

WP26–47 Executive Summary	
General Description	Wildlife Proposal WP26-47, requests to remove the restriction in trapping regulations against disturbing or destroying beaver houses in Unit 18. <i>Submitted by: Yukon-Kuskokwim Delta Subsistence Regional Advisory Council</i>
Proposed Regulation	<p>§ 51.26(d) Trapping furbearing animals.</p> <p><i>The following methods and means of trapping furbearers for subsistence uses pursuant to the requirements of a trapping license are prohibited, in addition to the prohibitions listed at paragraph (b) of this section:</i></p> <p><i>(2) Disturbing or destroying any beaver house, except that you may disturb or destroy a beaver house in Unit 18;</i></p>
OSM Conclusion	Support Proposal WP26-47
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	Support
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	Did not consider
Interagency Staff Committee Comments	The Interagency Staff Committee found the analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and the Federal Subsistence Board action on this proposal.
ADF&G Comments	Oppose
Written Public Comments	None

**Wildlife Analysis
WP26-47**

ISSUE

Wildlife Proposal WP26-47, submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council), requests to remove the restriction in trapping regulations against disturbing or destroying beaver houses in Unit 18

Proponent Statement

The proponent states that removing these restrictions will increase opportunity for federally qualified subsistence users and that there are no conservation concerns for beaver in Unit 18

Current Federal Regulations

§ 51.26(d) Trapping furbearing animals.

The following methods and means of trapping furbearers for subsistence uses pursuant to the requirements of a trapping license are prohibited, in addition to the prohibitions listed at paragraph (b) of this section:

(2) Disturbing or destroying any beaver house;

Proposed Federal Regulations

§ 51.26(d) Trapping furbearing animals.

The following methods and means of trapping furbearers for subsistence uses pursuant to the requirements of a trapping license are prohibited, in addition to the prohibitions listed at paragraph (b) of this section:

*(2) Disturbing or destroying any beaver house, **except that you may disturb or destroy a beaver house in Unit 18;***

Relevant Federal Regulations

Unit 18—Beaver (Hunting/Trapping)

Beaver: No limit

July 1-June 30

Current State Regulations

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.

(a) *The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:*

(2) *by disturbing or destroying any beaver house;*

Relevant State Regulations

Unit 18– Beaver (Hunting/Trapping)

Unit 18

No limit

No closed season

Extent of Federal Public Lands

Unit 18 is comprised of 68% Federal public lands and consists of 65% U.S. Fish and Wildlife Service (USFWS) managed lands and 3% Bureau of Land Management (BLM) managed lands.

Customary and Traditional Use Determination

The Federal Subsistence Board has not made a customary and traditional use determination for beaver in Unit 18. Therefore, all rural residents of Alaska may harvest this species in this unit.

Regulatory History

The prohibition on disturbing or destroying a beaver house under a trapping license has been in State regulations since at least 1971. In 1990, this prohibition was adopted into Federal regulations from State regulations when the Federal subsistence management program began.

In October 1999, the Alaska Board of Game (BOG) adopted Proposal 1 as amended to reclassify beaver as a game animal, eliminate the sealing requirement, and establish a ‘no closed season’ with no bag limit for beaver in Units 18, 22, 23, and 26A under both trapping and hunting regulations. ADF&G reported that beaver were abundant and expanding their range, and the BOG agreed there was no biological reason not to liberalize seasons and harvest limits for beaver. The BOG lifted the sealing requirement to simplify regulations and to provide additional opportunity to harvest beaver in these units (BOG 1999). In January 2000, the BOG adopted Proposal 104 to reclassify beaver as a fur animal statewide, allowing beaver harvest under a hunting license once hunting seasons were established (BOG 2000).

In 2000, the Federal Subsistence Board (Board) adopted Wildlife Proposal P00-40, which established a hunt for beavers in Unit 18 with a year-round season and no harvest limit and extended the trapping

season to year-round, aligning with State regulations. State and Federal regulations for beaver hunting and trapping have not changed since.

Biological Background

Beavers have historically been the most important furbearer in Unit 18. Beaver populations are considered abundant throughout all of Region V, which includes Units 18, 22, 23 and 26A (Bogle 2025). Densities in Unit 18 have remained high throughout the unit and appear to be the highest southeast of the Kuskokwim River in the Kilbuck Mountains and along the lakes and sloughs of the Johnson River southwest of Bethel (OSM 2000). Beavers provide an important food item for local residents. Beaver dams can impede fish movement. However, as beavers cut down small trees and clear away brush, they create new habitats that are ideal for other animals. Waterfowl use these areas for feeding and nesting. Ponds created by beavers often serve as fish habitat (OSM 2000).

Harvest History

Harvest of beavers is not well documented since sealing is not required for Unit 18 and information attained is through voluntary trapper questionnaires. Unit 18 is part of the State's Region 5, which includes Units 18, 22, 23 and 26A. There were no reports of beaver harvest in the few questionnaires for the region in recent years (Bogle 2025). As a whole, Region 5 receives less than 10% participation in the trapper questionnaires each year with most years only receiving 2-3% responses (Bogle 2025).

Discussion and Effects

If this proposal is adopted, trappers could disturb or destroy a beaver house in Unit 18 when taking beavers under a trapping license, increasing subsistence opportunity. As this prohibition does not apply to the take of beavers under a hunting license, beaver houses may already be destroyed or disturbed when hunting unless otherwise prohibited by agency specific regulations.

The impacts to the beaver population of this regulation are uncertain, but conservation concerns are unlikely given the extremely liberal hunting and trapping regulations under both State and Federal regulations of year-round seasons and 'no harvest limits.' Depending on the time of year, beavers may have kits in their lodge. A possible concern of allowing beaver lodges to be disturbed or destroyed is increasing the likelihood of wanton waste if beavers in a lodge are killed, but not salvaged.

Adopting this proposal increases regulatory complexity and complicates law enforcement by misaligning State and Federal regulations, requiring trappers to differentiate land status.

OSM CONCLUSION

Support Proposal WP26-47

Justification

This proposal increases subsistence opportunity and there are no conservation concerns.

LITERATURE CITED

ADF&G. 2025. Beaver (*Castor canadensis*) Species Profile.
<https://www.adfg.alaska.gov/index.cfm?adfg=beaver.main>.

Bogle, S. E. 2025. 2023 Alaska trapper report: 1 July 2023–30 June 2024. Alaska Department of Fish and Game, Wildlife Management Report ADF&G/DWC/WMR-2025-1, Juneau.

OSM. 2000. Staff analysis P00-40. Federal Subsistence Board Meeting Materials. 2000. Office of Subsistence Management, USFWS. Anchorage, AK.

SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council

The Council voted to **support** WP25-47 which they submitted. The Council noted that beaver numbers are very high and there are no conservation concerns. Juvenile beaver pelts are prized for use in skin sewing because of their soft, warm fur and removing this restriction could help subsistence users more easily harvest them. During discussion, it was mentioned that adopting this proposal does not mean that all trappers will start disturbing or destroying beaver houses because beaver houses are very labor intensive for humans to dismantle. Additionally, beavers are very good at what they do and can repair any disturbances very quickly.

INTERAGENCY STAFF COMMITTEE

The Interagency Staff Committee found the analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and the Federal Subsistence Board action on this proposal.

Alaska Department of Fish and Game Comments

Wildlife Proposal WP26-47

This proposal seeks to remove the restriction in trapping regulations against disturbing or destroying beaver houses in Game Management Unit 18.

Position

The Alaska Department of Fish & Game (ADF&G) **OPPOSES** this proposal as it sees its passage as an unnecessary deviation from state regulations and therefore contrary to Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and recent directives from the President and Secretary of the Interior because it is not necessary.

ANILCA §1314(a) explicitly states: "Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands except as may be provided in Title VIII..." Title VIII provides only a narrow exception allowing the Secretary to restrict State-authorized harvest when necessary to meet the needs of federally qualified rural residents. Section 802(2) establishes the policy that "nonwasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive use of all such resources on the public lands of Alaska **when it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population...**" [emphasis added]. Section 804 reiterates this policy and establishes criteria to implement a priority when

the above conditions are met. It does not authorize wholesale replacement of State management. Per §815(3) of ANILCA, “..restriction on nonsubsistence uses are only authorized when necessary for the conservation of healthy wildlife populations or to continue subsistence uses.”

Executive Order 15153, Sec. 3(b)(xxii) directs the Department of the Interior to conduct meaningful consultation with State fish and wildlife agencies prior to enacting land management plans or regulations affecting hunting and fishing opportunities on public lands. This directive was reinforced by Secretarial Order 3447, which calls for removing unnecessary barriers to hunting and fishing, expanding access where compatible, improving coordination with State agencies, and ensuring transparent review of any proposed restrictions.