



SEWARD PENINSULA ALASKA SUBSISTENCE
REGIONAL ADVISORY COUNCIL
Meeting Materials

March 22 - 23, 2023
Nome



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Two willow ptarmigan.



Photo by Alex Berger

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SEWARD PENINSULA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Mini Convention Center

Nome

9:00 am – 5:00 pm, March 22-23, 2023

TELECONFERENCE: call the toll-free number: 1-866-617-1525, then when prompted enter the passcode: 54006314

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. The Chair will identify the opportunities to provide public comments. Please fill out a comment form 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*)4
- 4. Meeting Announcements** (*OSM*)
- 5. Welcome and Introductions** (*Chair*)
- 6. Review and Adopt Agenda*** (*Chair*)..... 1
- 7. Election of Officers**
 - Chair (*DFO*)
 - Vice-Chair (*Newly Elected Chair*)
 - Secretary (*Newly Elected Chair*)
- 8. Review and Approve Previous Meeting Minutes*** (*Chair*).....5
- 9. Reports**
 - Council Member Reports
 - Chair’s Report
- 10. Public and Tribal Comment on Non-Agenda Items** (*available each morning*)

11. Old Business (Chair)

- a. Follow up on May 2023 North American Caribou Workshop and Arctic Ungulate Conference..... 12

12. New Business (Chair)

- a. Regional Wildlife Reports
 - i. Western Arctic Caribou Herd Working Group Update (*NPS*)
 - ii. Western Arctic Caribou Herd Working Group Proposal Discussion (*NPS*)
 - iii. Moose Composition and Population Data Update (*ADF&G*)
- b. Regional Marine Mammal Information (*USFWS, NOAA, ADF&G*)
- c. Sea Ice Research Update (*NOAA*)
- d. North Pacific Fisheries Marine Council Update
 - i. Fisheries and Marine Mammal Bycatch
- e. Wildlife Closure Reviews
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- h. Review and approve FY2022 Annual Report* (*Council Coordinator*) 92
- i. Federal Subsistence Board Updated Draft Council Correspondence Policy (*OSM*)..... 94
- j. Fisheries Resource Monitoring Program Update (*OSM, Anthropology and Fisheries Divisions*)
- k. Partners for Fisheries Monitoring Program Update (*OSM, Anthropology and Fisheries Divisions*)
- l. Regulatory Cycle Update (*OSM, Anthropology and Fisheries Divisions*)
- m. Call for State of Alaska Wildlife Proposals; Arctic/Western Region (Units 18, 22, 23, 26A)*

13. Agency Reports (Time limit of 15 minutes unless approved in advance)

- a. Tribal Governments
- b. Native Organizations
- c. US Fish and Wildlife Service
- d. US Forrest Service

- e. National Park Service
- f. Bureau of Land Management
- g. Alaska Department of Fish and Game
- h. Office of Subsistence Management

14. Future Meeting Dates*

- a. Confirm Fall 2023 meeting date and location98
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- c. Select Fall 2024 meeting date and location 100

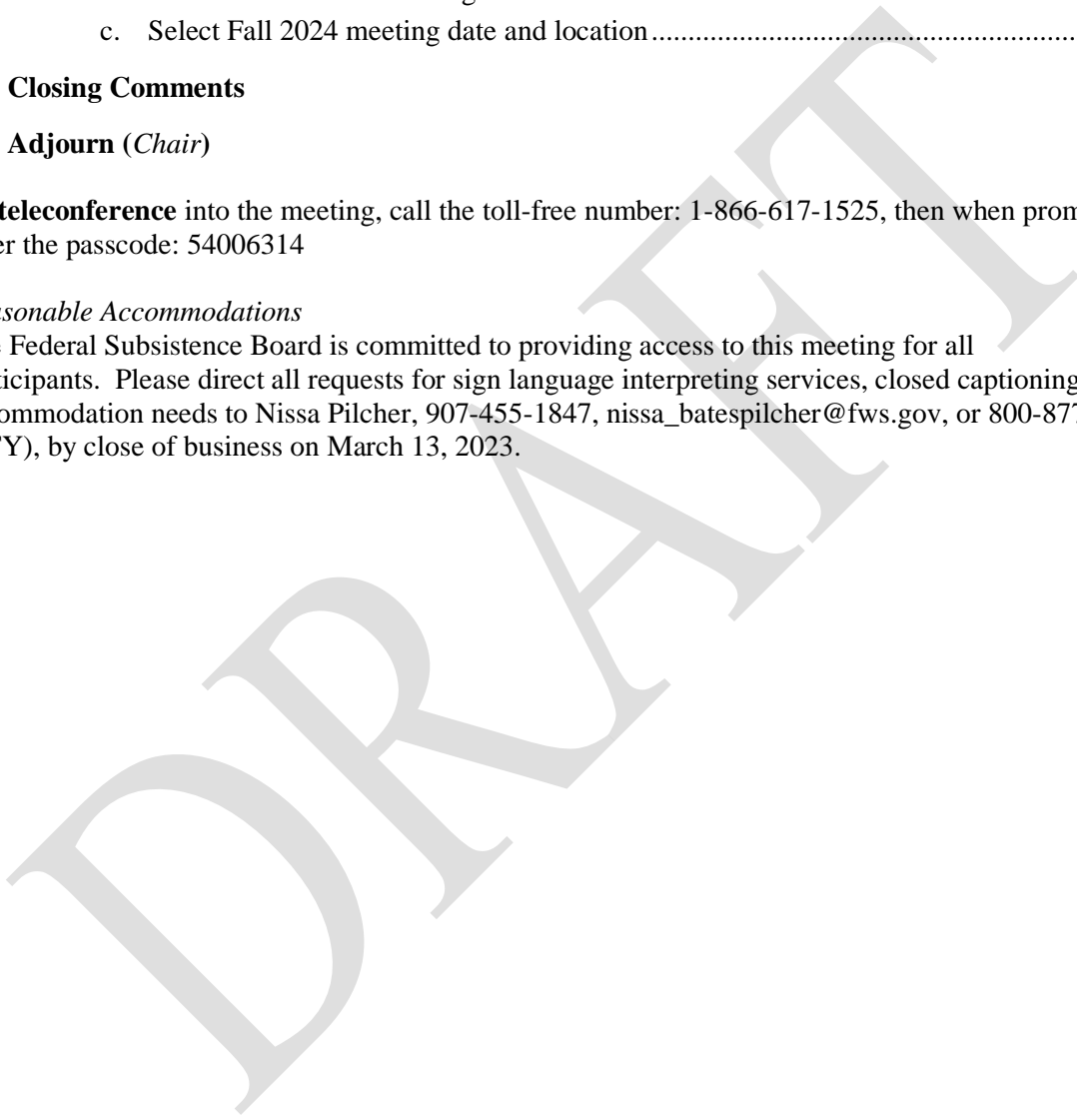
15. Closing Comments

16. Adjourn (Chair)

To teleconference into the meeting, call the toll-free number: 1-866-617-1525, then when prompted enter the passcode: 54006314

Reasonable Accommodations

The Federal Subsistence Board is committed to providing access to this meeting for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Nissa Pilcher, 907-455-1847, nissa_batespilcher@fws.gov, or 800-877-8339 (TTY), by close of business on March 13, 2023.



REGION 7—Seward Peninsula Regional Advisory Council

Seat	Year Appointed Term Expires	Member Name Community	Represents
1	2021 2024	Mary Freytag Unalakleet	Subsistence
2	2022 2025	Raymond Hunt Shaktoolik	Subsistence
3	2010 2025	Louis Green Jr. Nome Chair	Subsistence
4	2003 2025	Tom Gray Nome Vice-Chair	Comm/Sport
5	2017 2023	(Deahl) Doug Katchatag Unalakleet	Subsistence
6	2023	VACANT	
7	2020 2023	Martin Aukongak Golovin	Subsistence
8	1994 2024	Elmer Seetot Jr. Brevig Mission Secretary	Subsistence
9	2021 2024	Robert Moses Sr. Golovin	Subsistence
10	2015 2024	Ronald Kirk Stebbins	Subsistence

SEWARD PENINSULA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Meeting Minutes

Aurora Inn
Nome
October 4-5, 2022

Invocation:

Elmer Seetot provided an invocation.

Call to Order, Roll Call, and Quorum Establishment:

The meeting was called to order Tuesday, October 4, 2022, at 9:06 am. Council members Louis Green, Jr., Tom Gray, Deahl Katchatag, Ronald Kirk, Leland Oyoumick, and Elmer Seetot, Jr. were present in person. Martin Aukongak, Mary Freytag, and Robert Moses Sr. were not present and were excused. The Council has one vacant seat. Quorum was established with six of nine seated Council members present.

Attendees:

- Bureau of Indian Affairs (BIA): Rosalie Debenham
- Bureau of Land Management (BLM): Tom Sparks; Nome, Bruce Seppi*; Anchorage, Paul (Chris) McKee*, Walker Gussie*
- National Park Service (NPS): Bering Land Bridge National Preserve (BELA), Nome, Letty Hughes, Nicole Braem, Jeanette Koelsch*; Ken Atkinson*; Anchorage, Eva Patton*
- Office of Subsistence Management (OSM): Robbin La Vine, Jarred Stone, Hannah Voorhees, Nissa Pilcher, Brian Ubelaker*, Kevin Foley*, George Pappas*, Orville Lind*
- U.S. Fish and Wildlife Service (USFWS): Yukon Delta National Wildlife Refuge, Boyd Blihovde*, Aaron Moses*; Regional Office, Jill Klein*
- U.S. Forest Service (USFS): DeAnna Perry
- Alaska Department of Fish and Game (ADF&G): Mark Burch*, Brendan Scanlon*, Helen Cold*, Morgan Urquia*, Nathan Cathcart*, Tyler Dann*, Sara Germain*, Alicia Carson*
- Native American Fish and Wildlife Society (NAFWS): Justin Leon*

* Denotes attended telephonically

Review and Adopt Agenda:

Motion by Member Gray, seconded by Member Seetot, to adopt the agenda with the following changes:

- Move presentation by BELA on an Update on Fisheries Projects from agenda item Agency Reports to 2024 Fisheries Resource Monitoring Program.
- Move presentation by NAFWS on Evaluating Sockeye Salmon Production in the Pilgrim River drainage from agenda item Agency Reports to the 2024 Fisheries Resource Monitoring Program.

The motion passed unanimously.

Review and Approve Previous Meeting Minutes:

Motion by Member Kirk seconded by Member Seetot, to approve the winter 2022 meeting minutes as presented.

The motion passed unanimously.

Council Member and Chair Reports:

Deahl Katchatag of Unalakleet reported that local fishing was okay, but while there were closures for both commercial and subsistence users, the sport fishing lodge was still fishing. He noted that there was millions of Pink Salmon that went up the Unalakleet River before any commercial openers and expressed concern that these huge numbers of Pink Salmon may be depleting resources for other salmon species. Member Katchatag noted that spring seal hunting and fall moose hunting went well, but bird harvest was minimal. Overall, he stated, people seemed happy with their subsistence harvests, but climate change and water driven erosion is affecting the community.

Elmer Seetot of Brevig Mission reported that the spring marine mammal hunt was faster than typical due to the sea ice melting earlier, and salmon fishing wasn't very good with few Sockeye Salmon, and even limited numbers of Pink Salmon, although he was able to put up Chum Salmon. The frost was late this fall, and people were still berry picking through September although salmonberries were harder to find. Member Seetot noted that during the recent storm, the community's high banks were breached and there was a lot of beach erosion east and west of Brevig, which will impact the villages' ability to gather subsistence foods. Hunters reported some seabird die offs in the spring, but it didn't seem like it continued like other years, that summers have been warmer, and algae is more prevalent now, and maybe that change is another reason the salmon aren't returning. Member Seetot concluded by saying that the Council has traditional and ecological knowledge passed down from elders, the region shouldn't argue about resources, everyone needs to make sure to harvest in such a way that the resources will remain – hunters don't need to pull the trigger every time they see an animal, and that nature should be enjoyed as it is.

Tom Gray of Nome reported that it has been an interesting year, with a lot of snow, lots of wind, with a different sort of wind than the region is accustomed to. He noted that spring *oogruk* (seal) and beluga hunting was very good, water was high when the Niukluk River went out and a lot of trout (Arctic Char) and dollies (Dolly Varden) were available this summer, but the Silver (Coho Salmon) and Red (Sockeye Salmon) runs were very bad. This year he had to put up Pink Salmon and trout for dry fish, although it was good, the weather cooperated since last year it was too wet to be able to make dry fish even though there were more salmon. He reported that moose hunting in Nome goes fast – while the season in the regulation is two weeks, the quota can be harvested in a day or two, and if hunters are not prepared, they won't get a moose. Member Gray noted that due to the storm there was an additional State moose season

in a portion of Unit 18, and while it was a mess, he was glad that Golovin got their subsistence needs met. He reported that there are a lot of wolves in the area, which will mean a lot of dead moose this winter. He noted that he has seen a lot of algae in the rivers, but not every year as it depends on the weather. Last year there was too much rain and rivers were too high, and this fall there were a lot of salmonberries but no blueberries. Member Gray concluded by expressing interest documenting the genetics in localized salmon stocks to assist in limiting or stopping bycatch in the commercial groundfish trawling fishery.

Leland Oyoumick of Unalakleet reported that the fishing season wasn't very good, but people did get enough to taste this year, which is more opportunity than other subsistence users on the Yukon River got this season. He noted that he fishes with a rod and reel, because he can't physically pull a net anymore or afford one as nets are very expensive. Member Oyoumick stated that it is hard to compete with nets, and that it was sad that it all comes down to money. It is similar to what is happening in the oceans with commercial fishing right now; the people of this region, who are not politicians, are stuck in the middle. and the subsistence users just have to hope that there is some left over for them afterwards. Member Oyoumick heard that *oogruk* hunting was ok, and spring egg hunters were able to gather some eggs, but not a lot. He reported that the weather has been very changeable, elders told him that 'when the east wind blows, sleep some more' in the winter because it is hard to get things done when it is that windy, but now it is windy all the time. Member Oyoumick noted that moose season was good, quite a few young bulls were harvested, which are better eating than the bigger bulls, and that there may have been some successful bear hunters although most bear hunts are guided. He continued to say this guided hunting is fine since the bears compete with residents for moose, and no one in the community eats brown bear, although some people eat black bear, although they are not targeted for food. Member Oyoumick concluded by relaying that members of his community have expressed concern to him that the fish weir in the North River could be impacting salmon migration.

Ronald Kirk of Stebbins reported that the spring *oogruk* hunt was good, but not enough ice to go after walrus, and that fishing, including whitefish fishing, was good this fall, and spring bird hunting was also good. He also noted that the recent storm flooded the village and did some damage to some homes, which will be fixed, and eight homes will be relocated to higher ground. He reported that there are a lot of moose in the area and there is now also a larger wolf population and more bears, which has resulted in moose coming into the village and that reindeer (caribou) that were moving into the area keep moving by the village. He concluded that Stebbins is continuing to work on recovering from the storm.

Louis Green Jr. of Nome, the Council Chair, reported that he was unable to get out to do a spring hunt this year and the Red (Sockeye Salmon) run was very bad, but there were a lot of Pink Salmon. He ended up getting his salmon by dip netting on the Kenai River this summer. Chair Green stated that it is unfortunate that there is commercial fishing happening in the Seward Peninsula region at all, and that the high sea trawler fleet is impacting this region – hopefully the North Pacific Fishery Management Council will come to the next Council meeting to have a discussion on this. He reported that moose season went well for him, but only because he was prepared – moose season goes very fast, and it is expensive especially if the hunter isn't successful. He commented that a moose moratorium may need to be discussed for Nome, which would be a tough thing to do especially with poor salmon runs and the high

cost of commercial meat. Chair Green noted that the belugas are in the sound right now and it is difficult to sit in a meeting when the beluga nets could be out – hopefully others will be successful and get some meat up for the winter. He reported that the weather is still really wet, even heading into late fall, and that the berries were good this year especially the salmonberries. He concluded by saying that people are getting whitefish on the Kuzitrin River right now, and spring and fall bear hunts have been happening although he was not sure if the number is average compared with other years, and that bear hunting is good to help reduce their numbers to help with their competition for moose.

Service Awards:

Ms. Robbin La Vine presented Chair Green with a 10-year Length of Service Award, and Council Members Ronald Kirk, Leland Oyoumick, and Deahl Katchatag with 5-year Length of Service Awards.

Old Business:

The Council received presentations on the following topics:

- Federal Subsistence Board (Board) 805(c) Report summary
- Board FY2021 Annual Report Replies summary
- Special Actions update

New Business:

Fisheries Proposals and Closure Reviews:

Regional:

There were no regional fisheries proposals or closure reviews for this Council.

Crossover:

FP23-02: Revise customary and traditional use determination for Yukon River Salmon

The Council supported this proposal because they consider it important to provide subsistence opportunity, especially during a potential closure to non-Federally qualified subsistence users.

Motion by Member Gray, seconded by Member Kirk, to support fisheries proposal FP23-02.

The motion passed unanimously.

Statewide:

The Council did not take up any statewide fisheries proposal.

2024 Fisheries Resource Monitoring Program:

Ms. Letty Hughes, Mr. Nathan Cathcart, and Mr. Tyler Dann presented an update to the Council on Bering Land Bridge fish inventory and salmon genetics project. The Council clarified where the current

project was occurring, the potential for expansion of the project, as well as salmon migration and spawning behavior, and expressed concern over river wide weirs impacting salmon migration behavior.

Mr. Justin Leon presented information on evaluating Sockeye Salmon production in the Pilgrim River drainage as a new priority information need. The Council inquired about past lake fertilization amounts, historic carrying capacity of the lake, expressed concern with large amounts of algae in the freshwater systems and interest in creating a reliable and stable food source via this system.

Dr. Hannah Voorhees and Mr. Jarred Stone presented the Council with the Fisheries Resource Monitoring Program Priority Information Needs (PINs).

Motion by Member Gray, seconded by Member Kirk, to adopt the PINs for the Seward Peninsula Region:

- Chinook, Chum and Coho salmon abundance estimates for Boston, Fish, Paragon, and Wagonwheel rivers,
- Summer and Fall Chum salmon abundance estimate for the Agiapuk River drainage, including American River and Igloo Creek,
- Chinook, Chum, and Coho salmon abundance estimates for the Pikmiktalik River, with comparison to historical counts, and
- Changes in Arctic Grayling, Dolly Varden, and Sheefish populations related to climate change.

The motion passed on a unanimous vote.

Partners for Fisheries Monitoring Program

Mr. Stone informed the Council of an upcoming competitive funding opportunity through the Partners for Fisheries Monitoring Program.

Identify Issues for FY2022 Annual Report

The Council identified the following topics for inclusion into the FY2022 Annual Report:

- To reiterate to the Board the need for genetic and population data to be gathered on the resident caribou/reindeer population on the Seward Peninsula.
- To inform the Board of the Beluga Management Plan that is currently under development by the Beluga Whale Committee with assistance from local hunters.
- To inform the Board of this Council's concerns of Bering Sea and Aleutian Islands trawl fleet's impact to marine mammals caught as bycatch.

Motion made by Member Kirk, seconded by Member Gray to approve the Annual Report with these topics.

Motion passed by unanimous consent.

Fall 2022 Council application/nomination open season:

Ms. Nissa Pilcher updated the Council on the current application and nomination open season for Council membership.

Joint meeting: North American Caribou Workshop and Arctic Ungulate Conference in May 2023

Dr. Voorhees informed the Council about the Caribou and Ungulate Conference that will take place in May of 2023 in Anchorage. Council members verified that muskox would be a topic of discussion, who would be in attendance, and the intent of the conference. The Council noted they would like this topic to be revisited at the Winter 2023 meeting.

Member Gray made the motion to nominate Chair Green to attend the Conference to represent the Council, seconded by Member Seetot.

Motion passed by unanimous consent.

Council Member reimbursement for telephonic/internet expenses related to Council teleconference meetings

Ms. Pilcher informed the Council on how to get reimbursed for telephonic/internet expenses incurred during previous Council meetings held via teleconference. Council members noted the ineffectiveness of teleconferences and connectivity issues in rural Alaska.

Harvest of Wildlife for Sport Purposes in National Preserves

Ms. Eva Patton updated the Council on the intent of the NPS to enter regulations into the Federal Register on this subject.

State of Alaska Board of Fisheries proposals:

Ms. Pilcher gave an overview of the State of Alaska Board of Fisheries proposal packet. The Council discussed several proposals but did not take formal action on any.

Agency Reports:

- Bureau of Indian Affairs Update presented by Rosalie Debenham, BIA
- Bering Land Bridge National Preserve Update presented by Letty Hughes, NPS
- Bureau of Land Management, Nome Field Station Update presented by Tom Sparks, BLM
- Yukon Delta National Wildlife Refuge Update and Kuskokwim River Post Season Summary presented by Aaron Moses, USFWS
- Review of Arctic Area Subsistence Division Projects presented by Helen Cold, Division of Subsistence, ADF&G
- Office of Subsistence Management Update presented by Robbin La Vine, OSM

Future Meeting Dates:

Winter meeting dates confirmed for March 22-23, 2023, in Nome

Fall meeting dates selected are November 1-2, 2023, in Nome

Nissa Pilcher, DFO
Office of Subsistence Management

Louis Green Jr., Chair
Seward Peninsula Subsistence Regional Advisory Council

These minutes will be formally considered by the Seward Peninsula Subsistence Regional Advisory Council at its March 22-23, 2023 meeting in Nome, and any corrections or notations will be incorporated in the minutes at that meeting.

For a more detailed report of this meeting, copies of the transcripts and meeting handouts are available upon request. Contact Nissa Pilcher at 1-800-478-1456 (toll free) or 907-455-1847, or by email at nissa_batespilcher@fws.gov.



2023 NORTH AMERICAN CARIBOU WORKSHOP & ARCTIC UNGULATE CONFERENCE

Anchorage, Alaska ■ May 8-12, 2023

Come to the conference to share your knowledge and learn from others! Join an international group of managers, biologists, Indigenous and Local Knowledge holders, and others to share knowledge of caribou, muskoxen, Dall's sheep, moose, and reindeer. The meeting will provide opportunities for exchanging viewpoints, concerns, and recommendations regarding the health, stewardship, use, and study of these important species.

The theme for the joint meeting is *Crossing Boundaries*. Arctic ungulates regularly cross landscape boundaries, connecting ecosystems and peoples, necessitating partnerships and collaboration across management and political boundaries. A critical component of such partnerships involves crossing the boundaries of Western science and Indigenous knowledges to identify creative opportunities to sustain Arctic ungulate populations in a changing world. We will explore these themes across four days of research talks, storytelling, workshops and panel discussions. Join us!

For more information visit www.nacw-auc-2023.org or e-mail info@nacw-auc-2023.org.





Feedback from Regional Advisory Councils on the **State and Federal Ungulate Management in Alaska Symposium**

At the North American Caribou Workshop and
Arctic Ungulate Conference www.nacw-auc-2023.org

Description: This session is intended as a neutral forum for Federal Regional Advisory Council (Council) members, State Fish and Game Advisory Committee members, Federal and State agency staff, and any other interested parties to discuss ungulate management in Alaska, specifically regarding harvest regulations. The format will be facilitated discussion where participation by all attendees is encouraged. Specific topics will be determined after the Councils provide input during their fall 2022 and winter 2023 meetings.

Potential Topics

1. The effectiveness and impact of antler restrictions in moose harvest management (i.e. do spike-fork and brow-tine restrictions actually provide more subsistence harvest opportunity or is it just an easy way to manage moose populations).
2. How to manage young growth forests for moose
3. Regulations that conflict with each other and across user groups (e.g. State community hunts)
4. How biological data is collected (e.g. population surveys)
5. Habitat changes (natural, manmade, and from climate change) and their effects on ungulates
6. Predator Control
7. Identification, viability, and utilization of resident caribou herds (vs. migratory)
8. Effects of climate change, disease and overgrazing on ungulate populations
9. Summer vs. winter diet of caribou (e.g. protein intake)
10. Bull caribou harvest during the rut
11. Effects of hunting pressure on caribou movements and migration routes
12. Effects of roads/development on caribou distribution and movements
13. Population thresholds for caribou herd recovery
14. Wanton waste of meat
15. The importance of funding wildlife surveys and receiving timely reports
16. Muskox harvest management
17. Honoring and incorporating Traditional Ecological Knowledge into harvest management (i.e. letting the leaders pass and ensuring uninterrupted caribou migrations)
18. Harvest management strategies when caribou populations are too high (e.g. showing signs of nutritional stress).
19. Unsafe and disrespectful hunting practices; need for better hunter education
20. Food security
21. Climate change impacts on ungulates, particularly caribou migration routes
22. Caribou distribution patterns in relation to village harvest needs; and exploring new ways to address the needs of villages (e.g. village quota systems)
23. Sport hunter disturbance to caribou and law enforcement
24. Harvest reporting: how to improve

FEDERAL WILDLIFE CLOSURE REVIEW

WCR24-10

Issue: Wildlife Closure review WCR24-10 reviews the closure to muskox hunting by non-Federally qualified users in Unit 22B.

Closure Location and Species: Unit 22B—Muskox

Current Federal Regulation

Unit 22B–Muskox

Unit 22B - 1 bull by Federal permit or State permit.

Aug. 1-Mar. 15.

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

Closure Dates: Year-round

Current State Regulation

Unit 22B–Muskox

Residents: Unit 22B, east of the Darby Mtns., including drainages of Kwiniuk, Tubutulik, Koyuk and Inglutalik rivers- one bull by permit

TX105

Aug 1-Mar 15

Residents: Unit 22B remainder- one bull by permit

TX105

Jan 1- Mar 15

All skulls require trophy destruction at time of take in the field subject to permit conditions; specimens required

Regulatory Year Initiated: 2001

Extent of Federal Public Lands/Waters

Unit 22B is comprised of approximately 42% Federal public lands, consisting of 39% Bureau of Land Management (BLM), 2% National Park Service (NPS) and less than 1% U.S. Fish and Wildlife Service (USFWS) managed lands (**Figure 1**).

Customary and Traditional Use Determination

Residents of Unit 22B have a customary and traditional use determination (C&T) for muskox in all of Unit 22B. Residents of Unit 22C have a C&T for muskox in Unit 22B, west of the Darby Mountains.

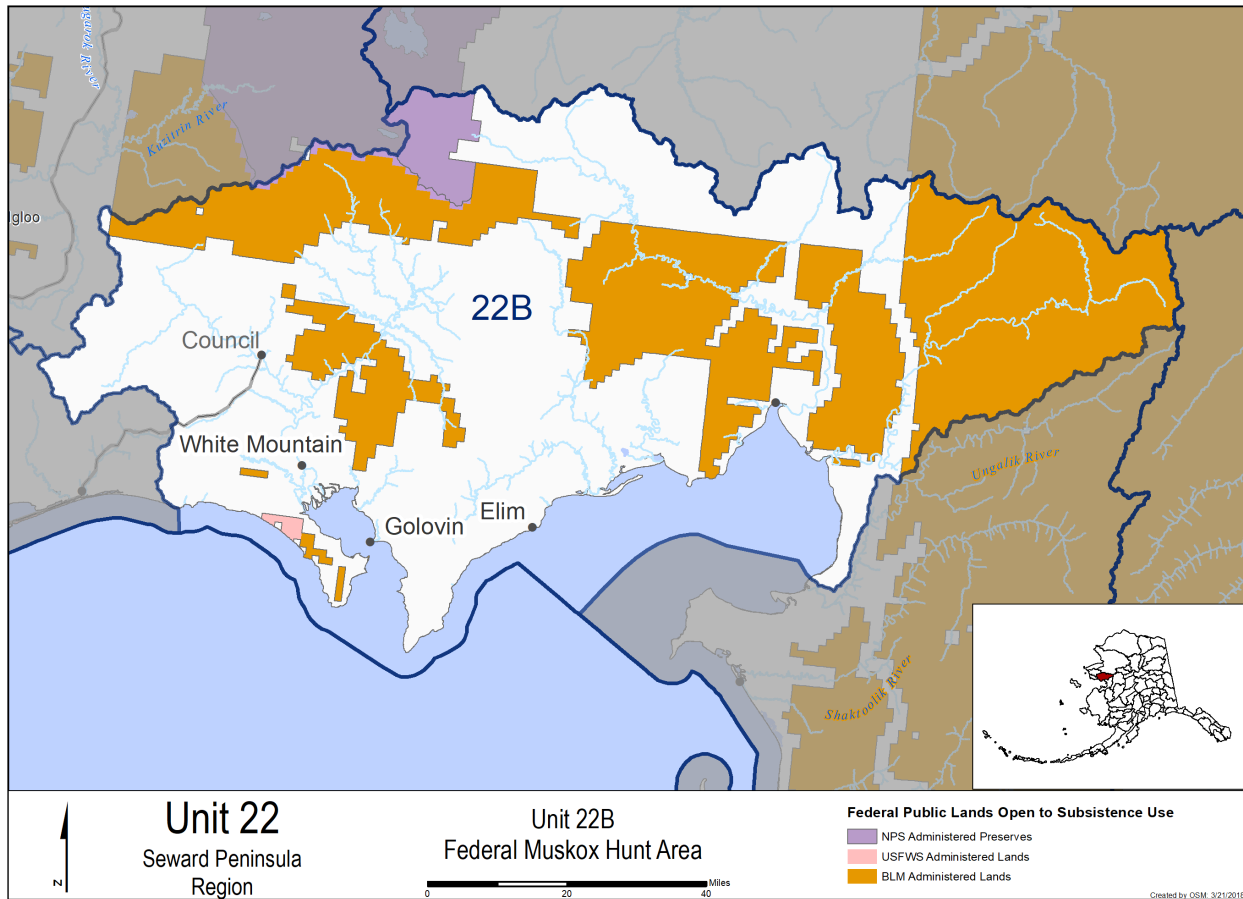


Figure 1. Unit 22B muskox hunt area.

Regulatory History

See WCR24-28 analysis.

Closure last reviewed: 2020 – WCR20-10

Justification for Original Closure:

§815(3) on ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...

Proposal WP01-35, which initiated the closure in 2001, was the result of a multi-year, cooperative effort of the Cooperators to establish a muskox harvest system that would be biologically sound and provide for continued subsistence uses of this muskox population. The Cooperators, composed of staff from BLM, NPS, USFWS, ADF&G, Bering Straits Native Corporation, Kawerak Inc., Reindeer Herders Association, Northwest Alaska Native Association, residents of Seward Peninsula communities, and representatives from other interested groups and organizations, had been involved in muskox management since the 1990s and provided guidance for establishing harvest regulations under both State and Federal jurisdictions. Prior to 2001, no muskox hunt existed in Unit 22B.

Council Recommendation for Original Closure:

The Seward Peninsula and Northwest Arctic Federal Subsistence Regional Advisory Councils supported Proposal WP01-35 because it provided additional subsistence opportunity to Federally qualified subsistence users.

State Recommendation for Original Closure:

ADF&G supported the recommendation of the Councils for Proposal WP01-35. The regulatory changes, including the closure of Federal public lands in Unit 22B, were developed cooperatively at the August 2000 meeting of the Cooperators.

Biological Background

Seward Peninsula Muskox Population

See WCR24-28 analysis

Unit 22B Muskox

Unit 22B muskox population dynamics have been broadly like the range-wide population. The Unit 22B population appears to have peaked in 2012–2015 at over 450 muskoxen. The lag between the Seward Peninsula population peak and the Unit 22B population peak is likely the result of eastward redistribution of muskoxen from neighboring units, rather than factors relating to productivity or harvest (Gorn and Dunker 2015). Like the Seward Peninsula population, the Unit 22B population declined following its peak in 2012, declining 10% annually from 2015–2017 to 368 muskoxen (**Table 1**). Also like the Seward Peninsula population, the ratio of mature bulls in the Unit 22B population declined after 2002, recovering somewhat and stabilizing in 2015–2017 at 44 mature bulls (MB):100 cows (**Table 1**). Recruitment in the Unit 22B population has also declined since 2002, when it was 48 short yearlings (SY):100 (**Table 1**). Though it appears to have stabilized 2015–2017, it remains among the lowest values on record for Unit 22B at 13 SY:100 cows in 2017 (Dunker 2017b).

Table 1. Population estimates and herd composition for the Unit 22B muskox population (Gorn and Dunker 2015; Dunker 2017a, 2017b).

Year	Population estimate	Mature Bulls: 100 cows	Short Yearlings: 100 cows	% Mature bulls (95% CI)	% Short yearlings (95% CI)
1992	3	-	-	-	-
1994	11	-	-	-	-
1996	51	-	-	-	-
1998	27	-	-	-	-
2000	159	-	-	-	-
2002	189	58	48	22% (20–24%)	18% (17-19%)
2004	-	39	39	18% (13-23%)	18% (13-23%)
2005	326	-	-	-	-
2007	329	48	35	21% (20-22%)	15% (14-16%)
2009	-	38	26	17% (12-22%)	11% (6-16%)
2010	420	30	25	17% (13-21%)	14% (11-17%)
2012	460	28	19	16% (13-19%)	10% (8-12%)
2015	455	44	12	22% (18-26%)	6% (4-8%)
2017	368	44	13	25% (22-29%)	7% (5-9%)

Cultural Knowledge and Traditional Practices

In Iñupiaq, muskoxen are called umingmak, "the one with hair like a beard" (Lent 1999). The earliest archaeological evidence for use of muskoxen in arctic Alaska dates to Birnuk culture, beginning in approximately 600 A.D. (Lent 1999). In comparison to caribou, the availability of muskoxen was more predictable in time and space (Klein 1989). However, muskoxen were likely present at relatively low numbers, and their use was limited but continuous over approximately 1500 years.

Historically, muskoxen provided fat when caribou were lean in late winter and early spring and provided an alternative food source in years when caribou were scarce (Lent 1999). Today, muskoxen represent both a valuable subsistence resource and a potential nuisance or threat to communities and hunters (Lent 1999; Mason 2015; SPRAC 2019 and 2021). While muskox is not a major source of food in relation to other subsistence resources, it has become more important within some families.

Residents of Units 22B (including Elim, Golovin, Koyuk, and White Mountain) have a customary and traditional use determination for muskoxen in all of Unit 22B. Residents of Unit 22C (Nome) have a customary and traditional use determination for muskoxen in Unit 22B, west of the Darby mountains only. Under the closure to non-Federally qualified users, these are the communities currently qualified to hunt for muskoxen on Federal public lands in all or a portion of Unit 22B. **Table 2** shows the most recent population estimates for these communities.

The year 2001 was the first-time residents of Unit 22B were eligible to participate in any hunt for muskoxen on the Seward Peninsula since the species’ extirpation. Since 2001, all Unit 22B communities have been the subject of subsistence surveys by ADF&G, Division of Subsistence, the results of which are included in the Community Subsistence Information System (CSIS) database (ADF&G 2022, **Table 3**). These data include estimates of all muskoxen harvested by residents under any hunt opportunity (State or Federal) and in any location during each study year. No ADF&G, Division of Subsistence survey data pertaining to use of muskoxen is available for the Unit 22C community of Nome for any year (ADF&G 2022). **Table 3** shows that in terms of estimated pounds per person harvested and percent using the resource, muskoxen have contributed most to subsistence harvests in Golovin and White Mountain during survey years.

Table 2. 2019 estimated populations for communities with a customary and traditional use determination for muskoxen in all or a portion of Unit 22B (ADLWD 2020).

Community	2019 Population Estimate
Elim	351
Golovin	150
Koyuk	348
White Mountain	201
Nome	3,690

Table 3. Three measures of muskox use by Unit 22B communities (ADF&G 2022). Values for estimated number of muskoxen harvested are rounded to whole numbers.

Community	Survey year	Estimated number of muskoxen harvested	Estimated pounds per person harvested	Percent using
Elim	2005	0	0	0%
	2010	1	2.3	7%
Golovin	2010	3	13	18%
	2012	2	2.9	27%
White Mountain	2008	4	13	20%
Koyuk	2004	0	0	8%
	2010	0	0	0%

Harvest History

Seward Peninsula Muskox Range-wide Harvest

See WCR24-28 analysis.

Unit 22B Muskox

Within Unit 22B, harvest is currently administered by drawing permit in Federal regulation and Tier II permit in State regulation. Like range-wide harvest patterns, Unit 22B harvest rates dropped notably in

2012 under the revised harvest management strategy (**Figure 5**). In the six-year period leading up to the change (2006–2011) harvest in Unit 22B averaged 18.7 muskoxen annually. In the most recent ten-year period (2012–2021) harvest has averaged 5.6 muskoxen annually (ADF&G 2018; Germain 2022, pers. comm.).

Also notable since 2012 is the proportion of harvest taken by Federal permit in Unit 22B (**Figure 5**). From 2012-2021, 29% of the Unit 22B muskox harvest has been taken by Federal permit, in contrast to 9% during the earliest years of the hunt, 2001–2011. The four-year period of 2008–2012 saw only 1% of successful hunters using Federal permits (ADF&G 2018). Low utilization of Federal permits during these years coincides with the period that ADF&G administered the State hunt with registration permits rather than Tier II permits. Given that less than half of the land in Unit 22B is Federal, and considering the remoteness of those lands, it is likely that local hunters prefer to hunt under State regulation when possible but may be unable to do so in Tier II hunts, where permit availability is limited.

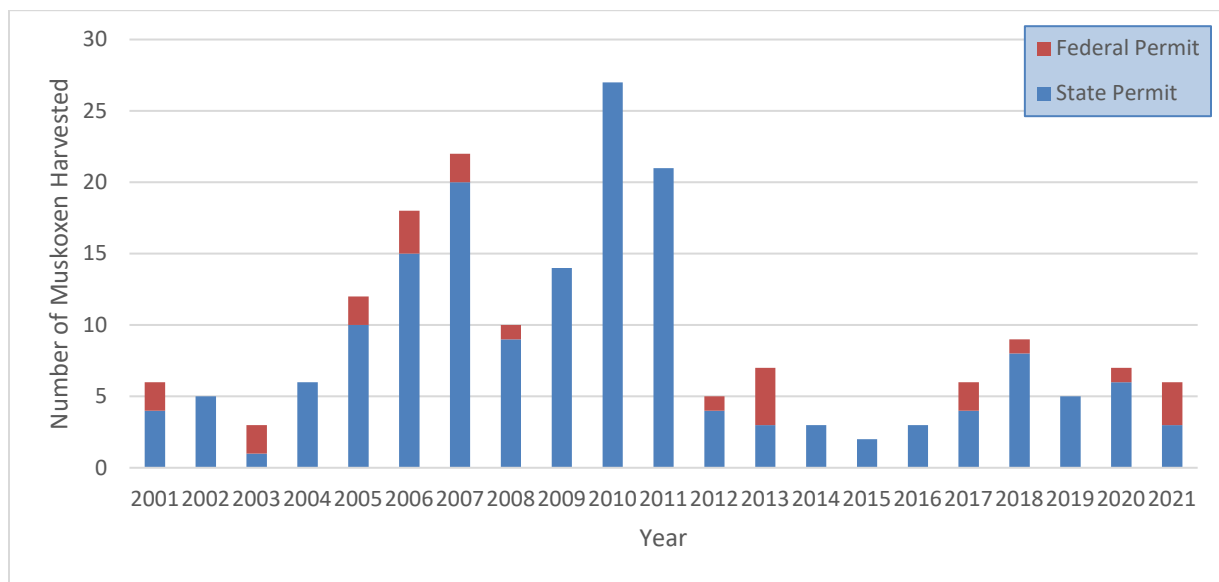


Figure 5. Reported muskox harvest in Unit 22B by Federal and State permit for regulatory years 2001 – 2021 (ADF&G 2018). Harvest of muskox in Unit 22 is limited to bulls.

Effects

If the closure were retained, there would be no change in how the hunt is currently managed. Only Federally qualified subsistence users would be allowed to harvest muskoxen on Federal public lands in Unit 22B by either State or Federal permit. The muskox population that currently exists in the area would remain protected from overharvest due to the limited number of permits issued and the conservative management strategy.

If the closure were rescinded, Federal public lands in Unit 22B would be open to the harvest of muskoxen by anyone hunting under State regulations. Overharvest would not be a concern, as harvest would still be managed by a shared quota with a limited number of permits issued. However, Federally

qualified subsistence users would experience increased competition on Federal public lands from people hunting under State regulations. If the closure were modified to close to all users, Federally qualified subsistence users would unnecessarily lose the opportunity to harvest muskox under Federal regulations in Unit 22B.

OSM PRELIMINARY CONCLUSION:

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

Justification

The muskox population in Unit 22B has declined since 2015. It has also experienced declines in the proportion of mature bulls and the estimated rate of recruitment is among the lowest on record. Given these conservation concerns, the current management approach, which includes a more conservative harvest strategy, and the use of Tier II permits, the closure of Federal public lands except to Federally qualified subsistence users appears to be appropriate for the Unit 22B muskox population.

The consequence of this approach is that fewer muskoxen are available for harvest. Relatively high Federal permit usage since 2012, when the new harvest guidelines were implemented and the Tier II hunt was reinstated, suggests that Federally qualified subsistence users are relying more heavily on Federal subsistence regulations to meet their subsistence needs. Retaining the Federal public lands closure will ensure Federally qualified subsistence users continuance of subsistence uses and, in combination with the State’s current management approach, provides for continued maintenance and improvement of the Seward Peninsula muskox population status.

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FEDERAL WILDLIFE CLOSURE REVIEW

WCR24-15

Issue: Wildlife Closure Review WCR24-15 reviews the closure to moose hunting in Unit 22D, remainder, except by Federally qualified subsistence users.

Closure Location and Species: Unit 22D, remainder—Moose (**Figure 1**)

Current Federal Regulation

Unit 22–Moose

Unit 22D, remainder - 1 bull by State registration permit.

*Aug. 10-
Sep. 14.*

Federal public lands are closed to the harvest of moose except by Federally qualified subsistence users

Unit 22D, remainder - 1 antlered bull by State registration permit.

*Season may be
announced,
Dec. 1-Jan.
31.*

Federal public lands are closed to the harvest of moose except by Federally qualified subsistence users

Closure Dates: Year-round

Current State Regulation

Unit 22–Moose

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

*RM840 Aug 10-
Sept 14*

Residents: Unit 22D remainder –One antlered bull by permit available online at <http://hunt.alaska.gov> or in person in Brevig Mission, Golovin, Nome, Teller, and White Mountain (a season may be announced Dec 1-Jan 31)

*RM849 May be
announced*

Nonresidents

*No open
season*

Regulatory Year Initiated: 2002, closure initiated; 2007-2019, closure rescinded; 2020, closure reestablished.

Extent of Federal Public Lands/Waters

Unit 22D is comprised of approximately 23% Federal public lands, consisting of 12% Bureau of Land Management (BLM), and 11% National Park Service (NPS) managed lands.

Unit 22D remainder is comprised of approximately 8% Federal public lands, consisting of 100% BLM managed lands (**Figure 1**).

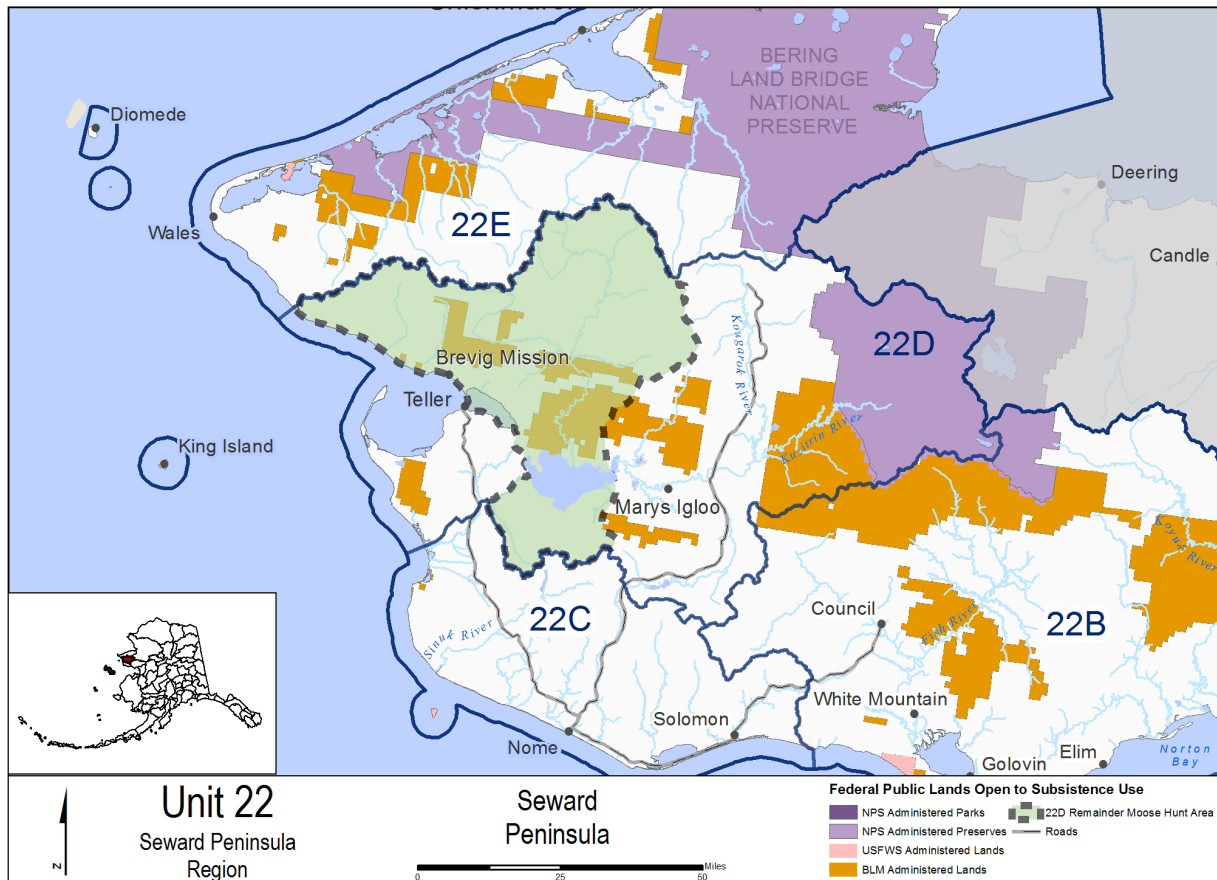


Figure 1. Unit 22D remainder moose hunt area.

Customary and Traditional Use Determination

Residents of Unit 22 have a customary and traditional use determination (C&T) for moose in Unit 22.

Regulatory History

In 1998, the Federal Subsistence Board (Board) adopted Proposal WP98-87, which changed the harvest limit from one moose to one antlered bull in that portion of Unit 22D that lies within the Kuzitrin River drainage, just east of Unit 22D remainder (**Figure 1**), due to a declining local moose population and heavy hunting pressure. As a result of a continuing regional trend in declining moose populations, the Board also restricted the harvest in adjacent Unit 22B in 2000 (P00-055).

In 2001, the Board approved Special Action Requests WSA01-09 and WSA01-11 with modification to shorten the season and close Federal public lands to the harvest of moose by non-Federally qualified users in Unit 22B west of the Darby Mountains, Unit 22D within the Kuzitrin River drainage, and Unit 22E. WSA01-09 created and closed a new hunt area: 22D west of the Tisuk River drainage and Canyon Creek (Unit 22D SW). It also modified Unit 22E harvest limits from one moose to one bull for the 2001 fall and winter seasons.

As a follow-up to these actions, the Alaska Board of Game (BOG) addressed concerns about declining moose populations in parts of Unit 22 by shortening seasons in portions of Units 22B and 22D, adding registration permit requirements in Unit 22D, dividing Unit 22D into additional hunt areas, modifying harvest limits, and closing nonresident hunts in portions of Units 22B, 22D, and 22E. The BOG also decided to restrict the season in Unit 22D remainder, despite a relatively healthy moose population. The fall season was closed from Sep. 15–30, to match other portions of Unit 22D, to prevent focusing hunting efforts on the American and Agiapuk River drainages when all the other areas would have been closed. These changes went into effect in regulatory year 2002/03.

In May 2002, the Board adopted Proposal WP02-34 with modification to add State registration permit requirements to the portion of Unit 22B west of the Darby Mountains, the portion of Unit 22D that lies within the Kuzitrin River drainage, and Unit 22D SW; revise harvest limits to bull only hunts in Units 22B, portions of 22D (Kuzitrin River drainage and Unit 22D SW), and Unit 22E, and shorten seasons in all these areas. It also closed Federal public lands in Unit 22D remainder and Unit 22E to the taking of moose except by Federally qualified subsistence users. The Board’s justification stated that the closure “would improve rural subsistence harvest opportunities in an area recently deemed necessary by the State to restrict the moose harvest” (OSM 2002).

ADF&G issued an emergency order in 2005, changing the State fall moose hunt in Unit 22D to Sep. 1–14. In 2005, the Board approved Special Action Request WSA05-01, which shortened the moose hunting season for all of Unit 22D from Aug. 20–Sep. 30 to Sep. 1–14, in response to conservation concerns from harvests exceeding the joint Federal/State harvest quota for the Kuzitrin River drainage in 2003 and 2004 (OSM 2005). Overharvest occurred in 2003 and 2004, despite Federal and State efforts to reduce the harvest by closing the seasons early.

Upon consideration of Wildlife Closure Review WCR06-15 in 2006, the Seward Peninsula Subsistence Regional Advisory Council (Council) submitted Proposal WP07-38 to eliminate the closure in Unit 22D remainder put in place in 2002 to all non-Federally qualified users. In 2007, the Board adopted WP07-38, eliminating the closure to non-Federally qualified users in Unit 22D remainder, and aligning Federal and State hunting season dates. Harvest limits were one bull during the early fall, late fall and January seasons, but were one moose during a December season. The Council justified the request by stating that “land closures are no longer necessary to protect the moose population because numbers have increased unit-wide and have remained stable for at least ten years; recruitment rates are up; and bull:cow ratios are consistently high despite a five-month Federal season” (OSM 2007: 468).

In 2015, the BOG modified State regulations, transitioning to a bull moose hunt within Unit 22D remainder. In addition, for regulatory years 2015/16 and 2016/17, ADF&G established a three moose harvest quota for nonresident hunters in Unit 22D remainder to prevent excessive harvest. This harvest quota was enacted due to a decline in moose populations since 2011. ADF&G issued emergency orders in regulatory years 2015/16 and 2016/17 to close this season early due to the quota being met (ADF&G 2016a).

At its March 2016 meeting, the Council submitted Proposal 28 to the BOG, requesting elimination of the nonresident moose season in Units 22E and 22D remainder until the relationship between the changing moose population, distribution, growth, and decline between the subunits was better understood. During discussion of the proposal, ADF&G was asked for an overview of the moose population in the area. ADF&G brought concerns about the decreasing population numbers in Unit 22D to the attention of the Council, mentioning that moose in Unit 22D were last counted in 2014, and that declines in the population were observed in both major survey areas. Additionally, ADF&G noted that some Unit 22D moose may have migrated to Unit 22E. Even with the possible migration taken into consideration, a significant decline in Unit 22D moose was observed during the 2014 survey (SPRAC 2016). Proposal 28 was adopted in Unit 22D remainder by the BOG prior to the 2017/18 regulatory year.

Special Action Request WSA16-07, submitted by the BLM, requested that the Unit 22D remainder December cow season be closed, and was presented to the Council on November 2, 2016. The Council supported WSA16-07, stating that hunters had expressed concern about the moose populations in the area. In particular, the Council Chair discussed the need to refrain from harvesting cow moose during population declines and asked ADF&G to explain the current levels of antlerless moose harvest and the potential impacts to the population. ADF&G noted that the average annual reported harvest of cow moose in Unit 22D over the last ten years totaled one moose per year, but that an antlerless harvest as low as 3% could have a substantial negative impact to the population. The Council Chair emphasized that this special action would only close the Federal cow moose hunting season for one month. The Board approved WSA16-07 on November 30, 2016.

In 2017, the same request was submitted as Special Action Request WSA17-06. The proponent, BLM, submitted this request because they believed that continued harvest of cow moose in Unit 22D remainder would lead to further declines in the moose population. The Board approved WSA17-06 with modification to change the harvest limit from one moose to one antlered bull for the harvest season of Dec. 1–31, 2017. This modification was approved to prevent the accidental harvest of cows, since most larger bulls would have dropped their antlers by December. An antlered moose hunt was also preferred to reduce mid-winter harassment of non-antlered moose by hunters trying to distinguish the sex of the animal. It was stated that approval of this modification would help to ensure the long-term viability of the moose population in Unit 22D remainder.

Similarly, in 2018, the same request was submitted as Special Action Request WSA18-03. The Board again approved this request with modification. The modified WSA18-03 that was approved by the Board limited harvest from one moose to one antlered bull in Unit 22D remainder for the remainder of

the current wildlife regulatory cycle (through June 30, 2020). The harvest limit was modified through the remainder of the wildlife regulatory cycle to ensure that antlerless moose in Unit 22D remainder were protected until a proposal could be submitted to change Federal subsistence regulations.

In August 2020, the Board approved a revised closure policy, which stipulated all closures will be reviewed every four years. The policy also specified that closures, like regulatory proposals, will be presented to the Councils for a recommendation and then to the Board for a final decision. Previously, closure reviews were presented to Councils who then decided whether to maintain the closure or to submit a regulatory proposal to modify or eliminate the closure.

In April 2020, the Board adopted WP20-40, which reestablished the closure of Federal public lands in Unit 22D remainder to moose hunting except by Federally qualified subsistence users. Unit 22D remainder was the only hunt area in Unit 22D that remained open to all users. This closure protected the moose population in Unit 22D remainder (OSM 2020a). The Board also adopted WP20-38 as modified by OSM. Proposal WP20-38 requested that the December and January moose seasons in Unit 22D remainder be combined into a may be announced season, that the Oct. 1–Nov. 30 season be eliminated, and that the harvest limit be modified to one bull by State registration permit for both remaining seasons. The modification was to delegate authority to the Federal manager to announce harvest quotas, close the fall season and to open a may be announced season between Dec. 1 and Jan. 31 via a delegation of authority letter only and to modify the harvest limit for the may be announced season between Dec. 1 and Jan. 31 to be one antlered bull (OSM 2020b).

At the 2020 BOG meeting, Proposal 33 was adopted which eliminated the Oct. 1–Nov. 30 hunt, changed the winter hunt to a may be announced season in Unit 22D remainder, established a registration permit (RM840 and RM849) requirement, and a harvest quota system. Adoption of Proposal 35 changed the availability of the RM840 permit to make it only available in person from vendors on the Seward Peninsula. These two actions together limited the number of non-local hunters that would be able to obtain a registration permit and would allow ADF&G to be able to close the hunt when a quota was reached (ADF&G 2020).

Closure last reviewed: N/A

Justification for Original Closure:

§815(3) of ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...

The moose population in Unit 22D remainder was below State management goals and was declining due to poor calf recruitment leading to the closure in 2002. Harvest restrictions were also implemented in the form of shortened seasons and eliminating cow harvest. Again, the population had declined between 2011 and 2014 and estimated annual harvest was above sustainable levels. Due to this

population decline, the State removed antlerless hunts from their regulations in Unit 22 and eliminated non-resident harvest opportunity in the area. Closing Federal public lands in Unit 22D remainder to the harvest of moose except by Federally qualified subsistence users provided additional protection to ensure the long-term viability of this moose population (FSB 2020).

Council Recommendation for Original Closure:

The Council voted unanimously to support WP20-40. The Council had submitted this proposal to protect the moose population in Unit 22D remainder by eliminating non-local harvest while still allowing harvest by Federally qualified subsistence users in the region. The Council noted that all other subunits in Unit 22D are currently closed to non-Federally qualified users.

State Recommendation for Original Closure:

The State opposed Proposal WP20-40 as they believed action adopted by the BOG (Proposals 33 and 35, see Regulatory History) would be sufficient to protect the moose population in Unit 22D remainder. They felt less drastic steps (like changing the harvest limit from one moose to one bull) would be appropriate to protect the moose population and did not think a total closure was necessary. Harvest records indicated that Federally qualified subsistence users harvested most moose from this hunt area and the State didn't believe the closure was necessary to provide for subsistence uses.

Biological Background

Moose migrated into the Seward Peninsula in the 1930s and by the late 1960s became a resident species due to suitable habitat in Unit 22. Moose populations increased during the 1970s and peaked in the mid-1980s (Gorn 2010). Density independent factors, specifically severe winters, were believed to have caused the population to decrease during the early 1990s (Nelson 1995). Populations within Unit 22 have never recovered to the peak levels of the 1980s. Brown bear predation on calves is considered the main limiting factor affecting Unit 22 moose populations (Gorn 2010).

State management goals for moose in Unit 22D include (Gorn and Dunker 2014):

- Unit 22 unit-wide: maintain a combined population of 5,100 – 6,800 moose
- Unit 22D: maintain a population of 2,000-2,500 moose
- Maintain a minimum bull:cow ratio of 30 bulls:100 cows in Units 22A, 22B, 22D, and 22E.

In 2020, ADF&G estimated the total Unit 22 moose population to be 6,775 moose, which is within State management objectives. ADF&G also considered the status of the Unit 22D moose population to be decreasing-stable (ADF&G 2020). Between 1993 and 2020, the moose population in Unit 22D ranged from 1,106-1,829 moose with the lowest estimate occurring in 2014 (**Figure 2**). While ADF&G does not conduct moose surveys specifically within the closure area, surveys are conducted within the Kuzitrin and Agiapuk River drainages within Unit 22D. The Agiapuk drainage survey area is in Unit 22D remainder (**Figure 1**). Between 1993 and 2014, for the Kuzitrin drainage area specifically, the moose population ranged from 615-1,251 moose with the lowest count occurring in 2014. Over the

same time within the Agiapuk drainage, the moose population ranged from 483-781 moose (**Figure 2**) (ADF&G 2020, Dunker 2021, pers. comm.).

Between 2000 and 2019, bull:cow ratios within the Kuzitrin River survey area ranged from 15-40 bulls:100 cows, averaging 26 bulls:100 cows. Over the same period, bull:cow ratios within the Agiapuk (Unit 22D remainder) survey area ranged from 18-44 bulls:100 cows, averaging 28 bulls:100 cows (**Figure 3**). In recent years (2016-2019), bull:cow ratios were below State management objectives in all years within the Agiapuk survey area (18-24 bulls:100 cows) and were below objectives within the Kuzitrin survey area in 2016 (20 bulls:100 cows) and just above objectives in 2017 and 2019 (32-33 bulls:100 cows, respectively) (Gorn and Dunker 2014; Dunker 2021, pers. comm.).

Fall calf:cow ratios of < 20 calves:100 cows, 20-40 calves:100 cows and > 40 calves:100 cows may indicate declining, stable, and growing moose populations, respectively (Stout 2012). Between 2000 and 2019, calf:cow ratios within the Kuzitrin River survey area ranged from 9-33 calves:100 cows and averaged 16 calves:100 cows. Over the same period, calf:cow ratios within the Agiapuk survey area ranged from 6-29 calves:100 cows, averaging 21 calves:100 cows (**Figure 4**). In recent years (2016-2019), calf:cow ratios in the Kuzitrin River survey area ranged from 10-14 calves:100 cows. Low recruitment rates such as these may be an indicator that the moose population within the Kuzitrin River Drainage is declining (Gorn and Dunker 2014, Dunker 2021, pers. comm.). From 1993-2020, the percentage of yearlings measured in the spring population surveys within the Kuzitrin and Agiapuk river drainages averaged 13% and 17%, respectively (ADF&G 2020, Dunker 2020, pers. comm.).

There is limited habitat data for Unit 22D. Although winter browse was seen as a limiting factor when moose density/numbers were at their highest during the mid-1980s. Moose populations had been managed based on what winter browse can easily support throughout Unit 22D. Browse is no longer viewed as a limiting factor to moose in this unit, and brown bear predation on calves is now seen as the most significant factor influencing moose numbers (Gorn and Dunker 2014).

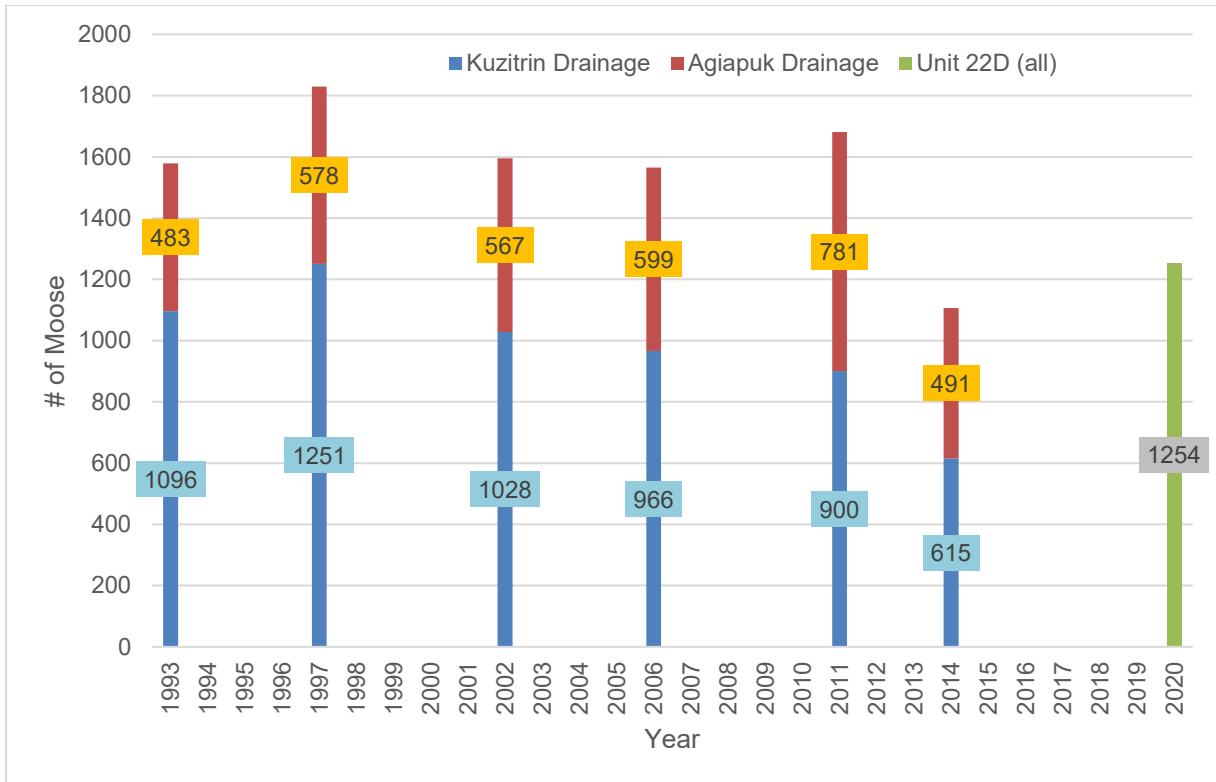


Figure 2. Moose population estimates within Unit 22D (ADF&G 2020; Dunker 2021, pers. comm.).

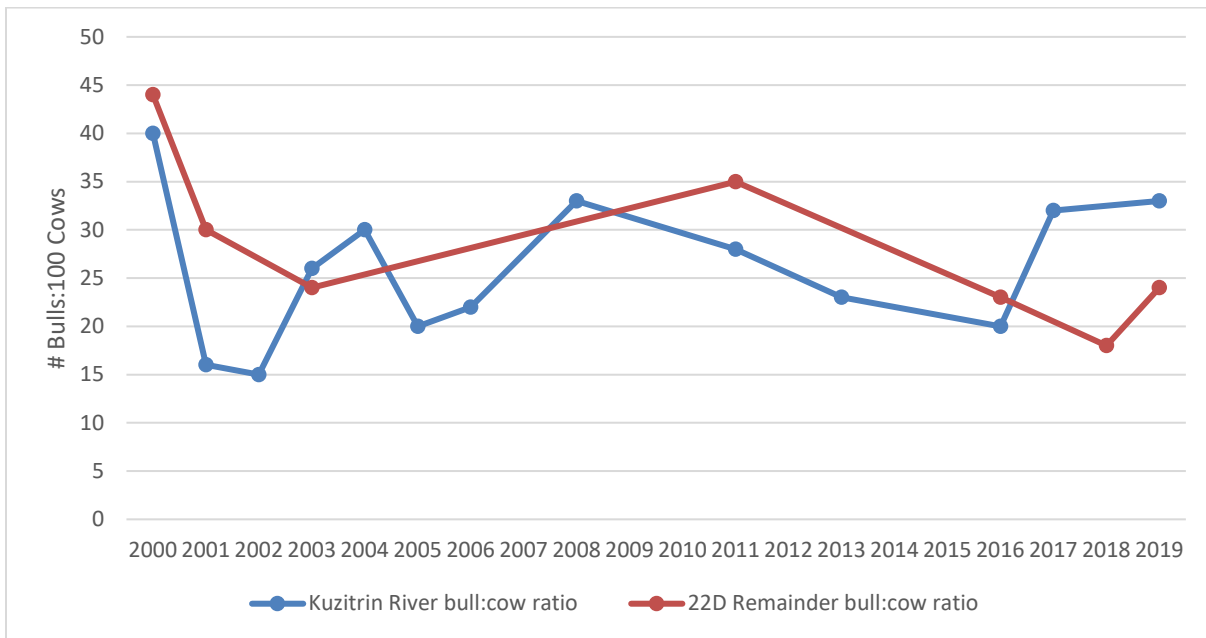


Figure 3. Bull:cow ratios within the Kuzitrin and Unit 22D remainder (Agiapuk) survey area of Unit 22D (Gorn and Dunker 2014; Dunker 2021, pers. comm.).

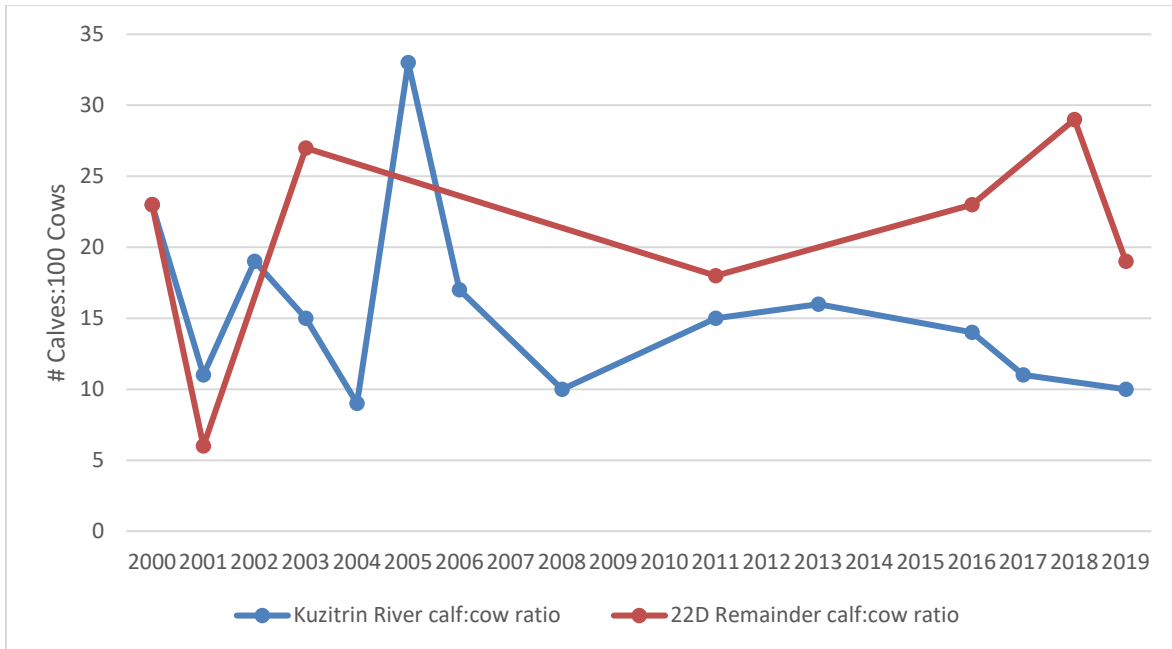


Figure 4. Calf:cow ratios within the Kuzitrin and Unit 22D remainder (Agiapuk) survey area of Unit 22D (Gorn and Dunker 2014; Dunker 2021, pers. comm.).

Cultural Knowledge and Traditional Practices

Historically, people in the Seward Peninsula area hunted a variety of species, but as moose moved into the region in the mid-20th century, harvest of these animals grew. Although all residents of Unit 22 have a customary and traditional use determination for moose in Unit 22D, remainder, this section focuses on communities closest to the hunt area. The western boundary of Unit 22D remainder is contiguous with the primarily Iñupiat villages of Teller and Brevig Mission; both communities hunt moose within this area (Mikow et al. 2018).

Nome, located in Unit 22C, is connected to Teller via the road system, or by snowmachine in winter. No ADF&G, Division of Subsistence survey-based harvest estimates for Nome’s use of moose are available for any year (ADF&G 2022). However, a mapping study conducted for the 1985 study year showed that the Nome’s moose harvest areas were focused on road and river systems, including the area around Teller (Magdanz and Olanna 1986).

In 2019, the estimated population of Brevig Mission was 451, and the estimated population of Teller was 235 (ADLWD 2020). Nome had an estimated population of 3,690 in 2019 (ADLWD 2020). Brevig Mission and Teller’s uses of wild resources have been documented in surveys conducted by ADF&G, Division of Subsistence; three measures of moose harvest and use over multiple study years are given in **Table 1**.

Between May 2015 and May 2016, the most recent study period for which big game subsistence data are available for Brevig Mission and Teller, 85% of surveyed households in Brevig Mission and 55% of surveyed households in Teller used moose (**Table 1**; ADF&G 2022). During this time, Brevig

Mission households harvested an estimated 33 pounds of moose in edible weight per person, with 90% of the harvest occurring within Unit 22D remainder (**Table 1**; ADF&G 2022; Mikow et al. 2018). During the same study period, Teller households harvested an estimated 31.6 pounds of moose in edible weight per person, with 27% of the harvest occurring in Unit 22D remainder (**Table 1**, ADF&G 2022; Mikow et al. 2018).

For Teller, a higher percentage of surveyed households used moose than caribou in 2015-2016, but that situation was reversed for Brevig Mission. The fall moose hunting season was most important for both communities. In Brevig mission, 85% of moose were taken in the fall, while in Teller 100% were taken in that season (Mikow et al. 2018). Recent comments by members of the Council indicate that closures within Unit 22D to non-Federally qualified users are desirable both to protect diminishing moose populations and to respect local hunting patterns (SPRAC 2021 and 2022).

Table 1. Three measures of moose harvest and use by Brevig Mission and Teller (ADF&G 2022, Mikow et al. 2014*). Values for estimated number of moose harvested are rounded to whole numbers.

Community	Survey year	Estimated number of moose harvested	Estimated pounds per person harvested	Percent using
Brevig Mission	2015-2016	21	33.0	85%
	2011-2012*	18	23.7	43%
	2005	8	12.8	19%
	2000	24	42.5	86%
	Average	17.8	28.0	58%
Teller	2015-2016	15	31.6	55%
	2011-2012*	4	8.7	31%
	2005	5	10.8	78%
	2000	7	14.4	68%
	Average	7.8	16.4	58%

Harvest History

ADF&G estimates an average of 250-300 moose are harvested from all of Unit 22 each year and that the 2019 harvestable surplus was 326 moose, while the 2018 harvestable surplus was 313 moose (ADF&G 2020; Dunker 2021 pers. comm.). In Unit 22D specifically, harvest occurs by Alaska residents under State regulations by registration permit RM840 during the September hunt and registration permit RM849 during a may be announced season. Within the closure area, harvest occurs by Federally qualified subsistence users under Federal regulations by State registration permit during the early fall season and the may-be-announced winter season.

In Unit 22D the average annual reported moose harvest by State residents between 2009 and 2018 was 24 moose (**Table 1**) (ADF&G 2020). Accounting for unreported harvest, ADF&G estimated total moose harvest in Unit 22D between 2009 and 2018 as 42-57 moose per year, which translates to a 7%-10% harvest rate. This is a very high harvest rate, especially for a low-density and declining moose

population. ADF&G currently estimates the harvestable surplus for Unit 22D as 18-30 moose per year, which translates to a 3%-5% harvest rate (ADF&G 2020).

Unit 22D remainder harvest ranged from 12–35 moose from 2013–2018, with an average of 23 moose per year. Unit 22 residents, most of which were residents of Nome, accounted for 74% of the total reported harvest between 2013 and 2018 in Unit 22D remainder, and 59% of reported harvest took place during the month of October (**Table 2**). According to household subsistence surveys between 2000 and 2015, residents of Brevig Mission and Teller, the communities closest to Unit 22D remainder, harvested an estimated average of 18 moose and 8 moose per community per year, respectively (**Table 1**, ADF&G 2020).

Table 1. Reported moose harvest in Unit 22D for 2005–2018. Local resident harvest refers to harvest by residents of Unit 22 (ADF&G 2016b, 2017, 2018, 2019).

Year	Local Resident Harvest	Nonlocal Resident Harvest	Total Resident Harvest	Unknown Residency Harvest	Nonresident Harvest	Total Harvest
2005	47	4	51	0	6	57
2006	47	11	58	0	8	66
2007	52	14	66	1	5	72
2008	42	10	52	1	7	60
2009	54	15	69	0	7	76
2010	39	12	51	3	4	58
2011	50	19	69	1	9	79
2012	50	12	62	1	6	69
2013	45	10	55	1	3	59
2014	43	11	54	2	8	64
2015	54	12	66	1	5	72
2016	52	8	60	0	3	63
2017	59	12	71	0	0	71
2018	47	14	61	0	0	61
Average:	49	12	60	1	5	66
Total:	679	164	843	11	71	925

Table 2. Unit 22D remainder moose harvest, 2013–2018, according to ADF&G Unit 22D GM000 harvest reports (ADF&G 2019). Local harvest refers to harvest by residents of Unit 22 and nonlocal refers to Alaska residents outside of Unit 22.

Year	Total Harvest	Local harvest		Nonlocal harvest	
		Number of moose	% of total	Number of moose	% of total
2013	12	7	58%	5	42%
2014	16	11	69%	5	31%
2015	22	17	77%	5	23%
2016	22	16	73%	6	27%
2017	35	28	80%	7	20%
2018	33	25	76%	8	24%

Other Alternatives Considered

Under Federal regulations, the winter may-be-announced season requires the use of a State registration permit. Therefore, the Federal season is dependent upon the State announcing a winter season. This may preclude a Federal priority if the State does not announce an opening. If the Federal regulations were changed to require a Federal permit, then a winter Federal hunt could occur independently from a State hunt. Of course, this is outside the scope of this closure review, but a proposal could be submitted to institute a Federal permit.

Effects

If the closure were rescinded, non-Federally qualified users would be able to harvest moose on Federal public lands within Unit 22D, remainder under State regulations. There would be no concern of increased non-resident harvest as there is no non-resident moose season under State regulations in all of Unit 22D. Since moose harvest is managed by State registration permit and a quota, rescinding the closure would likely result in a zero to minimal increase in harvest and have no impact on the moose population. However, rescinding the closure may decrease opportunity for Federally qualified subsistence users who would have to compete with non-Federally qualified users for moose harvest on Federal public lands. However, Federal public lands only comprise 8% of the closure area, and State RM840 permits are only available in Unit 22 from July 25– Aug. 25. Limiting non-local hunter participation.

If the closure were retained, Federal public lands in Unit 22D remainder would remain closed to moose hunting by non-Federally qualified subsistence users. There would be little added protection for the Unit 22D remainder moose population as the amount of land protected by this closure is small. Methods adopted by the State for permit distribution and the quota system currently in place protects the moose population from overharvest. While the closure provides a subsistence priority for Federally qualified subsistence users, it may also be an unnecessary restriction on non-Federally qualified users.

OSM PRELIMINARY CONCLUSION

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

Justification

Actions by the BOG to conserve the moose population, restrict harvest, and limit hunter numbers in Unit 22D remainder were successfully enacted in 2020. Given these actions, maintaining WCR24-15 may continue to slightly reduce competition from non-local resident hunters, but would likely contribute little to overall conservation of the Unit 22D moose population for several reasons. First, only 8% of the Unit 22D remainder hunt area consists of Federal public lands. Second, the State established a harvest quota of 18 bull moose for Unit 22D remainder through adoption of Proposal 33, which greatly limits harvest. Third, the non-resident season is already closed under State regulations. Fourth, Federally qualified subsistence users account for 74% of the moose harvest in Unit 22D remainder and harvest by non-local residents will likely decline as a result of Proposal 35, which limits permit availability. Fifth, Federal Proposal WP20-38 and State Proposal 33 eliminated the October season when 59% of the moose harvest occurred on average, and bull moose are most susceptible to harvest. Finally, since the RM840 permit was required in other Unit 22 hunt areas in 2004, the number of hunters in Unit 22D remainder has nearly tripled (ADF&G 2020). Requiring the RM840 permit in Unit 22D remainder will likely decrease hunter numbers in that area, redistributing them to other, road-accessible hunt areas.

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FEDERAL WILDLIFE CLOSURE REVIEW

WCR24-28

Issue: Wildlife Closure review WCR24-28 reviews the closure to muskox hunting in Unit 22D, that portion west of the Tisuk River drainage and Canyon Creek (Unit 22D SW), except by residents of Nome and Teller.

Closure Location and Species: Unit 22D SW—Muskox (**Figure 1**).

Current Federal Regulation

Unit 22D–Muskox

Unit 22D, that portion west of the Tisuk River drainage and Canyon Creek - 1 bull by Federal permit or State permit. Sep. 1-Mar. 15.

Federal public lands are closed to the harvest of musk ox except by residents of Nome and Teller hunting under these regulations

Closure Dates: Year-round

Current State Regulation

Unit 22D–Muskox

Unit 22D—that portion west of the Tisuk River drainage, west of the west bank of the unnamed creek originating at the unit boundary opposite the headwaters of McAdam’s Creek and west of the west bank of Canyon Creek to its confluence with Tuksuk Channel—One bull by permit TX103 Jan 1–Mar 15

All skulls require trophy destruction at time of take in the field subject to permit conditions; specimens required

Regulatory Year Initiated: 1995, closed except by Federally qualified subsistence users; 2014, closed except by some Federally qualified subsistence users (§804 restriction).

Extent of Federal Public Lands/Waters

Unit 22D is comprised of approximately 23% Federal public lands, consisting of 12% Bureau of Land Management (BLM), and 11% National Park Service (NPS) managed lands (**Figure 1**).

Unit 22D SW is comprised of approximately 11% Federal public lands, all of which are BLM managed lands.

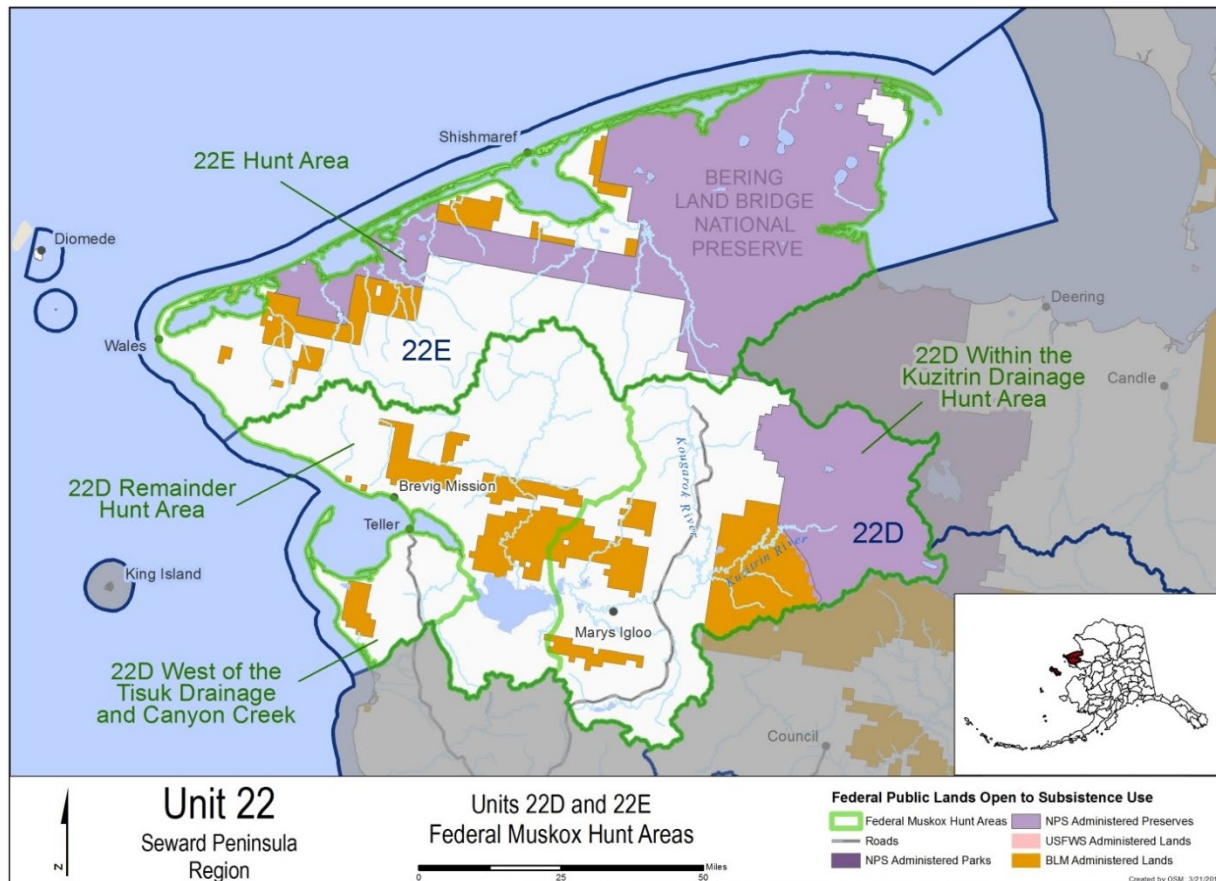


Figure 1. Current muskox hunt areas in Units 22D and 22E.

Customary and Traditional Use Determination

Residents of Units 22B, 22C, 22D, and 22E (excluding St. Lawrence Island) have a customary and traditional use determination (C&T) for muskox in Unit 22D.

Regulatory History

In 1991, the BLM submitted and then withdrew Proposal P91-94 to add “no open season” and “no customary and traditional use determination” to muskox regulations in Unit 23. BLM submitted the proposal because the population estimate of 123 muskoxen did not support a viable hunt (OSM 1991).

A cooperative muskox management effort for the Seward Peninsula was begun in 1993 with the creation of the Seward Peninsula Muskox Cooperators Group (Cooperators). Muskox management efforts were guided by recommendations from this group, and the Seward Peninsula Cooperative Muskox Management Plan (1994) established the guiding management goals for muskoxen in this region.

In 1995, the Seward Peninsula Subsistence Regional Advisory Council (Council) submitted Proposal P95-44 to establish muskox hunts in Units 22D and 22E because the muskox population could withstand a harvest of 15 bulls as recommended by the Seward Peninsula Cooperative Muskox Management Plan (OSM 1995a). The Federal Subsistence Board (Board) adopted Proposal P95-44 with modification to establish the first Federal muskox hunt on the Seward Peninsula. The Board established a season of Sep. 1–Jan. 31 for Units 22D, 22E, and 23 west of and including the Buckland River drainage (Unit 23 SW), with a harvest limit of one bull by Federal permit and a quota of 3% of the population within each subunit from the most recent census and closed Federal public lands to the harvest of muskoxen except by Federally qualified subsistence user (FSB 1995a).

Also in 1995, the Board adopted Proposal P95-43 with modification, recognizing the C&T of muskoxen in Unit 22D by residents of Unit 22D (Teller and Brevig Mission), in Unit 22E by residents of Unit 22E (Shishmaref and Wales), excluding Little Diomed Island, and in Unit 23 SW by residents of Unit 23 South of Kotzebue Sound and west of and including the Buckland River drainage (Deering and Buckland) (OSM 1995b).

In August 1995, the Board rejected two Requests for Reconsideration regarding the establishment of the Federal muskox season, R95-04 submitted by Anne Ruggles and R95-05 submitted by ADF&G. Although the Board rejected both requests, they revised the harvest quota for Unit 22D, reducing it from 12 to 2 muskoxen. The Board made this change in response to concerns for the maintenance of a healthy muskox population (FSB 1995b).

In 1996, the Board adopted Proposal WP96-51 with modification to increase the harvest quota from two to eight muskoxen in Unit 22D. The proposal was submitted by the Council to increase the harvest quota to 12 muskoxen but was adopted with modification by the Board to increase the harvest quota to eight muskoxen.

In 1997, the Board denied a Request for Reconsideration, R96-06 submitted by ADF&G which asked to reduce the number of Federal muskox permits from 8 to 2. The Board deferred a decision until the April 1998 FSB meeting, where they decided to keep the harvest quota set at eight muskoxen, but stratified Unit 22D into two permit areas comprising BLM lands and NPS lands, with half of permits designated in each area (FSB 1997). This decision was based on harvest information indicating all muskox harvest in Unit 22D was on BLM land. The split of permits was intended to encourage Federally qualified subsistence users to harvest from NPS lands in the eastern end of the unit.

In 1998, the Seward Peninsula Council submitted Proposal P98-89 to extend the muskox season three months to Aug. 1–Mar. 31 for Units 22D, 22E, and Unit 23 SW. However, as part of the consensus agenda, the Board adopted Proposal P98-89 with modification to extend the season to Aug. 1–Mar. 15 in these areas. This modification was made due to biological concerns that hunting in late March could stress cows shortly before the calving season.

A shared Federal and State permit system for muskox on the Seward Peninsula was supported by the Seward Peninsula and Northwest Arctic Councils and adopted by the Board in 1998 (FSB 1998). In January 1998, the Cooperators met to discuss options for a combined Federal and State muskox harvest

on the Seward Peninsula. The group reached consensus involving management on a subunit basis, allowing for continued growth of the population and increased harvest opportunities, with the intent that the Muskox Management Plan would be amended in the future to reflect these changes. Six affected villages (Brevig Mission, Buckland, Deering, Shishmaref, Teller, and Wales) considered allowing State harvest to increase harvest opportunities. Individual villages made decisions on the percent harvest rate and how the harvest should be divided between the State and Federal systems within their respective subunits. Village recommendations were summarized in a resolution written and supported by the Council in 1998 and subsequently presented to the Alaska Board of Game (BOG), which approved a Tier II subsistence muskox hunt for the Seward Peninsula with the assumption that this would be part of a combined Federal/State harvest program. Also in 1998, the Board followed the recommendations of the Seward Peninsula and Northwest Arctic Councils and approved a special action (WSA97-14) establishing these regulations for the 1998/99 Federal subsistence muskox season (FSB 1998).

In 1999, Proposal WP99-46 put the temporary regulations in WSA97-14 into codified regulation. Due to the long traveling distances needed to reach Federal lands and the poor travel/snow conditions during that time, the six affected villages supported the combination of the State and Federal harvest systems to create more harvest opportunities due to declining hunter success rates under the Federal subsistence hunt. The BOG adopted the combined Federal and State harvest into permanent State regulation in 1998. The consensus was to manage on a subunit basis within Unit 22 and Unit 23SW to allow for continued growth of the muskox population in this region and to increase harvest opportunities. Sharing the harvest quota between Federal and State systems helped meet local subsistence needs that may not have been met under only the Federal or State system separately. The cooperative management dispersed hunting pressure over an entire area regardless of land ownership to create a more biologically sound management approach (OSM 2001).

In 2000, the Board adopted Proposal WP00-56 to remove the split of two Federal permit areas, one on NPS land and the other on BLM land, as designated in 1997 in Unit 22D. Six of the Federal permits were then transferred into the State Tier II system.

In 2001, the Board adopted Proposal WP01-35, changing the Units 22 and 23 SW harvest limit from one bull to one muskox. However, cows could only be taken from Jan. 1–Mar. 15 and no more than 8 cows could be harvested. Total harvest could not exceed 13 muskoxen. The Cooperators unanimously supported submitting the proposal to provide more subsistence opportunity, to better coordinate between State and Federal hunts, and because there were no conservation concerns (OSM 2001). The BOG adopted similar regulations.

Also in 2001 the Board adopted WP01-35, establishing a muskox season in Unit 22B. The season was open Aug. 1–Mar. 15 throughout the unit, harvest was limited to one bull by Federal or State permit, and Federal public lands were closed except by Federally qualified subsistence users. There was a harvest quota associated with this season and was set at 8 bulls. The BOG established a State season in Unit 22B during the same year. At that time, the harvest of one bull was allowed by Tier II permit (TX105) in the portion of Unit 22B within the Fox River drainage upstream of the Fox River bridge

and within one mile of the Council Road east of the Fox River bridge, the season was Nov. 1–Mar. 15. In Unit 22B remainder, the season was Aug. 1–Mar. 15.

In 2002, the Board adopted Proposal WP02-37 with modification, which delegated authority to the Superintendent of the Western Arctic National Parklands (WEAR) to announce harvest quotas and any needed closures in consultation with the Alaska Department of Fish and Game (ADF&G) and the Bureau of Land Management (BLM) in Units 22B, 22D SW, 22D remainder and 22E. This resulted in more efficient management of the Seward Peninsula muskox population. The modification to this proposal was to make minor adjustments to the regulatory language, as recommended by the Seward Peninsula and Northwest Arctic Councils.

In 2003, the Board considered WP03-41, which originally requested to expand C&T for muskoxen in Units 22B and 22D but was subsequently amended to request that the Federal public lands closures in those subunits be rescinded. The proponent argued that many Tier II users with a history of subsistence use of muskoxen were being excluded from Federal lands. The Seward Peninsula and the Northwest Arctic Councils recommended that the proposal be deferred until after it was considered by the Cooperators. ADF&G and the Interagency Staff Committee concurred with this recommendation, and the Board deferred the proposal.

In 2004, deferred Proposal WP03-41 was withdrawn, and WP04-71 was submitted in its place. This proposal requested C&T for muskoxen in Units 22B and 22D be extended to all residents of Unit 22, except those from St. Lawrence Island. Previously, only residents of Unit 22B had C&T in Unit 22B and only residents of Unit 22D, excluding residents of St. Lawrence Island, had C&T in Unit 22D. The Board adopted the proposal with modification, as recommend by the Seward Peninsula Council, to 1) add residents of Unit 22C to the C&T determination in the portion of Unit 22B west of the Darby Mountains and 2) add residents of Unit 22C and White Mountain to the C&T determination in the portion of Unit 22D in the Kougarok, Kuzitrin and Pilgrim River drainages.

In 2005, the BOG established a Tier I subsistence registration hunt, previously a Tier II hunt, in Unit 22E as proposed by the Cooperators. This was expected to help users reach the harvest quota in an area where the harvestable surplus was greater than the number of permit applicants.

In 2006, Proposal WP06-41 and -55 established the use of a designated hunter permit for muskoxen in Unit 22 and 23SW, respectively, by Federally qualified subsistence users. During the same year the Federal public lands closure in Unit 22B was reviewed through WCR06-10. The Seward Peninsula Council decided to take no action, thereby maintaining status quo.

In 2008, the BOG made several regulatory changes affecting muskox in Unit 22B, 22D and 23 SW by adopting Proposal 77 with modification. Notably, registration permits were required for residents, rather than Tier II hunts, with permit distribution limited to vendors in Unit 22. This also opened a nonresident season via draw permit in Unit 22D southwest and remainder (Gorn 2011; Hughes 2018, pers. comm.). Trophy destruction was required for all skulls removed from Unit 22.

Also in 2008, the Board rejected Temporary Special Action WSA08-08, which requested the Federal muskox hunt in Unit 22B west of the Darby Mountains be limited to the communities of White Mountain and Golovin. This Special Action was submitted in response to the proposed Aug. 1–Mar. 15 State season in the western portion of Unit 22B. The BOG’s decision to delay opening the season until January 1, along with limited permitting locations and trophy destruction requirements, were influential in the Board’s decision to reject this request.

In 2009, State Emergency Order 05-11-09 closed the State subsistence hunting season for muskoxen by registration permit in Unit 22D remainder on October 13, 2009, because the joint Federal/State harvest quota of 16 muskoxen had been reached. Based on this closure, the Federal manager closed the Federal subsistence muskox hunt in Unit 22D remainder on October 17, 2009.

The Board approved Emergency Special Action WSA09-11 on December 30, 2009, reopening the winter muskox season within Unit 22D remainder (that portion within the Kougarok, Kuzitrin, and Pilgrim River drainages) from January 15 to March 15, 2009. The Board adopted this special action based on the difference between Federal and State hunt units. The State separated Unit 22D into three distinct hunt areas, while Federal regulations only divided Unit 22D into two hunt areas. When the State closed one hunt area that had met its quota, the Federal manager followed suit by closing the corresponding area. But the Federal area encompassed more than the State managed closure area, it also contained the neighboring 22D Kuzitrin area as well, which still had a harvestable surplus. By closing this area, Federal managers had reduced harvest opportunities for Federally qualified subsistence users.

In 2010, the Board adopted WP10-73 with modification, expanding C&T for muskoxen in Unit 22D. This combined Unit 22D within the Kougarok, Kuzitrin, and Pilgrim river drainages customary and traditional use area with the Unit 22D remainder area. This also added residents of Unit 22B (White Mountain, Golovin, Elim, Council, and Koyuk) and Unit 22E (Wales and Shishmaref) to the C&T for all of Unit 22D. The Board also considered Proposal WP10-77, which requested the Federal hunt areas for muskoxen within Unit 22D remainder be aligned with State regulations by establishing hunts in the Kougarok, Kuzitrin, and Pilgrim river drainages. The Board adopted this proposal with modification to separate from Unit 22D remainder the current Unit 22D Kuzitrin hunt area, which encompasses the Kougarok and Pilgrim river drainages (**Figure 1**). They also adopted Proposal WP10-84 with modification, clarifying the regulatory language and requiring a Federal or State Tier I permit (instead of Tier II) to harvest muskox in Unit 23 SW. The Board revised permit requirements to maintain consistency with recent changes under State regulations.

Also in 2010, Proposal WP10-74 requested rescinding the closure of Federal public lands to the harvest of muskoxen in Unit 22E, except by Federally qualified subsistence users, and was adopted by the Board. Harvest quotas were rarely met in Unit 22E, indicating harvest should be allowed on Federal public lands under both Federal and State regulations. Conservation concerns were minimal due to harvest quotas. At the same time the Board adopted WP10-75 which requested the harvest of cow muskoxen be allowed for the entire Aug. 1–Mar. 15 season in Unit 22E, rather than restricting it to Jan. 1–Mar. 15.

The Council reviewed Federal public lands closure in Unit 22B through WCR10-10. At that time, the Seward Peninsula Council voted to maintain the status quo. They believed the harvestable surplus was not sufficient to support use by non-Federally qualified users and that maintaining the Federal lands closure was good for the conservation status of the population and allowed for the continuation of subsistence uses.

In 2011, the BOG adopted Proposal 23, making the muskox hunting regulations in Unit 22 part of a threshold-based hunt regime conditioned on the relationship between the Amount Necessary for Subsistence (ANS) and the available harvestable portion for the Seward Peninsula muskox population, which includes all of Unit 22 and Unit 23 SW (Dunker 2018, pers. comm.). This change would allow ADF&G to determine which type of permit would be required annually based on results from population surveys without having to request the BOG to make the change. The regulatory thresholds defined conditions for Tier II hunts (harvestable portion below the ANS), Tier I registration hunts (harvestable portion within the ANS range) and registration/drawing hunts (harvestable portion above ANS). This change was in response to significant muskox population declines, low bull:cow ratios, and high harvest of mature bulls documented by ADF&G. Based on the implementation of the new harvest guidelines intended to address the high harvest of mature bulls and the decline in bull:cow ratios and based on further population declines revealed in March 2012 population surveys, State Tier II hunts were required in Unit 22B, 22D and 23 SW (22E retained use of RX104) for 2012-2013 regulatory year due to the reduction of the harvestable surplus being below the lower end of the ANS (Dunker 2018, pers. comm.).

In 2014 several proposals were adopted by the Board affecting muskox harvest on the Seward Peninsula: Proposal WP14-33 affected Unit 22D, that portion within the Kuzitrin River drainage; WP14-35 affected Unit 22D Southwest; WP14-36 affected Unit 22E; WP14-38 affected Unit 22D remainder; and WP14-41 affected Unit 23 SW. All these proposals eliminated cow harvest in their respective subunit. The proposals also provided the in-season managers (Superintendent of the Bering Land Bridge National Preserve or the BLM Anchorage Field Office Manager) with authority to limit the respective number of Federal registration permits issued each season. Each proposal closed Federal public land in their respective units to the harvest of muskoxen except by eligible residents as determined by an §804 analysis. Residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission were allowed to harvest muskoxen in Unit 22D Kuzitrin (WP14-33); residents of Nome and Teller were eligible to harvest muskoxen in Unit 22D Southwest (WP14-35); residents of Elim, Council, Golovin, Koyuk, White Mountain, Nome, and Teller were able to harvest muskoxen in Unit 22D remainder (WP14-38); and all Federally qualified subsistence users were able to harvest muskox in Unit 22E (WP14-36) and Unit 23 SW (WP14-41). These restrictions were enacted due to significant declines in the muskox population, low harvestable surplus, and concerns over sustainable harvests and maintaining rural subsistence priority. WP14-41 included a review of the Federal public land closure in Unit 23 SW, which the Council decided to maintain.

In 2014, Proposal WP14-39 requested Federal permit requirements be updated, the BLM Anchorage Field Office Manager be designated as the Federal in-season manager and that authority be delegated to restrict the number of Federal permits issued each year in Unit 22B. The Council was supportive of

the proposal and recommended that the muskox season be shortened. The Board adopted Proposal WP14-39 with modification to make minor changes in the regulatory language and to delegate additional authority to close the season and to determine annual quotas, the number of permits to be issued, and the method of permit allocation via a delegation of authority letter only. Permit allocation meant allocating permits between State and Federal hunts, although in-season managers later misinterpreted this to mean the type of permit that could be issued (i.e. registration vs. draw).

In 2018, using the flexibility that was adopted into regulations in 2011, ADF&G began administering the Unit 22E muskox harvest as a Tier II hunt (TX104). This modification resulted from population surveys suggesting that the harvest strategy that was in place resulted in a harvestable portion that would continue to be below the lower end of the ADF&G's goals for the amount necessary for subsistence (Dunker 2018, pers. comm.)

In August 2020, the Board approved a revised closure policy, which stipulated all closures will be reviewed every four years. The policy also specified that closures, similar to regulatory proposals, will be presented to the Councils for a recommendation and then to the Board for a final decision. Previously, closure reviews were presented to Councils who then decided whether to maintain the closure or to submit a regulatory proposal to modify or eliminate the closure.

In 2020, Wildlife Closure Reviews WCR20-10, -19, -28, -29, -30 and -44 reviewed the Federal public lands closure in Units 22B, 23 SW, 22D SW, 22D remainder, 22E and 22D Kuzitritin, respectively. The Board recommended to retain the status quo for all of these closures. Low muskox population numbers, poor population metrics and high harvest rates prompted this decision. The small amount of Federal harvest allowed still provided for a Federal subsistence priority.

In 2022, Temporary Wildlife Special Action WSA22-01a was approved by the Board for the 2022-2024 seasons. This special action changed the Federal muskox permit system for all six of the Seward Peninsula muskox hunt areas from a Federal registration permit to a Federal drawing permit (WSA22-01b addressed the Cape Thompson muskox population). Language in the Delegation of Authority letters (DALs) to the BLM and NPS in-season managers was standardized and clarified, and the in-season manager for the Seward Peninsula muskox hunt area in Unit 23 was changed from the WEAR superintendent to the BLM Anchorage Field Office manager to better reflect land status. Permits had been being distributed via a draw system for years, and unclear language in the DALs had been misinterpreted. The Board adopted the request to allow for effective and flexible hunt management and to ensure the sustainable harvest of muskoxen and equitable distribution of Federal permits.

Closure last reviewed: 2020 – WCR20-28

Justification for Original Closure:

§815(3) of ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife,

for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...

The Board's intent by adopting WP95-44 in 1995 to establish a Federal muskox hunt and to close Federal public lands to non-Federally qualified users was to provide a subsistence priority for Alaskan residents with C&T for muskox in Unit 22. The Board did not feel that the State muskox seasons would provide adequate opportunity and priority for subsistence users who were active participants in developing the cooperative muskox management plan. Therefore, the Board determined that a Federal season managed via a Federal registration permit and the closure of Federal public lands to non-Federally qualified users was necessary.

In 2014, the Board supported WP14-35, restricting the closure to a subset of Federally qualified subsistence users because of declining population, low harvestable surplus, concerns over sustainable harvests, and maintaining a subsistence priority.

Council Recommendation for Original Closure:

In 1995, the Seward Peninsula Subsistence Regional Advisory Council (Council) supported P95-44 to provide a subsistence priority for local users due to a lack of subsistence priority under State regulations.

The Northwest Arctic Council opposed Proposal P95-44, stating "let the State season and the system work for a year to see if it meets the needs of the local people. If it does not, the Regional Council could always initiate a proposal to deal with the situation." However, at the Board meeting, the Chair of the Council supported modified Proposal P95-44, which established a muskox hunt for Federally qualified subsistence users in Unit 23 SW (and closed the area to non-Federally qualified subsistence users) (FSB 1995).

Although these were the original recommendations from the Councils, both Councils agreed to support the modified proposal, adopted by the Board, which included that portion of Unit 23 including and west of the Buckland River drainage (FSB 1995a).

In 2014, the Seward Peninsula Council supported Proposal WP14-35 to give a subsistence priority to residents of Nome and Teller for muskoxen in Unit 22D SW because they agreed these two communities were the most reliant on the resource.

State Recommendation for Original Closure:

Although ADF&G agreed with the intent of the cooperative muskox management planning effort, they believed it was advisable to postpone a decision on Proposal P95-44 to close Federal public lands until the BOG had decided on State Regulations for a muskox hunt in Unit 22 and Unit 23 SW. When the amendment that contained the closure language was proposed, the State had concerns in regard to permitting and wanted to be kept informed; however, no direct comments about the closure were made and the State's official recommendation was neutral.

In 2014, ADF&G was in support of Proposal WP14-35 following the Cooperator's recommendations. They also asked for a modification to describe the State permit in such a way as to explain the flexibility in their permitting.

Biological Background

Seward Peninsula Muskox Population

Muskoxen are adapted for survival in arctic habitats. Their large body size, thick undercoat and long guard hairs allow muskoxen to stay warm in arctic climates and conserve energy (Klein 1992). However, their thick fur does not allow them to regulate their body temperature, especially following high exertion activities, such as running. Their lower chest height and smaller hooves make travelling through deep snow difficult (Klein 1992; Ihl and Klein 2001); therefore, they tend towards wind swept areas with reduced snow depth (Dau 2005). These adaptations limit suitable habitat and lead muskox groups to remain localized during winter months (Klein 1992). Therefore, disturbance to muskox groups during the winter by hunters or predators could decrease survival through increased energetic requirements and movement to unsuitable habitat (Nelson 1994; Hughes 2018).

Muskoxen were extirpated in Alaska by the late 1800s, and perhaps hundreds of years earlier on the Seward Peninsula (Gorn and Dunker 2015). Muskoxen were reintroduced to Units 22C and 22D in 1970 and have since expanded their range to the north and east (Gorn and Dunker 2015). Currently, muskoxen from the Seward Peninsula population occupy suitable habitat in Units 22, 21D and the southern portion of Unit 23.

Muskox management on the Seward Peninsula has been guided by recommendations developed by the Cooperators. The group was composed of staff from NPS, BLM, USFWS, ADF&G, Bering Straits Native Corporation, Kawerak Inc., Reindeer Herders Association, Northwest Alaska Native Association, residents of Seward Peninsula communities and representatives from other interested groups or organizations. The Cooperators Group has not met since January of 2008 and is now defunct (Braem 2022, pers. comm.). The following management goals formed the basis of the cooperative interagency management plan for Seward Peninsula muskoxen developed from 1992 through 1994 (Nelson 1994): 1) manage populations to allow for growth while providing for harvest; 2) protect habitats; and 3) encourage cooperation and information sharing among agencies.

Aerial survey methods used to monitor the Seward Peninsula muskox population include minimum counts, distance sampling and composition surveys. Survey areas include the core count area of Units 22B, 22C, 22D, 22E, and 23 SW, and the expanded count area, which include the core count area as well as northern Unit 22A, southeastern Unit 23, western Unit 21D, and western Unit 24. Beginning in 2010, distance sampling techniques, conducted during the winter, were implemented to estimate abundance of Seward Peninsula muskox. This methodology replaced the minimum count surveys used since 1980. The minimum count surveys assumed 100% coverage but had varying effort from year to year. The distance sampling protocol was developed because it was believed that these estimates would provide more useful data and improve long-term monitoring efforts (Gorn and Dunker 2015). Surveys of the expanded count area were also implemented in 2010 to better understand the eastward migration

of muskoxen from the Seward Peninsula, their current distribution and total population. Composition surveys, completed in the spring after distance sampling, document large scale patterns in age and sex structure of the population.

After reintroduction, the Seward Peninsula muskox population experienced periods of growth between 1970 and 2000 (14% annual rate of increase) and 2000 and 2010 (3.8% annual rate of increase), peaking at 2,903 muskoxen in 2010 (Gorn 2011). However, a 23.4% decrease in abundance occurred in 2012 and since 2015, the muskox population has experienced an annual rate of decline of 2%, to an estimated 2,071 muskoxen in 2021 (**Figure 2**). It was hypothesized the decline was related to the high mortality rates of adult cows and declines in the number of short yearlings (10–12-month-old muskoxen) (Gorn 2012); however, some caution should be used when interpreting these mortality rates as they are based on a small sample size (Gorn 2011).

Composition surveys indicated declines in mature bulls between 2002 and 2011 (**Figure 3**), which prompted changes to the method of determining sustainable harvest rates (Gorn 2011). Research suggested that selective harvest of mature bulls on the Seward Peninsula could be a driver of reduced population growth. The theory is young male muskoxen may be less effective at maintaining a harem, leading to extended calving seasons which in turn may decrease calf survival and reduce recruitment. Younger males may also be less effective than mature bulls at defending their harem from predatory attacks, leading to more predation mortality. Therefore, annual harvest was restricted to less than 10% of the estimated number of mature bulls in the interest of conservation (Schmidt and Gorn 2013). Following this change in harvest management, the mature bull:cow ratio of Seward Peninsula muskoxen has increased over the 2011 low of 29:100 and remained stable through 2021 at an average of 38:100 (Dunker 2017a, 2022 pers. comm.).

Short yearlings (SY) are muskox between 10 and 15 months old and provide a measure of recruitment and population growth. Composition surveys indicate a decrease in short yearlings between 2002 and 2015, from 44:100 to 23:100, with low recruitment rates of particular concern (Gorn and Dunker 2015; Dunker 2022, pers. comm.). Between 2002 and 2021, SY:cow ratios for the entire Seward Peninsula muskox population ranged from 17–44 SY:100 cows (**Figure 3**). Ratios have been increasing since 2015 to almost as high as 2002 levels, peaking in 2021 at 42:100.

Unit 22D Muskox Population

In Unit 22D, the muskox population followed a similar trend as the overall Seward Peninsula population. The population experienced growth from 1992 until approximately 2010, peaking at 878 muskoxen. The Unit 22D population then declined to 457 muskoxen in 2021 (Dunker 2017a; Gorn and Dunker 2013, 2015; Germain 2022, pers. comm.; **Table 1**). The Unit 22D SW hunt area has similarly experienced a decline after 2010 but has appeared to have stabilized from 2015–2017 (Gorn and Dunker 2013, 2015; Dunker 2017a; **Table 1**). Short yearling composition in Unit 22D showed an increase starting in 2015 after having declined since 2002 (Dunker 2017b; **Figure 3**). The SY:100 cow ratio ranged from 13–49 from 2002–2021, with the highest ratio occurring in 2021. The mature bull:cow ratios in Unit 22D followed the same trend as the population, with the number of mature bulls

per 100 cows increasing 2002–2010 and then declining and stabilizing 2015–2017, before increasing in 2021 to 49 MB:100 cows (Dunker 2017b; Germain 2022; **Figure 4**).

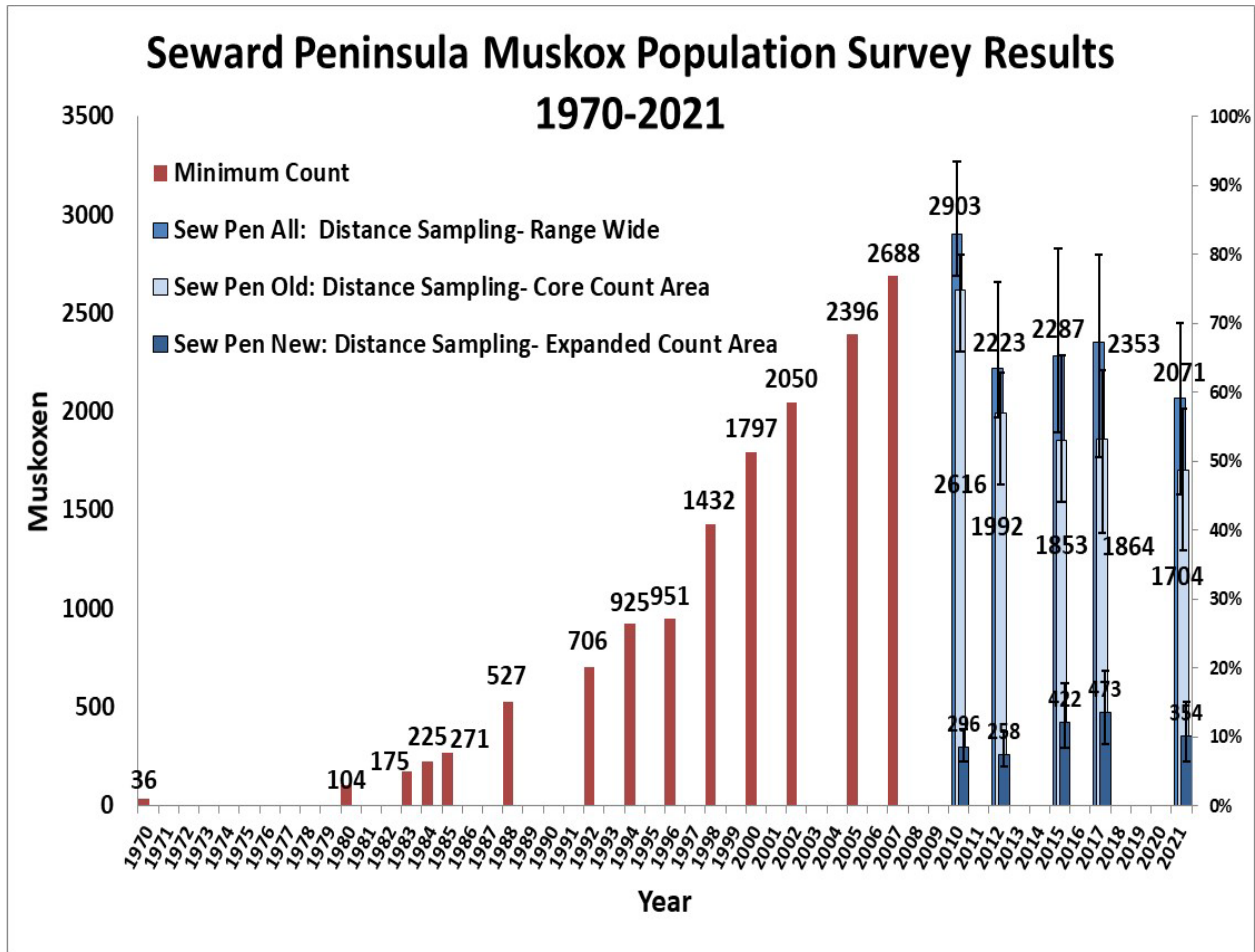


Figure 2. Population estimates for Seward Peninsula muskox. The results pre-2010 are from the minimum count surveys and post-2010 are from distance sampling technique. The core count area includes Units 22B, 22C, 22D, 22E, and 23 SW. The expanded count area includes the core count area, northern Unit 22A, southeastern Unit 23, western Unit 24, and western Unit 21D (Gorn and Dunker 2015, Dunker 2017a, 2022).

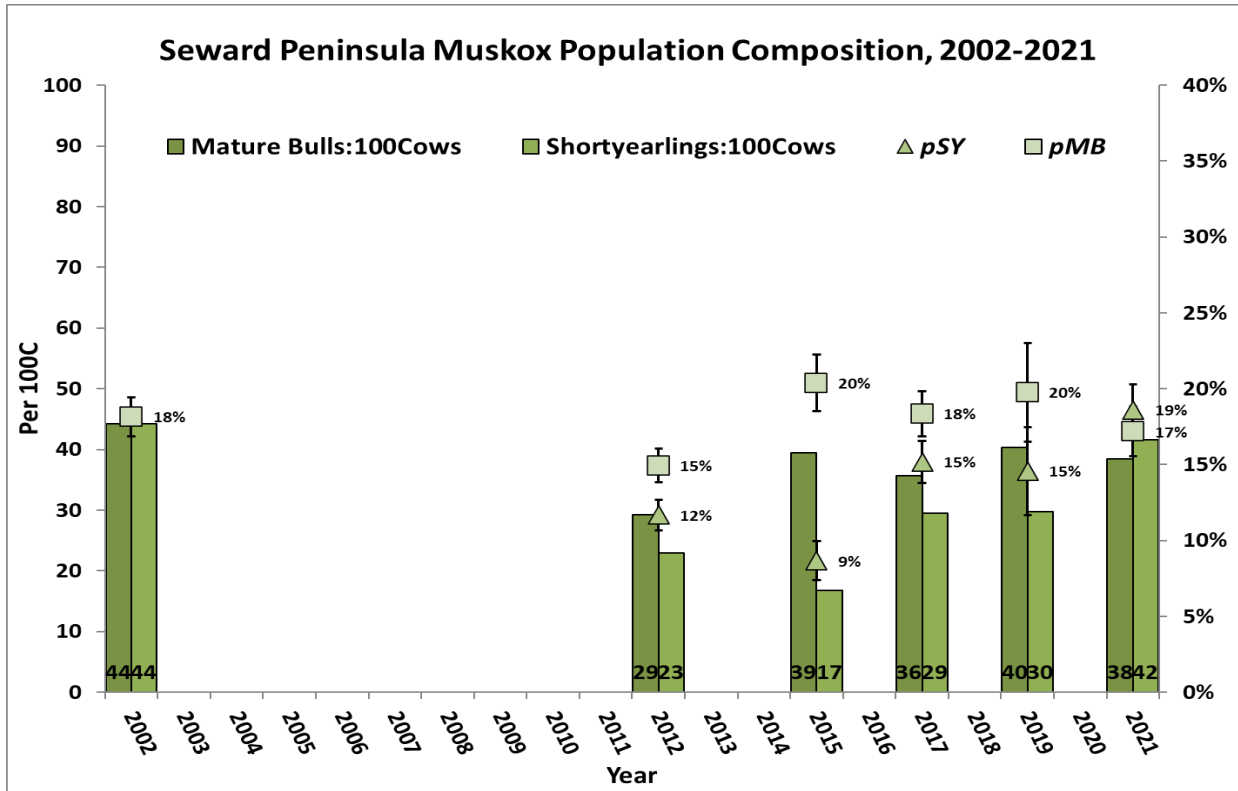


Figure 3. Population composition for Seward Peninsula muskox. Ratios are the number of mature bulls:100 cows and short yearlings:100 cows. Mature bulls are ≥ 4 years old. Short yearling are muskoxen between 10 and 15 months old. pSY and pMB are the proportion of short yearlings and mature bulls (respectively) in the estimate (Gorn and Dunker 2015, Dunker 2017b, 2022).

Table 1. Muskox population estimates in Unit 22D and 22D remainder (Germain 2022, pers. comm.).

Year	Unit 22D Muskox Population	Unit 22D SW Muskox Population
1992	340	
1994	405	
1996	308	
1998	714	
2000	774	
2002	771	
2005	796	
2007	746	
2010	878	160
2012	629	77
2015	523	78
2017	556	142
2021	457	

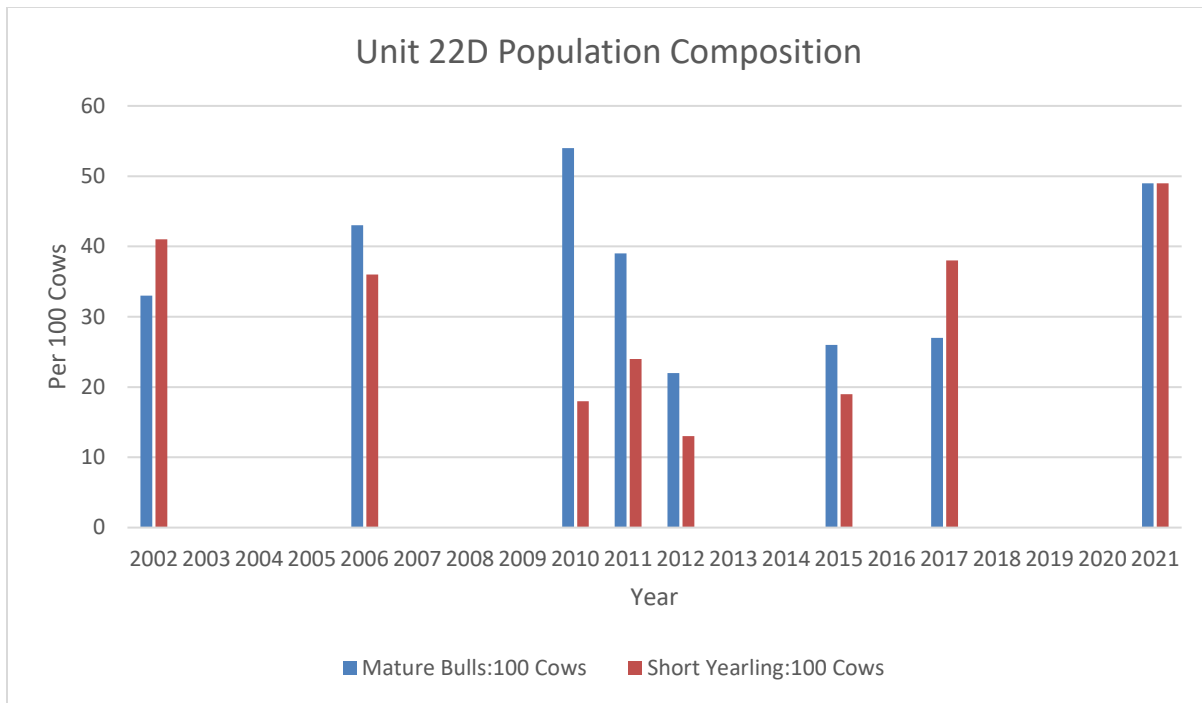


Figure 4. Bull and short yearling to 100 cow ratios in Unit 22D, from 2002 to 2021.

Cultural Knowledge and Traditional Practices

In Iñupiaq, muskoxen are called *uningmak*, "the one with hair like a beard" (Lent 1999). The earliest archaeological evidence for use of muskoxen in arctic Alaska dates to Birnuk culture, beginning in approximately 600 A.D. (Lent 1999). In comparison to caribou, the availability of muskoxen was more predictable in time and space (Klein 1989). However, muskoxen were likely present at relatively low numbers, and their use was limited but continuous over approximately 1500 years.

Historically, muskoxen provided fat when caribou were lean in late winter and early spring and provided an alternative food source in years when caribou were scarce (Lent 1999). Today, muskoxen represent both a valuable subsistence resource and a potential nuisance or threat to communities and hunters (Lent 1999; Mason 2015; SPRAC 2019 and 2021). While muskox is not a major source of food in relation to other subsistence resources, it has become more important within some families.

Under the current closure, only residents of Nome and Teller may participate in the Federal subsistence hunt for muskoxen in Unit 22D SW. In 2019, the estimated population of Nome was 3,690 and the estimated population of Teller was 235 (ADLWD 2020). No ADF&G, Division of Subsistence survey data pertaining to use of muskoxen is available for Nome for any year (ADF&F 2022).

Since the initiation of muskox hunting opportunities in 2001, Teller has been the subject of two subsistence surveys conducted by ADF&G, Division of Subsistence (ADF&G 2022, **Table 2**). These data include estimates of all muskoxen harvested by residents of Teller under any hunt opportunity (State or Federal) and in any location during the study year. Under Federal subsistence regulations,

residents of Teller do not have a customary and traditional use determination for muskox beyond Unit 22D. **Table 2** indicates that residents of Teller did not harvest muskoxen in either of the two survey years. In 2000, 8% of surveyed households reported using muskoxen, possibly indicating sharing from harvests outside the community.

Table 2. Three measures of muskox use by Unit 22D communities (ADF&G 2022).

Community	Survey year	Estimated amount harvested	Pounds per person harvested	Percent using
Teller	2005	0	0	0
	2000	0	0	8%

Harvest History

Seward Peninsula Muskox Range-wide Harvest

Prior to 2012, muskox harvest rates on the Seward Peninsula were calculated as 3% of the total population size. The harvest quota for each hunt area was determined based on the percentage of the range-wide muskox population occurring within that hunt area, with the harvest rate reaching up to 8% of a population in some subunits (OSM 2014). However, following declines in recruitment, bull:cow ratios, and overall population size, managers reassessed this strategy. Consequently, a new harvest management strategy was implemented in 2012. Since 2012, Unit 22 muskox harvest rates have been based primarily on the number of mature bulls in the population. Specifically, harvest quotas are calculated as 10% of the estimated number of mature bulls within the hunt area, and range-wide harvest targets are set at 2% of the estimated population size (Gorn and Dunker 2013; Gorn and Dunker 2015).

This shift in harvest management was accompanied by a significant reduction in harvest. Range-wide, harvest declined from 111 muskox in 2011 (5.5% of the total population) to 26 muskoxen in 2012 (1.2% of the total population). Total reported harvest has remained below 2% of the total population, which has likely been influential in the subsequent increase in mature bulls (Gorn and Dunker 2015). Between 1995 and 2011, the realized harvest rate for Seward Peninsula muskox ranged from 0.7%-5.8%, peaking in 2009 (**Figure 5**) (Gorn and Dunker 2015; Dunker 2022, pers. comm.). After the population decline in 2012 and Schmidt and Gorn (2013) reported on the importance of mature bull muskoxen in a population, the realized harvest rate has remained below 2% of the range-wide population estimate, ranging from 1%–1.7% with an average of 1.3% between 2012 and 2021 (Dunker 2022, pers. comm.).

Harvest of muskoxen on the Seward Peninsula by Federal permit has remained low with most muskox harvest occurring by State permit (**Table 3**). From 2001–2012 Federal permit harvest averaged 5.3 muskoxen per year. From 2013- 2021, after the change in harvest management, Federal permit harvest averaged 3.4 muskoxen per year. From 2001- 2020, Federal permit harvest of muskox ranged from 0-15 muskoxen harvested per year, with an average success rate of 27%. Since 2012, harvest by Federal permit has accounted for 3.4%- 25% of overall muskox harvest on the Seward Peninsula, averaging 10% (**Table 4**) (OSM 2022).

Unit 22D SW Muskox Harvest

In Unit 22D, the average annual muskox harvest was 42 muskoxen from 2007 through 2011 (Table 5) (ADF&G 2018; Dunker 2018, pers. comm.). When the harvest management strategy was modified, in 2012, the harvest of muskox greatly decreased; nonresident harvest was no longer permitted and nonlocal resident (State of Alaska resident from outside of Unit 22) harvest was greatly reduced (ADF&G 2018). From 2012 through 2017, the average annual harvest under State regulations dropped to eight muskoxen in Unit 22D (ADF&G 2018); with Federally qualified subsistence users harvesting an average of one additional muskox by Federal registration permit annually (OSM 2022).

Unit 22D Southwest is currently managed under the Federal harvest permit FX2205 and State Tier II permit TX103 (Table 5, Table 6). In Unit 22D Southwest, the State harvest quota was reduced to one muskox in 2012, following the modification in harvest strategy (Dunker 2018, pers. comm.). Since 2012, the allowable harvest has remained low in this hunt area. In 2014, Federal public lands in Unit 22D Southwest were closed to the taking of muskox except by residents of Nome and Teller and the hunt was limited to bull muskox only under both Federal and State regulations. Following this modification, average annual combined harvest in this subunit was reported as one muskox for the 2014–2021 timeframe (Adkisson 2018, pers. comm.; OSM 2022).

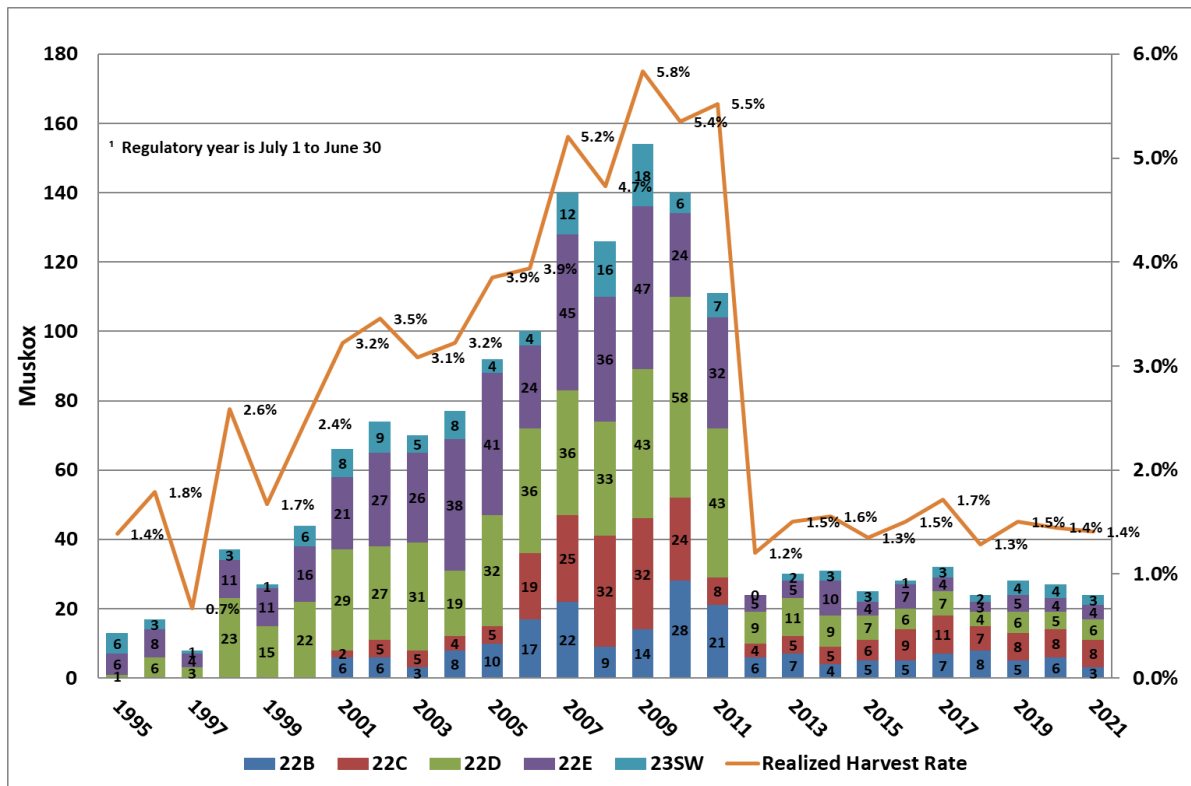


Figure 5. Reported harvest and realized harvest rate as percentage of herd population for Seward Peninsula muskox by subunit (Gorn and Dunker 2015, Dunker 2022; Germain 2022, pers. comm.).

Table 3. Federal permits issued and reported Federal muskox harvest for Seward Peninsula 2001- 2020 (OSM 2022). Blanks indicate no data present.

Regulatory Year	Unit 22		Unit 23		Total
	Issued	Harvested	Issued	Harvested	Harvested
2001	25	10	6	3	13
2002	37	7	3	0	7
2003	31	12	6	2	14
2004	18	3	5	1	4
2005	21	7	2	1	8
2006	20	8	3	1	9
2007	16	2	6	1	3
2008	23	1	5	0	1
2009	13	0	4	0	0
2010	2	0			0
2011	1	0			0
2012	9	2			2
2013	12	10			10
2014	9	4	4	0	4
2015	5	3			3
2016	9	2			2
2017	6	3			3
2018	8	2			2
2019	12	1	3	0	1
2020	11	2	3	0	2
Total	288	79	50	9	88
Success		27.40%		18.00%	26.00%

Table 4. Percentage of total reported Seward Peninsula muskox harvest by Federal permit (OSM 2022).

Year	State Harvest	Federal Harvest	Total	Federal Harvest %
2012	24	2	26	7.70%
2013	30	10	40	25.00%
2014	31	4	35	11.40%
2015	25	3	28	10.70%
2016	28	2	30	6.70%
2017	32	3	35	8.60%
2018	24	2	26	7.70%
2019	28	1	29	3.40%
2020	22	5	27	18.50%
2021	29	3	32	9.40%

Table 5. Harvest of muskox by user residency in Unit 22D from 2007 through 2021 (ADF&G 2018; Adkisson 2018, pers. comm.; Dunker 2018, pers. comm.; Germain 2022, pers. comm.). Resident harvest means resident of Unit 22 and nonlocal resident means State of Alaska resident outside of Unit 22.

Year	Resident Harvest	Nonlocal Resident Harvest	Nonresident Harvest	Unspecified	Total
2007	33	2	0	0	35
2008	23	8	2	0	33
2009	25	14	0	4	43
2010	30	24	1	3	58
2011	22	19	1	1	43
2012	9	0	0	0	9
2013	11	0	0	0	11
2014	9	0	0	0	9
2015	7	0	0	0	7
2016	6	0	0	0	6
2017	7	0	0	0	7
2018	4	0	0	0	4
2019	6	0	0	0	6
2020	5	0	0	0	5
2021	6	0	0	0	6

Table 6. Muskox harvest in Unit 22D Southwest by State and Federal reported harvest (ADF&G 2018; Dunker 2018; pers. comm.; Germain 2022, pers. comm.; OSM 2022).

Year	Federal Harvest (FX2205)	State Harvest (TX103)	Total Harvest	Allowable Harvest Estimate
2012	0	0	0	1
2013	0	1	1	1
2014	1	1	2	1
2015	0	0	0	1
2016	0	1	1	1
2017	0	1	0	1
2018	0	-	-	2
2019	0	1	1	2
2020	0	1	1	2
2021	1	2	3	2

Effects

If the closure were to remain in place there would be no change in how the hunt is currently managed. Only residents of Nome and Teller would be allowed to harvest muskoxen on Federally managed lands in Unit 22D Southwest, providing a Federal subsistence priority to the users most dependent on the resource. The muskox population that currently exists in the area would remain protected from overharvest through limited permits and harvest.

If the closure were modified to allow all Federally qualified users to harvest muskoxen in Unit 22D Southwest, there would be little impact to the muskoxen population. The Federal and State hunts both function under a shared quota managed through limited drawing and Tier II permits. There would be no increased harvest of muskoxen with this modification. However, residents of Nome and Teller may face increased competition and decreased opportunity as all Federally qualified subsistence users would be eligible to apply for the Federal draw permit.

If the closure were rescinded Federal public land would be open to the harvest of muskoxen by anyone hunting under State regulations and by all Federally qualified subsistence users. Overharvest would not be a concern, as harvest would still be managed by a shared quota with a limited number of permits issued. However, Federally qualified subsistence users would experience increased competition on Federal public lands from people hunting under State regulations. If the closure were modified to close to all users, residents of Nome and Teller would unnecessarily lose the opportunity to harvest muskox under Federal regulations in Unit 22D Southwest.

OSM PRELIMINARY CONCLUSION:

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

Justification

The current closure, in conjunction with decreased harvest quotas, have slowed or stalled the decline in muskox populations in this portion of the Seward Peninsula. This closure should remain in place to ensure conservation of the muskox populations, and to allow for the continuation of subsistence uses by providing for a Federal subsistence priority and ensuring opportunities to harvest this subsistence resource into the future.

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FEDERAL WILDLIFE CLOSURE REVIEW

WCR24-29

Issue: Wildlife Closure Review WCR24-29 reviews the closure to muskox hunting in Unit 22D, remainder, except by residents of Elim, White Mountain, Nome, Teller, and Brevig Mission.

Closure Location and Species: Unit 22D, remainder—Muskox (**Figure 1**).

Current Federal Regulation

Unit 22D–Muskox

Unit 22D, remainder - 1 bull by Federal permit or State permit. Federal public lands are closed to the taking of musk ox except by residents of Elim, White Mountain, Nome, Teller, and Brevig Mission hunting under these regulations Aug. 1–Mar. 15.

Closure Dates: Year-round

Current State Regulation

Unit 22D–Muskox

Unit 22D remainder—One bull by permit TX102 Aug 1–Mar 15
All skulls require trophy destruction at time of take in the field subject to permit conditions; specimens required

Regulatory Year Initiated: 1995, closed except by Federally qualified subsistence users; 2014, closed except by some Federally qualified subsistence users (§804 restriction).

Extent of Federal Public Lands/Waters

Unit 22D is comprised of approximately 23% Federal public lands, consisting of 12% Bureau of Land Management (BLM), and 11% National Park Service (NPS) managed lands.

Unit 22D remainder is comprised of approximately 15% Federal public lands, all of which are BLM managed lands.

Customary and Traditional Use Determination

Residents of Units 22B, 22C, 22D, and 22E (excluding St. Lawrence Island) have a customary and traditional use determination (C&T) for muskox in Unit 22D.

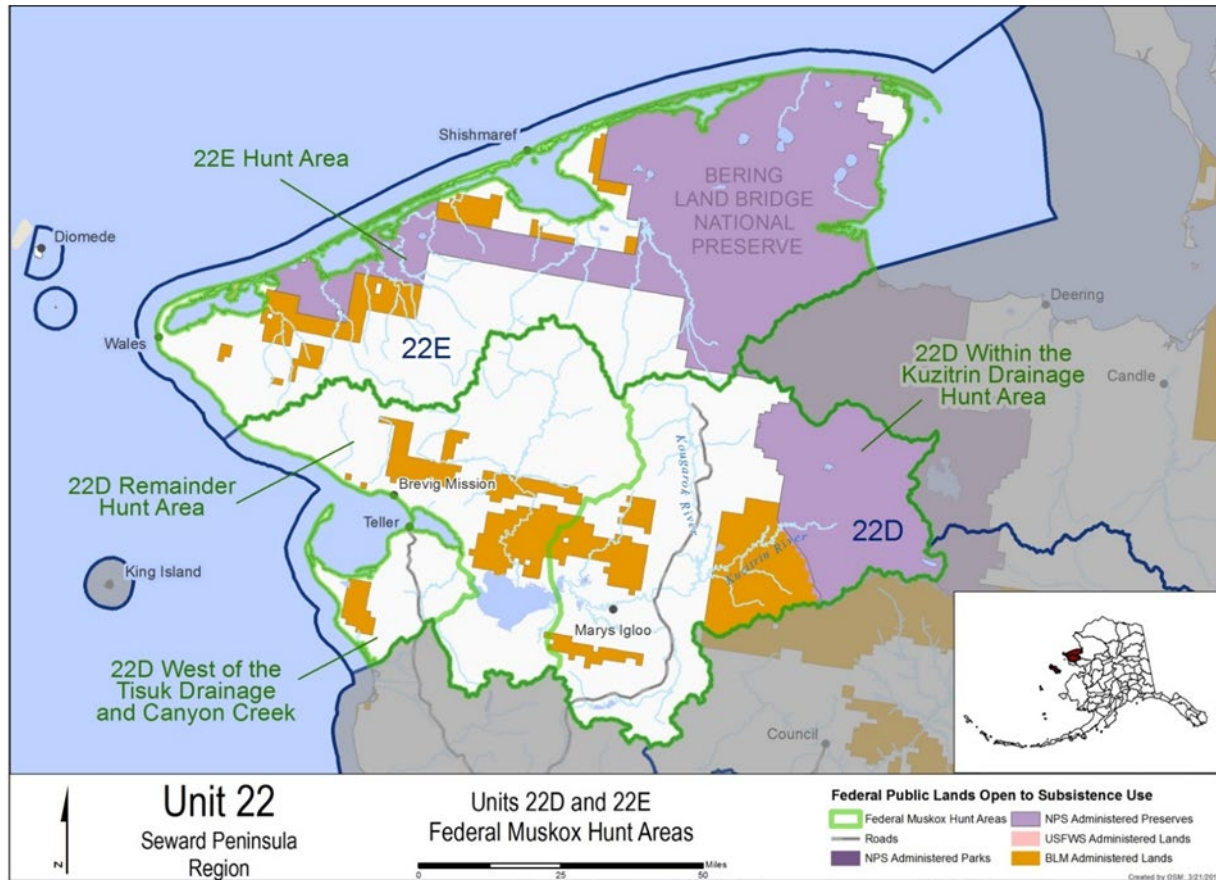


Figure 1. Muskox hunt areas in Units 22D and 22E.

Regulatory History

See WCR24-28 analysis.

Closure last reviewed: 2020 – WCR20-29

Justification for Original Closure:

§815(3) of ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...

The Board’s intent by adopting WP95-44 to establish a Federal muskox hunt and to close Federal public land was to provide a subsistence priority for Alaskan residents with a customary & traditional use determination for muskox in Unit 22. The Board did not consider the State muskox seasons to provide adequate opportunity and priority for subsistence users who provided active participation in the cooperative muskox management plan, and therefore determined that a Federal season managed via

a Federal registration permit and the closure of Federal public lands to non-Federally qualified users was necessary.

In 2014, Proposal WP14-38 modified the closure as results of an 804-analysis conducted by OSM. The Council decided to restrict the closure further by limiting harvest to certain rural residents rather than all Federally qualified subsistence users. This further restriction was put in place due to significant declines in the muskox population, a low harvestable surplus, and concerns over sustainable harvests and maintaining rural subsistence priority.

Council Recommendation for Original Closure:

In 1995, the Seward Peninsula Subsistence Regional Advisory Council (Council) supported P95-44 to provide a subsistence priority for local users due to a lack of subsistence priority under State regulations.

The Northwest Arctic Council opposed Proposal P95-44, stating “let the State season and the system work for a year to see if it meets the needs of the local people. If it does not, the Regional Council could always initiate a proposal to deal with the situation.” However, at the Board meeting, the Chair of the Council supported modified Proposal P95-44, which established a muskox hunt for Federally qualified subsistence users in Unit 23 SW (and closed the area to non-Federally qualified subsistence users) (FSB 1995).

Although these were the original recommendations from the Councils, both Councils agreed to support the modified proposal, voted on by the Board, which included that portion of Unit 23 including and west of the Buckland River drainage (FSB 1995a).

In 2014, Proposal WP14-38 was supported by the Seward Peninsula Council with further restriction to included communities. They felt the communities they limited harvest to were historically dependent on the muskoxen in the area.

State Recommendation for Original Closure:

Although ADF&G agreed with the intent of the cooperative muskox management planning effort, they believed it was advisable to postpone a decision on the proposal to close Federal public lands (Proposal P95-44) until the BOG had decided on State Regulations for a muskox hunt in Unit 22 and Unit 23SW. In 2014, they supported the modified proposal as long as Federal and State management follows the recommendations of the Cooperators.

Biological Background

Seward Peninsula Muskox Population

See WCR24-28 analysis

Unit 22D Remainder Muskox

In Unit 22D, the muskox population followed a similar trend as the overall Seward Peninsula population. The population experienced growth from 1992 until approximately 2010, peaking at 878

muskoxen. The Unit 22D population then declined to 457 muskoxen in 2021. (Dunker 2017a, Gorn and Dunker 2013, 2015; **Table 1**). The Unit 22D remainder hunt area similarly experienced a decline after 2010 but has appeared to have stabilized from 2015-2021 (Gorn and Dunker 2013, 2015, Dunker 2017a; **Table 1**). Short yearling composition in Unit 22D showed an increase starting in 2015 after having declined since 2002 (Dunker 2017b; **Figure 2**). The SY:100 cow ratio ranged from 13-49 from 2002–2021, with the highest ratio occurring in 2021. The mature bull:cow ratios in Unit 22D followed the same trend as the population, with the number of mature bulls per 100 cows increasing 2002–2017 and then declining and stabilizing 2015-2017, before increasing in 2021 to 49 MB:100 cows (Dunker 2017b; Germain 2022; **Figure 2**).

Table 1. Muskox population estimates in Unit 22D and 22D remainder from 1992 to 2021 (Germain 2022. pers. comm.).

Year	Unit 22D Muskox Population	Unit 22D Remainder Muskox Population
1992	340	
1994	405	
1996	308	
1998	714	
2000	774	
2002	771	
2005	796	
2007	746	
2010	878	532
2012	629	344
2015	523	258
2017	556	278
2021	457	260

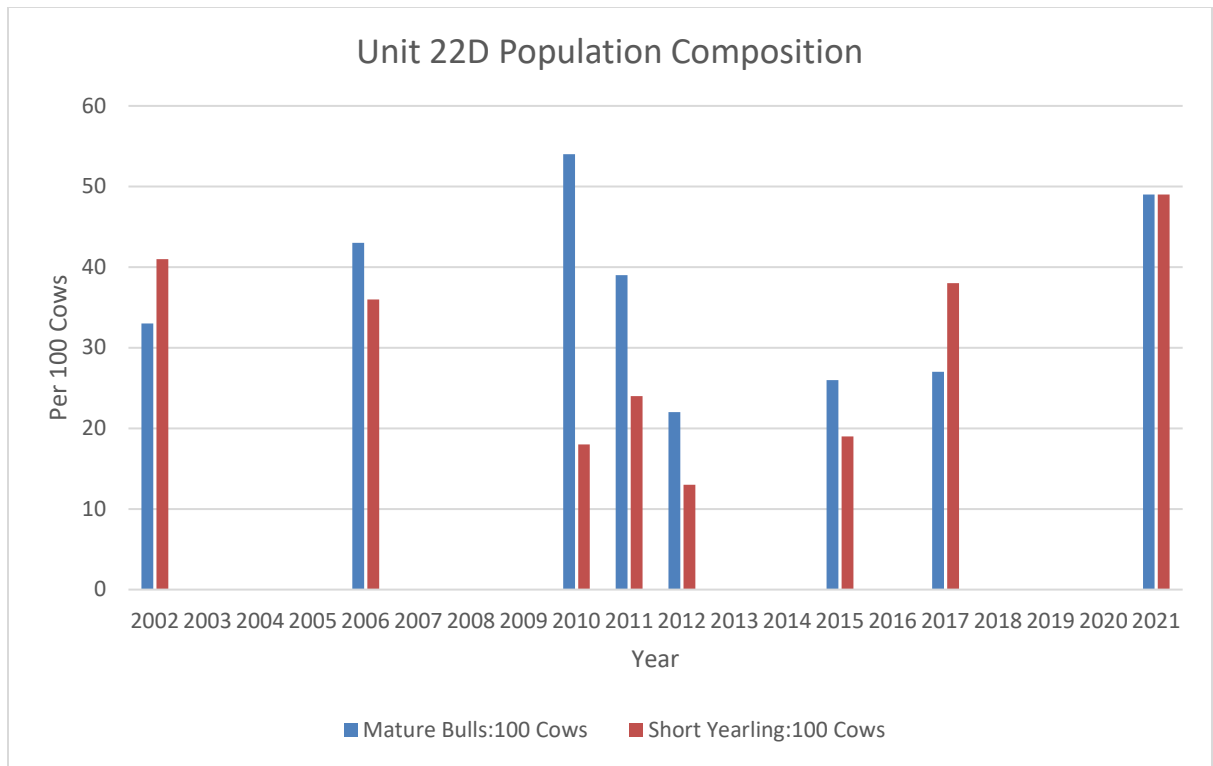


Figure 2. Bull and short yearling to cow ratios in Unit 22D, from 2002 to 2021 (Dunker 2022, pers. comm.).

Cultural Knowledge and Traditional Practices

In Iñupiaq, muskoxen are called *umingmak*, "the one with hair like a beard" (Lent 1999). The earliest archaeological evidence for use of muskoxen in arctic Alaska dates to Birnuk culture, beginning in approximately 600 A.D. (Lent 1999). In comparison to caribou, the availability of muskoxen was more predictable in time and space (Klein 1989). However, muskoxen were likely present at relatively low numbers, and their use was limited but continuous over approximately 1500 years.

Historically, muskoxen provided fat when caribou were lean in late winter and early spring and provided an alternative food source in years when caribou were scarce (Lent 1999). Today, muskoxen represent both a valuable subsistence resource and a potential nuisance or threat to communities and hunters (Lent 1999; Mason 2015; SPRAC 2019 and 2021). While muskox is not a major source of food in relation to other subsistence resources, it has become more important within some families.

Under the current closure, dating to a Section 804 analysis-based restriction put in place in 2014, only residents of Elim, White Mountain, Nome, Teller, and Brevig Mission may participate in the Federal subsistence hunt for muskoxen in Unit 22D remainder. **Table 2** shows the subunit location and most recent population estimates for each of these communities.

Since 2001, Elim, White Mountain, Teller, and Brevig Mission have been the subject of subsistence surveys by ADF&G, Division of Subsistence, the results of which are included in the Community Subsistence Information System (CSIS) database (ADF&G 2022, **Table 3**). These data include

estimates of all muskoxen harvested by residents of the four communities under any hunt opportunity (State or Federal) and in any location during the survey year. No ADF&G, Division of Subsistence survey data pertaining to use of muskoxen are available for Nome for any year (ADF&G 2022). **Table 3** shows that in terms of pounds per person harvested and percent using the resource, muskoxen have contributed most to subsistence harvests in White Mountain and Brevig Mission during survey years.

Table 2. 2019 estimated populations for communities that may currently participate in the Federal subsistence hunt for muskoxen in Unit 22D remainder (ADLWD 2020).

Community	Subunit	2019 Population Estimate
Elim	22B	351
White Mountain	22B	201
Nome	22C	3,690
Teller	22D	235
Brevig Mission	22D	451

Table 3. Three measures of muskox use by communities that may currently participate in Federal subsistence hunts for muskoxen in Unit 22D, remainder (ADF&G 2022).

Community	Survey year	Estimated number of muskoxen harvested	Estimated pounds per person harvested	Percent using
Elim	2010	1	2.3	7%
	2005	0	0	0%
White Mountain	2008	4	13.0	20%
Brevig Mission	2005	2	4.0	3%
	2000	4	8.2	36%
Teller	2005	0	0	0%
	2000	0	0	8%

Harvest History

Seward Peninsula Muskox Range-wide Harvest

See WCR24-28 analysis.

Unit 22D Muskox Harvest

In Unit 22D, the average annual muskox harvest was 42 muskoxen from 2007 through 2011 (**Table 4**) (ADF&G 2018; Dunker 2018, pers. comm.). When the harvest management strategy was modified, in 2012, the harvest of muskox greatly decreased; nonresident harvest was no longer permitted and nonlocal (Alaska residents from outside of Unit 22) resident harvest was greatly reduced (ADF&G 2018). From 2012 through 2017, the average annual harvest under State regulations dropped to eight muskoxen in Unit 22D (ADF&G 2018); with Federally qualified subsistence users harvesting an average of one additional muskox by Federal registration permit annually (OSM 2022).

Unit 22D remainder is currently managed under the Federal harvest permit FX2208 and State Tier II permit TX102 (**Table 5**). In Unit 22D remainder the State harvest quota was reduced to seven muskoxen in 2012, following the modification in harvest strategy (Dunker 2018, pers. comm.). Since 2012, the allowable harvest has remained low in this hunt area. In 2014, Federal public lands in Unit 22D remainder were closed to the taking of muskox except by residents of Elim, White Mountain, Nome, Teller, and Brevig Mission and the hunt was limited to bull muskox only under both Federal and State regulations. Following this modification, average annual harvest in this subunit was reported as two muskoxen for the 2014-2017 timeframe (Adkisson 2018, pers. comm., OSM 2022). Table 4. Harvest of muskox by user residency in Unit 22D from 2007 through 2017 (ADF&G 2018; Adkisson 2018, pers. comm.; Dunker 2018, pers. comm.).

Year	Resident Harvest	Nonlocal Resident Harvest	Nonresident Harvest	Unspecified	Total
2007	33	2	0	0	35
2008	23	8	2	0	33
2009	25	14	0	4	43
2010	30	24	1	3	58
2011	22	19	1	1	43
2012	9	0	0	0	9
2013	11	0	0	0	11
2014	9	0	0	0	9
2015	7	0	0	0	7
2016	6	0	0	0	6
2017	7	0	0	0	7
2018	4	0	0	0	4
2019	6	0	0	0	6
2020	5	0	0	0	5
2021	6	0	0	0	6

Table 5. Muskox harvest in Unit 22D remainder by State and Federal reported harvest (ADF&G 2018; Adkisson 2018, pers. comm.; Dunker 2018, pers. comm.; OSM 2022)

Year	Federal Permits Issued	Federal Harvest (FX2208)	State Permits Issued	State Harvest (TX102)	Total Harvest	Allowable Harvest Estimate
2012	0	0	7	5	5	7
2013	2	1	7	2	3	7
2014	2	0	7	4	4	7
2015	2	1	7	2	3	7
2016	2	0	5	1	1	5
2017	2	0	5	0	0	5
2018	2	1		-	-	4
2019	2	1				
2020	2	0				
2021	2	0				

Effects

If the closure were to remain in place there would be no change in how the hunt is currently managed. Only residents of Elim, White Mountain, Nome, Teller and Brevig Mission would be allowed to harvest muskoxen on Federally managed lands in Unit 22D remainder, providing a Federal subsistence priority to the users most dependent on the resource. The muskox population that currently exists in the area would remain protected from overharvest through limited permits and harvest.

If the closure were modified to allow all Federally qualified users to harvest muskoxen in Unit 22D remainder, there would be little impact to the muskoxen population. The Federal and State hunts both function under a shared quota managed through limited drawing and Tier II permits. There would be no increased harvest of muskoxen with this modification. However, residents of Elim, White Mountain, Nome, Teller and Brevig Mission may face increased competition and decreased opportunity as all Federally qualified subsistence users would be eligible to apply for the Federal draw permit.

If the closure were rescinded Federal public land would be open to the harvest of muskoxen by anyone hunting under State regulations and by all Federally qualified subsistence users. Overharvest would not be a concern, as harvest would still be managed by a shared quota with a limited number of permits issued. However, Federally qualified subsistence users would experience increased competition on Federal public lands from people hunting under State regulations. If the closure were modified to close to all users, residents of Elim, White Mountain, Nome, Teller and Brevig Mission would unnecessarily lose the opportunity to harvest muskox under Federal regulations in Unit 22D remainder.

OSM PRELIMINARY CONCLUSION:

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

Justification

The current closure, in conjunction with decreased harvest quotas, have slowed or stalled the decline in muskox populations in this portion of the Seward Peninsula. This closure should remain in place to ensure conservation of the muskox populations, and to allow for the continuation of subsistence uses by providing for a Federal subsistence priority and ensuring opportunities to harvest this subsistence resource into the future.

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**FEDERAL WILDLIFE CLOSURE REVIEW
WCR24-30**

Issue: Wildlife Closure Review WCR24-30 reviews the closure to muskox hunting in Unit 22E, except by Federally qualified subsistence users.

Closure Location and Species: Unit 22E—Muskox (**Figure 1**)

Current Federal Regulation

Unit 22E—Muskox

Unit 22E—1 bull by Federal permit or State permit.

Aug. 1-Mar. 15.

Federal public lands are closed to the taking of muskox except by Federally qualified subsistence users hunting under these regulations.

Closure Dates: Year-round

Current State Regulation

Unit 22E—Muskox

Residents: Unit 22E—One bull by permit.

*TX104 Aug 1–
Mar 15*

All skulls require trophy destruction at time of take in the field subject to permit conditions; specimens required

Regulatory Year Initiated: 1995, closed to non-Federally qualified users; 2010-2013, closure rescinded; 2014, closure to non-Federally qualified users re-established.

Extent of Federal Public Lands/Waters

Unit 22E is comprised of approximately 62% Federal public lands, consisting of 55% National Park Service (NPS) and 7% Bureau of Land Management (BLM) managed lands (**Figure 1**).

Customary and Traditional Use Determination

Residents of Units 22E (excluding Little Diomed Island) have a customary and traditional use determination (C&T) for muskox in Unit 22E.

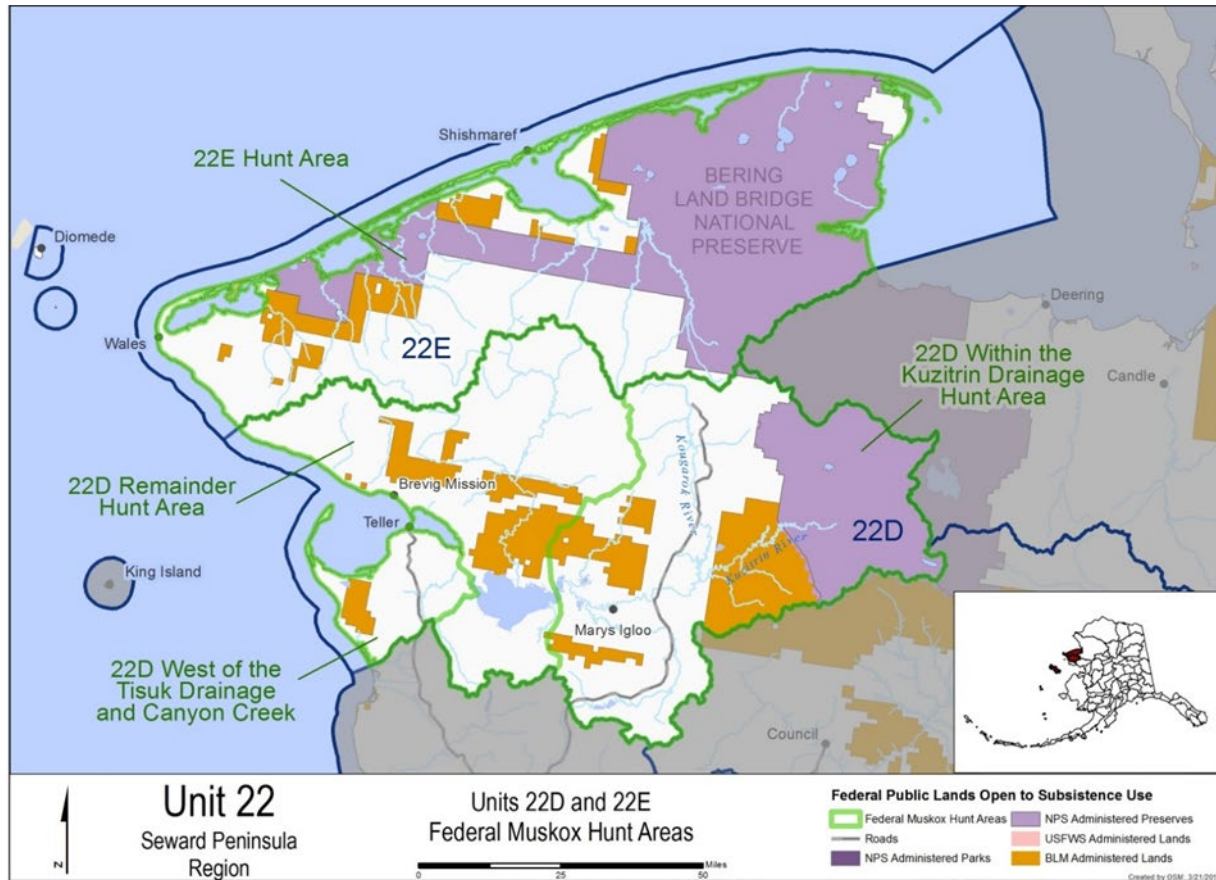


Figure 1. Muskox hunt areas in Units 22D and 22E.

Regulatory History

See WCR24-28 analysis.

Closure Last Reviewed: 2020 – WCR20-30

Justification for Original Closure

§815(3) of ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...

The Federal Subsistence Board’s intent by adopting WP95-44 in 1995 to establish a Federal muskox hunt and to close Federal public lands to non-Federally qualified users was to provide a subsistence priority for Alaskan residents with a C&T for muskox in Unit 22. The Board did not feel that the State muskox hunts would provide adequate opportunity and priority for subsistence users who provided active participation in the development of a cooperative muskox management plan, and therefore

determined that a Federal season managed via a Federal registration permit and the closure of Federal public lands to non-Federally qualified users was necessary.

In 2010, the Board adopted Proposal WP10-74 to rescind the closure in Unit 22E because harvest quotas were rarely met, indicating harvest could be allowed under both Federal and State regulations on Federal public lands.

In 2014, the Board adopted Proposal WP14-36 to re-establish the closure to muskox hunting by non-Federally qualified users in Unit 22E because of results of a §804 analysis in combination with declining muskox population metrics.

Council Recommendation for Original Closure:

In 1995, the Seward Peninsula Subsistence Regional Advisory Council (Council) supported P95-44 to provide a subsistence priority for local users due to a lack of subsistence priority under State regulations. The Northwest Arctic Council opposed Proposal P95-44, stating “let the State season and the system work for a year to see if it meets the needs of the local people. If it does not, the Regional Council could always initiate a proposal to deal with the situation.” However, at the Board meeting, the Chair of the Council supported modified Proposal P95-44, which established a muskox hunt for Federally qualified subsistence users in Unit 23 SW (and closed the area to non-Federally qualified subsistence users) (FSB 1995).

In 2010, the Council supported WP10-74 because the muskox population was healthy enough to support the additional harvest that would come with opening Federal public lands to harvest by all users. Harvest quotas had not been met in Unit 22E for several years prior and cow harvest was allowed under State regulations, thereby indicating the herd was at a sustainable level.

In 2014, the Council supported the decision to close Federal public lands to non-Federally qualified users in response to a drastic decline in the muskox population. The Council recognized that the harvestable surplus has declined enough they would have to reinstate the closure to maintain a Federal subsistence priority.

State Recommendation for Original Closure:

Although ADF&G agreed with the intent of the cooperative muskox management planning effort, they believed it was advisable to postpone a decision on Proposal P95-44 to close Federal public lands until the BOG had decided on State Regulations for a muskox hunt in Unit 22 and Unit 23SW. When the amendment that contained the closure language was proposed, the State had concerns in regard to permitting and wanted to be kept informed; however, no direct comments about the closure were made and the State’s official recommendation was neutral.

In 2010, ADF&G supported rescinding the closure because there was no conservation concern as the hunt was managed by established harvest quotas.

In 2014, ADF&G supported the proposal with modification to re-establish the closure with change to describe the State permit flexibility and to follow the recommendations of the Cooperators.

Biological Background

Seward Peninsula Muskox Population

See WCR24-28 analysis

Unit 22E Muskox

In Unit 22E, the population followed a similar trend as the overall Seward Peninsula population. The population experienced growth from 1992 until approximately 2007, at which point the population declined and then remained stable from 2015 until the most recent population survey in 2017 (Gorn and Dunker 2013, Dunker 2017a; **Table 1**). Short yearling composition in Unit 22E fluctuated substantially between 2002 and 2017, ranging from 21-62 SY:100 cows, with the highest ratio occurring in 2017 (Gorn and Dunker 2013, Dunker 2017b; **Table 1**). The mature bull (MB):cow ratio in Unit 22E ranged from 29-53 MB:100 cows between 2002 and 2017, with the lowest ratio occurring in 2017 (Gorn and Dunker 2013, Dunker 2017b; **Table 1**).

Table 1. Muskox population estimates and composition survey results in Unit 22E, from 1992 to 2017.

Year	Muskox Population	Mature Bulls:100 Cows	Short Yearlings:100 Cows
1992	180		
1994	184		
1996	327		
1998	362		
2000	461		
2002	632	49	49
2005	863	35	32
2007	949		
2010	879	51	32
2011		53	59
2012	431	33	28
2015	291	39	21
2017	306	29	62

Cultural Knowledge and Traditional Practices

In Iñupiaq, muskoxen are called *umingmak*, "the one with hair like a beard" (Lent 1999). The earliest archaeological evidence for use of muskoxen in arctic Alaska dates to Birnuk culture, beginning in approximately 600 A.D. (Lent 1999). In comparison to caribou, the availability of muskoxen was more predictable in time and space (Klein 1989). However, muskoxen were likely present at relatively low numbers, and their use was limited but continuous over approximately 1500 years.

Historically, muskoxen provided fat when caribou were lean in late winter and early spring and provided an alternative food source in years when caribou were scarce (Lent 1999). Today, muskoxen

represent both a valuable subsistence resource and a potential nuisance or threat to communities and hunters (Lent 1999; Mason 2015; SPRAC 2019 and 2021). While muskox is not a major source of food in relation to other subsistence resources, it has become more important within some families.

Residents of Units 22E (excluding Little Diomed Island) have a customary and traditional use determination for muskoxen in Unit 22E and are the only residents who may hunt for muskoxen on Federal public lands in the subunit under the current closure. The primarily Iñupiat communities of Shishmaref and Wales are located in Unit 22E. Both communities have been the subject of subsistence surveys conducted by ADF&G, Division of Subsistence (ADF&G 2022, **Table 3**). These data include estimates of all muskoxen harvested by residents under any hunt opportunity (State or Federal) and in any location during the study year. During study years since 1995, Wales has harvested an estimated average of 1.3 muskoxen, and Shishmaref has harvested an estimated average of 4.3 muskoxen (**Table 1**, ADF&G 2022).

Table 3. Three measures of muskox use by Unit 22E communities (ADF&G 2022).

Community	Survey year	Estimated number of muskoxen harvested	Estimated pounds per person harvested	Percent using
Wales	2000	4	16.2	0
	2010	0	0	23%
	2017	0	0	12%
	Average	1.3	5.4	12%
Shishmaref	2000	11	11.6	34%
	2009	6	5.8	3%
	2014	0	0	8%
	2017	0	0	2%
	Average	4.3	4.4	12%

Harvest History

Seward Peninsula Muskox Range-wide Harvest

See WCR24-28 analysis.

Unit 22E Muskox

In Unit 22E, the average annual muskox harvest was 36 muskoxen from 2007 through 2011 (ADF&G 2018). When the harvest management strategy was modified in 2012, the harvest of muskox greatly decreased; nonresident harvest was no longer permitted and nonlocal resident harvest was greatly reduced (ADF&G 2018; **Table 4**). Starting in 2012 through 2017, average annual reported harvest dropped to 5.7 muskox, with 4.2 and 1.5 muskox being harvested by State and Federal permit, respectively on average (ADF&G 2018; OSM 2018).

Unit 22E is currently managed under the Federal harvest permit FX2210 and State Tier II permit TX104 (although the State hunt was by registration permit from until 2017). In Unit 22E the State

harvest quota was reduced to 10 muskoxen in 2012, following the modification in harvest strategy (Dunker 2018, pers. comm.; **Table 5**). Since 2012, the harvest quota has remained low in this hunt area and was down to four muskoxen in 2018. In 2014, Federal public lands in Unit 22E were closed to the taking of muskox except by Federally qualified subsistence users and the hunt was limited to bull muskox only. Following this modification, average annual harvest in this subunit was reported as six muskoxen for the 2014-2017 timeframe (Adkisson 2018, pers. comm.; OSM 2018).

Table 4. Harvest of muskox by user residency in Unit 22E from 2007 through 2017 (ADF&G 2018, Adkisson 2018, pers. comm.). Nonlocal resident means an Alaska state resident from outside of Unit 22.

Year	Unit 22E Resident Harvest	Nonlocal Resident Harvest	Nonresident Harvest	Unspecified	Total
2007	9	32	1	0	42
2008	7	24	3	2	36
2009	14	30	2	0	46
2010	8	16	0	0	24
2011	5	24	1	2	32
2012	2	3	0	0	5
2013	3	2	0	0	5
2014	6	3	0	0	9
2015	4	0	0	0	4
2016	4	3	0	0	7
2017	2	2	0	0	4

Table 5. Muskox permits issued and reported harvest in Unit 22E by Federal and State permit (ADF&G 2018; Adkisson 2018, pers. comm.; Dunker 2018, pers. comm.).

Year	Federal Permits Issued (FX2210)	Federal Harvest	State Permits Issued (RX104)	State Harvest	Total Harvest	Allowable Harvest Estimate
2012	0	0	10	5	5	10
2013	2	2	10	3	5	10
2014	5	3	10	6	9	10
2015	2	2	6	2	4	6
2016	2	2	6	5	7	6
2017	0	0	4	4	4	4
2018	-	-	-	4		
2019	3	0				
2020	3	0				

Effects

If the closure were retained, there would be no change in how the hunt is currently managed. Only Federally qualified subsistence users, residents of Unit 22E (excluding Little Diomedé) would be

allowed to harvest muskoxen on Federal public lands in Unit 22E by either State or Federal permit. The muskox population that currently exists in the area would remain protected from overharvest due to the limited number of permits issued and the conservative management strategy.

If the closure were rescinded, Federal public lands in Unit 22E would be open to the harvest of muskoxen by anyone hunting under State regulations. Overharvest would not be a concern, as harvest would still be managed by a shared quota with a limited number of permits issued. However, Federally qualified subsistence users would experience increased competition on Federal public lands from people hunting under State regulations. If the closure were modified to close to all users, Federally qualified subsistence users would unnecessarily lose the opportunity to harvest muskox under Federal regulations in Unit 22E.

OSM PRELIMINARY CONCLUSION:

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

Justification

The current closure, in conjunction with decreased harvest quotas, have slowed or stalled the decline in muskox populations in this portion of the Seward Peninsula. This closure should remain in place to ensure conservation of the muskox populations, and to allow for the continuation of subsistence uses by providing for a Federal subsistence priority and ensuring opportunities to harvest this subsistence resource into the future.

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**FEDERAL WILDLIFE CLOSURE REVIEW
WCR24-44**

Issue: Wildlife Closure Review WCR24-44 reviews the closure to muskox hunting in Unit 22D, within the Kuzitrin River drainages (Unit 22D Kuzitrin), except by residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission.

Closure Location and Species: Unit 22D, Kuzitrin—Muskox (**Figure 1**)

Current Federal Regulation

Unit 22D—Muskox

Unit 22D, that portion within the Kuzitrin River drainages - 1 bull by Federal Aug. 1-Mar. 15. permit or State permit.

Federal public lands are closed to the taking of musk ox except for residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission hunting under these regulations

Closure Dates: Year-round

Current State Regulation

Unit 22D—Muskox

Residents: Unit 22D, Kuzitrin River drainage (Includes Kougarok and TX102 Jan 1– Pilgrim rivers) —One bull by permit. All skulls require trophy destruction at Mar 15 time of take in the field subject to permit conditions; specimens required

Regulatory Year Initiated: 1995, closed except by Federally qualified subsistence users; 2014, closed except by some Federally qualified subsistence users (§804 restriction).

Extent of Federal Public Lands/Waters

Unit 22D is comprised of approximately 23% Federal public lands, consisting of 12% Bureau of Land Management (BLM), and 11% National Park Service (NPS) managed lands (**Figure 1**).

Unit 22D Kuzitrin is comprised of approximately 46% Federal public lands, consisting of 28% NPS managed lands and 18% BLM managed lands.

Customary and Traditional Use Determination

Residents of Units 22B, 22C, 22D, and 22E (excluding St. Lawrence Island) have a customary and traditional use determination (C&T) for muskox in Unit 22D.

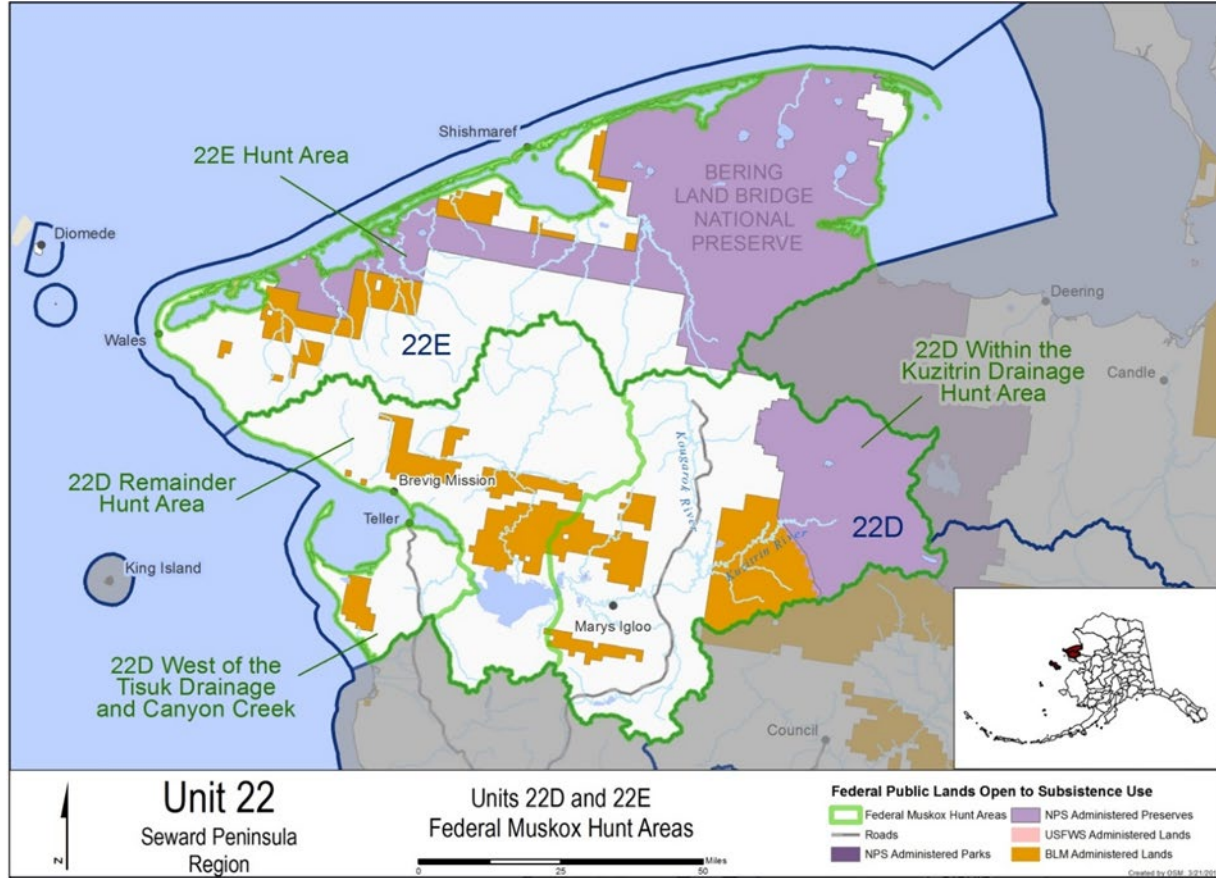


Figure 1. Muskox hunt areas in Units 22D and 22E.

Regulatory History

See WCR24-28 analysis.

Closure last reviewed: 2020 – WCR20-44

Justification for Original Closure:

§815(3) of ANILCA states: *Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...*

The Federal Subsistence Board’s intent was to provide a subsistence priority for Alaskan residents with C&T for muskox. The Board did not feel that the State muskox seasons would provide adequate opportunity and priority for subsistence users who provided active participation in the cooperative muskox management plan, and therefore determined that a Federal season managed via a Federal

registration permit and the closure of Federal public lands to non-Federally qualified users was necessary.

In 2014, the Board supported WP14-33, restricting the closure to a subset of Federally qualified subsistence users because of declining population, low harvestable surplus, concerns over sustainable harvests, and maintaining a subsistence priority.

Council Recommendation for Original Closure:

In 1995, the Seward Peninsula Subsistence Regional Advisory Council (Council) supported P95-44 to provide a subsistence priority for local users due to a lack of subsistence priority under State regulations.

The Northwest Arctic Council opposed Proposal P95-44, stating “let the State season and the system work for a year to see if it meets the needs of the local people. If it does not, the Regional Council could always initiate a proposal to deal with the situation.” However, at the Board meeting, the Chair of the Council supported modified Proposal P95-44, which established a muskox hunt for Federally qualified subsistence users in Unit 23 SW (and closed the area to non-Federally qualified subsistence users) (FSB 1995).

Although these were the original recommendations from the Councils, both Councils agreed to support the modified proposal, adopted by the Board, which included that portion of Unit 23 including and west of the Buckland River drainage (FSB 1995a).

In 2014, the Seward Peninsula Council supported Proposal WP14-33 to give a subsistence priority to residents of Council, Golovin, White Mountain, Nome, and Teller for muskoxen in Unit 22D Kuzitrin because they agreed these communities were the most reliant on the resource.

State Recommendation for Original Closure:

Although ADF&G agreed with the intent of the cooperative muskox management planning effort, they believed it was advisable to postpone a decision on Proposal P95-44 to close Federal public lands until the BOG had decided on State Regulations for a muskox hunt in Unit 22 and Unit 23 SW. When the amendment that contained the closure language was proposed, the State had concerns in regard to permitting and wanted to be kept informed; however, no direct comments about the closure were made and the State’s official recommendation was neutral.

In 2014, ADF&G was in support of Proposal WP14-33 following the Cooperator’s recommendations. They also asked for a modification to describe the State permit in such a way as to explain the flexibility in their permitting.

Biological Background

Seward Peninsula Muskox Population

See WCR24-28 analysis

Unit 22D Kuzitrin Muskox

In Unit 22D, the muskox population followed a similar trend as the overall Seward Peninsula population. The population experienced growth from 1992 until approximately 2010, peaking at 878 muskoxen. The Unit 22D population then declined to 457 muskoxen in 2021. (Dunker 2017a; Gorn and Dunker 2013, 2015; Germain 2022, pers. comm.; **Table 1**). The Unit 22D Kuzitrin hunt area similarly declined after 2010, from 285 to 136 muskox in 2017 (Gorn and Dunker 2013, 2015, Dunker 2017a; **Table 2**). Short yearling composition in Unit 22D showed an increase starting in 2015 after having declined since 2002 (Dunker 2017b; **Figure 4**). The SY:100 cow ratio ranged from 13-49 from 2002–2021, with the highest ratio occurring in 2021. The mature bull:cow ratios in Unit 22D followed the same trend as the population, with the number of mature bulls per 100 cows increasing 2002–2010 and then declining and stabilizing 2015–2017, before increasing in 2021 to 49 MB:100 cows (Dunker 2017b, 2022; **Figure 4**).

Table 1. Muskox population estimates in Unit 22D from 1992 to 2021.

Year	Muskox Population
1992	340
1994	405
1996	308
1998	714
2000	774
2002	771
2005	796
2007	746
2010	878
2012	629
2015	523
2017	556
2021	457

Table 2. Unit 22D Kuzitrin River drainage hunt area muskox population estimates from 2010 to 2017.

Year	Population
2010	285
2012	208
2015	187
2017	136

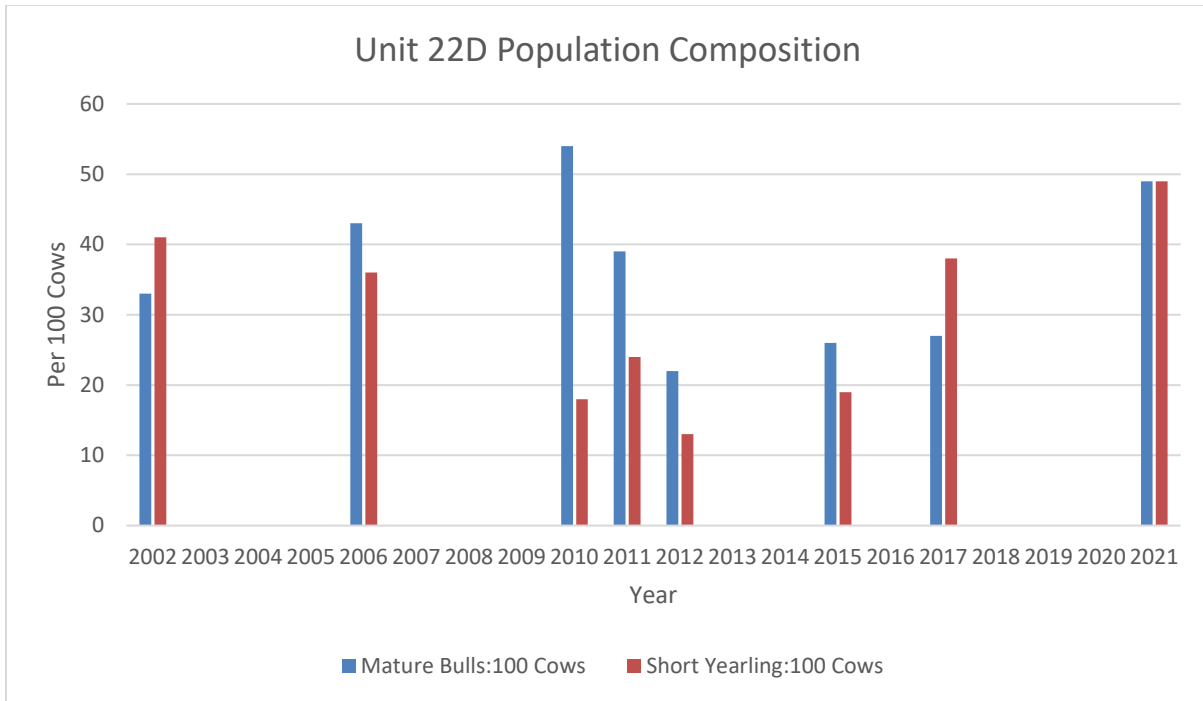


Figure 2. Bull and short yearling to 100 cow ratios in Unit 22D, from 2002 to 2021.

Cultural Knowledge and Traditional Practices

In Iñupiaq, muskoxen are called *umingmak*, "the one with hair like a beard" (Lent 1999). The earliest archaeological evidence for use of muskoxen in arctic Alaska dates to Birnuk culture, beginning in approximately 600 A.D. (Lent 1999). In comparison to caribou, the availability of muskoxen was more predictable in time and space (Klein 1989). However, muskoxen were likely present at relatively low numbers, and their use was limited but continuous over approximately 1,500 years.

Historically, muskoxen provided fat when caribou were lean in late winter and early spring and provided an alternative food source in years when caribou were scarce (Lent 1999). Today, muskoxen represent both a valuable subsistence resource and a potential nuisance or threat to communities and hunters (Lent 1999; Mason 2015; SPRAC 2019 and 2021). While muskox is not a major source of food in relation to other subsistence resources, it has become more important within some families.

Under the current closure, dating to a Section 804 analysis-based restriction put in place in 2014, only residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission may participate in the Federal subsistence hunt for muskoxen in Unit 22D, Kuzitrin River drainages. **Table 3** shows the subunit location and most recent population estimates for each of these communities. Of note, Council has no year-round residents.

Since 1996, Golovin, White Mountain, Teller, and Brevig Mission have been the subject of subsistence surveys by ADF&G, Division of Subsistence, the results of which are included in the Community Subsistence Information System (CSIS) database (ADF&G 2022, **Table 4**). These data include

estimates of all muskoxen harvested by residents of the four communities under any hunt opportunity (State or Federal) and in any location during the survey year. No subsistence survey data pertaining to use of muskoxen are available for Council or Nome for any year (ADF&G 2022).

Table 3. 2019 estimated populations for communities that may currently participate in the Federal subsistence hunt for muskoxen in Unit 22D, Kuzitrin River drainages (ADLWD 2020).

Community	Subunit	2019 Population Estimate
Council	22B	0
Golovin	22B	150
White Mountain	22B	201
Nome	22C	3,690
Teller	22D	235
Brevig Mission	22D	451

Table 4. Three measures of muskox use by communities that may currently participate in Federal subsistence hunts for muskoxen in Unit 22D, Kuzitrin River drainages (ADF&G 2022).

Community	Survey year	Estimated number of muskoxen harvested	Estimated pounds per person harvested	Percent using
Golovin	1998	0	0	0%
	2010	3	13	18%
	2012	2	2.9	27%
White Mountain	2008	4	13	20%
Teller	2000	0	0	8%
	2005	0	0	0
Brevig Mission	2000	4	8.2	36%
	2005	2	4	3%

Harvest History

Seward Peninsula Muskox Range-wide Harvest

See WCR24-28 analysis.

Unit 22D Kuzitrin Muskox Harvest

In Unit 22D, the average annual muskox harvest was 42 muskoxen from 2007 through 2011 (ADF&G 2018, Dunker 2018, pers. comm.; **Table 5**). When the harvest management strategy was modified, in 2012, the harvest of muskox greatly decreased; nonresident harvest was no longer permitted and nonlocal resident (Alaska residents from outside of Unit 22) harvest was greatly reduced (ADF&G 2018). Starting in 2012 through 2017, the State managed average annual harvest dropped to eight

muskoxen in Unit 22D (ADF&G 2018); with Federally qualified subsistence users harvesting an average of one additional muskox by Federal registration permit annually (OSM 2018).

The Unit 22D Kuzitrin drainage area is currently managed under the Federal harvest permit FX2206 and State Tier II permit TX102 (**Table 6**). In the Unit 22D Kuzitrin drainage area the State harvest quota was reduced to four muskoxen in 2012, following the modification in harvest strategy (Dunker 2018, pers. comm.). Since 2012, the allowable harvest has remained low in this hunt area. In 2014, Federal public lands in the Unit 22D Kuzitrin drainage hunt area were closed to the taking of muskox except by residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission and the hunt was limited to bull muskox only under both Federal and State regulations. Following this modification, average annual harvest in this subunit was reported as four muskoxen for the 2014-2017 timeframe (Adkisson 2018, pers. comm., OSM 2018).

Table 5. Harvest of muskox by user residency in Unit 22D from 2007 through 2021 (ADF&G 2018; Adkisson 2018, pers. comm.; Dunker 2018, pers. comm.; Germain 2022, pers. comm.). Resident harvest means resident of Unit 22 and nonlocal resident means State of Alaska resident outside of Unit 22.

Year	Resident Harvest	Nonlocal Resident Harvest	Nonresident Harvest	Unspecified	Total
2007	33	2	0	0	35
2008	23	8	2	0	33
2009	25	14	0	4	43
2010	30	24	1	3	58
2011	22	19	1	1	43
2012	9	0	0	0	9
2013	11	0	0	0	11
2014	9	0	0	0	9
2015	7	0	0	0	7
2016	6	0	0	0	6
2017	7	0	0	0	7
2018	4	0	0	0	4
2019	6	0	0	0	6
2020	5	0	0	0	5
2021	6	0	0	0	6

Table 6. Muskox harvest in Unit 22D Kuzitrin by State and Federal reported harvest (ADF&G 2018; Adkisson 2018, pers. comm.; Dunker 2018, pers. comm.; OSM 2018)

Year	Federal Permits Issued (FX2206)	Federal Harvest	State Permits Issued (TX102)	State Harvest	Total Harvest	Allowable Harvest Estimate
2012	5	0	4	2	2	4
2013	4	3	4	4	7	4
2014	2	1	4	2	3	3
2015	2	0	4	4	4	4
2016	2	0	3	4	4	3
2017	2	0	3	6	6	3
2018		0				
2019	2	0			0	
2020	2			2	0	

Effects

If the closure were to remain in place there would be no change in how the hunt is currently managed. Only residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission would be allowed to harvest muskoxen on Federally managed lands in Unit 22D Kuzitrin, providing a Federal subsistence priority to the users most dependent on the resource. The muskox population that currently exists in the area would remain protected from overharvest through limited permits and harvest.

If the closure were modified to allow all Federally qualified users to harvest muskoxen in Unit 22D Kuzitrin, there would be little impact to the muskoxen population. The Federal and State hunts both function under a shared quota managed through limited drawing and Tier II permits. There would be no increased harvest of muskoxen with this modification. However, residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission may face increased competition and decreased opportunity as all Federally qualified subsistence users would be eligible to apply for the Federal draw permit.

If the closure were rescinded Federal public land would be open to the harvest of muskoxen by anyone hunting under State regulations and by all Federally qualified subsistence users. Overharvest would not be a concern, as harvest would still be managed by a shared quota with a limited number of permits issued. However, Federally qualified subsistence users would experience increased competition on Federal public lands from people hunting under State regulations. If the closure were modified to close to all users, residents of Council, Golovin, White Mountain, Nome, Teller, and Brevig Mission would unnecessarily lose the opportunity to harvest muskox under Federal regulations in Unit 22D Kuzitrin.

OSM PRELIMINARY CONCLUSION:

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

Justification

The current closure, in conjunction with decreased harvest quotas, have slowed or stalled the decline in muskox populations in this portion of the Seward Peninsula. This closure should remain in place to ensure conservation of the muskox populations, and to allow for the continuation of subsistence uses by providing for a Federal subsistence priority and ensuring opportunities to harvest this subsistence resource into the future.

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Federal Subsistence Board Informational Flyer



Contact:

Office of Subsistence Management
(907) 786-3888 or (800) 478-1456
subsistence@fws.gov

How to Submit a Proposal to Change Federal Subsistence Regulations

Alaska rural residents and the public are an integral part of the Federal regulatory process. Any person or group can submit proposals to change Federal subsistence regulations, comment on proposals, or testify at meetings. By becoming involved in the process, subsistence users and the public assist with effective management of subsistence activities and ensure consideration of traditional and local knowledge in subsistence management decisions. Subsistence users also provide valuable fish and wildlife harvest information.

A call for proposals to change Federal subsistence regulations is issued in January of even-numbered years for fish and shellfish and in odd-numbered years for wildlife. Proposals to change the nonrural determinations will be accepted in January of every other even-numbered year (every other fish cycle). The period during which proposals are accepted is no less than 30 calendar days. Proposals must be submitted within this time frame. Announcements are made each year regarding the proposals being accepted and timelines that apply.

You may propose changes to Federal subsistence season dates, harvest limits, methods and means of harvest, customary and traditional use and nonrural determinations.

What your proposal should contain:

There is no form to submit your proposal to change Federal subsistence regulations. Include the following information in your proposal submission (you may submit as many as you like):

- Your name and contact information (address, phone, fax, or e-mail address)
- Your organization (if applicable)
- What regulations you wish to change. Include game management unit number, drainage, or area, and species. Quote the current regulation if known. If you are proposing a new regulation, please state “new regulation.”
- The proposed regulation written as you would like to see it
- An explanation of why this regulation change should be made
- Any additional information that you believe will help the Federal Subsistence Board (Board) in evaluating the proposed change

You may submit your proposals by one of the following methods:

- Electronically: Go to the Federal Rulemaking Portal: <https://www.regulations.gov>. In the Search box, enter the Docket number [the docket number will list in the proposed rule, news releases, and other forms of outreach]. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. Ensure you select the proposed rule by the U.S. Fish and Wildlife Service and **not** by the U.S. Forest Service. You may submit a comment or proposal by clicking on “Comment.”
- By mail: Submit by U.S. mail or hand delivery: Public Comments Processing, Attn: [list the Docket number]; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, MS: PRB (JAO/3W); Falls Church, VA 22041–3803.
- By hardcopy: If in-person Federal Subsistence Regional Advisory Council (Council) meetings are held, you may also deliver a hard copy to the Designated Federal Official (DFO) attending any of the Council public meetings. Information on the dates, locations, and call-in numbers for the Council meetings are announced with several news releases, public service announcements, on our webpage, and social media (see bottom of page for web addresses).

Submit a separate proposal for each proposed change; however, **do not submit the same proposal by different accepted methods listed above**. To cite which regulation(s) you want to change, you may reference 50 CFR 100 or 36 CFR 242, or the proposed regulations published in the Federal Register: <https://www.federalregister.gov/>. All proposals and comments, including personal information, are posted online at <https://www.regulations.gov>.

We cannot accept proposals delivered or sent to the Alaska Regional Office of the U.S. Fish and Wildlife Service, this includes: phone or voicemail, fax, hand delivery, mail, or email.

For the proposal processing timeline and additional information contact the Office of Subsistence Management at (800) 478-1456 / (907) 786-3888 or go to <https://www.doi.gov/subsistence/proposal/submit.cfm>.

How a proposal to change Federal subsistence regulations is processed:

- Once a proposal to change Federal subsistence regulations is received by the Board, the U.S. Fish and Wildlife Service, Office of Subsistence Management (OSM) validates the proposal, assigns a proposal number and lead analyst.
- The proposals are compiled into a book for statewide distribution and posted online to the Program website (<https://www.doi.gov/subsistence/current-proposals>). The proposals are also sent out to the applicable Councils and the Alaska Department of Fish and Game (ADF&G) and the Interagency Staff Committee (ISC) for review. The period during which comments are accepted is no less than 30 calendar days. Comments must be submitted within this time frame.
- The lead analyst works with appropriate agencies and proponents to develop an analysis on the proposal.
- The analysis is sent to the Regional Advisory Councils, ADF&G, and the ISC for comments and recommendations to the Federal Subsistence Board. The public is welcome and encouraged to provide comments directly to the Councils and the Board

at their meetings. The final analysis contains all the comments and recommendations received by interested/affected parties. This packet of information is then presented to the Board for action.

- The decision to adopt, adopt with modification, defer, or reject the proposal is then made by the Board. The public is provided the opportunity to provide comment directly to the Board prior to the Board's final decision.
- The final rule is published in the Federal Register and a public regulations booklet is developed and distributed statewide and on the Program's website.

Missing out on the latest Federal subsistence issues? If you'd like to receive emails and notifications on the Federal Subsistence Management Program, you may subscribe for regular updates by emailing fws-fsb-subsistence-request@lists.fws.gov. Additional information on the Federal Subsistence Management Program may be found on the web at <https://www.doi.gov/subsistence> or by visiting www.facebook.com/subsistencealaska.

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.

Subsistence Regional Advisory Council Correspondence Policy

The intent of the Subsistence Regional Advisory Council (Council) correspondence policy is to ensure that Councils can correspond appropriately with the Federal Subsistence Board (Board) and other entities. In addition, the correspondence policy will assist Councils in directing their concerns in an effective manner.

The Alaska National Interest Lands Conservation Act (ANILCA), Title VIII required the creation of the 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 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 the Interior and Agriculture created the Board and delegated responsibility for implementing the Title VIII rural subsistence priority regarding fish and wildlife resources on Federal public lands and waters. The Board was also given the duty of establishing rules and procedures for the operation of the Councils in accordance with the requirements of the Federal Advisory Committee Act. The Office of Subsistence Management (OSM) was established to facilitate the work of the Federal Subsistence Management Program.

Policy

1. Council correspondence shall be limited to subsistence-related matters, including matters related to the operation of the Federal Subsistence Management Program, and issues relevant to the subsistence way of life.
2. Councils may and are encouraged to correspond directly with the Board. The Councils are advisory bodies to the Board.
3. Councils are urged to make use of the annual report process to bring matters to the Board's attention.
4. Types of communication encompassed by this policy include but are not limited to the following: letters of support, resolutions, letters offering comment or recommendations, ANILCA §810 comments (subsistence and land use decisions), and any other correspondence to any government agency or any tribal or private organization or individual.
5. The correspondence process is as follows:
 - Councils shall discuss and agree upon the contents of proposed correspondence during a public meeting.
 - Council Coordinators draft the correspondence in accordance with the Council's position.
 - Council Coordinators will transmit all draft correspondence to the Assistant Regional

Director (ARD) of OSM for review prior to mailing, except as noted in items 6, 7, and 8 of this policy.

- Recognizing that such correspondence is the result of an official Council action and may be urgent, the ARD will complete this review in a timely manner.
 - Modifications identified as necessary by the ARD will be discussed with the Council Chair. Council Chairs have the final authority to approve letters.
6. Councils may submit notification of appointment directly to Subsistence Resource Commissions under §808 without review by the ARD of OSM.
 7. Councils may submit comments regarding proposed regulatory changes affecting subsistence uses within their regions to the Alaska Board of Fisheries and the Alaska Board of Game without review by the ARD of OSM. The comments will be channeled through the appropriate OSM division(s) supervisors for review. A copy of 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 be channeled through the Council Coordinator to the appropriate OSM division(s) supervisor for review.
 9. Due to Hatch Act restrictions, Councils may not communicate with elected officials or political appointees in other Federal agencies. Councils further may not write directly to Secretaries of Federal agencies or their offices, and instead may write to the Board to request that the Board relay correspondence on relevant subject matters of interest to the Secretaries of the Interior or Agriculture or to other Federal agencies at the Secretarial level. This does not prohibit Council members from acting in their capacity as private citizens or through other organizations with which they are affiliated.
 10. Councils will submit copies of all correspondence generated and received by them to OSM to be filed in the administrative record system.

Approved by the Federal Subsistence Board on June 15, 2004.

Revised by the Federal Subsistence Board on XXXXXXXX.

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.

Fall 2023 Regional Advisory Council Meeting Calendar

Last updated 11/7/2022

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
Aug. 13	Aug. 14 Window Opens	Aug. 15	Aug. 16	Aug. 17	Aug. 18	Aug. 19
Aug. 20	Aug. 21	Aug. 22	Aug. 23	Aug. 24	Aug. 25	Aug. 26
Aug. 27	Aug. 28	Aug. 29	Aug. 30	Aug. 31	Sep. 1	Sep. 2
Sep. 3	Sep. 4 Labor Day Holiday	Sep. 5	Sep. 6	Sep. 7	Sep. 8	Sep. 9
Sep. 10	Sep. 11	Sep. 12	Sep. 13	Sep. 14	Sep. 15	Sep. 16
Sep. 17	Sep. 18	Sep. 19	Sep. 20	Sep. 21	Sep. 22	Sep. 23
		KARAC (King Cove)				
Sep. 24	Sep. 25	Sep. 26	Sep. 27	Sep. 28	Sep. 29	Sep. 30
Oct. 1	Oct. 2	Oct. 3	Oct. 4	Oct. 5	Oct. 6	Oct. 7
	SCRAC (Kenai)		EIRAC (Tok or Fairbanks)			
Oct. 8	Oct. 9 Columbus Day Holiday	Oct. 10	Oct. 11	Oct. 12	Oct. 13	Oct. 14
		YKDRAC (Anchorage or Bethel)				
		WIRAC (Fairbanks)				
Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20	Oct. 21
	NWARAC (Kotzebue)					
Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26	Oct. 27	Oct. 28
		BBRAC (Dillingham)				
		SEARAC (Sitka)				
Oct. 29	Oct. 30	Oct. 31	Nov. 1	Nov. 2	Nov. 3 Window Closes	Nov. 4
			NSRAC (Utqiagvik)			
			SPRAC (Nome)			

Winter 2024 Regional Advisory Council Meeting Calendar

Last updated 12/22/2022

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.

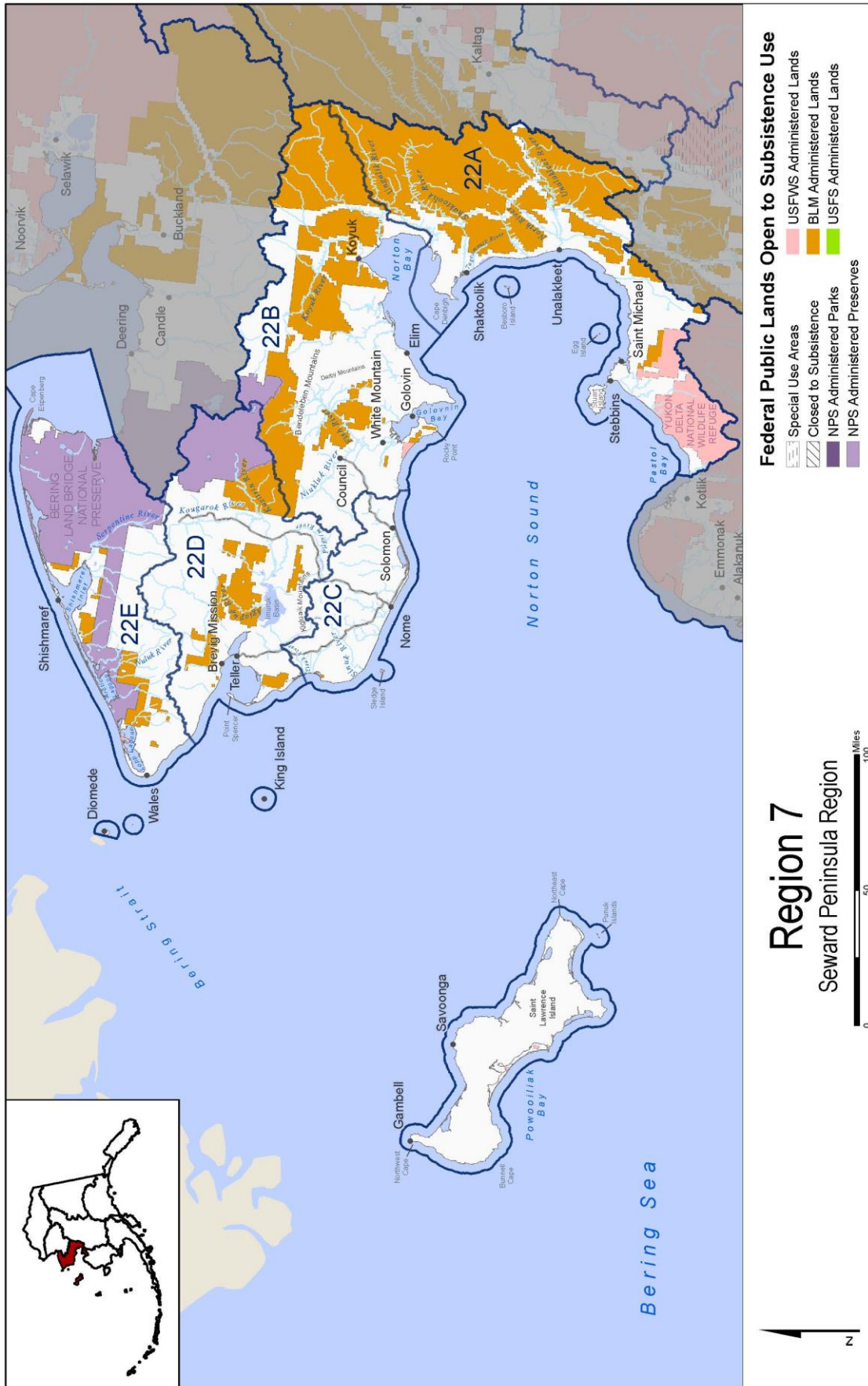
Sunday	Monday	Tuesday	Wednesday-	Thursday	Friday	Saturday
<i>Mar. 3</i>	<i>Mar. 4 Window Opens</i>	<i>Mar. 5</i>	<i>Mar. 6</i>	<i>Mar. 7</i>	<i>Mar. 8</i>	<i>Mar. 9</i>
<i>Mar. 10</i>	<i>Mar. 11</i>	<i>Mar. 12</i>	<i>Mar. 13</i>	<i>Mar. 14</i>	<i>Mar. 15</i>	<i>Mar. 16</i>
<i>Mar. 17</i>	<i>Mar. 18</i>	<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>	<i>Mar. 27</i>	<i>Mar. 28</i>	<i>Mar. 29 Window Closes</i>	<i>Mar. 30</i>

Fall 2024 Regional Advisory Council Meeting Calendar

Last updated 12/22/2022

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
Aug. 18	Aug. 19 Window Opens	Aug. 20	Aug. 21	Aug. 22	Aug. 23	Aug. 24
Aug. 25	Aug. 26	Aug. 27	Aug. 28	Aug. 29	Aug. 30	Aug. 31
Sep. 1	Sep. 2 Labor Day Holiday	Sep. 3	Sep. 4	Sep. 5	Sep. 6	Sep. 7
Sep. 8	Sep. 9	Sep. 10	Sep. 11	Sep. 12	Sep. 13	Sep. 14
Sep. 15	Sep. 16	Sep. 17	Sep. 18	Sep. 19	Sep. 20	Sep. 21
Sep. 22	Sep. 23	Sep. 24	Sep. 25	Sep. 26	Sep. 27	Sep. 28
Sep. 29	Sep. 30	Oct. 1	Oct. 2	Oct. 3	Oct. 4	Oct. 5
Oct. 6	Oct. 7	Oct. 8	Oct. 9	Oct. 10	Oct. 11	Oct. 12
Oct. 13	Oct. 14 Columbus Day Holiday	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19
Oct. 20	Oct. 21	Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26
Oct. 27	Oct. 28	Oct. 29	Oct. 30	Oct. 31	Nov. 1 Window Closes	Nov. 2



**Department of the Interior
U. S. Fish and Wildlife Service**

Seward Peninsula Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the Seward Peninsula 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)) Title VIII, 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 evaluate 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; and

- (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
 - e. Make recommendations on determinations of customary and traditional use of subsistence resources.
 - f. Make recommendations on determinations of rural status.
 - g. Provide recommendations on the establishment and membership of Federal local advisory committees.
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 \$155,000, including all direct and indirect expenses and 1.0 staff year.
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 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:

Ten 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 seven of the members (70 percent) represent subsistence interests within the region and three 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.

If appointments for a given year have not yet been announced, a member may continue to serve on the Council following the expiration of his or her term until such appointments have been made. Unless reappointed, the member's service ends on the date of announcement even if that member's specific seat remains unfilled.

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 DFO's approval, subcommittees may be formed for the purpose of compiling information or 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.** The 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 schedules. These records must be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).

_____/signature on the filed original/
Secretary of the Interior

Dec. 10, 2021
Date Signed

Dec. 13, 2021
Date Filed

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