wildlife

...

*(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts toward the community harvest for that species. Except for wildlife taken pursuant to §____.6(f)(3) [above], an animal taken ~~by an individual~~ as part of a community harvest limit counts toward ~~that individual’s bag limit~~ **every community member’s harvest limit** for that species taken under Federal or State regulations for areas outside of the community harvest area.*

Later, the language “or as otherwise provided for by this part” was added to the provision. The effect was to allow an exception to the provision if the exception was placed in regulation:

*(2) An animal taken under Federal or State regulations by any member of a community with an established community harvest limit for that species counts towards the community harvest limit for that species. Except for wildlife taken pursuant to §____.10(d)(5)(iii) **or as otherwise provided for by this part**, an animal taken as part of a community harvest limit counts toward every community member's harvest limit for that species taken under Federal or State of Alaska regulations.*

In 2001, administrative clarifications were added to regulations at §____.25(e) *Hunting by designated harvest permit*. New provisions stipulated that a designated hunter recipient may not be a member of a community operating under a community harvest system, reflecting §____.25(c)(2), above (66 Fed. Reg. 122, 33758 [June 25, 2001]). These new provisions were the following:

§____.25 Subsistence taking of fish, wildlife, and shellfish: general regulations³

(e) Hunting by designated harvest permit

(1) As allowed by §____.26 [Subsistence taking of wildlife], if you are a Federally-qualified subsistence user, you (beneficiary) may designate another Federally-qualified

³ §____.25 was formerly *Subsistence taking of wildlife* that was moved to §____.26 to make room for these *general regulations*.

subsistence user to take wildlife on your behalf unless you are a member of a community operating under a community harvest system.

(2) The designated hunter must obtain a designated hunter permit and must return a completed harvest report.

(3) You may not designate more than one person to take or attempt to take fish on your behalf at one time.

(4) The designated hunter may hunt for any number of recipients but may have no more than two harvest limits in his/her possession at any one time, unless otherwise specified in §____.26.

After 1994, the Board recommenced adopting designated harvester provisions in unit-specific regulations through 2002.

Prior to 2003, the Board adopted designated hunter regulations for 21 unit-specific hunts. In 2003, the Board established the statewide designated hunter system, based on Regional Advisory Council recommendations, providing opportunities for subsistence users to receive deer, caribou, and moose from designated hunters, subject to unit-specific regulations to include other species and special provisions (68 Fed. Reg. 38466 [June 27, 2003]). Where Councils agreed with these general statewide provisions, then unit-specific regulations were rescinded unless they included other species or special provisions.

In April 2020, the Board adopted deferred Proposal WP18-19 with modification to establish a community harvest system moose in Units 11 and caribou and moose in Unit 13 that will be administered by the Ahtna Intertribal Resource Commission (AITRC). The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest caribou and moose in Unit 13 and moose in Unit 11 as part of a community harvest system, subject to a framework established by the Board under unit specific regulations. While developing the framework for the community harvest system over the summer of 2020, AITRC representatives and Federal agency staff realized that current Federal regulations prevent the use of designated hunters by any community member whether or not they choose to participate in the community harvest system (OSM 2020). In January 2021, the Board approved the community harvest system framework that describes additional details about implementation of the system (OSM 2021a).

Harvest History

The Designated Hunter Permit database is maintained at the Office of Subsistence Management. **Table 2** describes the use of the designated hunter system since 2002 when the permit system was implemented. Designated hunters have reported harvesting caribou, deer, moose, sheep, goats, and muskoxen. Most of the reported harvest by designated hunters is for deer (84%, or 4,717,), and most of those are taken from Southeast Alaska (Units 1–5). Designated hunter harvests of caribou account for 12% (658 caribou), and moose 4% (212 moose).

Table 2. Use of Federal designated hunter system based on completed harvest reports 2002-2020 cumulative, by species and management unit (OSM 2021b).

Management Unit	Number of Animals Harvested by Designated Hunters 2002-2020
Caribou	
9	4
12	109
13	477
17	8
18	6
20	31
Unknown	23
Total	658
Dall Sheep	
23	3
Deer	
1	57
2	146
3	1,178
4	22
6	0
8	10
2	727
4	1,836
5	11
6	3
8	672
Unknown	55
Total	4,717
Moose	
1	9
3	9
5	34
6	36
11	7
12	1
13	67
15	18
18	3
19	12
21	2
24	5
25	1
26	2
Unknown	6
Total	212

Continued on next page.

Management Unit	Number of Animals Harvested by Designated Hunters 2002-2020
<i>Continued from previous page.</i>	
Management Unit	Number of Animals Harvested by Designated Hunters 2002-2020
Mountain Goats	
1	1
4	5
Total	6
Muskoxen	
22	3

Cultural Knowledge and Traditional Practices

See the Cultural Knowledge and Traditional Practices section in the Proposal WP22-01 analysis.

Effects of the Proposal

If this proposal is adopted, then Federal designated hunter regulations will no longer preclude members of communities with a community harvest system from designating another person to take wildlife on their behalf to fulfill either their individual harvest limit or count toward the community harvest limit, pursuant to Federal designated hunter regulations. Effects to nonsubsistence uses or wildlife are not anticipated.

If this proposal is not adopted, then Federal designated hunting regulations will continue to preclude residents of communities in a community harvest system from designating another person to take wildlife on their behalf, even though some residents may choose not to participate in the community harvest system. Effects to nonsubsistence uses or wildlife are not anticipated.

OSM PRELIMINARY CONCLUSION

Support Proposal WP22-02.

Justification

The intent of the proposed regulation change is to allow members of a community with a community harvest system to designate another person to harvest on their behalf to meet either their individual harvest limit or count toward the community harvest limit, pursuant to Federal designated harvester regulations. Therefore, the statements in general and unit-specific regulations addressed by this proposal, WP22-02, will no longer be relevant and should be removed. Additionally, these regulatory changes will provide more equitable harvest options and opportunities for subsistence users.

LITERATURE CITED

OSM. 1994. Report of the designated hunter task force. Office of Subsistence Management, USFWS. Anchorage, AK. 34 pages.

OSM. 2020. Federal Subsistence Board News Release, April 29, 2020: Federal Subsistence Board approves changes to subsistence hunting and trapping regulations. <https://www.doi.gov/subsistence/news/general/federal-subsistence-board-approves-changes-subsistence-hunting-and-0>. Retrieved, July 14, 2020. Office of Subsistence, USFWS, Anchorage, AK.

OSM. 2021a. Federal Subsistence Board News Release, February 3, 2021: Federal Subsistence Board approves changes to subsistence fishing regulations. <https://www.doi.gov/subsistence/news/general/federal-subsistence-board-approves-changes-subsistence-fishing-0>. Retrieved July 14, 2021. Office of Subsistence Management, USFWS, Anchorage, AK.

OSM 2021b. Federal permit system. Electronic database. Office of Subsistence Management, USFWS, Anchorage, AK.

APPENDIX 1

STATE PROXY HUNTING REGULATIONS

5 AAC 92.011. Taking of game by proxy

(a) A resident hunter (the proxy) holding a valid resident hunting license may take specified game for another resident (the beneficiary) who is blind, physically or developmentally disabled, or 65 years of age or older, as authorized by AS 16.05.405 and this section.

(b) Both the beneficiary and the proxy must possess copies of a completed proxy authorization form issued by the department. The completed authorization must include

(1) names, addresses, hunting license numbers, and signatures of the proxy and the beneficiary;

(2) number of the required harvest ticket report or permit harvest report;

(3) effective dates of the authorization; and

(4) signature of the issuing agent.

(c) A proxy authorization may not be used to take a species of game for a beneficiary for more than the length of the permit hunt season listed on the proxy authorization or for the maximum length of the species general season listed on the proxy authorization.

(d) A person may not be a proxy

(1) for more than one beneficiary at a time;

(2) more than once per season per species in Unit 13;

(3) for Tier II Caribou in Unit 13, unless the proxy is a Tier II permittee;

(4) for more than one person per regulatory year for moose in Units 20(A) and 20(B).

(e) Repealed 7/26/97.

(f) A proxy who takes game for a beneficiary shall, as soon as practicable, but not later than 30 days after taking game, personally deliver all parts of the game removed from the field to the beneficiary.

(g) Except for reporting requirements required by (h) of this section, a proxy who hunts or kills game for a beneficiary is subject to all the conditions and requirements that would apply to the beneficiary if the beneficiary personally hunted or killed the game.

(h) Reporting requirements for proxy and beneficiary are as follows:

(1) if the proxy takes the bag limit for the beneficiary, the proxy shall provide the beneficiary with all the information necessary for the beneficiary to complete and return the harvest ticket report or permit harvest report, as required by regulation, to the department within the time periods specified for such reports; the beneficiary is responsible for the timely return of the harvest ticket and permit harvest reports;

(2) if the proxy is unsuccessful or does not take the bag limit for the beneficiary, the proxy shall provide the beneficiary with any information necessary for the beneficiary to complete and return the harvest ticket report or permit harvest report, as required by regulation, to the department within the time periods specified for such reports; the beneficiary is responsible for the timely return of the harvest ticket and permit harvest reports;

(3) the department may require the proxy to complete a proxy hunter report issued with the authorization form and mail it to the department within 15 days after the effective period of the authorization.

(i) A person may not give or receive remuneration in order to obtain, grant, or influence the granting of a proxy authorization.

(j) A proxy participating in a proxy hunt must remove at least one antler from the skull plate or cut the skull plate in half, on an antlered animal, for both the proxy's animal and the beneficiary's animal before leaving the kill site, unless the department has established a requirement that complete antlers and skull plates must be submitted to the department.

(k) Proxy hunting under this section is only allowed for

(1) caribou;

(2) deer;

(3) moose in Tier II hunts, any-bull hunts, and antlerless moose hunts; and

(4) emperor geese.

(l) Notwithstanding (k) of this section, proxy hunting is prohibited in the following hunts where the board has determined that the use of the proxy would allow circumvention of harvest restrictions specified by the board, or where the board has otherwise directed:

(1) Unit 20(E) moose registration hunts and Units 20(B), 20(D), 20(E), 20(F), and 25(C) Fortymile and White Mountains caribou registration hunts;

(2) Units 21(B), 21(C), 21(D), and 24 moose hunts if either the proxy or the beneficiary holds a drawing permit for Units 21(B), 21(C), 21(D), or 24 moose hunts;

(3) Units 9(A) and 9(B), unit 9(C), that portion within the Alagnak River drainage, and units 17(B), 17(C), 18, 19(A), and 19(B) caribou hunts from August 1 through October 31;

(4) Unit 5(A) deer hunts from October 15 through October 31;

(5) Unit 20(D), within the Delta Junction Management Area, the moose drawing hunt for qualified disabled veterans.

ICTP21-02 Executive Summary	
General Description	Proposal ICTP21-02 requests an individual customary and traditional use determination for salmon in the Batzulnetas Area of the Copper River drainage/Prince William Sound Area. In areas managed by the National Park Service where subsistence uses are allowed, customary and traditional use determinations may be made on an individual basis. <i>Submitted by Kathryn Martin.</i>
Proposed Regulation	<p>Federal Regulation Regarding Individual Customary and Traditional Use Determinations for National Parks and Monuments</p> <p><i>§ .16 Customary and traditional use process</i></p> <p><i>(a) The Board shall determine which fish stocks and wildlife populations that have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of specific fish stocks and wildlife populations. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.</i></p> <p>Customary and Traditional Use Determination Salmon -- Batzulnetas Area: Waters of the Copper River and Tanada Creek between National Park Service regulatory markers.</p> <p><i>Residents of Mentasta Lake and Dot Lake, and Kathryn Martin.*</i></p> <p>*Note: Names of individuals do not appear in regulation booklets, they are on a list maintained by the respective National Park Service subsistence manager.</p>
National Park Service Recommendation	
Southcentral Subsistence Regional Advisory Council Recommendation	
Eastern Interior Subsistence Regional Advisory Council Recommendation	
Wrangell-St. Elias National Park Subsistence Resource Commission Recommendation	
Public Comments	

DRAFT STAFF ANALYSIS ICTP21-02

ISSUES

Proposal ICTP21-02, submitted by Kathryn Martin of Tazlina, requests an individual customary and traditional use determination for salmon in the Batzulnetas Area of the Copper River drainage/Prince William Sound Area within Wrangell-St. Elias National Park.

DISCUSSION

The proponent has a personal and family history of customary and traditional use of salmon in the Batzulnetas Area of the Copper River drainage/Prince William Sound Area within Wrangell-St. Elias National Park. She is from Mentasta Lake Village, which is a resident zone community of Wrangell-St. Elias National Park and has a customary and traditional use determination for salmon in the Batzulnetas Area (see **Figure 1**), and currently lives in Tazlina, which is similarly a resident zone community but does not have a customary and traditional use determination for salmon in the Batzulnetas Area.

To be eligible to engage in subsistence uses, Federal subsistence regulations require that rural Alaska residents live in a community or area that has a customary and traditional use determination for the desired species and harvest area (50 CFR 100.5(b)). They also state that the National Park Service (NPS) may further regulate eligibly to engage in subsistence on NPS-managed lands (50 CFR 100.5(d)). According to NPS regulations, in order to qualify as a local rural resident eligible to engage in subsistence uses within a National Park or National Monument, a person must live in a resident zone community, live within the boundaries of the park or monument, or hold a §13.440 subsistence eligibility permit (36 CFR 13.420, 430). If a person qualifies as a local rural resident as described in the previous sentence, but lives in a community or area without a customary and traditional use determination for the species they wish to hunt or fish, they may submit a proposal to the Federal Subsistence Board for an individual customary and traditional use determination.

Federal subsistence regulations allow the Board to make individual customary and traditional use determinations in NPS-managed National Park and National Monument areas where subsistence is authorized, but not in Preserves. National Park Service regulations include unique subsistence eligibility requirements for National Park Service lands. Fewer people have subsistence eligibility in National Parks and National Monuments as compared to other Federal public lands. Requests for individual customary and traditional use determinations are analyzed in the same way that a community or area request for a customary and traditional use determination is analyzed (FSB 1999: 224).

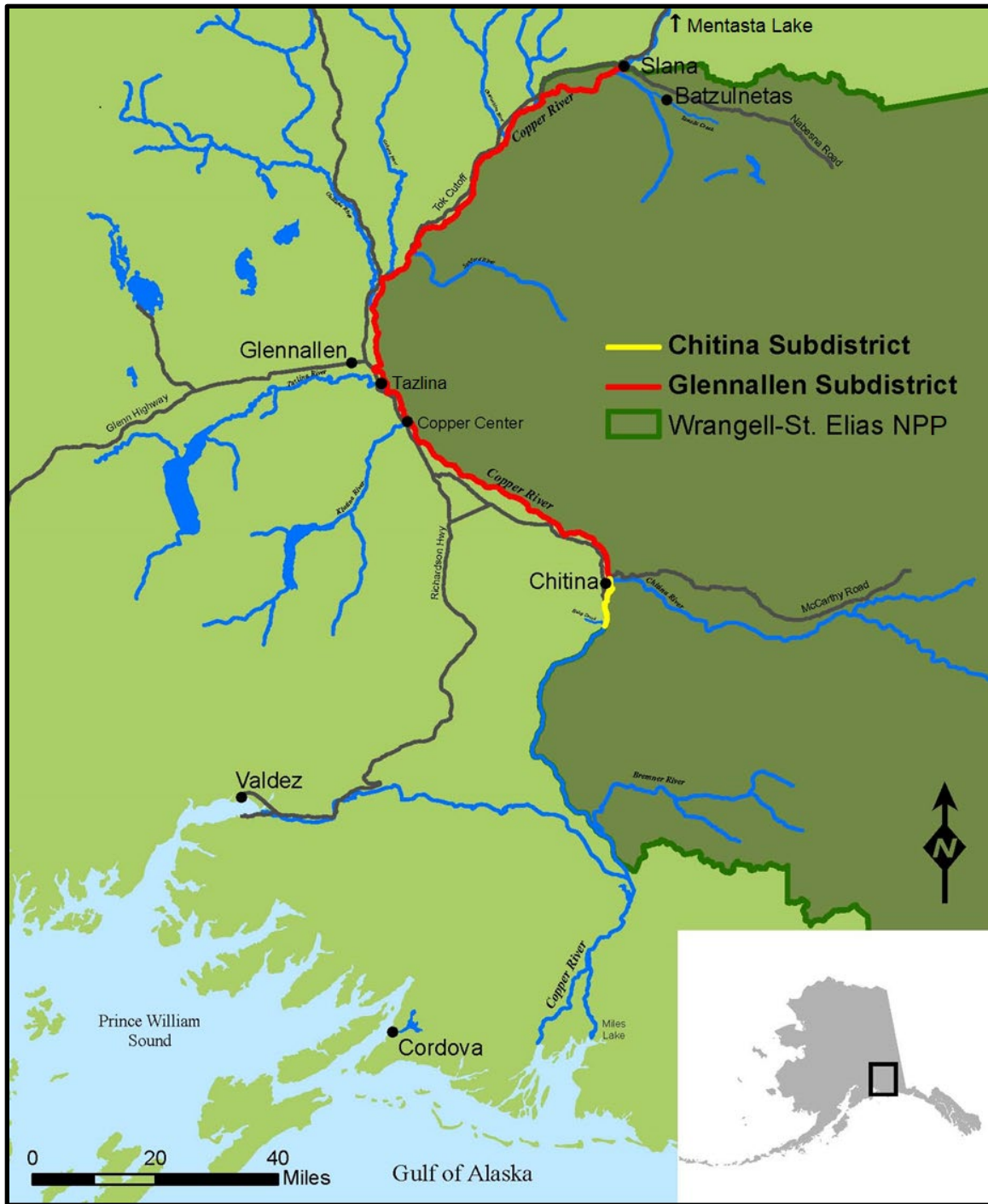


Figure 1: Federal subsistence fisheries on upper Copper River drainage.

Existing Federal Regulation

Other Federal Regulation Regarding Individual Customary and Traditional Use Determinations for National Parks and Monuments

36 CFR 13.410 Applicability.

Subsistence uses by local rural residents are allowed pursuant to the regulations of this subpart in the following park areas:

- (a) In national preserves;*
- (b) In Cape Krusenstern National Monument and Kobuk Valley National Park;*
- (c) Where such uses are traditional (as may be further designated for each park or monument in the applicable special regulations of this part) in Aniakchak National Monument, Gates of the Arctic National Park, Lake Clark National Park, Wrangell-St. Elias National Park, and the Denali National Park addition.*

50 CFR 100.16 Customary and traditional use process.

- (a) The Board shall determine which fish stocks and wildlife populations that have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of specific fish stocks and wildlife populations. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.*

Individual Customary and Traditional Use Determinations

Customary and Traditional Use Determination—Salmon	
<i>Batzulnetas Area: Waters of the Copper River and Tanada Creek between National Park Service regulatory markers.</i>	<i>Residents of Mentasta Lake and Dot Lake</i>

Proposed Federal Regulation

Customary and Traditional Use Determination—Salmon	
<i>Batzulnetas Area: Waters of the Copper River and Tanada Creek between National Park Service regulatory markers</i>	<i>Residents of Mentasta Lake and Dot Lake, and Kathryn Martin.¹</i>

¹ Names of individuals do not appear in regulation booklets; they are on a list maintained by the respective National Park Service subsistence manager.

Extent of Federal Public Lands/Waters

For purposes of this discussion, the phrase “Federal public waters” is defined as those waters described under 50 CFR 100.3. The Batzulnetas Area is located within the Prince William Sound Fishery Management Area. It consists of waters of the Copper River between National Park Service regulatory markers located near the mouth of Tanada Creek, and in Tanada Creek between National Park Service regulatory markers identifying the open waters of the creek. The Batzulnetas Area is located within Wrangell-St. Elias National Park.

Background

Batzulnetas is an important traditional salmon fishing site in the headwaters of the Copper River. The area near the confluence of Tanada Creek with the Copper River was called Batzulnetas by American military explorer Lt. Henry A. Allen after the Athabaskan chief, or *kaska*, *Bets’ulnii Ta’*, who he met there during his travels in Alaska in 1885 (Allen 1887; Kari 1986:116). The importance of the location for salmon fishing is reflected in the traditional Ahtna name for one of the three named localities now collectively known as Batzulnetas. *Nataelde* or “roasted salmon place” refers to a specialty prepared by the men of the village (Reckord 1983:203). The other localities were called *C’ecenn’ gha* or “by the stumps” and *C’ecaegge* or “river mouth” (Simeone 2014:20).

At the beginning of the 20th century, there were two separate family-based communities in the Batzulnetas area. Charley Sanford and his family lived on Tanada Creek at *Nataelde*, while Billy Henry and his family lived at *C’ecaegge* along the Copper River just below the mouth of Tanada Creek (Simeone 2014:21). The Batzulnetas area was occupied until the 1940s, when the occupants relocated so that their children could attend school, but they continued to fish at Batzulnetas (Miller 2018). The descendants of Charley Sanford, including Katie John, who was Sanford’s daughter and Kathryn Martin’s grandmother, settled in Mentasta Lake Village, while those of Billy Henry settled in the Upper Tanana community of Dot Lake. This is relevant because Dot Lake and Mentasta Lake are the two communities that are recognized in the existing Federal Subsistence Program customary and traditional use determination for salmon in the Batzulnetas Area.

The State of Alaska closed the Copper River above Slana along with the Copper River tributaries to subsistence fishing in 1964, reportedly to allow additional escapement to the spawning grounds, to protect fish from being overharvesting on the spawning grounds, and to manage the growth of the fishery (ADF&G 1966:207, cited in Simeone and Valentine 2007:78; Simeone and Fall 2003:28). Katie John of Mentasta was subsequently the lead plaintiff in a series of lawsuits and other legal actions, beginning in 1985, seeking to resume subsistence fishing at Batzulnetas. As a result of the decisions on these lawsuits, the federal government issued regulations identifying waters in Alaska under federal subsistence management in 1999, including the Batzulnetas Area (Miller 2018; see also 64 Fed. Reg. 5, 1276-1313 [January 8, 1999]). Mentasta and Dot Lake – the primary villages to which Batzulnetas residents relocated in the 1940s – were the two communities identified in the original Federal Subsistence Program customary and traditional use determination specifically for the Batzulnetas Area (FSB 2000; OSM

2000). During the December 2000 meeting of the Federal Subsistence Board, it was noted that “access and use of the Batzulnetas fishery is traditionally limited to land owned by residents of Mentasta Lake and Dot Lake who are the sole users of this fishery” (FSB 2000: 00186).

Regulatory History

Requests for individual customary and traditional use determinations began almost as soon as the Federal Subsistence Board assumed management authority for subsistence on Federal public lands in 1990. Many of the initial individual customary and traditional use proposals were held up for years because of a huge backlog of proposals for community customary and traditional use determinations and lack of clarity as to whether or not individual customary and traditional use determinations were within the purview of the Federal Subsistence Board (Norris 2002: 229-232). In 1999, the Board finally addressed several proposals for individual customary and traditional use determinations. The Department of the Interior’s Office of the Solicitor affirmed that the Board “had sufficient legal authority under ANILCA to make customary and traditional use determinations for NPS administered lands on an individual basis” (Norris 2002: 232).

Since that affirmation, a handful of small number of individual customary and traditional use determinations have been made and the process for making them has been clarified. Later in 1999 the Board recognized one individual customary and traditional use determination for Denali National Park and several from Wrangell St. Elias National Park (Norris 2002: 232, FSB 1999: 222-243). The Board also denied some of these proposals due to lack of sufficient information exemplifying the eight factors (Norris 2002: 232; FSB 1999: 222-243). In 2010, the Board approved an additional individual customary and traditional use determination, in this case for Kevin Mayo of Healy (WP10-31). In January 2021 the Federal Subsistence Board adopted a revised policy on individual customary and traditional use determinations to follow the procedures described in the National Park Service’s “Standard Operating Procedures for Issuance of Subsistence Eligibility Permits and Individual Customary and Traditional Use Determinations.” The new policy allows for proposals to be submitted on a continuous basis, and also provides for concurrent application for 13,440 Subsistence Eligibility Permits. Subsequently, Blaine Mayo of Healy submitted Proposal ICTP21-01, which requests an individual customary and traditional use determination for moose in Unit 13E for himself, his wife, and children (NPS 2021). The Board approved this request during its August 2021 work session (FSB 2021).

Eight Factors for Determining Individual Customary and Traditional Use

For an Individual C&T use determination, the analysis should address the following questions:

1. Does the applicant have a long-term, consistent pattern of use of these resources, excluding interruptions beyond their control?
2. Does the applicant have a pattern of use for these resources recurring in specific seasons for many years?

3. Does the applicant have a pattern of use of these resources consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics?
4. Does the applicant exhibit consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the park unit?
5. Does the applicant exhibit a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate?
6. Does the applicant exhibit a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation?
7. Does the applicant exhibit a pattern of use in which the harvest is shared or distributed within a definable community of persons?
8. Does the applicant exhibit a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to your household?

The Board makes customary and traditional use determinations based on a holistic application of the above eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who generally exhibit the eight factors. The Board does not use such determinations for resource management or restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limits or season restrictions rather than by limiting the customary and traditional use finding.

Specific information on each of the eight factors is not required because an individual seeking a customary and traditional use determination only must “generally exhibit” the eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)).

Integrated Discussion of the Eight Factors

Kathryn Martin’s family has fished for salmon and harvested other subsistence resources at Batzulnetas for many generations, including her great grandfather Charlie Sanford, her grandmother Katie John, and her mother Eva John.² Batzulnetas is the location of the family’s traditional fish camp. Katie John, and now her descendants, own a Native Allotment at Batzulnetas, which reflects the importance of this site to the family. As mentioned earlier in this analysis, their ability to fish at the site was disrupted by a State of Alaska regulation that went into effect in 1964 prohibiting subsistence fishing on Copper River tributaries and on the main stem of the Copper River above the mouth of the Slana River. Their ability to fish there

² Discussion in this section is based primarily on Martin 2021a and 2021b.

was subsequently restored following a series of lawsuits in which Kathryn's grandmother Katie John was the lead plaintiff.

Kathryn Martin lived in Mentasta Lake Village, which has a customary and traditional use determination for salmon in the Batzulnetas area, from 1971 to 2005. She has harvested resources at Batzulnetas on an annual basis starting in 1992 and continues to do so. In 2005 she moved outside of Mentasta for work and thus lost her eligibility to fish for salmon at Batzulnetas under federal regulations; however, she continues to return to Batzulnetas to harvest other resources and to participate in the culture camp that takes place on her grandmother's Native Allotment. In addition to fishing for salmon, Ms. Martin has harvested moose, berries, firewood, roots, and steam bath rocks in the Batzulnetas area. Batzulnetas is located within Wrangell-St. Elias National Park about 2 miles south of the Nabesna Road and is accessed by highway vehicle and all-terrain vehicle (or ATV). Salmon are harvested using fish wheel and dip net – subsistence harvest methods characterized by efficiency and economy of effort – from May to September. As a migratory species, the harvest season depends on when salmon are present in the area.

Ms. Martin currently harvests salmon in the Glennallen Subdistrict of the Copper River, for which she has a customary and traditional use determination as a resident of Tazlina. She mostly fishes in the Tazlina area using a fish wheel owned by relative. She preserves the salmon for future use by her family and other family members by drying, jarring and freezing, and she shares with family members who aren't able to harvest or preserve salmon themselves. She also makes stink head (*nelk'oli*, fermented fish heads), which she says “no one really does ... anymore, but people still eat it” (Martin 2021a; see also Simeone and Kari 2002). She regularly picks berries in July and August, which she jars and freezes, and hunts moose and caribou, which she dries and freezes. The family hunts moose in June and July under a cultural and educational permit for the Batzulnetas Culture Camp and hunts caribou in September through March.

Kathryn learned fishing skills and values from her grandparents Katie John and Fred John Sr., her aunt Ruth Hicks, and her great uncle Huston Sanford. She shares what she knows about preserving salmon with her family, including her children, nieces, nephews and grandchildren, as well as others that want to learn, by taking them with her to harvest, process, and put away the fish. An important venue for sharing knowledge is the annual Batzulnetas Culture Camp which takes place at her grandmother's Native Allotment at Batzulnetas.

Effects of the Proposal

If adopted, this proposal would recognize Kathryn Martin's customary and traditional use of salmon at Batzulnetas and allow her to resume fishing at a site where her family has fished for generations. Because this customary and traditional use determination is for a single individual with a history of salmon harvests in the area, the effects on other users should be minimal.

NPS PRELIMINARY CONCLUSION

Support Proposal ICTP21-02

Justification

Ms. Martin provided substantial information about her and her family's customary and traditional use of salmon at Batzulnetas that exemplifies the eight factors for customary and traditional use determinations. The applicant exhibits a long-term pattern of use of salmon at Batzulnetas. This pattern has been repeated for many years and through several generations. Methods and means of harvest are characterized by efficiency and economy of effort. Knowledge of handling, preparing, and preserving salmon is shared among and between generations. Salmon is regularly shared with family members. The applicant demonstrates a pattern of subsistence use that includes reliance of a wide variety of wild resources that provide the applicant and her family with cultural, economic, social and nutritional benefits. All eight of the factors associated with determining customary and traditional uses are evident. For these reasons, there is substantial evidence to support the issuance of an individual customary and traditional use determination for the applicant.

LITERATURE CITED

Alaska Department of Fish and Game (ADF&G). 1966. Annual report of progress, 1965-1966 Federal aid in fish project F-5-R-7 Sport fish investigations. Alaska Department of Fish and Game. Juneau, AK.

Allen, H. T. 1887. Report of an expedition to the Copper, Tanana, and Koyukuk Rivers in the Territory of Alaska in the year 1885. U.S. Government Printing Office, Washington, D.C.

FSB 1999. Transcripts of the Federal Subsistence Board proceedings, May 5, 1999. Office of Subsistence Management, FWS. Anchorage, AK.

FSB. 2000. Transcripts of Federal Subsistence Board proceedings. December 6, 2000. Office of Subsistence Management, USFWS. Anchorage, AK.

FSB. 2010. Transcripts of Federal Subsistence Board proceedings. May 20, 2010. Office of Subsistence Management, USFWS. Anchorage, AK.

FSB. 2021. News Release: Results from Federal Subsistence Board Work Session. August 5, 2021. Office of Subsistence Management, USFWS. Anchorage, AK.

Kari, J. 1986. (editor). *Tat'l'ahwt'aenn Nenn'*, The Headwaters People's Country, Narratives of the Upper Ahtna Athabaskans. Alaska Native Language Center, University of Alaska, Fairbanks.

Martin, K. 2021a. Application for Individual Customary and Traditional Use Determination for Salmon at Batzulnetas. March 9, 2021.

Martin, K. 2021b. Personal communication via email with Barbara Cellarius, Subsistence Coordinator, Wrangell-St. Elias National Park and Preserve. July 20, 2021.

Miller, H. K. 2018 [2013]. On the passing of Ahtna elder, Katie John. Indian Country Today. <https://indiancountrytoday.com/archive/on-the-passing-of-ahtna-elder-katie-john>. Accessed July 4, 2021.

National Park Service. 2021. Draft Staff Analysis ICTP21-01.

Norris, F. 2002. Alaska subsistence: A National Park Service management history. US Department of the Interior. National Park Service. Anchorage, AK.

OSM. 2000. Staff analysis FP01-19 and FP01-20. Pages 78-97 in Federal Subsistence Board Meeting Materials. December 5-6, 2000. Office of Subsistence Management, USFWS. Anchorage, AK.

Reckord, H. 1983. Where Raven Stood: Cultural Resources of the Ahtna Region. Occasional Paper No. 35. Cooperative Park Studies Unit. Fairbanks, AK.

Simeone, W. E. 2014. Along the Ałs'e'tnaey-Nal'cine trail: Historical narratives, historical places. Mt. Sanford Tribal Consortium. Chistochina, AK.

Simeone, W. E. and J. Kari. 2002. Traditional knowledge and fishing practices of the Ahtna of the Copper River, Alaska. Technical Paper 270. Alaska Department of Fish and Game, Division of Subsistence Technical Paper 270. Juneau, AK.

Simeone, W. E., and E. M. Valentine. 2007. Ahtna knowledge of long-term changes in salmon runs of the upper Copper River drainage, Alaska. Alaska Department of Fish and Game, Division of Subsistence Technical Paper No. 324. Juneau.

**U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ALASKA REGION**

**NATIONAL PARK/MONUMENT SUBSISTENCE ELIGIBILITY PERMIT* & INDIVIDUAL CUSTOMARY
AND TRADITIONAL USE DETERMINATION ANALYSIS**

*(*For determination of subsistence eligibility under the provisions of 36 CFR 13.440.)*

To be completed by the relevant Subsistence Coordinator:

Date: July 20, 2021

Applicant Name: Kathryn Martin

Analyst Name: Barbara Cellarius

This analysis is in response to the following request (Choose One):

- Subsistence Eligibility Permit ONLY
- Individual Customary and Traditional Use Determination ONLY
- Subsistence Eligibility Permit AND Individual Customary and Traditional Use Determination

Please type a brief summary of the applicant's reported subsistence use pertaining to the request, as determined from information provided on the application and during the interview:

See accompanying analysis.

For a National Park/Monument Subsistence Eligibility Permit, the analysis should address the following topics:

1. Synopsis of the applicant's pattern of use¹ specifically in the national park or monument for which the permit is requested, including the following:
 - a. Species harvested,
 - b. Specific locations where the use occurred,
 - c. Years during which the subsistence uses took place, and
 - d. Whether aircraft was used for access.
2. Does the pattern of use begin prior to the signing of the Alaska National Interest Lands Conservation Act (ANILCA)?

¹ There may be variation by region and/or park on what constitutes a "pattern of use." Generally, there should exist evidence of repeated past attempts to access and harvest subsistence resources within the boundaries of the park or monument. SRCs may be consulted in defining a "pattern of use" for their region.

3. Does the applicant have a pattern of use established while as a resident of a resident zone community after the passage of ANILCA?

For an Individual C&T use determination, the analysis should address the following questions:

1. Does the applicant have a long-term, consistent pattern of use of these resources, excluding interruptions beyond their control? Please explain.
2. Does the applicant have a pattern of use for these resources recurring in specific seasons for many years? Please explain.
3. Does the applicant have a pattern of use of these resources consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics? Please explain.
4. Does the applicant exhibit consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the park unit? Please explain.
5. Does the applicant exhibit a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate? Please explain.
6. Does the applicant exhibit a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation? Please explain.
7. Does the applicant exhibit a pattern of use in which the harvest is shared or distributed within a definable community of persons? Please explain.
8. Does the applicant exhibit a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to your household? Please explain.

The analysis should include an integrated discussion of the eight factors. A factor-by-factor discussion is not required in the analysis and it is also not necessary that all eight factors be addressed to demonstrate a pattern of use. The eight factors provide a framework for examining the pattern of use of a resource. There are regional, cultural and temporal variations and the application of the eight factors will likely vary by region and by resource depending on actual patterns of use. The goal of customary and traditional use determination analyses is to recognize customary and traditional uses in the most inclusive manner possible.

As a result of this analysis (Select All that Apply):

- There is substantial evidence to support the issuance of a Subsistence Eligibility Permit

- There is substantial evidence to support the issuance of an Individual Customary and Traditional Use Determination for (species and location) salmon in the Batzulnetas Area, Upper Copper River, Prince William Sound Fishery Management Area.
- There is NOT substantial evidence to support the issuance a Subsistence Eligibility Permit
- There is NOT substantial evidence to support the issuance an Individual Customary and Traditional Use Determination for (species and location) _____

Brief Justification:

Kathryn Martin provided substantial information about her and her family’s customary and traditional use of salmon at Batzulnetas that exemplifies the eight factors for customary and traditional use determinations. The applicant exhibits a long-term pattern of use of salmon at Batzulnetas. This pattern has been repeated for many years and through several generations. Methods and means of harvest are characterized by efficiency and economy of effort. Knowledge of handling, preparing, and preserving salmon is shared among and between generations. Salmon is regularly shared with family members. The applicant demonstrates a pattern of subsistence use that includes reliance of a wide variety of wild resources that provide the applicant and her family with cultural, economic, social and nutritional benefits. All eight of the factors associated with determining customary and traditional uses are evident. For these reasons, there is substantial evidence to support the issuance of an individual customary and traditional use determination for the applicant.

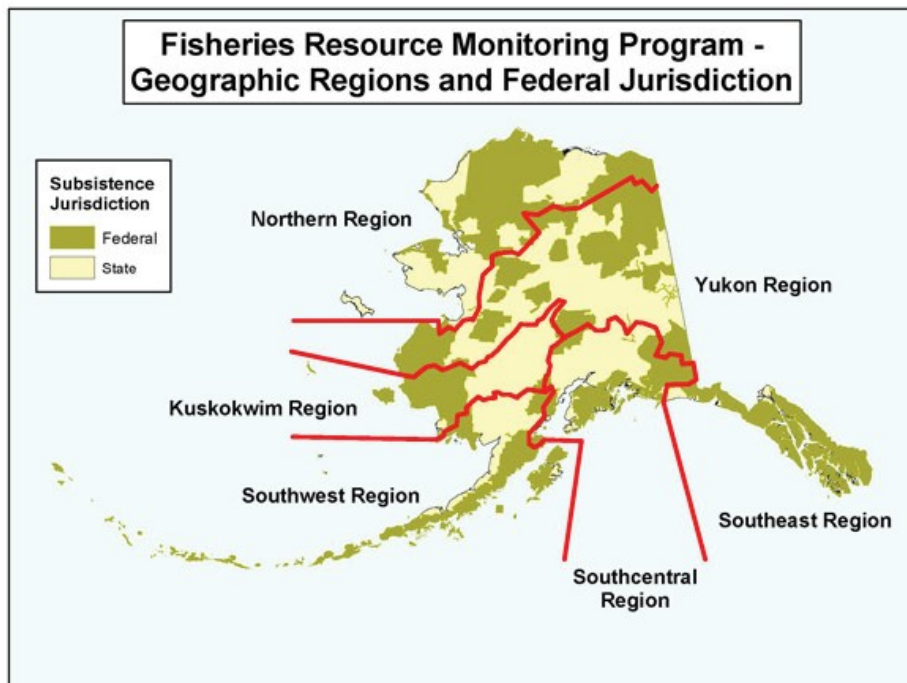
Signature of Analyst: **BARBARA CELLARIUS** Digitally signed by BARBARA CELLARIUS Date: 2021.08.04 14:25:03 -08'00' Date: August 4, 2021

FISHERIES RESOURCE MONITORING PROGRAM

BACKGROUND

Section 812 of the Alaska National Interest Lands Conservation Act (ANILCA) directs the Departments of the Interior and Agriculture, cooperating with other Federal agencies, the State of Alaska, and Alaska Native and other rural organizations, to research fish and wildlife subsistence uses on Federal public lands and to seek data from, consult with, and make use of the knowledge of local residents engaged in subsistence. When the Federal government assumed responsibility for management of subsistence fisheries on Federal public lands and waters in Alaska in 1999, the Secretaries of the Interior and Agriculture made a commitment to increase the quantity and quality of information available to manage subsistence fisheries, to increase quality and quantity of meaningful involvement by Alaska Native and other rural organizations, and to increase collaboration among Federal, State, Alaska Native, and rural organizations. The Fisheries Resource Monitoring Program (Monitoring Program) is a collaborative, interagency, interdisciplinary approach to enhance fisheries research and data in Alaska and effectively communicate information needed for subsistence fisheries management on Federal public lands and waters.

Every two years, the Office of Subsistence Management announces a funding opportunity for investigation plans addressing subsistence fisheries on Federal public lands. The 2022 Notice of Funding Opportunity focused on priority information needs developed by the Subsistence Regional Advisory Councils with input from strategic plans and subject matter specialists. The Monitoring Program is administered through regions to align with stock, harvest, and community issues common to a geographic area. The six Monitoring Program regions are shown below.



Strategic plans sponsored by the Monitoring Program have been developed by workgroups of fisheries managers, researchers, Subsistence Regional Advisory Councils, and by other stakeholders for three of the six regions: Southeast, Southcentral (excluding Cook Inlet Area), and Southwest Alaska, and for Yukon and Kuskokwim drainages whitefish (available for viewing at the Monitoring Program webpage at <https://www.doi.gov/subsistence/frmp/plans>). These plans identify prioritized information needs for each major subsistence fishery. Individual copies of plans are available from the Office of Subsistence Management by calling (907) 786-3888 or toll Free: (800) 478-1456 or by email subsistence@fws.gov. An independent strategic plan was completed for the Kuskokwim Region for salmon in 2006 and can be viewed at the Alaska-Yukon-Kuskokwim Sustainable Salmon Initiative website at <https://www.aykssi.org/salmon-research-plans/>.

Investigation plans are reviewed and evaluated by Office of Subsistence Management and U.S. Forest Service staff, and then scored by the Technical Review Committee. The Technical Review Committee's function is to provide evaluation, technical oversight, and strategic direction to the Monitoring Program. Each investigation plan is scored on the following five criteria: strategic priority, technical and scientific merit, investigator ability and resources, partnership and capacity building, and cost/benefit.

Project executive summaries are assembled into a draft 2022 Fisheries Resources Monitoring Plan. The draft plan is distributed for public review and comment through Subsistence Regional Advisory Council meetings, beginning in September 2021. The Federal Subsistence Board will review the draft plan and will accept written and oral comments at its January 2022 meeting. The Federal Subsistence Board forwards its comments to the Assistant Regional Director of the Office of Subsistence Management. Final funding approval lies with the Assistant Regional Director of the Office of Subsistence Management. Investigators are subsequently notified in writing of the status of their proposals.

HISTORICAL OVERVIEW

The Monitoring Program was first implemented in 2000 with an initial allocation of \$5 million. Since 2000, a total of \$127 million has been allocated for the Monitoring Program to fund a total of 494 projects (**Figure 1** and **Figure 2**).

During each two-year funding cycle, the Monitoring Program budget funds ongoing multi-year projects (2, 3, or 4 years) as well as new projects. Budget guidelines are established by geographic region (**Table 1**). The regional guidelines were developed using six criteria that included level of risk to species, level of threat to conservation units, amount of subsistence needs not being met, amount of information available to support subsistence management, importance of a species to subsistence harvest, and level of user concerns regarding subsistence harvest. Budget guidelines provide an initial target for planning; however, they are not final allocations and are adjusted annually as needed (**Figure 3**).

Figure 1. Monitoring Program Funds Distributed, by Organization Type, Since 2000

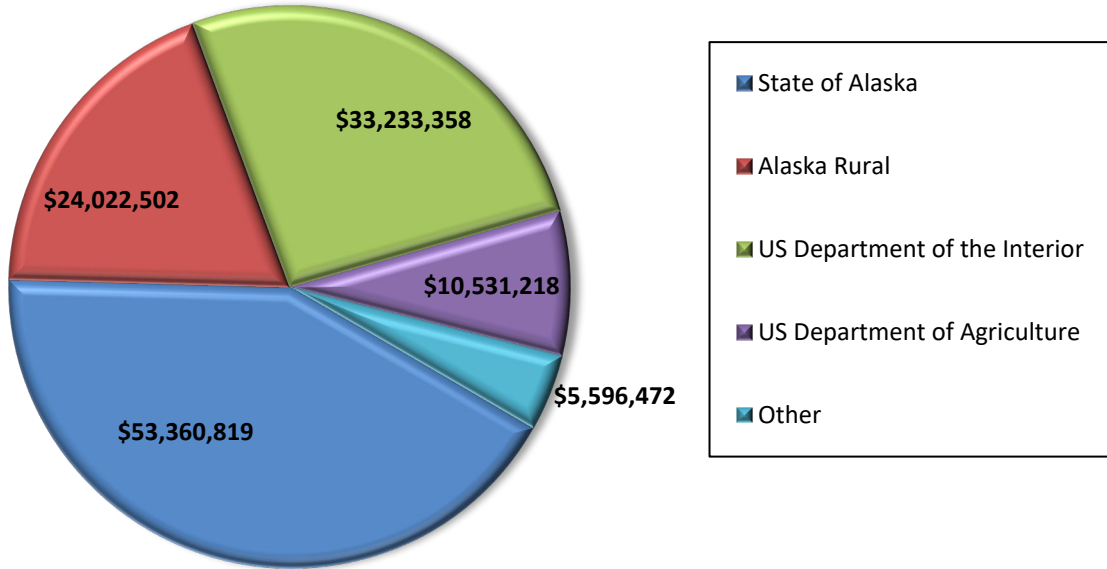


Figure 2. Number of Monitoring Program Projects Funded, by Organization Type, since 2000

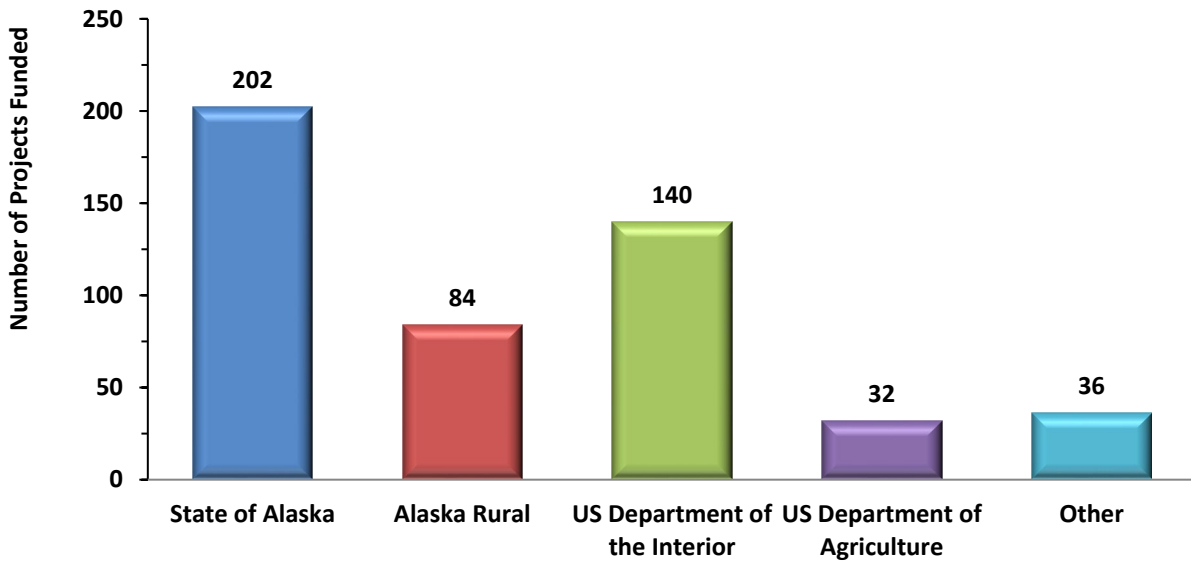
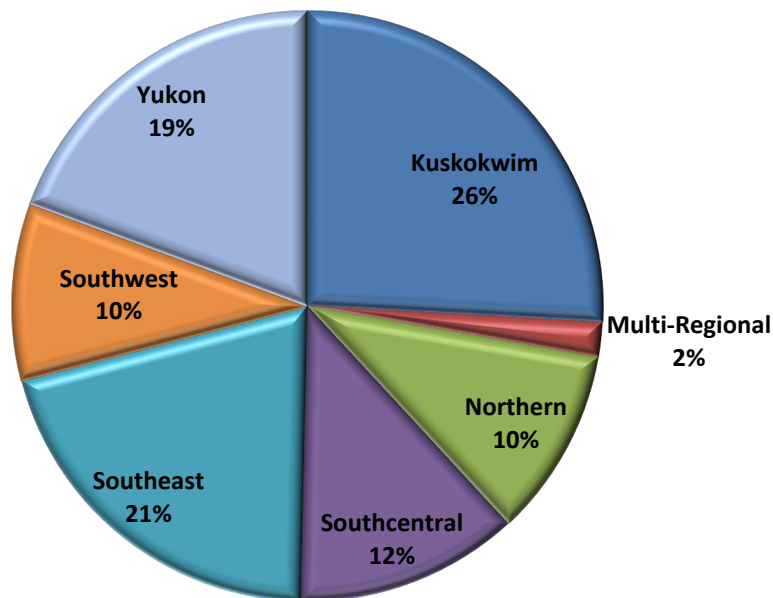


Table 1. Regional allocation guideline for Fisheries Resource Monitoring Program Funds.

Region	U.S. Department of the Interior Funds	U.S. Department of Agriculture Funds
Northern Alaska	17%	0%
Yukon Drainage	29%	0%
Kuskokwim Drainage	29%	0%
Southwest Alaska	15%	0%
Southcentral Alaska	5%	33%
Southeast Alaska	0%	67%
Multi-Regional	5%	0%

Figure 3. Percentage of Monitoring Program Funding Distributed to Each Region since 2000



The following three broad categories of information that are solicited for the Monitoring Program: (1) harvest monitoring, (2) traditional ecological knowledge, and (3) stock status and trends. Projects that combine these approaches are encouraged. Definitions of these three categories of information are listed below.

Harvest monitoring studies provide information on numbers and species of fish harvested, locations of harvests, and gear types used. Methods used to gather information on subsistence harvest patterns may include harvest calendars, mail-in questionnaires, household interviews, subsistence permit reports, and telephone interviews.

Traditional ecological knowledge studies are investigations of local knowledge directed at collecting and analyzing information on a variety of topics such as the sociocultural aspects of subsistence, fish ecology, species identification, local names, life history, taxonomy, seasonal movements, harvests, spawning and rearing areas, population trends, environmental observations, and traditional management systems. Methods used to document traditional ecological knowledge include ethnographic fieldwork, key respondent interviews with local experts, place name mapping, and open-ended surveys.

Stock status and trends studies provide information on abundance and run timing; age, size, and sex composition; migration and geographic distribution; survival of juveniles or adults; stock production; genetic stock identification; and mixed stock analyses. Methods used to gather information on stock status and trends include aerial and ground surveys, test fishing, towers, weirs, sonar, video, genetics, mark-recapture, and telemetry.

PROJECT EVALUATION PROCESS

The Monitoring Program prioritizes high quality projects that address critical subsistence and conservation concerns. Projects are selected for funding through an evaluation and review process that is designed to advance projects that are strategically important for the Federal Subsistence Management Program, technically sound, administratively competent, promoting partnerships and capacity building, and are cost effective. Projects are first evaluated by a panel called the Technical Review Committee. This committee is a standing interagency committee of senior technical experts. The Technical Review Committee reviews, evaluates, and makes recommendations about proposed projects that are consistent with the mission of the Monitoring Program. Fisheries and Anthropology staff from the Office of Subsistence Management provide support for the Technical Review Committee. Recommendations from the Technical Review Committee provide the basis for further comments from Subsistence Regional Advisory Councils, the public, the Interagency Staff Committee, and the Federal Subsistence Board, with final approval of the Monitoring Plan by the Assistant Regional Director of the Office of Subsistence Management.

To be considered for funding under the Monitoring Program, a proposed project must have a nexus to Federal subsistence fishery management. Proposed projects must have a direct association to a Federal subsistence fishery, and the subsistence fishery or fish stocks in question must occur in or pass-through waters within or adjacent to Federal public lands in Alaska (National Wildlife Refuges, National Forests, National Parks and Preserves, National Conservation Areas, National Wild and Scenic River Systems, National Petroleum Reserves, and National Recreation Areas). A complete project package must be submitted on time and must address the following five specific criteria to be considered a high-quality project.

1. **Strategic Priorities**—Studies should be responsive to information needs identified in the 2022 Priority Information Needs available at the Monitoring Program webpage at <https://www.doi.gov/subsistence/frmp/funding>. All projects must have a direct linkage to Federal public lands and/or waters to be eligible for funding under the Monitoring Program. To assist in evaluation of submittals for projects previously funded under the Monitoring Program, investigators must summarize project findings in their investigation plans. This summary should clearly and concisely document project performance, key findings, and uses of collected information for Federal subsistence management. Projects should address the following topics to demonstrate links to strategic priorities:

- Federal jurisdiction—The extent of Federal public waters in or nearby the project area
- Direct subsistence fisheries management implications
- Conservation mandate—Threat or risk to conservation of species and populations that support subsistence fisheries
- Potential impacts on the subsistence priority—Risk that subsistence harvest users’ goals will not be met
- Data gaps—Amount of information available to support subsistence management and how a project answers specific questions related to these gaps
- Role of the resource—Contribution of a species to a subsistence harvest (number of villages affected, pounds of fish harvested, miles of river) and qualitative significance (cultural value, unique seasonal role)
- Local concern—Level of user concerns over subsistence harvests (upstream vs. downstream allocation, effects of recreational use, changes in fish abundance and population characteristics)

2. **Technical-Scientific Merit**—Technical quality of the study design must meet accepted standards for information collection, compilation, analysis, and reporting. To demonstrate technical and scientific merit, applicants should describe how projects will:

- Advance science
- Answer immediate subsistence management or conservation concerns
- Have rigorous sampling and/or research designs
- Have specific, measurable, realistic, clearly stated, and achievable (attainable within the proposed project period) objectives
- Incorporate traditional knowledge and methods

Data collection, compilation, analysis, and reporting procedures should be clearly stated. Analytical procedures should be understandable to the non-scientific community. To assist in evaluation of submittals for continuing projects previously funded under the Monitoring

Program, summarize project findings and justify continuation of the project, placing the proposed work in context with the ongoing work being accomplished.

3. ***Investigator Ability and Resources***—Investigators must show they are capable of successfully completing the proposed project by providing information on the ability (training, education, experience, and letters of support) and resources (technical and administrative) they possess to conduct the work. Investigators that have received funding in the past, via the Monitoring Program or other sources, are evaluated and scored on their past performance, including fulfillment of meeting deliverable and financial accountability deadlines. A record of failure to submit reports or delinquent submittal of reports will be taken into account when rating investigator ability and resources.
4. ***Partnership and Capacity Building***—Investigators must demonstrate that capacity building has already reached the communication or partnership development stage during proposal development and, ideally, include a strategy to develop capacity building to higher levels, recognizing, however, that in some situations higher level involvement may not be desired or feasible by local organizations.

Investigators are requested to include a strategy for integrating local capacity development in their study plans or research designs. Investigators should inform communities and regional organizations in the area where work is to be conducted about their project plans. They should also consult and communicate with local communities to ensure that local knowledge is utilized and concerns are addressed. Investigators and their organizations should demonstrate their ability to maintain effective local relationships and commitment to capacity building. This includes a plan to facilitate and develop partnerships so that investigators, communities, and regional organizations can pursue and achieve the most meaningful level of involvement. Proposals demonstrating multiple, highly collaborative efforts with rural community members or Alaska Native Organizations are encouraged.

Successful capacity building requires developing trust and dialogue among investigators, local communities, and regional organizations. Investigators need to be flexible in modifying their work plan in response to local knowledge, issues, and concerns, and must also understand that capacity building is a reciprocal process in which all participants share and gain valuable knowledge. The reciprocal nature of the capacity building component(s) should be clearly demonstrated in proposals. Investigators are encouraged to develop the highest level of community and regional collaboration that is practical including joining as co-investigators.

Capacity can be built by increasing the technical capabilities of rural communities and Alaska Native organizations. This can be accomplished via several methods, including increased technical experience for individuals and the acquisition of necessary gear and equipment. Increased technical experience would include all areas of project management including logistics, financial accountability, implementation, and administration. Other examples may include internships or providing opportunities within the project for outreach, modeling, sampling design,

or project specific training. Another would be the acquisition of equipment that could be transferred to rural communities and tribal organizations upon the conclusion of the project.

A “meaningful partner” is a partner that is actively engaged in one or more aspects of project design, logistics, implementation and reporting requirements. Someone who simply agrees with the concept or provides a cursory look at the proposal is not a meaningful partner.

5. **Cost/Benefit**—This criterion evaluates the reasonableness (what a prudent person would pay) of the funding requested to provide benefits to the Federal Subsistence Management Program. Benefits could be tangible or intangible. Examples of tangible outcomes include data sets that directly inform management decisions or fill knowledge gaps and opportunities for youth or local resident involvement in monitoring, research and/or resource management efforts. Examples of possible intangible goals and objectives include enhanced relationships and communications between managers and communities, partnerships and collaborations on critical resource issues, and potential for increased capacity within both communities and agencies.

Applicants should be aware that the Government shall perform a “best value analysis” and the selection for award shall be made to the applicant whose proposal is most advantageous to the Government. The Office of Subsistence Management strives to maximize program efficiency by encouraging cost sharing, partnerships, and collaboration.

POLICY AND FUNDING GUIDELINES

Several policies have been developed to aid in implementing funding. These policies include:

- Projects of up to four years in duration may be considered
- Proposals requesting Monitoring Program funding that exceeds \$215,000 in any one year are not eligible for funding
- Studies must not duplicate existing projects
- Long term projects will be considered on a case-by-case basis

Activities that are not eligible for funding include:

- Habitat protection, mitigation, restoration, and enhancement
- Hatchery propagation, restoration, enhancement, and supplementation
- Contaminant assessment, evaluation, and monitoring
- Projects where the primary or only objective is outreach and education (for example, science camps, technician training, and intern programs), rather than information collection

The rationale behind these policy and funding guidelines is to ensure that existing responsibilities and efforts by government agencies are not duplicated under the Monitoring Program. Land management or regulatory agencies already have direct responsibility, as well as specific programs, to address these activities. However, the Monitoring Program may fund research to determine how these activities affect Federal subsistence fisheries or fishery resources.

The Monitoring Program may fund assessments of key Federal subsistence fishery stocks in decline or that may decline due to climatological, environmental, habitat displacement, or other drivers; however, applicants must show how this knowledge would contribute to Federal subsistence fisheries management. Similarly, the Monitoring Program may legitimately fund projects that assess whether migratory barriers (e.g., falls, beaver dams) significantly affect spawning success or distribution; however, it would be inappropriate to fund projects to build fish passes, remove beaver dams, or otherwise alter or enhance habitat.

2022 FISHERIES RESOURCE MONITORING PLAN

For 2022, a total of 42 investigation plans were received and all are considered eligible for funding. For 2022, the Department of the Interior, through the U.S. Fish and Wildlife Service, will provide an anticipated \$1.5 million in funding for new projects. The U.S. Department of Agriculture, through the U.S. Forest Service, will provide an anticipated \$750,000 in funding.

**FISHERIES RESOURCE MONITORING PROGRAM
SOUTHCENTRAL ALASKA REGION OVERVIEW**

Since the inception of the Fisheries Resource Monitoring Program (Monitoring Program) in 2000, a total of 53 projects have been undertaken in the Southcentral Alaska Region for a total of \$16.0 million (Figure 1). Of these, the State of Alaska received funds to conduct 13 projects, Alaska Rural Organizations conducted 17 projects, the Department of the Interior conducted 18 projects, the U.S. Department of Agriculture conducted 3 projects, and other organizations conducted 2 projects (Figure 2). See Appendix 1 for more information on Southcentral Alaska Region projects completed since 2000.

Figure 1. Monitoring Program Funds Received, by Organization Type, in the Southcentral Alaska Region since 2000

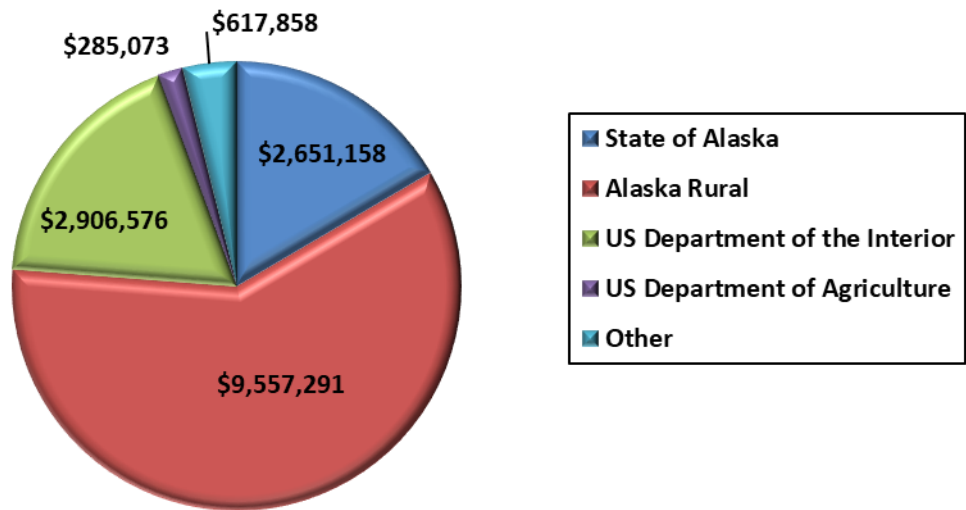
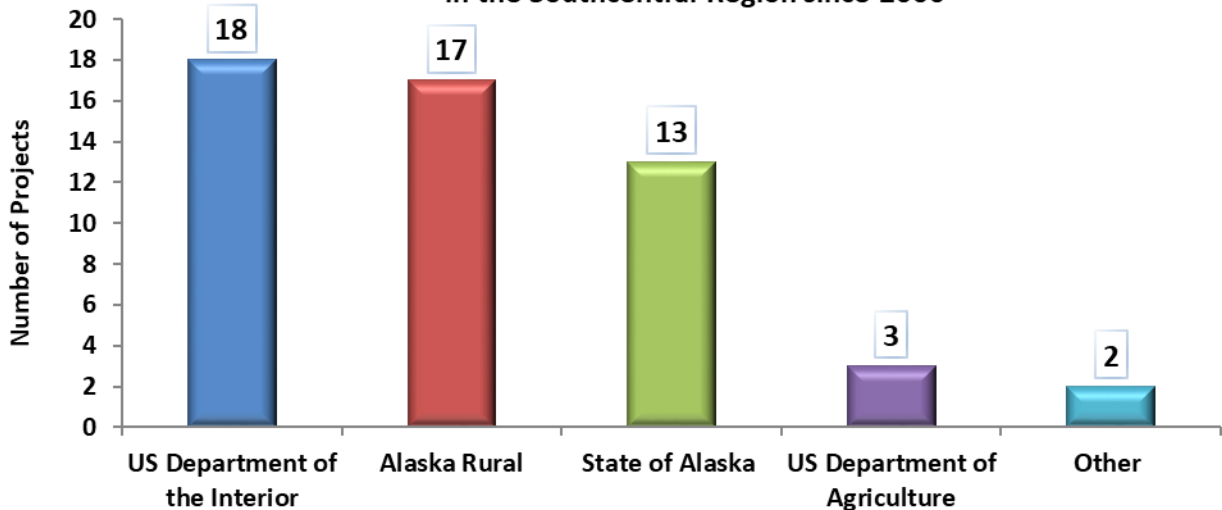


Figure 2. Number of Projects Funded, by Organization Type, in the Southcentral Region since 2000



PRIORITY INFORMATION NEEDS

The 2022 Notice of Funding Opportunity for the Southcentral Alaska Region identified the following four priority information needs:

- Reliable estimates of abundance, run timing, spawning site fidelity, timing, and age, sex, and length composition for Chinook and coho salmon that stage or spawn in waters of Kenai Peninsula drainages under Federal subsistence fishery jurisdiction.
- Reliable estimates of Chinook, Coho, and Sockeye salmon escapements (for example projects utilizing weir, sonar, and/or mark-recapture methods) into the Copper River drainage and delta systems.
- Develop, test, and implement methodologies for monitoring escapement and/or mortality of Sockeye Salmon in the Copper River drainage and delta systems, including assessment of predation (for example by seals, bears, and eels/lampreys).
- In-season estimates of salmon harvest in the Copper River drainage through a harvest reporting/collection system.
- Estimates of Copper River Sockeye Salmon smolt out migration and ocean survival.

AVAILABLE FUNDS

Federal Subsistence Board guidelines direct initial distribution of funds among regions. Regional budget guidelines provide an initial target for planning. For 2022, the U.S. Department of the Interior and U.S. Department of Agriculture, through the U.S. Fish and Wildlife Service and the U.S. Forest Service, will provide an anticipated \$2.25 million in funding statewide for new projects.

ROLE OF THE TECHNICAL REVIEW COMMITTEE

The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands for rural Alaskans through a multidisciplinary and collaborative program. It is the responsibility of the Technical Review Committee to develop the strongest possible funding plan for each region and across the entire state.

For the 2022 Monitoring Program, two proposals were submitted for the Southcentral Alaska Region. The Technical Review Committee evaluated and scored each proposal on Strategic Priority, Technical and Scientific Merit, Investigator Ability and Resources, Partnership and Capacity Building, and Cost/Benefit (**Table 1**). These scores remain confidential. An executive summary for each proposal submitted to the 2022 Monitoring Program for the Southcentral Alaska Region is in **Appendix 2**.

Table 1. Proposals submitted for the Southcentral Alaska Region, 2022 Monitoring Program, including total funds requested and average annual funding requests.

Project Number	Title	Total Project Request	Average Annual Request
22-504	Copper River Chinook Salmon Inriver Abundance	\$860,000	\$215,000
22-551	Estimating in-season harvest and effort by fish-wheel users in the upper Copper River	\$370,152	\$92,538
Total		\$1,230,152	\$307,538

TECHNICAL REVIEW COMMITTEE JUSTIFICATION FOR PROPOSAL SCORE

Project Number: 22-504

Project Title: Copper River Chinook Salmon Inriver Abundance

Technical Review Committee Justification: Native Village of Eyak request funding for continuation of project 18-504, which provides the only available statistically valid estimate of Chinook Salmon migrating up the Copper River each year. This request is said to be the last, as advancements are made in the lower river to use an ARIS sonar to apportion fish based on size. Native Village of Eyak has shown numerous years of successful project administration, implementation and project deliverables were well crafted and on time. Estimates of the Chinook Salmon abundance produced from the mark-recapture project are used to determine whether the Copper River Chinook Salmon escapement goal is achieved. Federal and State managers use the information to make decisions regarding the fishery. Chinook Salmon continue to be an important resource to the many user groups throughout the drainage. Through the continued escapement monitoring, this project addresses the immediate subsistence concern of declining Chinook Salmon returns to the Copper River and allows time for Alaska Department of Fish and Game to refine their size-apportionment techniques at Miles Lake to someday estimate Chinook abundance with a less costly approach.

Native Village of Eyak has a history of completing Monitoring Projects and providing meaningful data to inseason management with their online database approach, which allows anyone to see daily totals of fish caught, tagged and recaptured. Letters of support were submitted by the Alaska Department of Fish and Game Division of Commercial Fisheries, Alaska Department of Fish and Game Division of Sport Fish, and the Wrangell-St. Elias National Park and Preserve Superintendent. The total cost of Monitoring Program funding requested is \$860,000, which only covers roughly half of the total needed for the project. Multiple sources of funding has been used successfully in the past, and if again successful, would allow the continuation of the project. Native Village of Eyak is pursuing several avenues to obtain funding to cover the balance of the project costs. This is an expensive project to run, and the proponents have cut as many costs as possible while trying to maintain the same level of data quality. The requested funds are reasonable across all agreement periods and reasonable for the proposed products, but the larger question remains of where the additional funds required to run the projects are going to come from.

Regardless of proposal ranking, the project will require additional funds to move forward. The principle investigator believes the additional sources in funding will be realized before the Monitoring Program has determined its projects to fund.

Project Number: 20-551

Project Title: Estimating in-season harvest and effort by fish-wheel users in the upper Copper River

Technical Review Committee Justification: This pilot project will develop and implement inseason harvest monitoring of Sockeye and Chinook Salmon catch by fish wheel in the Glenallen subdistrict. Harvest goals, catch, and catch per unit effort will be assessed, with the goal of understanding whether results can be extrapolated to the entire Glenallen fish wheel fleet. Salmon comprise a majority of the annual wild food harvest in most communities along the Copper River drainage. The proposed study seeks to address the 2022 Priority Information needs. Fish wheel operators are already required to record their harvest in order to report post-season, so the primary additional recording introduced by this project is documentation of fish wheel run time. The sampling strategy for this project would be purposive, which is not ideally suited for expanding the fish caught by those fishers included in the study to the wider fleet and for estimating total inseason harvest.

A project based on harvest monitoring by Federally qualified subsistence users in the Glenallen Subdistrict will inevitably leave out non-Federally qualified user harvest, but a fuller partnership with Alaska Department of Fish and Game and Wrangell-St. Elias National Park could contribute towards this pilot harvest monitoring project resulting in more useable data. With only a portion of the harvest represented, it is inevitable that the investigator’s estimate will be lower than post-season reports, but there will be no way to assess the reasons for this gap. Distinctions regarding catch by gear type are not routinely captured in Federal subsistence fishery data, so unless changes are made in the Federal permit reporting system, there will be no way to compare catch by fish wheel calculated by this project in the Glenallen subdistrict with catch by fish wheel in post-season surveys.

**APPENDIX 1
PROJECTS FUNDED IN THE SOUTHCENTRAL ALASKA REGION SINCE 2000**

Project Number	Project Title	Investigators
Copper River Salmon Projects		
00-013	Tanada Creek Salmon Escapement	NPS
00-034	Miles Lake Sonar Improvements	USFS, ADF&G
00-040	Copper River Salmon Subsistence Fishery Evaluations	ADF&G, CRNA
01-020	Copper River Chinook Salmon Feasibility of Abundance Estimate	NVE, LGL
01-021	Lower Copper River In-season Abundance Estimate	NVE, LGL, ADF&G
01-217	Copper River Groups Capacity Building Workshop	CRNA, LGL
02-015	Copper River Chinook Salmon Radio Telemetry	ADF&G, LGL

Project Number	Project Title	Investigators
03-010	Upper Copper River C&T Subsistence Fish Harvests GIS Atlas	CRNA, LGL
04-501	Long Lake Sockeye Salmon Escapement	NPS, CRWP
04-502	Tanada Creek Salmon Escapement	NPS
04-503	Copper River Chinook Salmon Abundance Estimate	NVE, LGL
04-506	Lower Copper River In-season Abundance Estimate	NVE, LGL, ADF&G
04-507	Copper River Chinook Salmon Genetics	ADF&G, NVE, NPS
04-553	Copper River Salmon Runs Traditional Knowledge of Long Term Changes	ADF&G, NVE
05-501	Copper River Sockeye Salmon Spawning Distribution	NVE, ADF&G
06-502	Copper River Sockeye Salmon In-river Abundance	NVE, ADF&G
07-502	Tanada Creek Salmon Weir	NPS
07-503	Copper River Chinook and Sockeye Salmon Abundance	NVE
07-505	Long Lake Salmon Weir	NPS, PWSSC
08-501	Copper River Sockeye Salmon Abundance	NVE, LGL
10-502	Tanada Creek Salmon Assessment	NPS
10-503	Copper River Chinook Salmon Assessment	NVE, LGL
10-505	Long Lake Salmon Assessment	NPS
10-552	Copper River Subsistence Harvest Validation	HDR, ECO, ADF&G
12-500	Copper River Chinook Salmon RFID Feasibility	NVE, LGL
12-550	Upper Copper R. Changing Environments & Subsistence	ECO, ADF&G
14-501	Long Lake Salmon	NPS
14-503	Tanada Creek Salmon	NPS
14-505	Copper River Chinook Salmon Fish Wheels	NVE
18-501	Gulkana River Sockeye Salmon Harvest Contribution	ADF&G, CRITR
18-504	Copper River Chinook Salmon Abundance	NVE
20-501	Klutina River Sonar	NVE
22-502	Tanada Creek Sockeye Salmon Weir	NPS
Copper River Steelhead Projects		
01-035	Copper River Steelhead Harvest Monitoring	NPS, CRNA
01-148	Copper River Steelhead Stock Status	ADF&G, CRNA, USFWS
03-001	Copper River Steelhead Population Biology	ADF&G
05-502	Copper River Steelhead Abundance	ADF&G, NVE
Copper River Freshwater Species Projects		
01-110	Copper River Non-Salmon Species Harvest and Use	CRNA, ADF&G, CHVC, CNTC, Karie, MTC, CRNA
02-077	Upper Copper River Increasing GIS Capabilities	CRNA
07-501	Tanada and Copper Lakes Burbot Abundance	NPS, ADF&G, MTC
Copper River Eulachon Projects		
02-075	Eulachon Subsistence Harvest Opportunities	NVE, USFS, ADF&G
Prince William Sound Salmon Projects		
00-035	Coghill Coho Salmon Weir	ADF&G, USFS

Project Number	Project Title	Investigators
02-028	Chugach Region TEK Mapping	CRRC
03-033	Billy's Hole, PWS Salmon Stock Assessment	ADF&G, CRRC, USFS
Cook Inlet Area Projects		
00-038	Cooper Creek Dolly Varden Assessment	ADF&G
00-041	Turnagain Arm Eulachon Subsistence Use and Assessment	USFS
03-045	Cook Inlet Subsistence Fisheries Harvest Assessment	ADF&G
07-506	Tustumena Lake Coho Salmon Spawning Assessment	USFWS
07-507	Kasilof Watershed Coho Salmon Radio Telemetry	USFWS
07-509	Kasilof Watershed Steelhead Trout Radio Telemetry	USFWS
08-502	Tustumena Lake Coho Salmon Assessment	USFWS
08-503	Kasilof River Steelhead Radio Telemetry	USFWS
08-504	Crooked and Nikoli Creeks Steelhead Weirs	USFWS

Abbreviations used for investigators are: **ADF&G** =Alaska Department of Fish and Game, **CNTC** = Cheesh'na Tribal Council, **CRITR** = Copper River Intertribal Resource Commission; **CRNA** = Copper River Native Association, **CRRC** = Chugach Regional Resources Commission, **CRWP** = Copper River Watershed Project, **ECO** = Ecotrust, **USFS** = U.S. Forest Service, **Karie** = Dr. James Karie, **LGL** = LGL Ltd, **MTC** = Mentasta Tribal Council, **NPS** = National Park Service, **NVE** = Native Village of Eyak, **PWSSC** = Prince William Sound Science Center, and **USFWS** = U.S. Fish and Wildlife Service.

APPENDIX 2 EXECUTIVE SUMMARIES

The following executive summaries were written by principal investigators and were submitted to the Office of Subsistence Management as part of proposal packages. They may not reflect the opinions of the Office of Subsistence Management or the Technical Review Committee. Executive summaries may have been altered for length.

Project Number:	22-504			
Title:	Copper River Chinook Salmon Inriver Abundance			
Geographic Region:	Southcentral Region			
Data Type:	Stock Status and Trends			
Principal Investigator:	Matt J. Piche, Native Village of Eyak (NVE)			
Project Cost:	2022: \$215,000	2023: \$215,000	2024: \$215,000	2025: \$215,000
Total Cost:	\$860,000			

Issues: Since 2003, the Native Village of Eyak's (NVE) Department of the Environment and Natural Resources (DENR) has used research fishwheels and mark-recapture techniques to estimate the annual inriver abundance of adult Chinook salmon (*Oncorhynchus tshawytscha*) through Baird Canyon on the lower Copper River, prior to any mainstem emigration. This previously funded FRMP study (2003-2021) qualifies for continued funding because 1) the inriver abundance estimate is necessary for effective

management of the six unique federal and state managed subsistence fisheries of the Copper River (see attached letters of support from state and federal fishery managers); 2) it continues an uninterrupted long-term population stock status and trend monitoring program; and 3) it directly address the 2022 Southcentral Alaska Priority Information Need “Reliable estimates of Chinook salmon escapements into the Copper River drainage and delta systems.”

When combined with federal and state harvest from fisheries occurring below this project’s marking site, the inriver abundance estimate provides fishery managers with a total returning run size estimate (Botz and Somerville 2017). The returning run size dataset has allowed state and federal fishery managers to establish early season harvest management strategies and compute an annual run size forecast. This pre-season forecast has provided stakeholders with predictions on run strength and potential for harvest. Furthermore, run size data is used to assess harvest in proportion to the run among the various fisheries targeting Chinook salmon, providing an important measurement to ensure subsistence priority is maintained above all other fisheries (commercial, sport, personal use).

An equally important metric obtained through the collection of inriver abundance data is system-wide spawning escapement. Since 2003 spawning escapement has been measured by subtracting harvest occurring upriver of this project’s recapture site from the inriver abundance estimate (Botz and Somerville 2017). This data is used for developing harvest management strategies, while monitoring population status, and providing data for fisheries regulatory decisions. The in-season data collected through this project is one of several metrics used to issue emergency orders and harvest announcements for subsistence, personal use, commercial, and sport fisheries, thus ensuring subsistence allocation preference can be maintained in-season during periods of low abundance (Somerville 2017).

Project-derived estimates of spawning escapement are used to evaluate whether in-season fishery management decisions were effective at achieving the Sustainable Escapement Goal (SEG) of 24,000 or more Chinook salmon. The SEG represents the minimum threshold value needed for sustainable Chinook salmon harvest, recommended by ADF&G, and established by the State of Alaska Board of Fisheries in 2002 (Bue et al. 2002). Using data from this project the SEG is reviewed every 3 years by fisheries managers and the Board of Fish (Haught et al. 2017). Additionally, fisheries allocation assessments can be conducted in federal and state fisheries regulatory cycles by comparing Chinook salmon population data with cumulative harvest data, which is critical for maintaining federal and state mandated subsistence fisheries priority on a Chinook salmon population considered a fully allocated resource (Botz and Somerville 2017).

Population monitoring becomes critically imperative during periods of low abundance, which has persisted for the Copper River Chinook salmon population since 2008. Prior to 1999 Chinook salmon abundance estimates were unknown but from 1999-2007 annual run size averaged 82,986 Chinook salmon, since 2008 average annual run size has been reduced by 43% to 47,398 Chinook salmon (2008-2020). Combined user group annual harvest averaged 56,645 Chinook salmon from 1997-2007, since 2008 combined user group annual harvest has averaged 18,757 Chinook salmon (2008-2020), representing a 61% reduction. Management of *all* Copper River Chinook salmon fisheries, including federal and state subsistence, are wholly dependent upon the ability to estimate annual inriver abundance, from which system-wide spawning escapement and total returning run size are derived

Objective: 1.) To estimate the annual in-river abundance of Chinook salmon returning to the Copper River from 2022 to 2025 such that the estimates are within 25% of the true value 95% of the time.

Methods: This study will estimate the annual inriver abundance of Copper River Chinook salmon at Baird Canyon (rkm 66) using established (Smith 2004 – Piche’ et al. 2019) and independently verified (Savereide 2005) two-sample mark-recapture methods (Ricker 1975; Seber 1982). A total of four live-capture fishwheels will be operated continuously in the Copper River from May through July each year. Two fishwheels will operate in Baird Canyon (rkm 66), all Chinook salmon captured will be tagged (dorsal TBA-PIT tag & right operculum hole punch) and released to continue their upriver migration. Prior to any emigration or significant harvest, a recapture effort will occur with two fishwheels operated near Canyon Creek (rkm 157), just below the Upper Copper River District lower boundary. All Chinook salmon will be inspected for presence of a tag and right operculum hole punch. Inspected fish will receive a left operculum hole punch and released to continue their upriver migration. Chinook salmon will be measured for length and a subset will be sampled for genetics, age, sex as requested by fishery managers. Sample locations have been consistent since 2003. Standard mark-recapture assumption tests will indicate presence or absence of bias and stratification needs for analysis. Catch data is used as an inseason index for management purposes and will be updated daily to the project website. Fishery managers have full access to the RAW real-time dataset inseason and a dataset that has cleared QA/QC protocols post season. The public will have access to daily inseason summary data online.

Partnerships and capacity building: Several concurrent studies utilize NVE’s fishwheel platform alongside the mark-recapture program. These studies benefit greatly from the Chinook salmon monitoring program, providing a well-established remote research facility, and an in-river, staffed sampling platform for Copper River salmon research, adding to the value of the program and increasing the positive impact of NVE’s efforts and the Fisheries Resource Monitoring Program. Currently NVE and ADF&G are utilizing the mark-recapture platform to conduct a stock specific run timing and distribution study on Copper River Chinook salmon (2019-2021; AKSSF-54002-B) providing distribution data across the 6 major spawning tributaries as well as precise spawning location data and stock specific run timing past Baird Canyon. A coded-wire tagging program led by ADF&G Division of Sportfish utilizes the NVE fishwheels for inspection of adipose clips indicating the presence of a coded-wire tag in an effort to estimate survival from smolt to adult, providing the first data on ocean survival for Copper River Chinook salmon and scheduled to continue through 2025. Since 2018 Dr. Pete Rand (Prince William Sound Science Center) has utilized the NVE fishwheel sampling platform for sockeye salmon capture and tagging to assess energetic content and track migratory success. The study is investigating the presence of pathogens within the sockeye salmon populations as well as impacts of a reduction in body size on migratory success within the Copper River watershed.

This highly successful long-term monitoring program has provided the opportunity for the Native Village of Eyak to continue an integral role in Copper River salmon research and management data collection. The Copper River Chinook salmon has been utilized by the Eyak since time immemorial. Ensuring healthy robust salmon populations thrive in the Copper River is an honor and a responsibility we share.

Project Number:	22-551
Title:	Estimating in-season harvest and effort by fish-wheel users in the upper Copper River

Project Number:	22-551			
Geographic Region:	Southcentral			
Data Type:	Stock Status and Trends			
Principal Investigator:	Odin Miller, Ahtna Intertribal Resource Commission			
Co-Investigator	Daniel Gorze, Ahtna Intertribal Resource Commission			
Project Cost:	2022: \$ 92,538	2023: \$ 92,538	2024: \$ 92,538	2025: \$ 92,538
Total Cost:	\$370,152			

Issue: This mixed-method pilot study seeks to monitor harvest and effort in the upper Copper River federal fish-wheel salmon fishery. Fishing time and harvest amounts will be recorded for a sample of fish-wheel users in the Glennallen subdistrict, and will be used to estimate catch per unit effort (CPUE), an index of. These data will provide a baseline that could eventually provide a long-term indicator of fish-wheel catch rates. Researchers will evaluate whether harvest reported by participating fish-wheels can be reliably expanded to the entire fish-wheel fleet in the Glennallen subdistrict. Because many variables impact the efficacy of fish-wheels, researchers will investigate, analyze and document the range of factors that influence fish-wheel harvest and effort each season.

This project would also help to determine whether the federal subsistence fishery is providing its users with reasonable opportunity and expectation of success. Sockeye runs have shown a declining trend since approximately 2016, with historically weak runs in 2018 and 2020. Federal sockeye harvest in 2020 has been estimated at 16,144, only 72% of the five-year average and 77% of the ten-year average. Unfortunately, no quantitative data have yet been collected specifically on the question of federal fishers' abilities to meet their needs.

The project will address the following 2022 priority information needs (PINs) for Southcentral Alaska:

- Develop, test, and implement methodologies for monitoring escapement and/or mortality of Sockeye Salmon in the Copper River drainage and delta systems, including assessment of predation (for example by seals, bears, and eels/lampreys).
- In-season estimates of salmon harvest in the Copper River drainage through a harvest reporting/collection system.

Objectives:

- 1.) Obtain a sample of participating fish-wheel users in different sections of the Glennallen subdistrict to produce an index of effort each week during the fishing season.
- 2.) Evaluate harvest levels by participating fish-wheel users, and determine whether or not this method can be meaningfully expanded to the fish-wheel fleet as a whole.
- 3.) Evaluate the extent to which federally-qualified users' subsistence needs are being met.
- 4.) Collect qualitative data on factors that may influence fishing effort and harvest rates among participating fish-wheel users in the Glennallen subdistrict

Methods: At the beginning of each season, researchers will recruit approximately 10 fish-wheel users, predominantly from the federal fishery, along each of three reaches of the Glennallen subdistrict. These participants will be asked to record the times their fish-wheels are running, and the number of fish of each

species they caught each day. Researchers will contact respondents each week to obtain data, using these to calculate CPUE, an index of harvest over the time a given unit of gear is actively fishing. Once post-season harvest data become available the spring following each fishing season, researchers will determine whether CPUE data from this can be expanded to produce a comparable harvest estimate.

Every two weeks, project staff will survey participating fish-wheel users to ascertain their progress toward meeting their harvest goals for the year. These surveys will also ask participants to report, and rank, the most significant factors influencing their harvest during each period. A short follow-up survey, administered to each participant after the end of the season, will primarily focus on determining the extent to which participants were able to meet their goals and needs that season. After these data have been analyzed, we will conduct 3 – 5 ethnographic interviews with knowledgeable key respondents to help contextualize and interpret these data, and to identify any potential gaps or areas for misinterpretation.

Partnerships/Capacity Building: This project has the potential to meaningfully engage Ahtna tribal members and other Copper Basin residents in fisheries research, contributing to increased local awareness of science and management. Conversely, its ethnographic component will contribute toward providing scientists and managers with harvest monitoring traditional ecological knowledge. Concerns that AITRC has heard from tribal members—centered on the sustainability of subsistence resources and tribal members’ continued ability to meet their subsistence needs—has informed the development of this investigation plan. For this reason, recruitment of project participants will prioritize tribal members and other people from communities with a customary and traditional connection to Copper River salmon. By recruiting local fishers to collect biological and sociological data, this project invites them to engage in citizen science.

AITRC will present project results and lessons learned to regional advisory councils (EIRAC and SCRAC), and the communities in the local area each winter to share project results, observations, challenges, and recommendations. We will invite representatives from Ahtna tribal councils, and other Copper Basin communities to join this conversation. We hope these conversations will increase in value as the project matures, ultimately contributing to improved Copper River Fisheries Management.



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

AUGUST 04 2021

FOREST SERVICE

OSM 21023.KW

Richard Greg Encelewski, Chair
Southcentral Alaska Subsistence
Regional Advisory Council
c/o Office of Subsistence Management
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Chairman Encelewski:

This letter responds to the Southcentral Alaska Subsistence Regional Advisory Council's (Council) fiscal year 2020 Annual Report. The Secretaries of the Interior and Agriculture have delegated to the Federal Subsistence Board (Board) the responsibility to respond to these reports. The Board appreciates your effort in developing the Annual Report. Annual Reports allow the Board to become aware of the issues outside of the regulatory process that affect subsistence users in your region. The Board values this opportunity to review the issues concerning your region.

1. Council Vacancies

For yet another year, there are vacancies on this 13-seat Council. The Council held its fall meeting with nine seated members. On December 2, 2020, four incumbent Council members' terms expired. Three new appointments for the Council were received on January 15, 2021, just five weeks prior to its winter meeting. Two incumbent members were not re-appointed and the Council currently still has three vacancies¹.

The Council reiterates its concern for the loss of crucial representation across the Southcentral

¹ *Two incumbents and one previous member were appointed after the Council finalized the wording for this Annual Report, seating a full Council.*

Region as noted in its FY-2019 Annual Report. The lack of appropriate diversity and wide regional representation on the Council creates challenges for the Council members who must often make decisions affecting areas and groups in the absence of a local member who can best represent the users of his or her community. The Council continues to be concerned with the Executive Order on Evaluating and Improving the Utility of Federal Advisory Committees, dated June 14, 2019, and the impacts of this Executive Order on the Federal Subsistence Management Program and Regional Advisory Councils.

In its FY-2019 Annual Report Reply, the Board encouraged the Council to “expand its outreach effort in its communities and throughout the Region to attract a wider pool of applicants, if the Council wishes to see all seats filled.” The Council does not believe that outreach is the issue. Twelve applications were received to fill seven vacancies for the anticipated December 2019 appointments and ten applications were received to fill eight vacant seats for the anticipated December, 2020 appointment. In the last two years, only one applicant was found to be ineligible for Council membership, yet four and three seats remained unfilled on this Council, respectively.

The Council asked the Board to send a letter to Secretaries of Agriculture and the Interior regarding its concern on this matter in its FY-2019 Annual Report. Although the Council was advised that the Office of Subsistence Management (OSM) responded to an information request from the Department of the Interior, it appears that no letter was sent from the Board to the Secretaries conveying this Council’s concern that all Regional Advisory Councils across the State experienced a significant decrease in representation. The Council feels that, especially with new administration personnel changes, it is necessary to send this letter to advise the Secretaries of the substantial impacts these Council membership reductions have on the work of the Councils. The Council respectfully makes a second request that the Board send the requested letter to the Secretaries to remind them that these Councils are provided for under ANILCA and that a lack of representation on the Regional Advisory Councils is detrimental to the intent of ANILCA.

Response:

The Board fully understands the Council’s concerns regarding the need to have a diverse and wide regional representation on the Council and have all of the vacant seats filled in as timely a manner as possible. The Board wants to point out to the Council that the current administration already is aware of the significance and magnitude of the appointment issue. When, in 2021, the lack of appointments was brought to this administration’s attention, it acted promptly to resolve the issue by appointing additional members to the Councils out-of-cycle. The Board believes that

since the issue was resolved so expeditiously, it is not necessary at this point to write a letter to the Secretaries of the Interior and Agriculture on the Councils' appointments concerns.

Additionally, the Board wants to alleviate the Council's concerns regarding Executive Order #13875, titled *Evaluating and Improving the Utility of Federal Advisory Committees*, dated June 14, 2019. On January 20, 2021, President Biden revoked Executive Order #13875 by issuing new Executive Order #13992. The following is a link to the new Executive Order #13992:

<https://www.federalregister.gov/documents/2021/01/25/2021-01767/revocation-of-certain-executive-orders-concerning-federal-regulation>. Specifically, Executive Order #13992 states, "It is the policy of my Administration to use available tools to confront the urgent challenges facing the Nation, including the coronavirus disease 2019 (COVID-19) pandemic, economic recovery, racial justice, and climate change. To tackle these challenges effectively, executive departments and agencies (agencies) must be equipped with the flexibility to use robust regulatory action to address national priorities. This order revokes harmful policies and directives that threaten to frustrate the Federal Government's ability to confront these problems, and empowers agencies to use appropriate regulatory tools to achieve these goals."

The Council members have a direct connection to and communicate on regular bases with the communities and user groups they represent. The Board thanks the Council members for continuing assisting OSM with outreach efforts in your communities and throughout the Region to attract a wider pool of applicants for future appointment cycles. Having a wider pool of applicants allows the Board to choose the most qualified individuals for appointment recommendations and ensure that most or all seats are filled. However, it is important to remind the Council that the Board does not have final authority over which recommended applicants are appointed to the Councils. After the Board submits its annual appointment recommendations, the Secretary of the Interior has the final appointment authority.

The Board wants to assure the Council that OSM will continue working with the Department of the Interior to ensure that the 2021 cycle appointments stay on schedule and that the work is done in the most efficient manner possible. The Board has a high level of confidence that in the future the Councils' appointments will be made in a timely manner.

2. Changing Climate Effects

Under Title VIII of ANILCA, this Council is mandated to review and evaluate proposed regulatory changes that allow priority for taking on public lands of fish and wildlife for non-wasteful subsistence uses. Changes in the Southcentral climate affect the ability of this Council to support or oppose seasons and bag limits and otherwise make knowledgeable

recommendations. Previous actions by the Council have been made based on the traditional ecological knowledge of what was roughly a regular 20-year cycle pattern. Now, with influences such as changing wind patterns, migratory patterns, and travel conditions, the ability to predict the condition of the various subsistence resources is extremely difficult and therefore, it is problematic to recommend changes for harvesting these resources.

The performance of the fisheries across Southcentral Region was poor in 2020. A number of fisheries were closed to different user groups because of conservation concerns. The Council is concerned that this trend will continue and that it will be harder for subsistence users to maintain critical food supplies for their communities. There is an obvious need for extra resources to be utilized to maintain salmon runs on the Kenai and Kasilof rivers, the Copper River, and elsewhere across the Region.

The Board informed the Council of research being conducted by the U.S. Fish and Wildlife Service, Anchorage Fish and Wildlife Conservation Office, and the University of Alaska Anchorage, regarding stream temperature monitoring. In its FY-2019 Annual Report Reply, the Board stated that this research was expected to include work in the Gulkana River in 2020. The Council requests the results of any research, including fine-scale mapping of stream temperatures and the use of various parts of the drainage system by juvenile and adult salmon in the Gulkana River area to be shared with the Council.

The Council will continue to express its concerns regarding changes in the environment observed and noted by its members, the public, and subsistence users across the region to the Board. Council members recognize the need to stay vigilant in monitoring these effects to make informed recommendations to effectively adapt Federal regulations to the dynamic parameters of climate change in Southcentral Alaska.

Response:

The Board shares the Council's concern over the impact of climate change on the fish, wildlife, and habitat essential to continuation of the subsistence way of life. As the Council notes, over the last ten years, weather and environmental conditions affecting animals have become highly unpredictable and have deviated from historical conditions. Unfortunately, the U.S. Fish and Wildlife Service and its collaborators have no current data from Gulkana River, as COVID-19 restrictions delayed research to the summer of 2022. However, the Council through your Council Coordinator, can invite representatives from State, Federal, non-governmental, and other research organizations to give presentations on climate change effects and mitigation at its regular meetings. Some organizations to consider include:

- Alaska Center for Climate Assessment and Policy
- Alaska Climate Adaptation Science Center
- Alaska Department of Environmental Conservation: Climate Change in Alaska
- Experts identified through the U.S. Climate Resilience Toolkit
- Scenarios Network for Alaska + Arctic Planning
- The Alaska Native Tribal Health Consortium
- Conservation of Arctic Flora and Fauna (CAFF)
- Exchange for Local Observations and Knowledge in the Arctic (ELOKA)

Through the Fisheries Resource Monitoring Program, the Board has continued to seek research proposals and fund projects addressing changes in subsistence fishery resources within the context of climate change. The Board requests the Council take this into account during the development of their Priority Information Needs for the next call for proposals.

The Board appreciates the Council's comments and testimonies on recent changes in fish and wildlife behaviors. The Council members are a source of traditional ecological knowledge and local observations of climate change. Therefore, the Council should continue to document its own observations of changes through annual reports and testimony at meetings of the Council and the Board. Documenting local observations are part of most Harvest Monitoring and Traditional Ecological Knowledge reports submitted through the Fisheries Resource Monitoring Program and are often included in research and resource management reports by State and Federal agencies.

3. Individual National Park Service (NPS) Customary and Traditional Use Process

The Council appreciates that this Board deferred its action on the proposed delegation of authority to the NPS in determining Individual Customary and Traditional uses to allow the Regional Advisory Councils to provide input on this matter. The Council received information on the proposed process at its fall 2020 meeting and learned that the Wrangell-St. Elias Subsistence Resource Commission (WRST SRC) requested more information from the NPS. The Council had many questions and chose to take no action based on the information presented.

The Council would like to consider the additional information coming from the NPS to the WRST SRC before it makes any recommendation. It is imperative that the possibilities and ramifications of such a delegation of authority from this Board are fully explored. It is the Council's understanding that many other Regional Advisory Councils had questions and wanted additional information on this matter. It seems that overall, this issue is not well understood by

the Regional Advisory Councils, nor by the subsistence users they represent. For these reasons, the Council respectfully requests that this Board postpone any action on this issue until critical questions are answered and vital information, needed to make an informed recommendation, is known.

Response:

The Board appreciates the Council's concerns regarding the individual customary and traditional use determination (individual C&T) process and the complexity of this issue. Several of the other Councils and the Subsistence Resource Commissions (SRCs) delayed action on this topic and requested more time to study the intricacies of the policy. The Board recognizes that eligibility to participate in subsistence activities in National Parks and Monuments has additional criteria compared to other Federal public lands in Alaska. The goal in proposing modifications to the policy on individual C&T is to provide transparency, expediency, and continuity in making determinations for those with existing patterns of use.

The first requirement for eligibility to harvest under Federal regulations, is to be a rural resident. Beyond this requirement, there must be a customary and traditional (C&T) use determination for the species and area. Where the Board have not made a C&T use determination all rural residents are eligible to harvest under Federal regulations. The regulations for making C&T use determinations call for determinations to be made for an entire community or area with an exception for National Parks and Monuments open to subsistence where there is an option for this C&T determination to be made on an individual basis and involves issuance of a 13.440 permit. The individual C&T use determination process provides a way to recognize existing patterns of use in light of the NPS-specific eligibility requirements. Largely, individual C&Ts have been used to recognize individuals that have moved from resident zone communities, are still Federally qualified subsistence users, but live remote or distant from other households that share such patterns of subsistence use. The same criteria used to determine C&T use for communities or areas are used in the making of individual C&Ts.

The Board adopted a revised version of the proposed individual C&T process at its January 2021 meeting, after carefully considering feedback that was offered by several Councils and incorporating the recommended modifications. The revised process includes **two critical recommendations** made by the Regional Advisory Councils and Subsistence Resource Commissions. *First*, there is no delegation of authority to the National Park Service (NPS) to make individual C&T determinations. The Board will retain the final decision-making authority. *Second*, the process now includes a formal recommendation from both the affected Councils and

the affected SRC. *Significantly*, the biggest change is that the process is no longer tied to the lengthy biennial regulatory proposal cycle. Instead, the application window is open continuously and once the Council(s) and SRCs have weighed in, the Board will act on the request at its next public meeting. Those who apply will have their requests addressed in a timely fashion and be able to navigate the intricacies of the application process easier than before.

Attached are two documents that we hope will better inform your council on the individual C&T process, and how it has been modified. The first is a one-page overview that compares the former and the newly modified process. The second is the longer Standard Operating Procedure that will be used in making all subsequent individual C&T determinations, until such time that the policy is further modified. Also included in the second document are the procedures that NPS will use in responding to requests for 13.440 subsistence eligibility permits. That process is fully within the purview of the NPS, not the Board, though the NPS thought that it would be useful to simultaneously clarify and streamline it as well. We invite you to reach out to NPS staff if you have questions.

In conclusion, the Board believes that it has taken strides to improve the individual C&T process to be transparent, responsive, and consistent. We have incorporated the valuable recommendations and insights of the Councils and SRCs. We hope that the Councils, yours included, will continue to provide recommendations to further improve the policy over time.

4. State of Alaska Prioritizing Personal Use

The Council is concerned about the movements at the State level towards prioritizing de facto subsistence activity in non-subsistence areas. There are dangers in prioritizing 'personal use' of resources in areas around major urban centers where State subsistence activities are prohibited. The Council believes that the State managers are making political decisions by giving an identified population access in these non-subsistence areas. These decisions are not practical and will result in a significant reduction of resources in those areas.

The Council notes that several Federal fishing proposals submitted recently requested more restrictions than those existing under State fishing regulations. ANILCA provides a preference for harvest opportunity to the Federally qualified subsistence user. Subsistence regulations cannot be more restrictive than other regulated uses of the resource. Other user groups should be restricted before Federal subsistence users; however, with increased Federal proposals requesting restrictions on the Federal user and the increased prioritization of personal use in non-subsistence areas by the State, Federally qualified subsistence users are targeted to be the

sole group burdened with sacrificing harvest to conserve the species.

The Council requests support for any ANILCA .804 analysis that may be required in the future, due to a shortage of subsistence resources.

Response:

Under State law, personal use fisheries do not have priority over any other fisheries in Alaska. In practice, the State-managed subsistence, commercial, and sport fisheries have a higher priority than personal use fisheries. A change in State law is required to give personal use fisheries priority over other fisheries.

According to ANILCA, subsistence uses by Federally qualified subsistence users take precedence and priority over all other uses on Federal public lands and waters. If Federally qualified subsistence users conclude their continuance of subsistence uses is threatened or if a conservation concern is being realized, a Special Action Request to restrict or close the fisheries in which the non-Federally qualified users participate could be warranted.

If the resource abundance is low enough to not allow both harvest by all Federally qualified subsistence users and meet conservation needs, a request to restrict among Federally qualified subsistence users can be submitted to the Federal Subsistence Board, which will direct the Office of Subsistence Management to author an ANILCA Section 804 analysis prioritizing harvest among Federally qualified subsistence users only.

The Federal Subsistence Management Program does not have authority to reject valid proposals submitted to the State of Alaska's Board of Fisheries process or the Federal Subsistence Board process. It is expected, as history demonstrates, that high numbers of proposals will continue to be submitted to restrict all user groups in one manner or another in the Southcentral Region due to the notable percentage of Alaska's residents living near and participating in the region's road-accessible fisheries and watersheds.

In closing, I want to thank you and your Council for your continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I speak for the entire Board in expressing our appreciation for your efforts and am confident that the subsistence users of the Southcentral Alaska Region are well represented through your work.

Sincerely,



Anthony Christianson
Chair

cc: Southcentral Alaska Subsistence Regional Advisory Council
Federal Subsistence Board
Sue Detwiler, Assistant Regional Director, Office of Subsistence Management
Amee Howard, Deputy Assistant Regional Director, Office of Subsistence Management
Robbin La Vine Subsistence Policy Coordinator, Office of Subsistence Management
Katerina Wessels, Council Coordination Division Supervisor
Office of Subsistence Management
Lisa Grediagin, Wildlife Division Supervisor, Office of Subsistence Management
George Pappas, State Subsistence Liaison and Acting Fisheries Division Supervisor
Office of Subsistence Management
Jonathan Vickers, Anthropology Division Supervisor, Office of Subsistence Management
DeAnna Perry, Council Coordinator, U.S. Department of Agriculture Forest Service
Interagency Staff Committee
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game
Mark Burch, Special Project Coordinator, Alaska Department of Fish and Game
Administrative Record

ANNUAL REPORT REPLY PROCESS REVIEW

During the Federal Subsistence Board's (Board) August 2021 work session, the Interagency Staff Committee (ISC) briefed the Board on the annual report reply process and possible revisions to improve response to Regional Advisory Council (Council) concerns. The Board reviewed and discussed the annual report reply process and agreed to add this topic to the Councils Fall meeting agendas for Council input on suggested revisions.

ANILCA, Section 805 authorizes the Councils to prepare an annual report containing information related to current and future subsistence uses of fish and wildlife populations, an evaluation of current and future subsistence needs for these populations, a strategy for their management, and recommendations related to policies, standards, guidelines, and regulations to implement the strategy. These reports are invaluable as they provide the Board with a broad, holistic picture of local resource conditions, and the needs and challenges facing communities across rural Alaska. With this knowledge, the Board can make more informed decisions.

Historically, the Federal Subsistence Management Program has strived to provide responses to every topic listed in annual reports, regardless of the Board's ability to address the issues raised. While all topics are important to Board understanding of local conditions, many are on issues over which the Board has no regulatory authority, and some of the same or similar topics are often repeated in subsequent years with no resolution. ANILCA does not require replies to annual reports from the Councils and currently the Code of Federal Regulations state that the Board "consider the reports and recommendations of the Regional Councils." For these and other reasons, it is unclear if Board responses on all annual report topics are helpful to the Councils and warrant the use of often very limited staff capacity.

One way to address Council reports and recommendations would be to change the process of how the Board responds to Council issues. Process revisions could include that Councils consider letter writing as the most appropriate means for requesting a response to topics of concern, and that the annual report process be streamlined as a mechanism for informing the Board of local conditions and needs. This revision would allow for more substantive and timely responses from the Board on topics most critical to the Councils. Under this scenario, Councils could ask their Coordinators to write a letter to the Board if there are annual report topics to which they are specifically requesting a response. Any other topics, such as those outside the regulatory authority of the Board, can be addressed to the appropriate Federal agency staff at Council meetings, or Councils can write letters requesting a response directly from them, thus streamlining the response process and encouraging direct agency communications with the Councils.

These suggested revisions are not intended to diminish the ability of the Councils to report to the Board on topics of concern, and Councils will still receive responses when requested from the Board. At this time, the Board is seeking input from the Councils on these suggested changes to the annual report process. Council feedback on this issue is critical as the Board evaluates how to make the reply process more efficient and responsive. The Board will consider Council input on the annual report reply process at its winter work session at the end of January 2022.

ANNUAL REPORTS

Background

ANILCA established the Annual Reports as the way to bring regional subsistence uses and needs to the Secretaries' attention. The Secretaries delegated this responsibility to the Board. Section 805(c) deference includes matters brought forward in the Annual Report.

The Annual Report provides the Councils an opportunity to address the directors of each of the four Department of Interior agencies and the Department of Agriculture Forest Service in their capacity as members of the Federal Subsistence Board. The Board is required to discuss and reply to each issue in every Annual Report and to take action when within the Board's authority. In many cases, if the issue is outside of the Board's authority, the Board will provide information to the Council on how to contact personnel at the correct agency. As agency directors, the Board members have authority to implement most of the actions which would effect the changes recommended by the Councils, even those not covered in Section 805(c). The Councils are strongly encouraged to take advantage of this opportunity.

Report Content

Both Title VIII Section 805 and 50 CFR §100.11 (Subpart B of the regulations) describe what may be contained in an Annual Report from the councils to the Board. This description includes issues that are not generally addressed by the normal regulatory process:

- an identification of current and anticipated subsistence uses of fish and wildlife populations within the region;
- an evaluation of current and anticipated subsistence needs for fish and wildlife populations from the public lands within the region;
- a recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs related to the public lands; and
- recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.

Please avoid filler or fluff language that does not specifically raise an issue of concern or information to the Board.

Report Clarity

In order for the Board to adequately respond to each Council's annual report, it is important for the annual report itself to state issues clearly.

- If addressing an existing Board policy, Councils should please state whether there is something unclear about the policy, if there is uncertainty about the reason for the policy, or if the Council needs information on how the policy is applied.
- Council members should discuss in detail at Council meetings the issues for the annual report and assist the Council Coordinator in understanding and stating the issues clearly.

- Council Coordinators and OSM staff should assist the Council members during the meeting in ensuring that the issue is stated clearly.

Thus, if the Councils can be clear about their issues of concern and ensure that the Council Coordinator is relaying them sufficiently, then the Board and OSM staff will endeavor to provide as concise and responsive of a reply as is possible.

Report Format

While no particular format is necessary for the Annual Reports, the report must clearly state the following for each item the Council wants the Board to address:

1. Numbering of the issues,
2. A description of each issue,
3. Whether the Council seeks Board action on the matter and, if so, what action the Council recommends, and
4. As much evidence or explanation as necessary to support the Council's request or statements relating to the item of interest.



Ahtna Intertribal Resource Commission

PO Box 613 – Glennallen, Alaska 99588
Phone: (907) 822-4466 Fax: (907) 822-4406

www.ahtnatribal.org
connect@ahtnatribal.org

9 August 2021

Southcentral Regional Advisory Council
Via DeAnna Perry, Council Coordinator
deanna.perry@usda.gov
907-209-7817

To members of the Southcentral Regional Advisory Council:

We are writing to urge the Southcentral Regional Advisory Council (SCRAC) to encourage stronger federal management of salmon on the Copper River. Salmon runs have been on a decline for at least five years.

We are in times of salmon conservation, with returns in recent years coming in lower than forecasted resulting in fisheries management restrictions. 2020 saw the smallest sockeye run on record. With respect to Chinook salmon, escapement goals have repeatedly not been met in recent years and the State of Alaska is planning to lower the lower bound of the Chinook salmon escapement goal, continuing a trend of lower the Copper River king salmon escapement.

The existing Copper River Salmon management plans and management regime should be evaluated to ensure federal customary and traditional uses receive a priority under ANILCA Title VIII, protections that the Ahtna people fought so hard to ensure. The existing management regime only requires 17,500 other salmon (other than sockeye) to enter the Copper River. How is state management ensuring that the current Chinook salmon escapement goal of 24,000 is met through the current In River Run Goal as outlined in 5 AAC 24.360?

We request the SCRAC demand more proactive federal subsistence management presence and activities involved with the sustainable management of Copper River salmon fisheries. Federal managers must play an active management role to ensure the conservation of stock resilience and diversity, particularly in light of environmental change. Such action could include federal closure to non-federally qualified users in order to ensure that federal subsistence salmon harvest needs are provided.

We also request the SCRAC develop federal subsistence use amounts findings for the next SCRAC Annual Report to the Federal Subsistence Board, which originally was intended for the Secretaries of the Interior and Agriculture's attention. These Copper River sockeye and Chinook salmon federal subsistence use amounts (needs) should be included in the annual report, as outlined in the duties of the SCRAC in its charter (Article 4(d)(2)). These findings on the anticipated federal subsistence needs for Chinook and sockeye salmon during the 2022 fishing season should be developed to ensure that all federally qualified subsistence users have the opportunity to continue the subsistence salmon fishing way of life and that we can teach our children, nieces and nephews, and grandchildren how to catch, process and store fish, and to learn Ahtna traditional salmon stewardship values, techniques, and rules.

Ahtna Intertribal Resource Commission (AITRC) has reported this issue to the SCRAC at least three times during the past five years. At the spring, 2021 meeting, AITRC verbally requested that the RAC include this concern in their letter to the Federal Subsistence Board (FSB). We were disappointed that our concerns were not addressed at this time.

We recognize and appreciate the efforts of Wrangell-St. Elias National Park staff, who have met with AITRC throughout the fishing season this year to discuss conservation concerns. We would like to invite RAC members support these efforts at engagement, and to become more actively involved with federal in-season management authorities.

Sincerely,


Karen Linnell
AITRC Executive Director

Date: August 9, 2021

To: Greg Encelewski, Southcentral Regional Advisory Council Chair
Subject: **Chugach National Forest update for Southcentral Regional Advisory Council; October 13-15, 2021**

Staff

Deyna Kuntzsch – Forest Resources & Planning Staff Officer; Anchorage

Bret Christensen – Forest Wildlife Biologist; Anchorage

Milo Burcham – Subsistence Program Manager/Wildlife Biologist; Cordova

Heather Thamm –Kenai Peninsula Zone Biological Science Technician; Moose Pass

Steve Namitz – District Ranger, In-season manager; Cordova

Francisco Sanchez – District Ranger, In-season manager; Moose Pass

Andy Morse – Chugach NF Law Enforcement Officer, Cordova

Jordan Rymer - Chugach NF Law Enforcement Officer, Moose Pass

Special actions

No special actions were approved in 2020/21

Cost Share with Alaska Department of Fish and Game

The Chugach National Forest Subsistence Program is contributing \$33,500 to a cost share agreement with ADFG to conduct wildlife surveys for moose, caribou, and mountain goats in Units 6 and 7. This continues ongoing cooperative monitoring projects.

Prince William Sound Zone

Moose

Season opens September 1

1,105 applications received for 70 moose permits

35 bull permits and 35 antlerless permits issued for Unit 6C in 2021

Deer

Season opened August 1 in Unit 6

Black Bear

Work has continued with ADFG on the cooperative Prince William Sound Black Bear project.

This summer we retrieved dropped collars from bears captured in 2017. The last active collars deployed, of bears captured in 2018, will release this fall. We are working with an ADFG biometrician to begin data analysis and publish early results. Dropped collars will be retrieved through the fall of 2021.

Salmon

The Copper River Delta fishery is ongoing and harvest reports are not due until December 31

Kenai Peninsula Zone**Moose/Caribou**

Due to COVID-19 concerns the Forest did not hold the annual town meetings in Hope and Cooper Landing to issue hunting permits. All subsistence hunters who were issued permits in 2019/20 were contacted.

Mountain Goat

The drawing for Unit 7 Federal subsistence Mountain Goat permits was held in March. Twenty-eight applications were received, and two hunters were drawn. The season opened August 10.

Salmon

Harvest data not yet available

Personnel updates

Heather Thamm accepted the position of the Kenai Zone Biological Technician and will be working half of the year for the subsistence program and half of the year in the fisheries program.

For Questions: please contact Milo Burcham; milo.burcham@usda.gov; 907-429-5878

NATIONAL PARK SERVICE
Wrangell-St. Elias National Park & Preserve
Mile 106.8 Richardson Hwy. P.O. Box 439
Copper Center, AK 99573-0439
907 822 5234

Fall 2021 Fisheries Report
Dave Sarafin, Fisheries Biologist

FISHERIES RESEARCH AND MONITORING PROJECTS

Tanada Creek Salmon Weir and Upper Yukon Burbot Assessments

The Wrangell-St. Elias National Park and Preserve (WRST) Fisheries Program planned on performing work on two projects funded through the Fisheries Resource Monitoring Program (FRMP); the Tanada Creek salmon weir and a Burbot population assessment in Ptarmigan Lake of the Upper Yukon River Drainage. However, neither project operated this year, in part, due to the limitations of risk mitigation guidelines associated with the Covid-19 pandemic. For the 2022 season, we again hope to operate both of these projects.

One particular challenge we had during both 2020 and 2021 was recruiting a full crew of local residents to work on the Tanada Creek weir project. This project is based out of Slana, which has typically provided a very limited pool of applicants interested in these seasonal positions. For the 2022 season we will again attempt to recruit locally, however may need to consider applicants from outside of the local community. Please help inform any potential applicants of these upcoming employment opportunities; local hire announcements should be posted on the park website this winter.



Photo of Tanada Creek weir site.

Tracing Mercury in Lake Trout Food Webs

As part of a collaborative project between NPS and the U.S. Geological Survey (USGS), the WRST Fisheries Program was planning to assist with field activities to support a study tracing Mercury (Hg) in Lake Trout food webs. However, this project was postponed due to Covid-19 safety guidelines. This study was prompted by findings of elevated Hg levels in muscle tissue of Lake Trout residing in certain lakes of Alaska parks. Three lakes in the park are intended to be studied, including Copper Lake, Tanada Lake, and one other lake (yet to be determined).

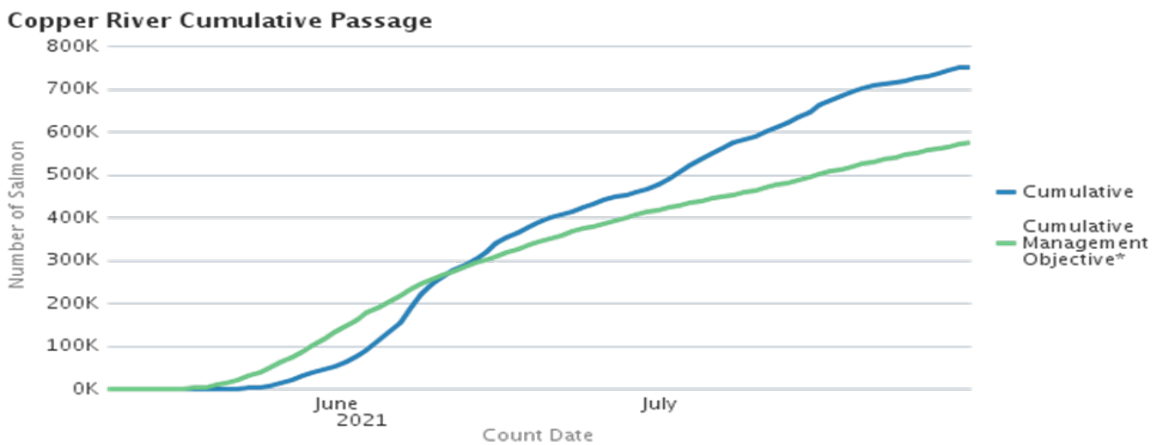
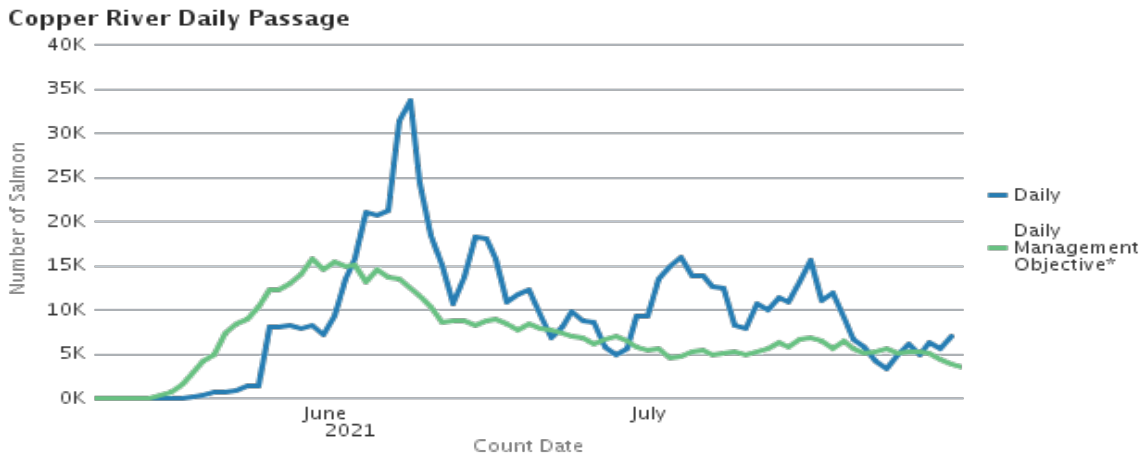
UPPER COPPER RIVER FISHERIES

2021 Copper River Salmon Run Strength and Management Actions

Management actions of the Alaska Department of Fish and Game (ADFG) limited early season commercial fishing opportunities in the Copper River District in response to low numbers of returning salmon at the start of the season. The season total commercial harvest for the Copper River District through August 24 is reported to include 400,121 Sockeye Salmon and 6,950 Chinook Salmon.

The ADFG sonar at Miles Lake (located just downstream of the Million Dollar Bridge in the Copper River) recorded salmon passage from May 12 through July 28; providing a season total estimate of 751,262 salmon migrating upstream. This estimate is 31% above the cumulative management objective of 575,297 salmon passing the sonar and exceeds the 2021 season total inriver goal of 605,057 by 146,205 salmon.

2021 Copper River Salmon Passage at Miles Lake Sonar.



*Management objectives are based on historical run-timing to achieve the in-river goal.

Source: http://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareacopperriver.salmon_escapement

Inriver sonar salmon passage estimates provide the primary assessment of the Sockeye Salmon return to the Copper River. After a relatively slow start, sonar passage improved substantially by early June and the overall assessment of inriver Sockeye Salmon run strength exceeded ADFG management objectives for the season. These objectives are designed to provide harvest opportunities to both Federal subsistence and other State upriver users, as well as to achieve the sustainable escapement goal (SEG) for Sockeye Salmon.

As with Sockeye Salmon, fisheries managers also monitor assessments of the Chinook Salmon run strength; the primary inseason indicator are data from the Chinook Salmon inriver abundance project operated by the Native Village of Eyak. Additional insight is gained from the recent application of updated technology at the Miles Lake sonar site to provide species apportionment data. Assessments indicate a weak return, and both State and Federal managers believe that the Chinook Salmon SEG of 24,000 fish was likely not met. This will be the 4th season in the past 10 years that the goal was not met.

In response to the 2021 assessment of the weak Chinook Salmon return, the ADFG closed all State fisheries of the Upper Copper River drainage to the retention of Chinook Salmon by late-June; including the personal use fishery of the Chitina Subdistrict, the sport fisheries, and the subsistence fishery of the Glennallen Subdistrict. Concurrent with these closures, including that of the upper river subsistence fishery, the ADFG continued to authorize routine openings of the commercial and subsistence fisheries of the Copper River District since the Chinook Salmon entry to the Copper River is historically nearly complete by early July.

The Chinook Salmon closures did not affect those fishing under Federal subsistence regulations. Once enough information was available to indicate the likelihood of not meeting the SEG, harvest by Federal users through the remainder of the season was not expected to be high enough to have a significant impact on the sustainability of the stocks. No Federal Special Action was issued by the inseason manager to restrict the harvest of Chinook Salmon, or for any other purpose, in the fisheries of the Upper Copper River. Federal managers monitored run strength indices throughout the season to evaluate the need for appropriate fisheries management actions in the Federal waters of the Copper River Drainage.

Although Federal actions were not taken, WRST prepared and distributed an advisory announcement intended to inform subsistence users of the present concerns for Copper River Chinook Salmon. This announcement was sent to all Upper Copper River District Federal subsistence fishing permit holders with email addresses on record. In the announcement, WRST requested that users consider voluntarily releasing healthy Chinook Salmon that may be beyond their subsistence needs.

2021 Federal Subsistence Fishing Permits and Historical Harvests

The Federal subsistence salmon fisheries of the upper Copper River were open from May 15 through September 30. Through the Office of Subsistence Management (OSM) Federal subsistence permit website 191 Chitina Subdistrict permits, 355 Glennallen Subdistrict permits, and 1 Batzulnetas area permits were issued. Tables 1 through 4 (pages 4 to 7) show historical reported and expanded harvests for the Federal subsistence fisheries in each subdistrict through the 2020 season.

2021 Alaska Board of Fisheries Agenda Change Request: Copper River Salmon Management Plans

The ADFG follows two management plans for Copper River salmon fisheries; the Copper River District Salmon Management Plan (CR District Plan, 5 AAC 24.360) and the Copper River King Salmon Management Plan (CR King Plan, 5 AAC 24.361). Although the CR King Plan directs the ADFG to manage for an SEG of 24,000 Chinook Salmon, the CR District Plan directs to manage for an inriver goal that includes a different escapement goal of only 17,500 other (non-Sockeye) salmon. This apparent inconsistency suggests that the inriver goal of salmon, announced annually, is at least 6,500 fish too low.

In light of weak salmon returns observed in recent years, and to resolve the apparent inconsistency related to the Chinook Salmon escapement goals specified in each plan, the WRST Superintendent, as delegated Federal inseason manager, submitted an Agenda Change Request to address this issue at the upcoming Alaska Board of Fisheries Meeting to be held in Cordova in early December. Included in this request is a recommendation to revise the inriver goal of the CR District Plan to specify spawning escapements of 24,000 Chinook Salmon, as well as 500 other salmon.

Table 1. Federal Subsistence Expanded Fish Harvests¹ in the Upper Copper River District, including Harvests by Gear Type.

Year	Expanded Harvest Estimates ²										All Species, Approximate Harvest by Gear Type					
	Steelhead					Fish					Dip Net		Rod and Reel			
	Sockeye	Chinook	Coho	Trout	Other Species	Total Harvest	Fish Wheel %	Fish Wheel Total	Dip Net %	Dip Net Total	Rod and Reel %	Rod and Reel Total				
2002	10,644	745	100	77	N.A.	11,567										
2003	17,220	687	268	16	N.A.	18,191										
2004	24,035	815	216	15	N.A.	25,082										
2005	24,781	412	55	7	37	25,292										
2006	20,737	507	55	17	37	21,353										
2007	19,107	704	85	7	25	19,928										
2008	14,864	892	268	21	54	16,099										
2009	14,821	590	52	22	36	15,521										
2010	17,050	362	111	46	25	17,594										
2011	18,201	814	70	6	283	19,373	90.3%	15,882	9.6%	1,687	0.1%	25				
2012	17,146	410	93	45	113	17,806	88.4%	17,130	11.4%	2,205	0.2%	39				
2013	19,988	391	36	8	81	20,503	90.4%	16,092	9.4%	1,670	0.3%	45				
2014	25,513	456	97	14	57	26,138	85.9%	17,614	14.1%	2,889	0.0%	0				
2015	29,157	430	29	15	218	29,849	89.3%	23,328	10.8%	2,810	0.0%	3				
2016	21,106	465	52	6	406	22,035	90.1%	26,900	9.7%	2,883	0.2%	66				
2017	20,243	483	10	8	549	21,294	90.0%	19,820	10.0%	2,197	0.1%	18				
2018	20,166	2,763	31	4	45	23,008	96.2%	20,478	3.7%	794	0.1%	19				
2019	22,177	1,029	22	3	59	23,291	83.4%	19,189	16.5%	3,801	0.1%	18				
2020	16,418	845	26	7	60	17,356	79.0%	18,390	21.0%	4,884	0.1%	16				
5-yr. Avg. 2015-2019	22,570	1,034	29	7	255	23,895	87.7%	20,956	12.2%	2,912	0.1%	27				
10-yr. Avg. 2010-2019	21,075	760	55	16	184	22,089	88.3%	19,482	11.6%	2,582	0.1%	25				

¹ This table reflects entries to the online database from 2011 through **07/15/2021**. Data prior to 2011 relies on NPS records. Data for all years subject to changes resulting from entry error corrections.

² Expanded Harvest estimate derived from a basic, direct ratio expansion based on the percentage of permits that reported.

Table 2. Glennallen Subdistrict Federal Reported and Expanded Subsistence Fishery Harvests¹

Year	Percentage		Sockeye		Chinook		Coho		Steelhead/Rainbow Trout		Other Species		All Species		
	Permits Issued	Reported	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Total Harvest
2002	201	80.6	7,944	9,856	564	700	81	100	62	77	35	43	10,777		
2003	221	83.3	13,616	16,346	554	665	152	182	13	16	20	24	17,233		
2004	261	78.9	17,704	22,439	636	806	152	193	12	15	12	15	23,468		
2005	267	85.8	19,973	23,279	331	386	47	55	6	7	32	37	23,763		
2006	254	87.4	16,711	19,120	430	492	28	32	15	17	32	37	19,698		
2007	281	84.3	15,225	18,060	569	675	34	40	6	7	21	25	18,808		
2008	269	81.4	11,347	13,940	705	866	148	182	17	21	44	54	15,063		
2009	274	85.0	11,836	13,925	494	581	34	40	19	22	31	36	14,605		
2010	269	87.7	12,849	14,651	300	342	64	73	39	44	22	25	15,136		
2011	277	87.7	14,163	16,145	701	799	53	60	5	6	248	283	17,293		
2012	275	92.0	14,461	15,718	371	403	78	85	40	43	104	113	16,363		
2013	273	89.0	15,834	17,789	331	372	24	27	6	7	62	70	18,264		
2014	315	90.5	21,603	23,877	399	441	23	25	10	11	52	57	24,412		
2015	325	92.3	24,695	26,753	384	416	13	14	7	8	201	218	27,408		
2016	320	82.8	15,884	19,181	369	446	9	11	5	6	332	401	20,044		
2017	338	85.2	15,691	18,415	399	468	1	1	7	8	468	549	19,442		
2018	335	91.3	15,287	16,736	2,432	2,662	0	0	4	4	41	45	19,448		
2019	343	89.8	15,873	17,677	849	945	0	0	3	3	53	59	18,685		
2020	376	89.9	11,456	12,744	682	759	0	0	6	7	54	60	13,569		
5-yr. Avg. 2015-2019	332	88.3	17,486	19,752	887	988	5	5	5	6	219	254	21,005		
10-yr. Avg. 2010-2019	307	88.8	16,634	18,694	654	730	27	30	13	14	158	182	19,649		

¹ This table reflects entries to the online database from 2011 through 07/15/2021. Data prior to 2011 relies on NPS records. Data for all years subject to changes resulting from entry error corrections.

² Expanded Harvest estimate derived from a basic, direct ratio expansion based on the percentage of permits that reported.

Table 3. Chitina Subdistrict Federal Reported and Expanded Subsistence Fishery Harvests¹

Year	Percentage of Permits Reported		Sockeye		Chinook		Coho		Steelhead/Rainbow Trout		Other Species		All Species		
	Issued	Reported	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²	Reported Harvest	Harvest Estimate ²
2002	122	73.0	788	33	45	0	0	0	0	0	0	0	0	0	833
2003	100	82.0	874	18	22	70	85	0	0	0	0	0	0	0	982
2004	109	76.1	1,597	7	9	18	24	0	0	0	0	0	0	0	1,629
2005	76	84.2	1,502	22	26	0	0	0	0	0	0	0	0	0	1,529
2006	75	85.3	1,379	13	15	20	23	0	0	0	0	0	0	0	1,655
2007	98	88.8	929	26	29	40	45	0	0	0	0	0	0	0	1,120
2008	82	85.4	789	22	26	74	87	0	0	0	0	0	0	0	1,036
2009	68	91.2	896	8	9	11	12	0	0	0	0	0	0	0	917
2010	92	85.9	2,399	17	20	33	38	1	1	0	0	0	0	0	2,459
2011	85	85.9	1,766	13	15	8	9	0	0	0	0	0	0	0	2,081
2012	89	93.3	1,332	6	6	8	9	1	1	0	0	0	0	0	1,443
2013	99	90.9	1,999	17	19	8	9	1	1	10	11	0	0	0	2,239
2014	113	94.7	1,549	14	15	68	72	3	3	0	0	0	0	0	1,726
2015	111	92.8	2,231	13	14	14	15	7	8	0	0	0	0	0	2,441
2016	128	80.5	1,549	16	20	33	41	0	0	4	5	0	0	0	1,991
2017	132	79.5	1,454	12	15	7	9	0	0	0	0	0	0	0	1,852
2018	132	91.7	3,144	92	100	28	31	0	0	0	0	0	0	0	3,561
2019	181	90.1	4,053	75	83	20	22	0	0	0	0	0	0	0	4,606
2020	216	88.4	3,249	76	86	23	26	0	0	0	0	0	0	0	3,786
5-yr. AVG:	137	86.9	2,486	42	47	20	24	1	2	1	1	1	1	1	2,890
2015-2019	116	88.5	2,114	28	31	23	25	1	1	1	1	1	1	2	2,440
10-yr. AVG:	116	88.5	2,114	28	31	23	25	1	1	1	1	1	1	2	2,440

¹ This table reflects entries to the online database from 2011 through **07/15/2021**. Data prior to 2011 relies on NPS records. Data for all years subject to changes resulting from entry error corrections.

² Expanded Harvest estimate derived from a basic, direct ratio expansion based on the percentage of permits that reported.

Table 4. Batzulnetas Federal Reported and Expanded Subsistence Fishery Harvests¹

Year	Permits Issued	Percentage		Sockeye			Chinook			Other Species		
		Reported	Reported	Harvest	Reported	Harvest	Reported	Harvest	Reported	Harvest	Reported	Harvest
		of Permits	Harvest	Estimate ²	Harvest	Estimate ²	Harvest	Estimate ²	Harvest	Estimate ²	Harvest	Estimate ²
2002	1	100.0	208	208	0	0	0	0	0	0	0	
2003	1	100.0	164	164	0	0	0	0	0	0	0	
2004	1	100.0	182	182	0	0	0	0	0	0	0	
2005	1	100.0	0	0	0	0	0	0	0	0	0	
2006	0	N.A.	0	0	0	0	0	0	0	0	0	
2007	1	100.0	1	1	0	0	0	0	0	0	0	
2008	1	100.0	1	1	0	0	0	0	0	0	0	
2009	0	N.A.	0	0	0	0	0	0	0	0	0	
2010	3	100.0	106	106	0	0	0	0	0	0	0	
2011	3	66.7	9	14	0	0	0	0	0	0	0	
2012	3	66.7	101	152	0	0	0	0	0	0	0	
2013	3	100.0	862	862	5	5	12	12	12	12	12	
2014	2	100.0	146	146	0	0	0	0	0	0	0	
2015	4	100.0	0	0	0	0	0	0	0	0	0	
2016	0	N.A.	0	0	0	0	0	0	0	0	0	
2017	1	100.0	254	254	2	2	0	0	0	0	0	
2018	1	100.0	468	468	0	0	0	0	0	0	0	
2019	1	100.0	209	209	0	0	0	0	0	0	0	
2020	1	100.0	67	67	0	0	0	0	0	0	0	
5-yr. Avg.												
2015-2019	1	100.0	186	186	0	0	0	0	0	0	0	
10-yr. Avg.												
2010-2019	2	92.6	216	221	1	1	1	1	1	1	1	

¹ This table reflects entries to the online database from 2011 through 7/15/2021. Data prior to 2011 relies on NPS records. Data for all years subject to changes resulting from entry error corrections.

² Expanded Harvest estimate derived from a basic, direct ratio expansion based on the percentage of permits that reported.



United States Department of the Interior
NATIONAL PARK SERVICE
Wrangell-St. Elias National Park & Preserve
Mile 106.8 Richardson Hwy. P.O. Box 439
Copper Center, AK 99573-0439
907 822 5234 Fax 907 822 3281
<http://www.nps.gov/wrst>



WRANGELL-ST. ELIAS NATIONAL PARK AND PRESERVE SUBSISTENCE AND ANTHROPOLOGY REPORT

Fall 2021

Barbara Cellarius, Cultural Anthropologist and Subsistence Coordinator
(907) 822-7236 or barbara_cellarius@nps.gov

Federal Subsistence Hunting Permits

Federal subsistence permits for hunts within Wrangell-St. Elias are issued by park staff in Chitina, Copper Center, McCarthy/Kennecott, and Slana along with staff from Tetlin National Wildlife Refuge in Tok. As of August 15, 2022, 91 federal registration permits had been issued for goat, moose, and sheep hunts in Unit 11 and for sheep and caribou hunts taking place primarily in Wrangell-St. Elias portion of Unit 12. See Table 1 for a summary of the permits issued for these hunts. Note that it is early in the year, and that additional permits will be issued before the close of the hunting seasons. Updated permit numbers for Units 11 and 12 will be provided verbally during the Regional Advisory Council and Subsistence Resource Commission meetings, and harvest information will be available during the spring 2021 meetings. The table does not include Unit 13 moose and caribou permits issued at the Slana Ranger Station, and joint state/federal permits (RM291) issued by Wrangell-St. Elias staff for the moose hunt for portions of Units 11 and 12 in the northern part of the park. Permit and harvest numbers for the RM291 hunt area through 2020 are shown in Table 2. Numbers for the 2021 hunt will be available at the spring meetings.

Chisana caribou herd hunt: The Chisana caribou herd hunt takes place in Unit 12 east of the Nabesna River and Glacier and south of the Winter Trail. Consistent with the management plan for the herd, the 2021 harvest quota was set at 7 bull caribou. As of August 15, a total of 4 permits had been issued.

South Unit 11 winter moose hunt: A winter moose hunt in the southern portion of Unit 11 was established in 2014. The season is November 20 to January 20. The quota for the 2021-22 season will be announced in early November.

Table 1. Federal Subsistence Registration Permits in Wrangell-St. Elias NPP, 2011-2021

Unit 11 Goat (FG1101)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	53	42	30	31	29	22	26	30	27	27	9
Individuals Hunting	14	6	7	10	6	4	3	8	8	7	
Animals Harvested	1	0	0	0	0	0	0	0	1	0	
Success Rate (%)	7.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	12.5	0.0	

Unit 11 Moose -- Fall Hunt, since 2012 remainder only (FM1106)**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	217	189	146	123	128	138	132	144	107	156	48
Individuals Hunting	131	75	78	70	70	75	72	85	45	70	
Animals Harvested	27	9	12	10	13	16	13	12	10	15	
Success Rate (%)	20.6	12.0	15.4	14.3	18.6	21.3	18.1	14.1	22.2	21.4	

Unit 11 Moose -- Winter Hunt in southern part of unit (FM1107)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	-	-	-	32	17	20	14	11	8	8	1
Individuals Hunting	-	-	-	3	3	4	4	2	2	3	-
Animals Harvested	-	-	-	0	0	1	0	0	0	1	-
Success Rate (%)	-	-	-	0.0	0.0	25.0	0.0	0.0	0.0	33.3	-

Unit 11 Elder Sheep (FS1104)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	23	32	20	25	25	32	34	38	34	38	19
Individuals Hunting	10	11	5	10	8	12	13	18	14	14	
Animals Harvested	0	1	0	1	3	3	4	1	1	1	
Success Rate (%)	0.0	9.1	0.0	10.0	37.5	25.0	30.8	5.6	7.1	7.1	

Unit 11 Elder/Junior Sheep (FS1103)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	2	1	0	0	0	1	2	1	0	1	0
Individuals Hunting	1	0				1	2	0		0	
Animals Harvested	0	0				0	0	0			
Success Rate (%)	0.0	-				0.0	0.0	-			

Unit 12 Caribou -- Chisana (FC1205)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	-	9	9	11	11	8	8	6	4	7	4
Individuals Hunting	-	8	7	8	7	8	3	3	3	4	-
Animals Harvested	-	2	3	2	0	1	0	2	1	3	-
Success Rate (%)	-	25.0	42.9	25.0	--	12.5	0.0	66.7	33.3	75.0	-

Table 1. Federal Subsistence Registration Permits in Wrangell-St. Elias NPP, 2011-2021 (cont.)

Unit 12 Elder Sheep (FS1201)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	9	13	9	9	7	11	12	14	14	12	10
Individuals Hunting	3	3	3	5	3	6	4	8	6	4	
Animals Harvested	0	0	0	1	0	1	1	0	0	1	
Success Rate (%)	0.0	0.0	0.0	20.0	0.0	16.7	25.0	0.0	0.0	25.0	

Unit 12 Elder/Junior Sheep (FS1204)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021*
Permits Issued	1	1	0	0	0	0	0	0	0	0	0
Individuals Hunting	1	0									
Animals Harvested	0	0									
Success Rate (%)	-	-									

Source: Federal Subsistence Permit Database.

* 2021 data as of 8/15/2021.

** From 2012 forward, the federal Unit 11 moose permit is for Unit 11 remainder only.

Notes: Success rate is calculated based on the number of individuals hunting, not total permits issued.

Table 2. Joint State-Federal Permits for the Fall Moose Hunt in Portions of Units 11 and 12 (RM291), 2012-2020

All Hunters

	2012	2013	2014	2015	2016	2017	2018	2019	2020
Permits Issued	253	246	296	250	277	244	250	277	316
Individuals Hunting	164	151	191	142	179	145	155	159	180
Total Animals Harvested	23	19	20	20	23	19	23	21	26
<i>Unit 11 Harvest</i>	16	10	11	9	17	15	17	14	10
<i>Unit 12 Harvest</i>	7	9	9	11	6	4	6	7	14
Success Rate (%)	14.0	12.6	10.5	14.1	12.8	13.1	14.8	13.2	14.4

Federally Qualified Subsistence Users

	2012	2013	2014	2015	2016	2017	2018	2019	2020
Permits Issued	158	135	154	168	176	155	171	172	173
Individuals Hunting	94	74	92	89	106	88	108	103	106
Animals Harvested	19	15	15	14	18	15	19	21	15
Success Rate (%)	20.2	20.3	16.3	15.7	17.0	17.0	17.6	20.4	14.2

Source: Emails from ADF&G Tok and RC012 from 2018 Alaska Board of Game Central/Southwest Region Meeting.

Notes: (1) 2021 figures will be provided at the spring 2022 meeting.

(2) 2020 figures are as of 1/13/2021. Some hunters have not yet submitted harvest reports.

(3) Success rate is calculated based on the number of individuals hunting, not the number of permits issued.

(4) Data for Federally Qualified Subsistence Users excludes records with ambiguous residency (e.g., urban mailing address and rural resident community or local mailing address and non-local resident community).

Traditional Knowledge, Ethnographic, and Subsistence Access Projects:

Work is underway on several ethnographic and subsistence projects. All projects are being supervised by the Wrangell-St. Elias cultural anthropologist, with much of the work being carried out either by other park staff or by various project partners through cooperative agreements.

An Ethnohistory of the Chisana River Basin: A manuscript on the ethnohistory of the Chisana River Basin was drafted a decade ago, but never finalized for publication. In this project, park staff revised the manuscript for publication, with the assistance of the original author from Yukon College (now Yukon University) in Whitehorse, Yukon Territory. In addition to providing a view of the Chisana gold rush from the lens of Alaska Native involvement, the report is important for documenting traditional uses of an area that is the borderland between the Upper Tanana and Upper Ahtna Athabascans. This project is now complete. An electronic version can be downloaded from the park website at the following address: <https://www.nps.gov/wrst/learn/historyculture/an-ethnohistory-of-the-chisana-river-basin.htm>.

Ahtna Ethnographic Overview and Assessment (EOA): This project will produce a report documenting Ahtna Athabaskan connections to Wrangell-St. Elias. An EOA is a baseline cultural anthropological study that aims to document traditional associations between distinct cultural communities and landscapes, places or resources. This EOA will consist of an annotated inventory of ethnographic and related materials relevant to the Ahtna Athabascans; a narrative synopsis of our current understanding of these materials, with a focus on connections to Wrangell-St. Elias; and an analysis of data gaps and additional research needs. This project is being carried out through a cooperative agreement with the Ahtna Intertribal Resource Commission. It is scheduled to be completed in mid-2022.

Documenting Traditional Ecological Knowledge about Historic Dynamics of Caribou Herds Associated with Wrangell-St. Elias: The goals of this project are to conduct a literature review/data mining regarding traditional ecological knowledge (TEK) and historic information (e.g., seasonal movement patterns; and herd sizes, interactions, and habitat relations) of the three caribou herds (Chisana, Mentasta and Nelchina) that spend time in Wrangell-St. Elias as well as to conduct new traditional knowledge interviews about caribou with knowledgeable long-term residents. Topics to be covered in the traditional knowledge interviews may include long-term knowledge about seasonal movement patterns, herd sizes, and observations regarding caribou in relation to the larger ecosystem and the other caribou herds. The information will be summarized in a report designed to inform management decisions about caribou. This project is being completed through a cooperative agreement with the Ahtna Intertribal Resource Commission.

Local Knowledge of Winter Environmental Conditions and Their Impacts on Subsistence Access: The goals of this project are to document local knowledge of changing environmental conditions, and to evaluate implications for winter subsistence access. This will be accomplished by interviewing trappers and possibly other Copper Basin residents who are out on the landscape during the winter about ambient environmental conditions (e.g., temperatures, snow and ice conditions), how conditions have changed over their lifetimes/careers, other traditional ecological knowledge about winter environmental conditions, and the way in which these conditions have impacted access to subsistence resources. The information gathered during the interviews will be summarized in a report. This project is being completed through a cooperative agreement with the Ahtna Intertribal Resource Commission.

Quantify Changing Environmental Conditions to Inform Decisions about Allowed Means of Winter Access to Subsistence Resources: This project will quantify temporal and spatial patterns of river freeze-up, winter ice conditions, and break-up using remote sensing data and evaluate the implications of changing environmental conditions for temporal and spatial patterns of winter subsistence access in the park. The analysis will focus on the Copper and Chitina Rivers. In addition to peer-reviewed journal publications, interpretive products for the general public will be produced. This project is being completed through a cooperative agreement with the University of Alaska Fairbanks (UAF). Work has begun on preparing the remote sensing data for analysis. In addition, four time-lapse cameras were installed in September 2020 to collect daily images of the Copper River during winter 2020-2021 that will help with the interpretation and validation of the satellite imagery. Three of the cameras are game cameras where images are stored locally, and one is a satellite-linked camera that uploads real-time images online through a partnership with the Fresh Eyes on Ice project at UAF. The satellite-linked camera will be in place for two more winters. The Copper River images from that project can be viewed at <http://fresheyesonice.org/realtime-data/river-ice-camera/#a1506>. A time-lapse video produced using images from the camera for the winter of 2020-21 can be viewed on the Fresh Eyes on Ice YouTube channel: <https://youtu.be/z71axPj0I-c>.

Prepared 8/16/2021

Southcentral Alaska Subsistence Regional Advisory Council

October 13-14, 2021

Bureau of Land Management, Glennallen Field Office Agency Report

Caroline Ketron, Anthropologist/Subsistence Coordinator

I. General Updates

- Bureau of Land Management (BLM) continues to work collaboratively with Alaska Department of Fish and Game (ADFG) to monitor subsistence resource populations among BLM and State lands within GMU13.
- Glennallen Field Office welcomed several new permanent employees this summer/fall: LeeAnn Harris as our Wildlife Biologist, and Caroline Ketron as our Anthropologist/Subsistence Coordinator. Suzy Lappi and Kathy Gearhart joined us as administrative assistants, and Nick Patterson and Will Becker came on as custodial staff. We are pleased to have all these vacant positions filled. We are also working to complete a hire for a Geographic Information Systems Specialist.
- Glennallen Field Office has been working with Ahtna Intertribal Resource Commission as they initiate their Community Harvest System for caribou and moose this year.

II. Subsistence Permitting Updates

- The Glennallen Field Office (GFO) has remained closed to the public in 2021 due to the COVID 19 pandemic. Permits were issued over the phone this year to anyone who had been issued permits previously and permittees had the option of having their permits mailed to them or they could schedule an appointment to pick up their permits. In Delta Junction in July, new hunters made an appointment and stayed in their cars and documents were ferried back and forth by staff. These precautions continue to be taken to limit exposure to both staff and the public.
- As of August 9, 2021, 1,748 Federal Subsistence caribou permits (FC1302) and 847 Federal Subsistence moose permits (FM1301) have been issued. *Updates will be given at the RAC for number of permits issued so far in 2021 regulatory year:*
 _____ # of Federal moose permits issued as of Oct. ____2021, BLM-Glennallen
 _____ # of Federal caribou permits issued as of Oct. ____2021, BLM-Glennallen



III. Decisions and Emergency Orders affecting the Federal Subsistence Hunt in 2021

- On July 16th, 2020, the Federal Subsistence Board approved temporary wildlife Special Action WSA20-03 with modification to close Federal public lands in Units 13A and 13B to moose and caribou hunting by non-Federally qualified users for the 2020-2021 and 2021-2022 seasons. GFO responded to numerous calls from state hunters wanting to know where they could hunt. Callers were emailed the Office of Subsistence Management (OSM) fact sheet related to the closure and a copy of GFO's more detailed federal subsistence maps, explaining the areas that were closed to non-Federally qualified users. The greatest impact to state hunters seemed to be the closure of the Gulkana and Delta Wild and Scenic River corridor portions of the federal area, because those planning to access hunt areas by boat had few alternatives.

***updates and additional communications from the public will be shared at the fall RAC*

IV. Wildlife Updates

- Bureau of Land Management (BLM) and Alaska Department of Fish and Game (ADFG) entered into a multi-year cooperative agreement. The main objective is to actively cooperate and monitor subsistence resource populations among BLM and State of Alaska lands within GMU13.
- *GMU13 Moose Updates 2021 to be shared at the fall Southcentral RAC*
- *GMU13 Caribou Updates 2021 to be shared at the fall Southcentral RAC*
- 2020/21 season: FM1301 Moose (data 8/9/21)
 - 94% hunt report return rate
 - 1,289 permits issued (1,290 permits issued in 2019)
 - 66 bulls harvested
 - 645 permits attempted – 10.2% success rate
 - 5-year average harvest 2016-2020 = 77 moose
- 2020/2021 season: FC1302 Caribou (data 8/9/21)
 - 88% hunt report return rate
 - 2,916 permits issued (2,906 permits issued in 2019)
 - 306 caribou harvested
 - 1,195 permits attempted--26% success rate
 - 5-year average harvest 2016-2020 = 325

V. Federal Subsistence Moose Harvest Status, GMU13

Table 1. FM1301 harvest for the 2021 moose season in GMU13

(Oct. , 2021, % of permits have been reported*)

Time Frame	Permits Issued	Permits Attempted	Bulls Harvested	Hunters Successful
2021*				%
5 Year Average**	1,335	630	77	12%

*Information is incomplete at this time (prepared Aug. 9, 2021). BLM-GFO will give an update at the October SC RAC meeting. Federal Moose season in Unit 13 ends Sept. 20, 2021.

**2016-2020

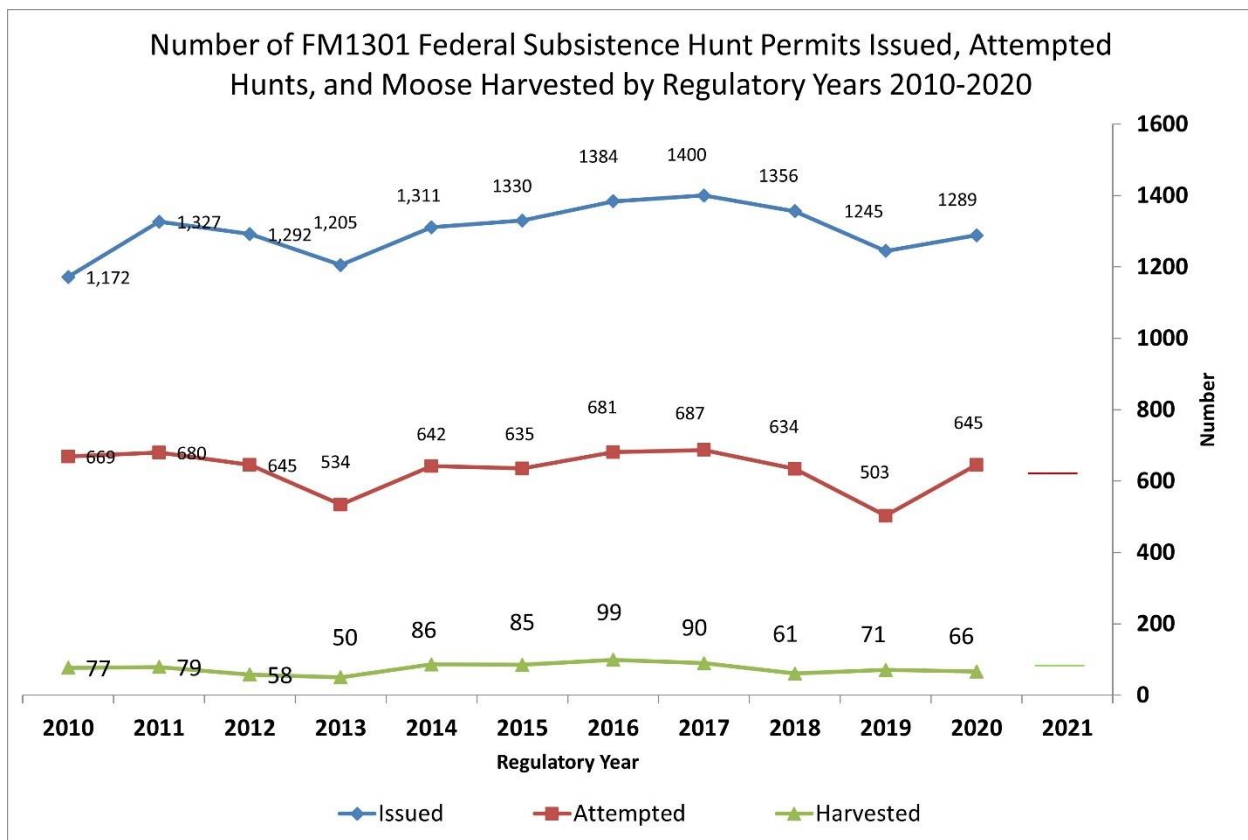


Figure 1. Federal Subsistence Moose Harvest Pattern (FM1301) from 2010 to 2020.

VI. Federal Subsistence Caribou Harvest Status, GMU13

Table 2. FC1302 harvest for 2021/22 caribou in GMU13 (Oct. 2021, ___% permits reported*).

	Permits Issued	Permits Attempted	Bulls Harvested	Cows Harvested	Total Harvest	Success Rate
2021/22*						
5 Year Average**	3002	1317	292	134	325	24%

*Information is incomplete at this time (prepared Aug. 9, 2021). BLM-GFO will give a verbal update at the October SC RAC meeting. Federal Caribou season ends March 31, 2022.

**2016-2020

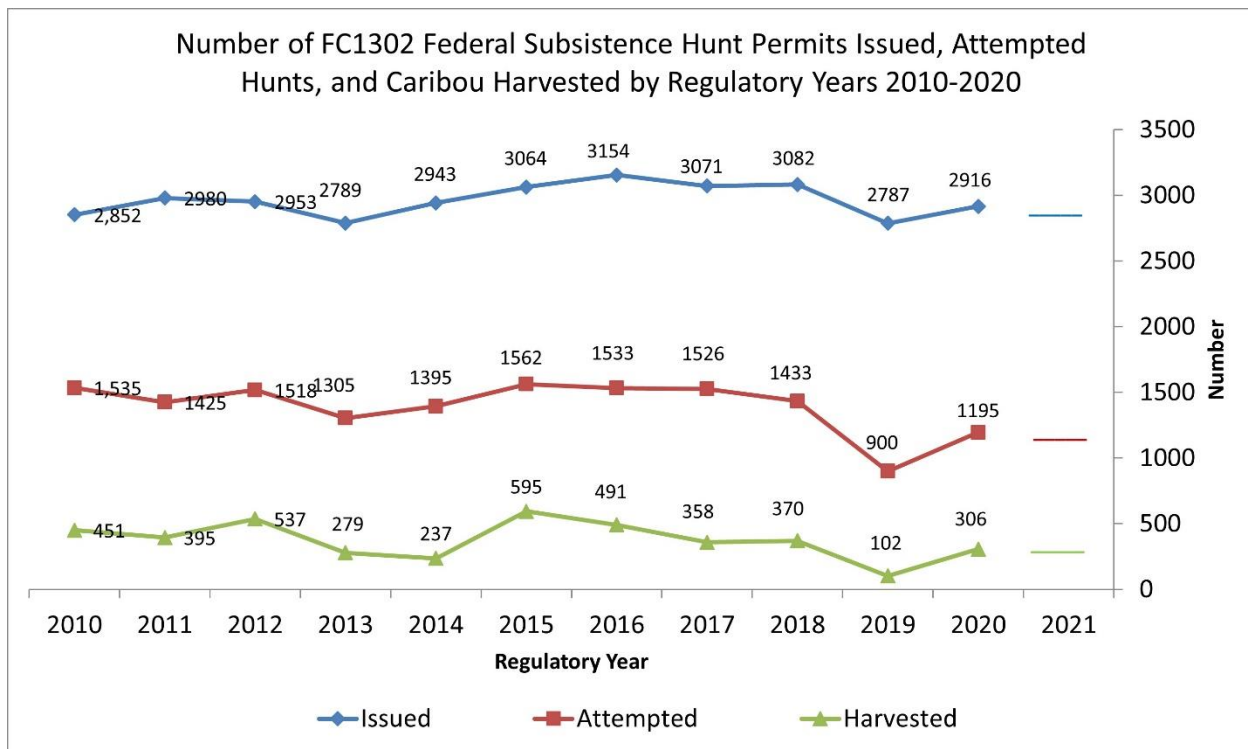


Figure 2. Federal Subsistence Caribou Harvest Pattern (FC1302) from 2010 to 2021.

* Information is incomplete at this time, season ends March 31, 2022

Building Partnerships and Capacity for Federal Subsistence Fisheries Management and Research in the North

Partners for Fisheries Monitoring Program (PFMP)

Introduction

The Partners for Fisheries Monitoring Program was established in 2002 to increase the opportunity for Alaska Native and rural organizations to participate in Federal subsistence management. The program provides funding for fishery biologist, social scientist, or educator positions within the organization, with the intent of building and sustaining the organization's fisheries management expertise. In addition, the program supports a variety of opportunities for local, rural students to connect with subsistence management through science camps and paid internships.

The program has provided funding to mentor more than 100 college and 450 high school students, some of whom have gone on to become professionals in the field of natural resource conservation. To date with 13.3 million dollars spent, the program has supported nine Alaska Native organizations in building capacity. Organizations are funded for up to four years through a competitive grant process.

How to Get Involved

The next funding opportunity will open in 2023; it is never too early to reach out and to begin planning the components of a proposed PFMP program. The Office of Subsistence Management (OSM) is happy to answer questions and provide advice regarding its various funding programs.

OSM also partners with the Alaska Native Science and Engineering Program (ANSEP) to provide internship opportunities that expose students to careers in natural resource management. If your existing Alaska based fisheries program could benefit from a student internship, or if your program has exciting fisheries-related opportunities to challenge and educate Alaska's rural youth, please be sure to let us know!

For more information, please visit our site at <https://www.doi.gov/subsistence/partners>. You can also contact the program's coordinator, Karen Hyer at karen_hyer@fws.gov or 907-786-3689.

Partner Contacts

- **BBNA:** Cody Larson, clarson@bbna.com
- **YTT:** Jennifer Hanlon, jhanlon@ytttribe.org
- **NVE:** Matt Piche, matt.piche@eyak-nsn.gov
- **NVN:** Dan Gillikin, dangillikin@gmail.com
- **ONC:** Janessa Esquible, jesquible@nativecouncil.org

- **TCC:** Brian McKenna, brian.mckenna@tananachiefs.org
- **QTU:** Chandra Poe, chandra@qawalagin.com

2021 Partners Program Participant Summaries

Bristol Bay Native Association (BBNA)

The Bristol Bay Native Association (BBNA) researches and highlights the role of fish used in satisfying a way of life, through collaborative investigations with our member tribes, universities, and state and federal managers. These partnerships inform our citizens of any changes to the public's relationships with fish and emphasize the value in the co-production of traditional knowledge and contemporary sciences research.

The BBNA Partners program funding is used in supporting the conversation between our residents, communities, and the managers tasked with decision-making on essential food resources. The program reinforces public input to the region's Fish and Game Advisory Committees, NPS Subsistence Resource Commissions, and the Federal Regional Advisory Council, while relaying information gathered from the social science investigations. Recent focus has been on subsistence fishery funding from section 12005 of the Cares Act, and the Chignik Fisheries disaster relief efforts.

Over the past year, the program informed and collaborated on multiple investigations and recent publications, some of which are available online and focus on; The Naknek River Subsistence Salmon Harvest, Subsistence Salmon Sharing Networks on the Alaska Peninsula, Voices of Alaska Native Women Fishers, Sharing Food and Community Resilience, and a Subsistence Harvest Assessment and Stock Composition of Dolly Varden and Nonsalmon Fish Stocks in the Togiak National Wildlife Refuge.

BBNA's program has coordinated dozens of internships with partners like Lake Clark National Park, Togiak National Wildlife Refuge, Alaska Dept. of Fish and Game, and the University of Washington. The leaders involved in these summer experiences have guided many students into careers in natural resource management. Some of those students have now become the mentors to the next cohort of future leaders. While the 2020 summer internships were successfully held virtually, we are looking forward to getting the hands-on field experiences in 2021!

Yakutat Tlingit Tribe (YTT)

Yakutat Tlingit Tribe (YTT) is a federally recognized tribe with 820 enrolled Tribal Members located on the northern coast of the Gulf of Alaska. Developing conservation concerns about local salmon stocks have highlighted the need for building capacity for fisheries monitoring and management in the YTT Environmental Department. Through the Partners Program, YTT hired a full time Fisheries Biologist in 2020 to participate in subsistence management and instill place-based knowledge on the Situk River. YTT's Fisheries Biologist partners with the Yakutat District River Ranger to serve as the primary contacts to the public on the Situk River (April-September).

The team's primary job is to contact Situk users to promote stewardship and cultural awareness. Being on the river during peak fishing seasons, they can communicate conservation messages to anglers streamside on topics like catch and release, don't tread on redds, salmon ecology, angler etiquette, current regulations, alternative fishing sites, and habitat degradation. The biologist provides river users with

context about history and cultural importance of salmon with the Situk being the primary source for subsistence in Yakutat. In the past, brown bears associating anglers with fish has been a safety concern for both people and bears on the Situk. However, in coordination with the USFS Wildlife Biologist and Fish and Game, the River Rangers have aggressively worked to curb the behaviors amongst fisherman that lead to this problem. The consistent presence of the partners alone will prompt stewardship and good behavior amongst the varied Situk River users.

The Partners Program has enhanced YTT's capacity by broadening the scope of resources and tools available to the Tribe such as allowing access to valuable datalike river use, stream restoration trainings, and research methods like eDNA. This partnership forges a strong foundation that strengthens and supports the YTT Environmental Department's capacity to identify and respond to conservation concerns that impact tribal interests. YTT looks forward to expanding the department and welcoming an intern under the Partners Program.

Tanana Chiefs Conference (TCC)

The Tanana Chiefs Conference (TCC) serves as a non-profit organization for the Interior region of Alaska. The TCC region covers an area of 235,000 square miles and overlaps three separate National Wildlife Refuges (NWR): Kanuti, Koyukuk-Innoko-Nowitna, and the Yukon Flats. Since its creation, the TCC has become the provider of several programs in the Interior of Alaska. Through contracts with the Bureau of Indian Affairs, TCC is responsible for the management and delivery of services such as housing, land management, tribal government assistance, education and employment services, and natural resources management.

Within TCC's organizational structure, the Wildlife and Parks (W&P) Program is responsible for serving the subsistence needs of its tribes and tribal members. The Partners Program allows the TCC W&P Program the ability to maintain a fulltime fisheries biologist on staff and has allowed TCC to develop the capacity to address the subsistence needs of TCC tribes and tribal members by conducting a variety of fisheries research programs and also by participating in federal and state fisheries management meetings.

Through the Partners Program, TCC has successfully operated the Henshaw Creek Weir salmon monitoring project in the upper Koyukuk River. TCC strives to recruit and hire local technicians and youth to assist with the project each year. The Henshaw project also hosts an annual summer science and culture camp that is jointly operated by TCC and the Kanuti NWR. Elders and youth are brought together at the camp where the Elders teach students traditional skills (like setting nets, cutting and drying fish, and Athabascan language). TCC and Kanuti staff provide lessons in western science such as weir sampling, salmon biology and ecology and fisheries management.

Outside of the Henshaw Creek Weir project, TCC has been able to lead other fisheries investigations such as updating the Yukon River Chinook and chum salmon genetic baselines, mapping salmon spawning habitat and updating the Anadromous Waters Catalog and exploring the capabilities of small unmanned aerial systems to assist with salmon research and management. Additionally, each year they host one or two Alaska Native Science and Engineering Program (ANSEP) summer bridge students and provide them with the opportunity to gain hands on knowledge and experience in fisheries management within the Yukon River drainage.

Native Village of Eyak (NVE)

The Native Village of Eyak's Department of the Environment and Natural Resources (NVE-DENR) Fisheries Program focuses on population monitoring, filling data gaps, using traditional ecological knowledge to improve data collection, and working with partners to ensure a future with healthy robust fish populations while supporting sustainable fisheries. PFMP funds are used to support a permanent fish biologist responsible for leading the fisheries program and seasonal fisheries interns who gain valuable hands-on experience.

The current PFMP is also supporting the development of a youth science and subsistence camp and outreach with other organizations and researchers throughout the region. Current research led by NVE's Partners Program biologist includes Chinook salmon inriver abundance, Copper River (2003-2021); Chinook salmon distribution and stock specific run timing, Copper River (2019-2021); Klutina River salmon enumeration sonar pilot study (2021-2024).

Furthermore, NVE is continually sharing its resources and expertise to accomplish more work through partnerships with other researchers. Current partners on side-studies include Alaska Department of Fish and Game Division of Sport Fish and Commercial Fisheries, Prince William Sound Science Center, and Ahtna Intertribal Resource Commission.

Native Village of Napaimute (NVN)

The Native Village of Napaimute (NVN) is a federally recognized tribe and has about 100 members; the village is only seasonally occupied currently. The Napaimute Partners in Fisheries Monitoring Program main goals are to; improve effectiveness of local outreach related to fisheries management, provide opportunities in natural resource education and experience for local youth, build local capacity through strategic program and workforce development, and develop a sustainable natural resource program.

Outreach related to fisheries management is achieved by participating in management discussions with various advisory groups i.e., Kuskokwim River Inter Tribal Fish Commission, Kuskokwim Salmon Management Working Group, and agencies (ADF&G, USFWS). We routinely post in-season management actions on social media and around the Villages to keep fishers informed on the latest regulations.

Our youth outreach involves two projects; the Math Science Expedition (MSE) and the George River Internship (GRI). The MSE is tailored more to be leadership development experience with some exposure to fisheries ecology and data collection. The MSE typically accommodates 25-30 students on a two week-long rafting trip down the Salmon and Aniak Rivers.

The GRI is an advanced paid Internship opportunity on the George River where Interns learn about river ecology, hydrology, sampling techniques for fish and benthic macro- invertebrates, leadership skills and career opportunities in the area of natural resource management.

The PFMP has allowed us to build the capacity to peruse funding for and help support fisheries monitoring programs (Aniak Test Fishery & Salmon River Weir) funded through the USFWS Fisheries Resource Monitoring Program, along with several environmental monitoring and fisheries assistance projects. Projects are mostly staffed by local residents and Alaska Native Science and Engineering Students (ANSEP).

Orutsararmiut Native Council (ONC)

Orutsararmiut Native Council (ONC) is the Federally recognized Tribal Government for the Native Village of Bethel, Alaska and has greatly expanded its Partners Program since 2008. ONC Partners Program strives to support ongoing fisheries in season and postseason monitoring programs; serve as a mentor for rural, Alaska Native student interns in coordination with other state, federal, and tribal entities; communicate results of the fisheries monitoring program projects to various audiences to enhance federal subsistence management awareness in rural communities; continue youth internship programs; and pursue external funds and partnerships to expand the current Partners Program. In the past, with the support of the Partners Program, ONC was able to conduct annual Science & Culture Camps, as well as science, technology, engineering, and math (STEM) middle school career exploration programs in Bethel with the help of Alaska Native Science & Engineering Program (ANSEP) and several other partner agencies.

Our Partners Program also became involved with the Aniak & Salmon River Math & Science Expedition by fisheries educational outreach with youth from the middle Kuskokwim. ONC's involvement with youth camp programs throughout the years was able to reach many students ranging from 6th to 12th grade. Despite the difficulties and cancellations that came with the COVID-19 pandemic, ONC's Partners Program work has continued in a safe manner with new procedures and creative methods to engage youth. We would like to sincerely thank the Office of Subsistence Management and other partnering entities, for without their support, our program would not have had the ability to support the youth of the Yukon-Kuskokwim Delta. The support of our partners has allowed ONC to have great success in expanding its involvement on scientific and educational outreach projects and programs.

Qawalangin Tribe of Unalaska (QTU)

The Qawalangin Tribe of Unalaska is a federally recognized sovereign nation. The Unangan people have continuously occupied their homelands along the Aleutian and Pribilof Islands for thousands of years, relying on a close relationship with the sea and lands.

As a new participant in the Partners program, the Tribe is looking forward to continuing work to ensure healthy subsistence species and food sovereignty for generations to come.

A key project in our first year as a Partners program participant was collaborating with ADFG to operate a weir at McLees Lake, monitoring this sockeye run that is an important subsistence resource for the community. In our first year, we restored structures at the site that had fallen into disrepair during a 2-year gap in funding for the weir. Our staff gained experience in weir setup and operations and scale sampling. We are looking forward to building our staff capacity and increasing our presence at the weir in coming seasons and working to ensure continuity of this important salmon monitoring site.

In addition to continuing work at the McLees weir in partnership with ADFG, in the coming years we are looking forward to establishing a strong outreach and education program to build awareness and support of subsistence resource management, so important to our coastal community.

Winter 2022 Regional Advisory Council Meeting Calendar

Last updated 3/19/2021

Due to travel budget limitations placed by Department of the Interior on the U.S. Fish and Wildlife Service and the Office of Subsistence Management, the dates and locations of these meetings will be subject to change.

Sunday	Monday	Tuesday	Wednesday-	Thursday	Friday	Saturday
<i>Feb. 6</i>	<i>Feb. 7</i> <i>Window</i> <i>Opens</i>	<i>Feb. 8</i>	<i>Feb. 9</i>	<i>Feb. 10</i>	<i>Feb. 11</i>	<i>Feb. 12</i>
		BB - Naknek		SC - Anchorage		
<i>Feb. 13</i>	<i>Feb. 14</i>	<i>Feb. 15</i>	<i>Feb. 16</i>	<i>Feb. 17</i>	<i>Feb. 18</i>	<i>Feb. 19</i>
		NWA - Kotzebue		WI - Galena		
<i>Feb. 20</i>	<i>Feb. 21</i> PRESIDENTS DAY HOLIDAY	<i>Feb. 22</i>	<i>Feb. 23</i>	<i>Feb. 24</i>	<i>Feb. 25</i>	<i>Feb. 26</i>
		KA - Kodiak				
<i>Feb. 27</i>	<i>Feb. 28</i>	<i>Mar. 1</i>	<i>Mar. 2</i>	<i>Mar. 3</i>	<i>Mar. 4</i>	<i>Mar. 5</i>
		YKD - Bethel		SP - Nome		
<i>Mar. 6</i>	<i>Mar. 7</i>	<i>Mar. 8</i>	<i>Mar. 9</i>	<i>Mar. 10</i>	<i>Mar. 11</i>	<i>Mar. 12</i>
		EI - Fort Yukon				
		NS - TBD				
<i>Mar. 13</i>	<i>Mar. 14</i>	<i>Mar. 15</i>	<i>Mar. 16</i>	<i>Mar. 17</i>	<i>Mar. 18</i>	<i>Mar. 19</i>
<i>Mar. 20</i>	<i>Mar. 21</i>	<i>Mar. 22</i>	<i>Mar. 23</i>	<i>Mar. 24</i>	<i>Mar. 25</i>	<i>Mar. 26</i>
		SEA - Sitka			<i>Window</i> <i>Closes</i>	

Fall 2022 Regional Advisory Council Meeting Calendar

Last updated 8/5/2021

Due to travel budget limitations placed by Department of the Interior on the U.S. Fish and Wildlife Service and the Office of Subsistence Management, the dates and locations of these meetings will be subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Aug. 7</i>	<i>Aug. 8 Window Opens</i>	<i>Aug. 9</i>	<i>Aug. 10</i>	<i>Aug. 11</i>	<i>Aug. 12</i>	<i>Aug. 13</i>
<i>Aug. 14</i>	<i>Aug. 15</i>	<i>Aug. 16</i>	<i>Aug. 17</i>	<i>Aug. 18</i>	<i>Aug. 19</i>	<i>Aug. 20</i>
<i>Aug. 21</i>	<i>Aug. 22</i>	<i>Aug. 23</i>	<i>Aug. 24</i>	<i>Aug. 25</i>	<i>Aug. 26</i>	<i>Aug. 27</i>
<i>Aug. 28</i>	<i>Aug. 29</i>	<i>Aug. 30</i>	<i>Aug. 31</i>	<i>Sep. 1</i>	<i>Sep. 2</i>	<i>Sep. 3</i>
<i>Sep. 4</i>	<i>Sep. 5 Labor Day Holiday</i>	<i>Sep. 6</i>	<i>Sep. 7</i>	<i>Sep. 8</i>	<i>Sep. 9</i>	<i>Sep. 10</i>
<i>Sep. 11</i>	<i>Sep. 12</i>	<i>Sep. 13</i>	<i>Sep. 14</i>	<i>Sep. 15</i>	<i>Sep. 16</i>	<i>Sep. 17</i>
<i>Sep. 18</i>	<i>Sep. 19</i>	<i>Sep. 20</i>	<i>Sep. 21</i>	<i>Sep. 22</i>	<i>Sep. 23</i>	<i>Sep. 24</i>
<i>Sep. 25</i>	<i>Sep. 26</i>	<i>Sep. 27</i>	<i>Sep. 28</i>	<i>Sep. 29</i>	<i>Sep. 30</i>	<i>Oct. 1</i>
<i>Oct. 2</i>	<i>Oct. 3</i>	<i>Oct. 4</i>	<i>Oct. 5</i>	<i>Oct. 6</i>	<i>Oct. 7</i>	<i>Oct. 8</i>
<i>Oct. 9</i>	<i>Oct. 10 Columbus Day Holiday</i>	<i>Oct. 11</i>	<i>Oct. 12</i>	<i>Oct. 13</i>	<i>Oct. 14</i>	<i>Oct. 15</i>
<i>Oct. 16</i>	<i>Oct. 17</i>	<i>Oct. 18</i>	<i>Oct. 19</i>	<i>Oct. 20</i>	<i>Oct. 21</i>	<i>Oct. 22</i>
<i>Oct. 23</i>	<i>Oct. 24</i>	<i>Oct. 25</i>	<i>Oct. 26</i>	<i>Oct. 27</i>	<i>Oct. 28</i>	<i>Oct. 29</i>
<i>Oct. 30</i>	<i>Oct. 31</i>	<i>Nov. 1</i>	<i>Nov. 2</i>	<i>Nov. 3</i>	<i>Nov. 4 Window Closes</i>	<i>Nov. 5</i>

Subsistence Regional Advisory Council Correspondence Policy

The Federal Subsistence Board (Board) recognizes the value of the Regional Advisory Councils' role in the Federal Subsistence Management Program. The Board realizes that the Councils must interact with fish and wildlife resource agencies, organizations, and the public as part of their official duties, and that this interaction may include correspondence. Since the beginning of the Federal Subsistence Program, Regional Advisory Councils have prepared correspondence to entities other than the Board. Informally, Councils were asked to provide drafts of correspondence to the Office of Subsistence Management (OSM) for review prior to mailing. Recently, the Board was asked to clarify its position regarding Council correspondence. This policy is intended to formalize guidance from the Board to the Regional Advisory Councils in preparing correspondence.

The Board is mindful of its obligation to provide the Regional Advisory Councils with clear operating guidelines and policies, and has approved the correspondence policy set out below. The intent of the Regional Advisory Council correspondence policy is to ensure that Councils are able to correspond appropriately with other entities. In addition, the correspondence policy will assist Councils in directing their concerns to others most effectively and forestall any breach of department policy.

The Alaska National Interest Lands Conservation Act, Title VIII required the creation of Alaska's Subsistence Regional Advisory Councils to serve as advisors to the Secretary of the Interior and the Secretary of Agriculture and to provide meaningful local participation in the management of fish and wildlife resources on Federal public lands. Within the framework of Title VIII and the Federal Advisory Committee Act, Congress assigned specific powers and duties to the Regional Advisory Councils. These are also reflected in the Councils' charters. (*Reference: ANILCA Title VIII §805, §808, and §810; Implementing regulations for Title VIII, 50 CFR 100 __.11 and 36 CFR 242 __.11; Implementing regulations for FACA, 41 CFR Part 102-3.70 and 3.75*)

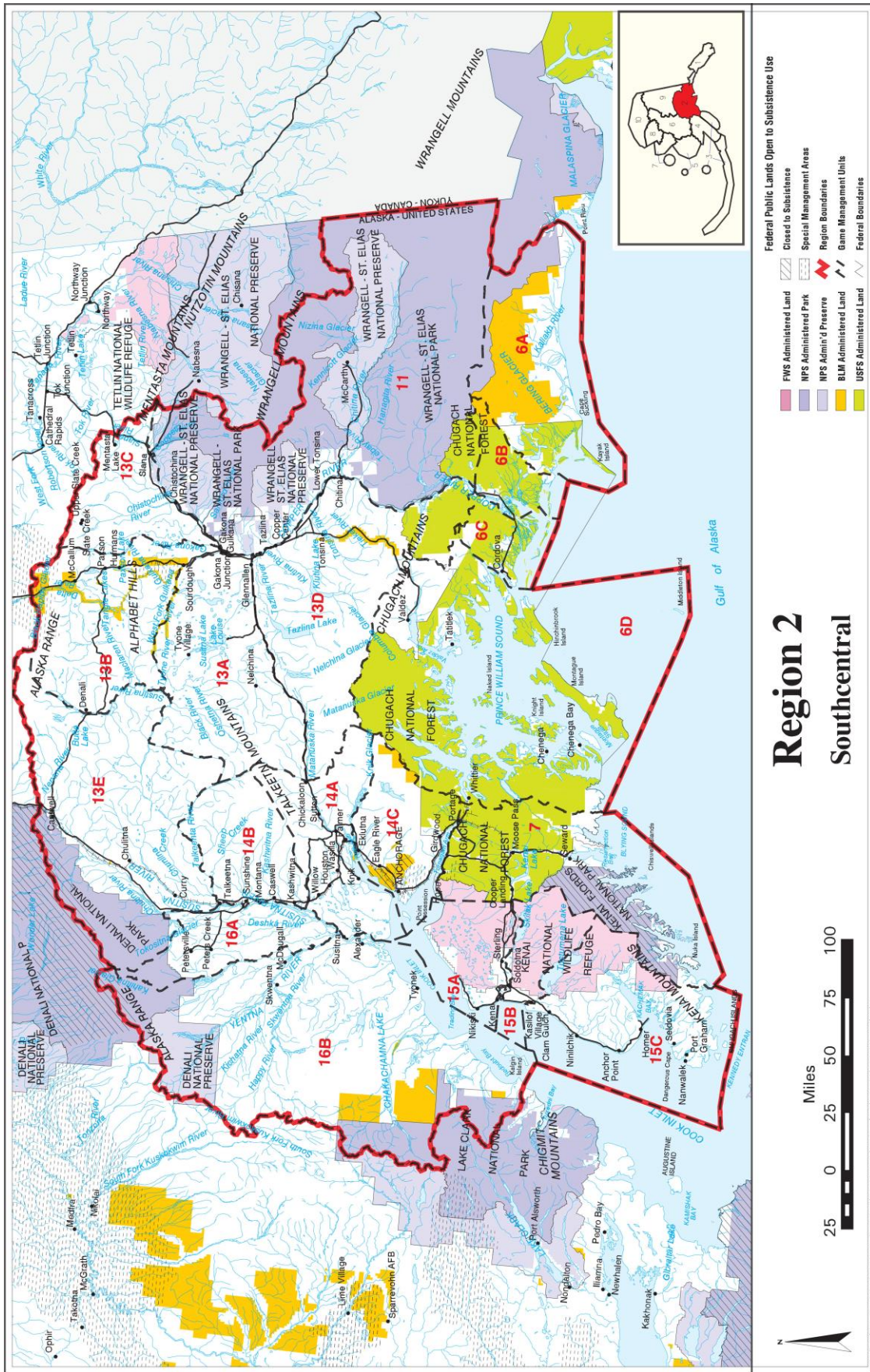
The Secretaries of Interior and Agriculture created the Federal Subsistence Board and delegated to it the responsibility for managing fish and wildlife resources on Federal public lands. The Board was also given the duty of establishing rules and procedures for the operation of the Regional Advisory Councils. The Office of Subsistence Management was established within the Federal Subsistence Management Program's lead agency, the U.S. Fish and Wildlife Service, to administer the Program. (*Reference: 36 CFR Part 242 and 50 CFR Part 100 Subparts C and D*)

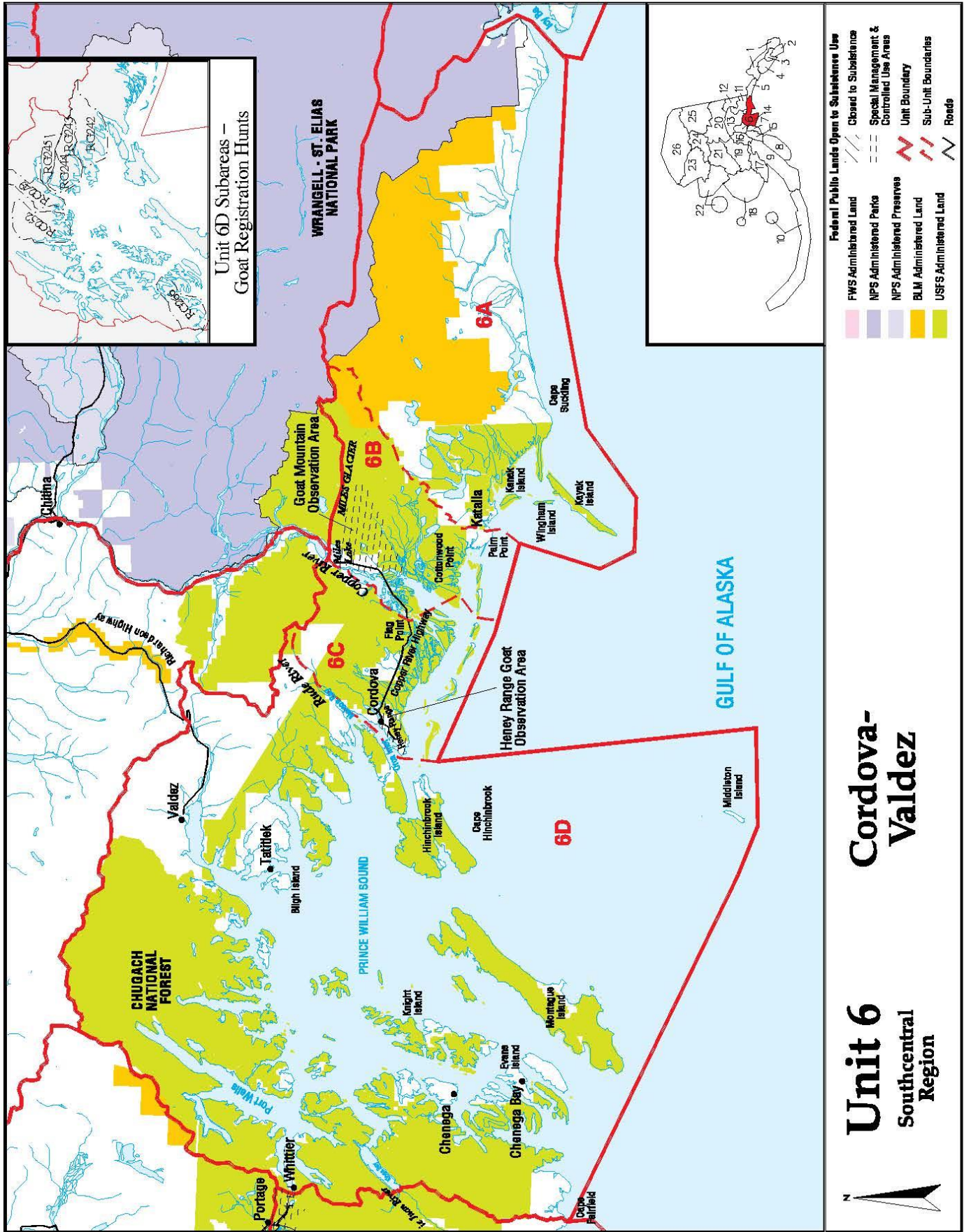
Policy

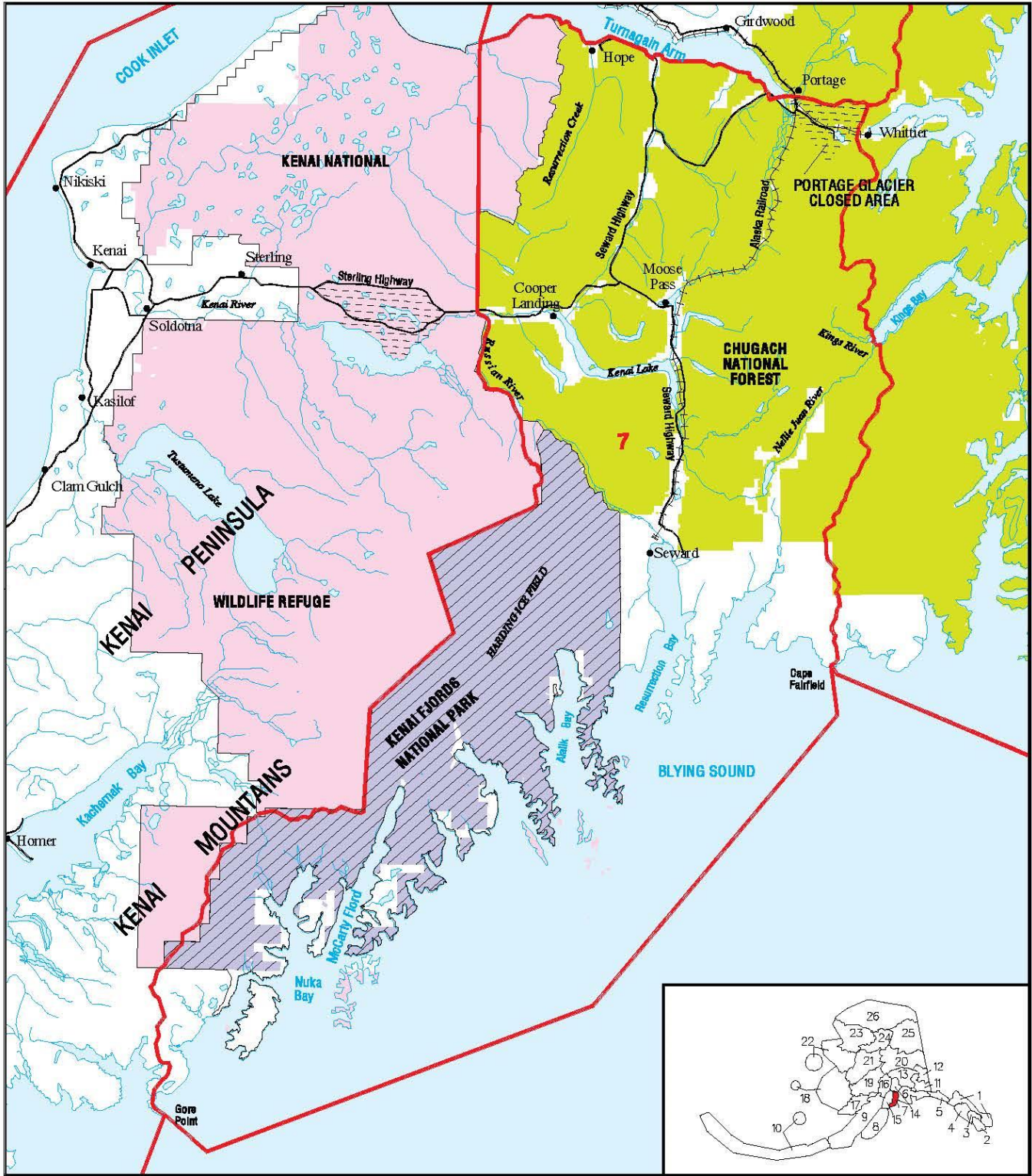
1. The subject matter of Council correspondence shall be limited to matters over which the Council has authority under §805(a)(3), §808, §810 of Title VIII, Subpart B §___.11(c) of regulation, and as described in the Council charters.
2. Councils may, and are encouraged to, correspond directly with the Board. The Councils are advisors to the Board.
3. Councils are urged to also make use of the annual report process to bring matters to the Board's attention.

4. As a general rule, Councils discuss and agree upon proposed correspondence during a public meeting. Occasionally, a Council chair may be requested to write a letter when it is not feasible to wait until a public Council meeting. In such cases, the content of the letter shall be limited to the known position of the Council as discussed in previous Council meetings.
5. Except as noted in Items 6, 7, and 8 of this policy, Councils will transmit all correspondence to the Assistant Regional Director (ARD) of OSM for review prior to mailing. This includes, but is not limited to, letters of support, resolutions, letters offering comment or recommendations, and any other correspondence to any government agency or any tribal or private organization or individual.
 - a. Recognizing that such correspondence is the result of an official Council action and may be urgent, the ARD will respond in a timely manner.
 - b. Modifications identified as necessary by the ARD will be discussed with the Council chair. Councils will make the modifications before sending out the correspondence.
6. Councils may submit written comments requested by Federal land management agencies under ANILCA §810 or requested by regional Subsistence Resource Commissions (SRC) under §808 directly to the requesting agency. Section 808 correspondence includes comments and information solicited by the SRCs and notification of appointment by the Council to an SRC.
7. Councils may submit proposed regulatory changes or written comments regarding proposed regulatory changes affecting subsistence uses within their regions to the Alaska Board of Fisheries or the Alaska Board of Game directly. A copy of any comments or proposals will be forwarded to the ARD when the original is submitted.
8. Administrative correspondence such as letters of appreciation, requests for agency reports at Council meetings, and cover letters for meeting agendas will go through the Council's regional coordinator to the appropriate OSM division chief for review.
9. Councils will submit copies of all correspondence generated by and received by them to OSM to be filed in the administrative record system.
10. Except as noted in Items 6, 7, and 8, Councils or individual Council members acting on behalf of or as representative of the Council may not, through correspondence or any other means of communication, attempt to persuade any elected or appointed political officials, any government agency, or any tribal or private organization or individual to take a particular action on an issue. This does not prohibit Council members from acting in their capacity as private citizens or through other organizations with which they are affiliated.

Approved by the Federal Subsistence Board on June 15, 2004.



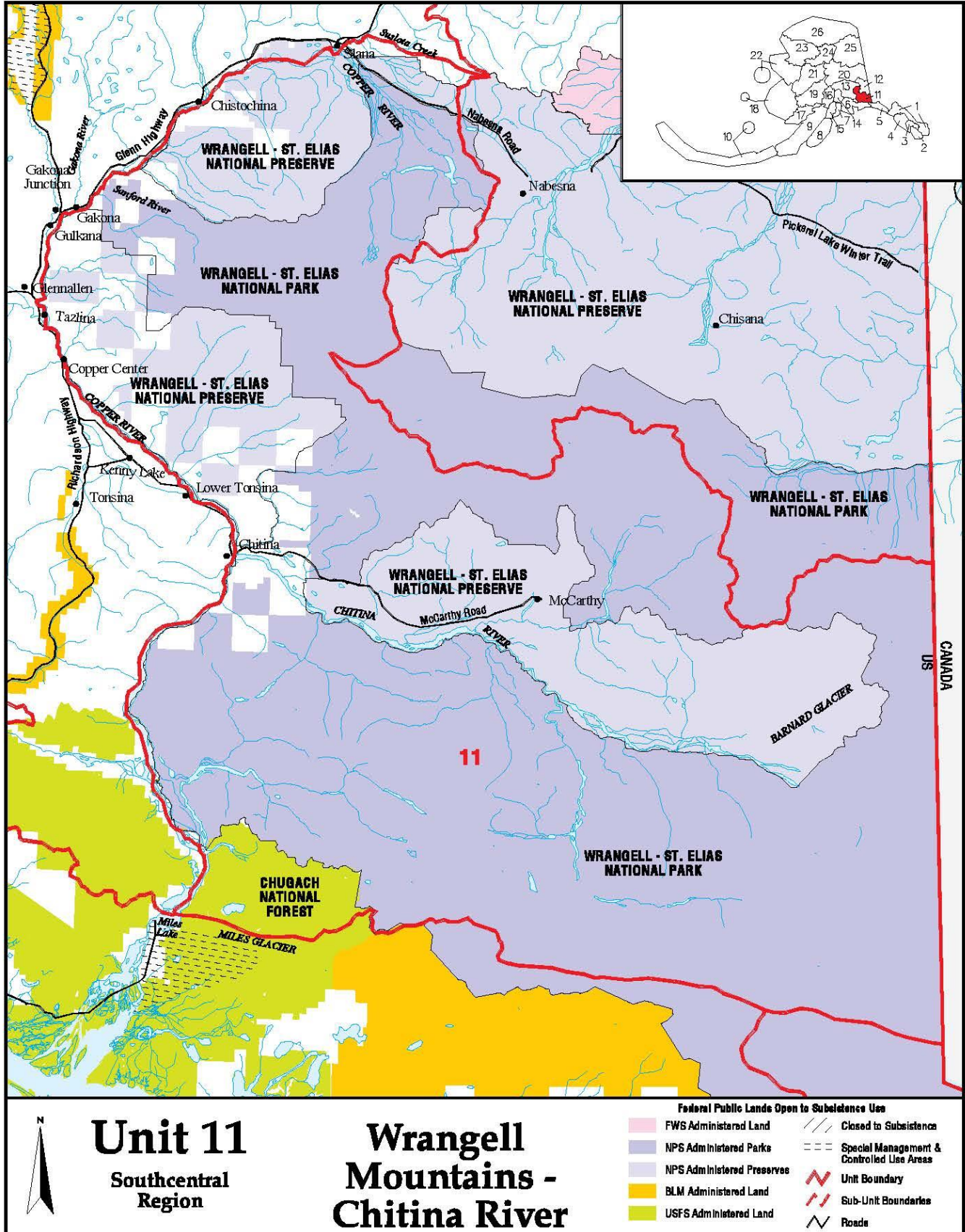


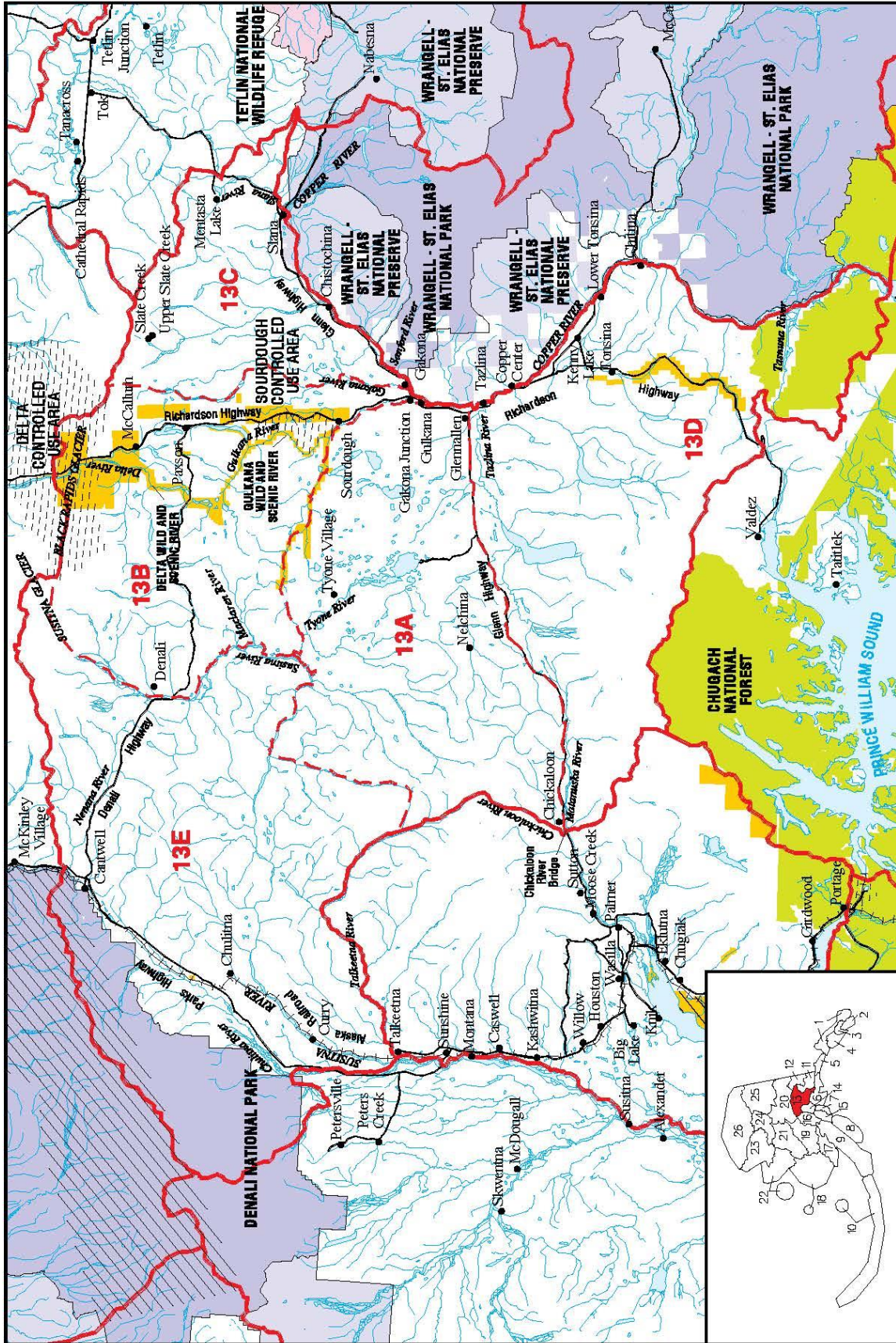


Unit 7
Southcentral
Region

Seward

Federal Public Lands Open to Subsistence Use	
FWS Administered Land	Closed to Subsistence
NPS Administered Parks	Special Management & Controlled Use Areas
NPS Administered Preserves	Unit Boundary
BLM Administered Land	Sub-Unit Boundaries
USFS Administered Land	Roads

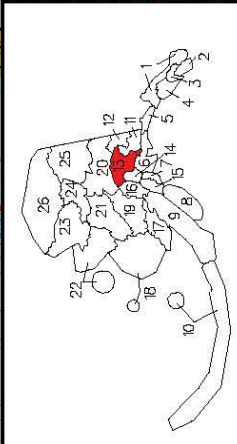


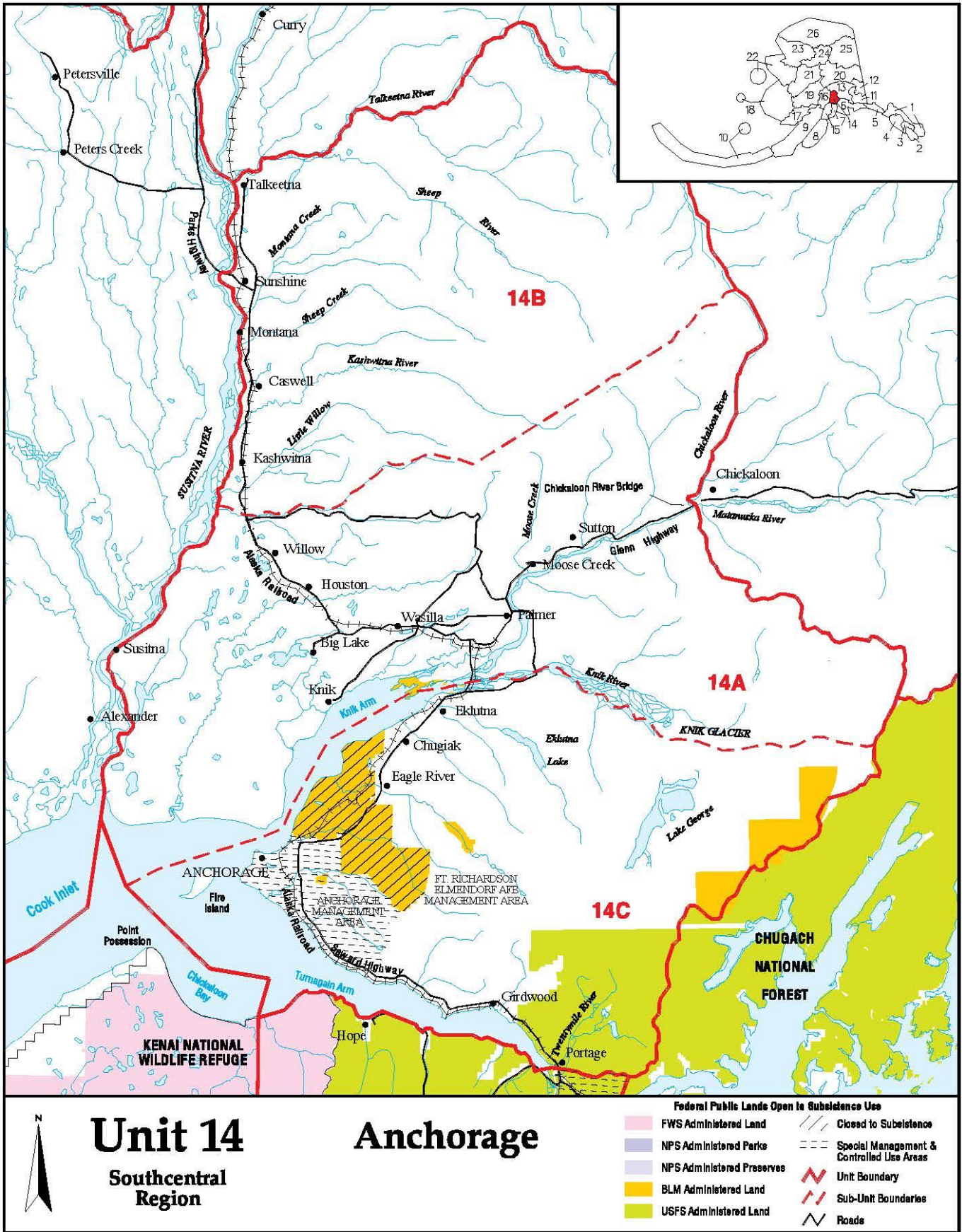


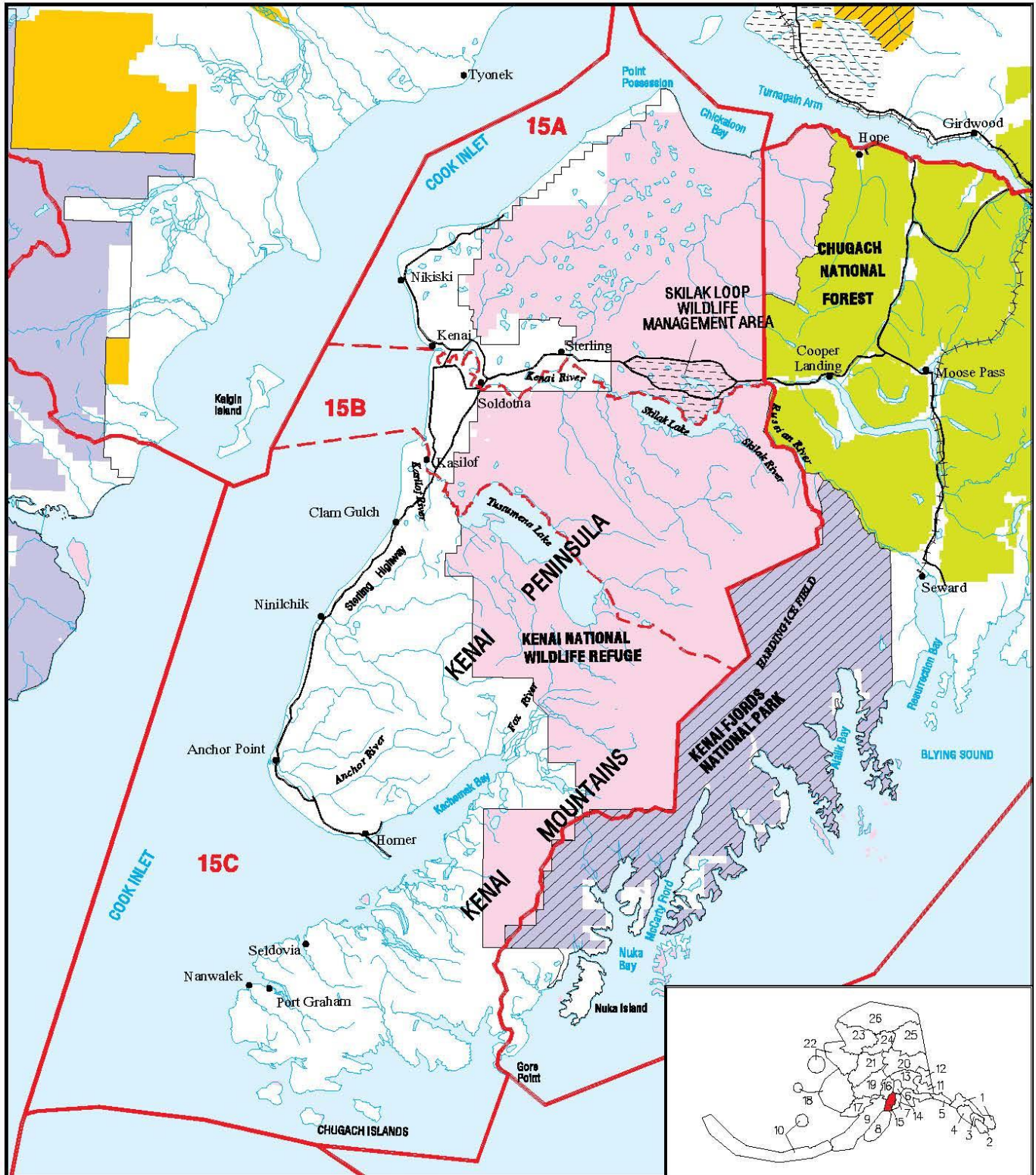
- Federal Public Lands Open to Subsistence Use**
- FWS Administered Land
 - NPS Administered Parks
 - NPS Administered Preserves
 - BLM Administered Land
 - USFS Administered Land
 - Closed to Subsistence
 - Special Management & Controlled Use Area
 - Unit Boundary
 - Sub-Unit Boundaries
 - Roads

Nelchina- Upper Susitna

Unit 13 Southcentral Region







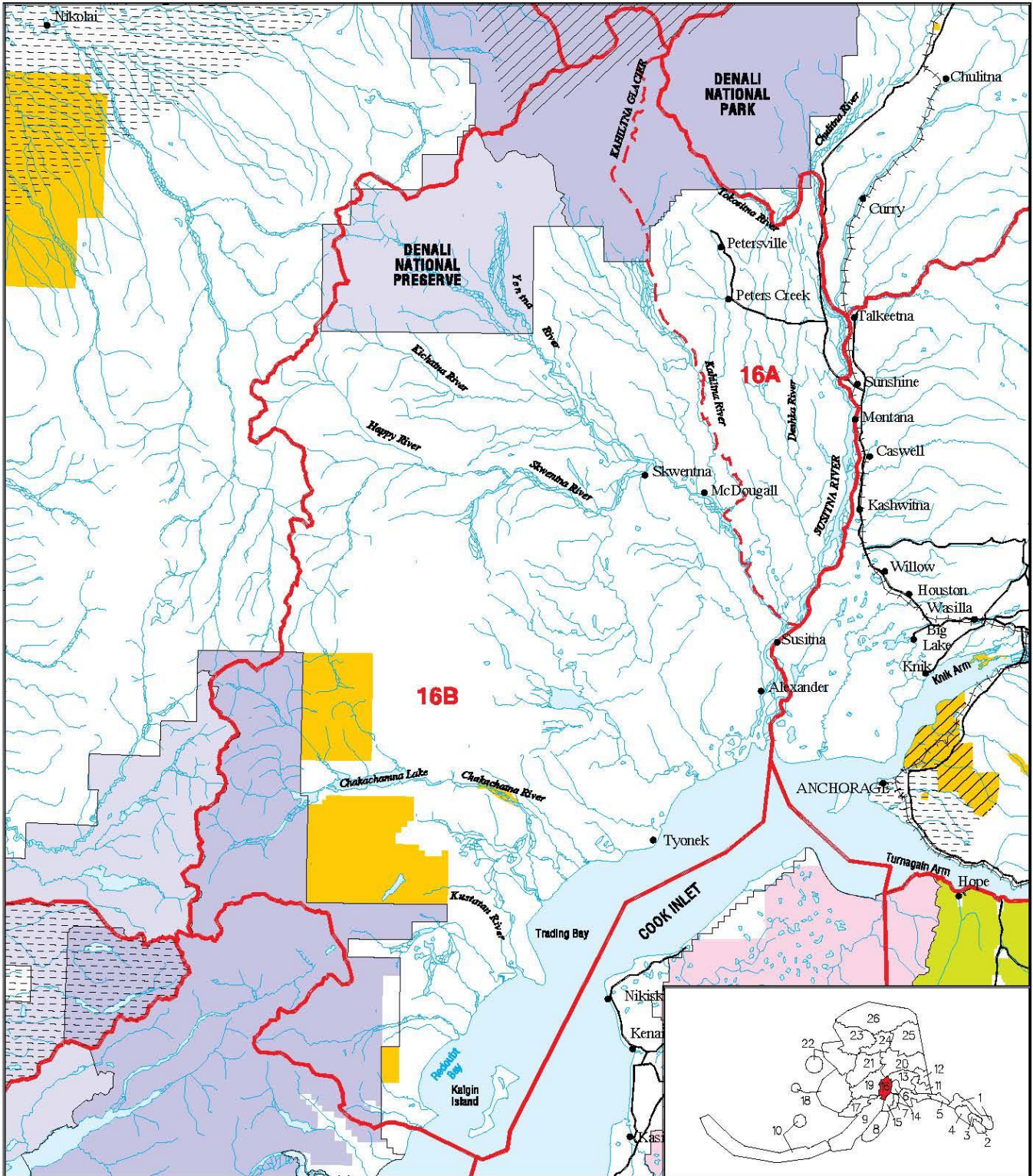
Unit 15

Southcentral Region

Kenai

Federal Public Lands Open to Subsistence Use

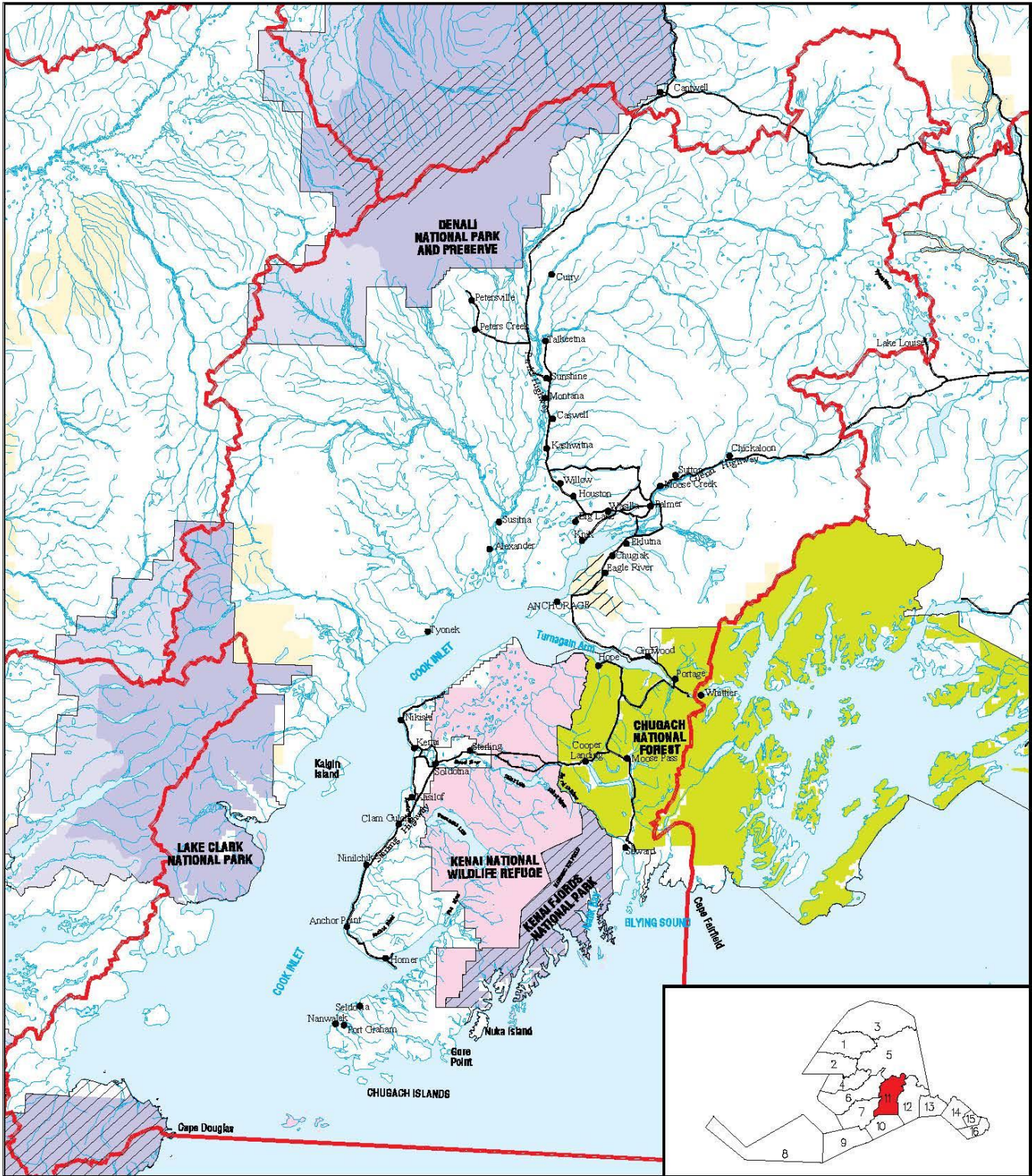
FWS Administered Land	Closed to Subsistence
NPS Administered Parks	Special Management & Controlled Use Areas
NPS Administered Preserves	Unit Boundary
BLM Administered Land	Sub-Unit Boundaries
USFS Administered Land	Roads



Unit 16 Lower Susitna

Southcentral Region

- Federal Public Lands Open to Subsistence Use**
- FWS Administered Land
 - NPS Administered Parks
 - NPS Administered Preserves
 - BLM Administered Land
 - USFS Administered Land
 - Closed to Subsistence
 - Special Management & Controlled Use Areas
 - Unit Boundary
 - Sub-Unit Boundaries
 - Roads



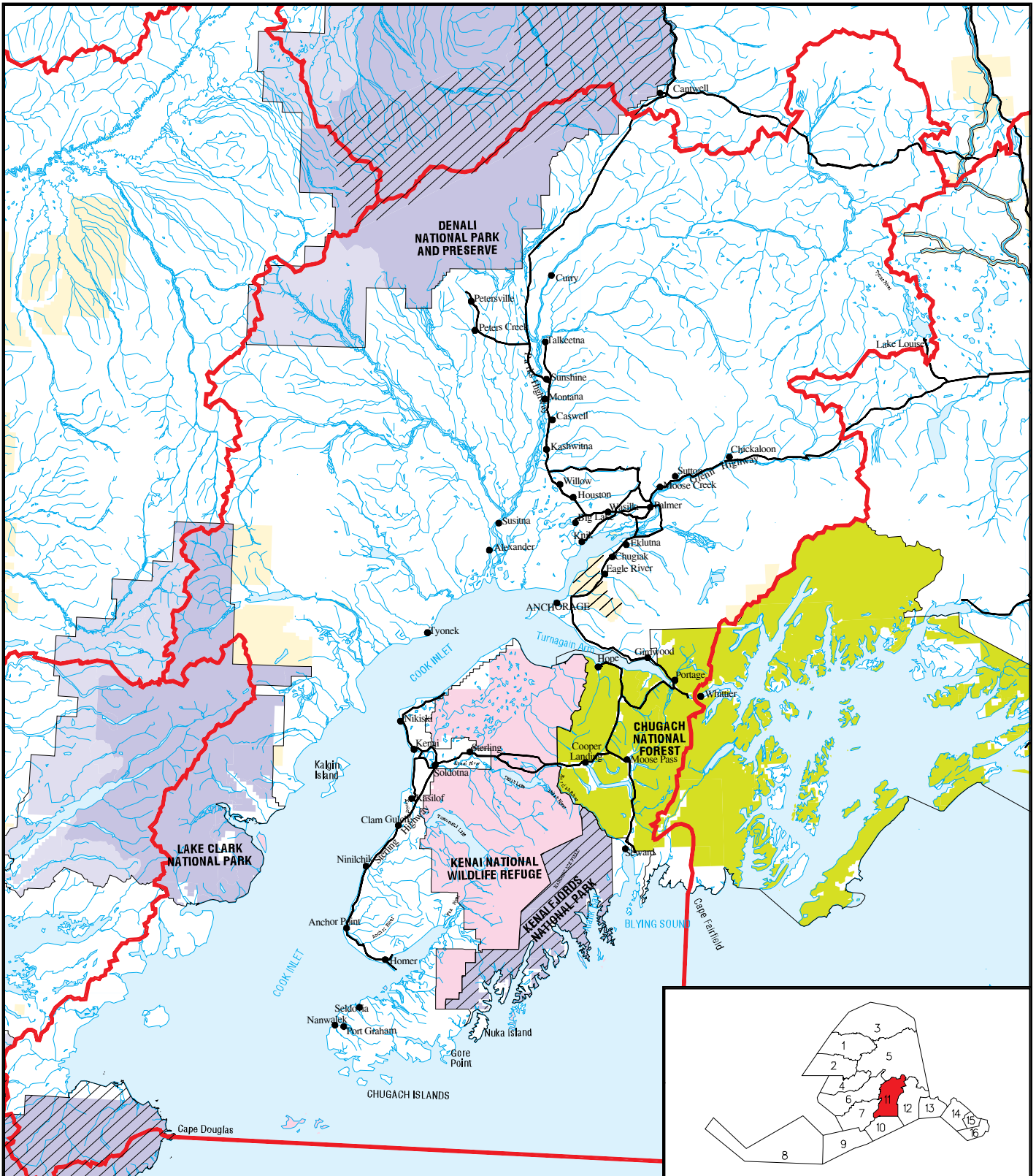
Map 11 Cook Inlet Area

- FWS Administered Land
- NPS Administered Parks
- NPS Administered Preserves
- BLM Administered Land
- BLM Non-navigable Waters Only
- USFS Administered Land
- Closed to Subsistence
- Roads
- Area Boundary
- Federal Boundary



Map 12 Prince William Sound Area

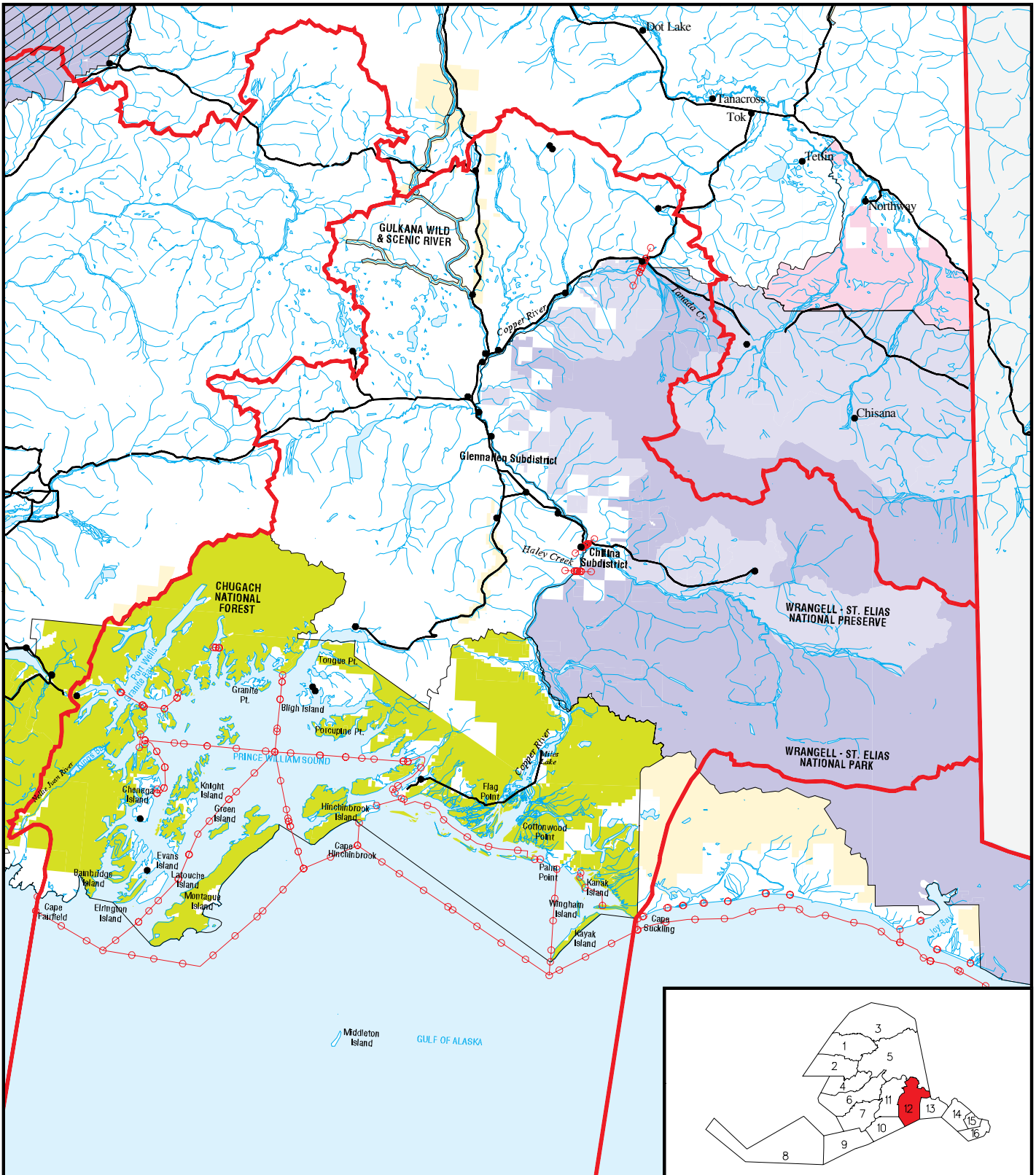
- FWS Administered Land
- NPS Administered Parks
- NPS Administered Preserves
- BLM Administered Land
- BLM Non-navigable Waters Only
- USFS Administered Land
- Closed to Subsistence
- Roads
- Area Boundary
- Federal Boundary
- Fishing Districts



Map 11 Cook Inlet Area



- | | |
|-------------------------------|------------------------|
| FWS Administered Land | USFS Administered Land |
| NPS Administered Parks | Closed to Subsistence |
| NPS Administered Preserves | Roads |
| BLM Administered Land | Area Boundary |
| BLM Non-navigable Waters Only | Federal Boundary |



Map 12

Prince William Sound Area



- FWS Administered Land
- NPS Administered Parks
- NPS Administered Preserves
- BLM Administered Land
- BLM Non-navigable Waters Only
- USFS Administered Land
- Closed to Subsistence
- Roads
- Area Boundary
- Federal Boundary
- Fishing Districts

**Department of the Interior
U. S. Fish and Wildlife Service**

Southcentral Alaska Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the Southcentral Alaska Subsistence Regional Advisory Council (Council).
2. **Authority.** The Council is renewed by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3115 (1988)), and under the authority of the Secretary of the Interior, in furtherance of 16 U.S.C. 410hh-2. The Council is regulated by the Federal Advisory Committee Act (FACA), as amended, (5 U.S.C. Appendix 2).
3. **Objectives and Scope of Activities.** The objective of the Council is to provide a forum for the residents of the Region with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal lands and waters in the Region.
4. **Description of Duties.** Council duties and responsibilities, where applicable, are as follows:
 - a. Recommend the initiation, review, and evaluation of proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the Region.
 - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the Region.
 - c. Encourage local and regional participation in the decision-making process affecting the taking of fish and wildlife on the public lands within the Region for subsistence uses.
 - d. Prepare an annual report to the Secretary containing the following:
 - (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the Region.
 - (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the Region.

- (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs.
 - (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
- e. Appoint one member to the Wrangell-St. Elias National Park Subsistence Resource Commission and two members to the Denali National Park Subsistence Resource Commission in accordance with section 808 of the Alaska National Interest Lands Conservation Act (ANILCA).
 - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
 - g. Make recommendations on determinations of rural status.
 - h. Provide recommendations on the establishment and membership of Federal local advisory committees.
 - i. Provide recommendations for implementation of Secretary's Order 3347: Conservation Stewardship and Outdoor Recreation, and Secretary's Order 3356: Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories. Recommendations shall include, but are not limited to:
 - (1) Assessing and quantifying implementation of the Secretary's Orders, and recommendations to enhance and expand their implementation as identified;
 - (2) Policies and programs that:
 - (a) increase outdoor recreation opportunities for all Americans, with a focus on engaging youth, veterans, minorities, and other communities that traditionally have low participation in outdoor recreation;
 - (b) expand access for hunting and fishing on Bureau of Land Management, U.S. Fish and Wildlife Service, and National Park Service lands in a manner that respects the rights and privacy of the owners of non-public lands;
 - (c) increase energy, transmission, infrastructure, or other relevant projects while avoiding or minimizing potential negative impacts on wildlife; and
 - (d) create greater collaboration with States, Tribes, and/or Territories.

- j. Provide recommendations for implementation of the regulatory reform initiatives and policies specified in section 2 of Executive Order 13777: Reducing Regulation and Controlling Regulatory Costs; Executive Order 12866: Regulatory Planning and Review, as amended; and section 6 of Executive Order 13563: Improving Regulation and Regulatory Review. Recommendations shall include, but are not limited to:

Identifying regulations for repeal, replacement, or modification considering, at a minimum, those regulations that:

- (1) eliminate jobs, or inhibit job creation;
- (2) are outdated, unnecessary, or ineffective;
- (3) impose costs that exceed benefits;
- (4) create a serious inconsistency or otherwise interfere with regulatory reform initiative and policies;
- (5) rely, in part or in whole, on data or methods that are not publicly available or insufficiently transparent to meet the standard for reproducibility; or
- (6) derive from or implement Executive Orders or other Presidential and Secretarial directives that have been subsequently rescinded or substantially modified.

All current and future Executive Orders, Secretary's Orders, and Secretarial Memos should be included for discussion and recommendations as they are released. At the conclusion of each meeting or shortly thereafter, provide a detailed recommendation meeting report, including meeting minutes, to the Designated Federal Officer (DFO).

5. **Agency or Official to Whom the Council Reports.** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$170,000, including all direct and indirect expenses and 1.15 Federal staff years.
8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the Region or such other Federal employee as may be designated by the Assistant Regional

Director – Subsistence, Region 11, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:

- (a) Approve or call all Council and subcommittee meetings;
 - (b) Prepare and approve all meeting agendas;
 - (c) Attend all committee and subcommittee meetings;
 - (d) Adjourn any meeting when the DFO determines adjournment to be in the public interest; and
 - (e) Chair meetings when directed to do so by the official to whom the advisory committee reports.
9. **Estimated Number and Frequency of Meetings.** The Council will meet 1-2 times per year, and at such times as designated by the Federal Subsistence Board Chair or the DFO.
10. **Duration.** Continuing.
11. **Termination.** The Council will be inactive 2 years from the date the Charter is filed, unless, prior to that date, the charter is renewed in accordance with the provisions of section 14 of the FACA. The Council will not meet or take any action without a valid current charter.
12. **Membership and Designation.** The Council's membership is composed of representative members as follows:

Thirteen members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the Region represented by the Council.

To ensure that each Council represents a diversity of interests, the Federal Subsistence Board in their nomination recommendations to the Secretary will strive to ensure that nine of the members (70 percent) represent subsistence interests within the Region and four of the members (30 percent) represent commercial and sport interests within the Region. The portion of membership representing commercial and sport interests must include, where possible, at least one representative from the sport community and one representative from the commercial community.

The Secretary of the Interior will appoint members based on the recommendations from the Federal Subsistence Board and with the concurrence of the Secretary of Agriculture.

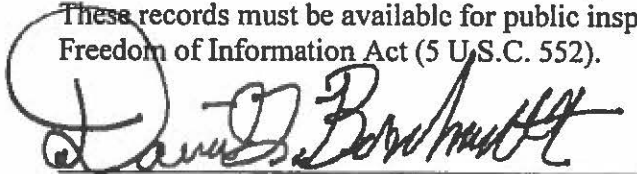
Members will be appointed for 3-year terms. Members serve at the discretion of the Secretary.

Alternate members may be appointed to the Council to fill vacancies if they occur out of cycle. An alternate member must be approved and appointed by the Secretary before attending the meeting as a representative. The term for an appointed alternate member will be the same as the term of the member whose vacancy is being filled.

Council members will elect a Chair, Vice-Chair, and Secretary for a 1-year term.

Members of the Council will serve without compensation. However, while away from their homes or regular places of business, Council and subcommittee members engaged in Council, or subcommittee business, approved by the DFO, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of title 5 of the United States Code.

13. **Ethics Responsibilities of Members.** No Council or subcommittee member will participate in any Council or subcommittee deliberations or votes relating to a specific party matter before the Department or its bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation in which the member or the entity the member represents has a direct financial interest.
14. **Subcommittees.** Subject to the DFOs approval, subcommittees may be formed for the purpose of compiling information and conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
15. **Recordkeeping.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, must be handled in accordance with General Records Schedule 6.2, and other approved Agency records disposition schedule. These records must be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).



Secretary of the Interior

DEC 12 2019

Date Signed

DEC 13 2019

Date Filed

Follow and “Like” us on Facebook!
www.facebook.com/subsistencealaska

