

WP14-52 Executive Summary	
General Description	Proposal WP14-52 requests that the requirement for a State registration permit to harvest brown bears in Unit 26A be eliminated. <i>Submitted by the North Slope Subsistence Regional Advisory Council</i>
Proposed Regulation	<p>Unit 26A—Brown Bear</p> <p><i>Unit 26A—1 bear by State registration permit only July 1–June 30</i></p> <p>26(n)(26)(iii) You may hunt brown bear in Unit 26A by State registration permit in lieu of a resident tag if you have a State registration permit prior to hunting. You may not use aircraft in any manner for brown bear hunting under the authority of a brown bear State registration permit, including transportation of hunters, bear, or parts of bears. However, this does not apply to transportation of bear hunters or bear parts by regularly scheduled flights to and between communities by carriers that normally provide scheduled service to this area, nor does it apply to transportation of aircraft to or between publicly owned airports.</p>
OSM preliminary Conclusion	Support Proposal WP14-52 with modification to insert the word “subsistence” and to clarify the permit requirements.
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**DRAFT STAFF ANALYSIS
WP14-52**

ISSUES

Proposal WP14-52, submitted by the North Slope Subsistence Regional Advisory Council, requests that the requirement for a State registration permit to harvest brown bears in Unit 26A be eliminated.

DISCUSSION

The proponent requests eliminating the requirement for a State registration permit to harvest brown bears in Unit 26A in order to align State and Federal regulations. Additionally, the proponent states that removing the permit requirement would ease confusion about hunting regulations for communities that hunt on Federal lands in the unit, allowing for more opportunistic harvest without having to possess a State permit for such harvest.

Note: Removal of the State registration permit requirement for subsistence harvest of brown bears in Unit 26A would cause Federal and State regulations to become misaligned as harvest under State subsistence regulations requires the use of a State registration permit.

Existing Federal Regulation

Unit 26A—Brown Bear

Unit 26A—1 bear by State registration permit only

July 1–June 30

___.26(n)(26)(iii) You may hunt brown bear in Unit 26A by State registration permit in lieu of a resident tag if you have a State registration permit prior to hunting. You may not use aircraft in any manner for brown bear hunting under the authority of a brown bear State registration permit, including transportation of hunters, bear, or parts of bears. However, this does not apply to transportation of bear hunters or bear parts by regularly scheduled flights to and between communities by carriers that normally provide scheduled service to this area, nor does it apply to transportation of aircraft to or between publicly owned airports.

Proposed Federal Regulation

Unit 26A—Brown Bear

Unit 26A—1 bear by State registration permit only

July 1–June 30

~~26(n)(26)(iii) You may hunt brown bear in Unit 26A by State registration permit in lieu of a resident tag if you have a State registration permit prior to hunting. You may not use aircraft in any manner for brown bear hunting under the authority of a brown bear State registration permit, including transportation of hunters, bear, or parts of bears. However, this does not apply to transportation of bear hunters or bear parts by regularly scheduled flights to and between communities by carriers that normally provide scheduled service to this area, nor does it apply to transportation of aircraft to or between publicly owned airports.~~

Existing State Regulation

Unit 26A—Brown Bear

Residents and Nonresidents – one bear every regulatory year

No closed season

The following information compares the requirements of subsistence versus general State regulations:*

Subsistence hunting	General hunting
<ul style="list-style-type: none"> ▪ <i>Meat must be salvaged for human consumption</i> 	<ul style="list-style-type: none"> ▪ <i>Meat need not be salvaged</i>
<ul style="list-style-type: none"> ▪ <i>No tag required but you must register to hunt</i> 	<ul style="list-style-type: none"> ▪ <i>See units for seasons</i>
<ul style="list-style-type: none"> ▪ <i>Hide and skull need not be sealed unless removed from subsistence area or presented for commercial tanning; if sealing is required, it must be completed by an authorized sealing agent; at the time of sealing, the skin of the head and front claws are removed and kept by ADF&G.</i> 	<ul style="list-style-type: none"> ▪ <i>Hide and skull must be sealed by an authorized sealing agent statewide</i>
<ul style="list-style-type: none"> ▪ <i>No use of aircraft for subsistence hunting in Units 21D, 22, 23, 24, and 26A. See units for season dates.</i> 	

*From page 28 of the 2013 – 2014 Alaska Hunting Regulations

Extent of Federal Public Lands

Approximately 73% of the lands in Unit 26A are comprised of Federal public lands consisting of 66% Bureau of Land Management (BLM) managed lands, 6.6% National Park Service (NPS) managed lands, and 0.1% U.S. Fish and Wildlife Service (USFWS) managed lands.

Customary and Traditional Use Determinations

Rural residents of Unit 26 (except the Prudhoe Bay-Deadhorse Industrial Complex), Anaktuvuk Pass, and Point Hope have a positive customary and traditional use determination for brown bear in Unit 26A.

Regulatory History

At its April 1992 meeting, the Federal Subsistence Board (Board) adopted regulation mirroring the State's regulations with regard to the use of subsistence registration permits for brown bear in Unit 26A. The Alaska Board of Game established two brown bear management areas in the state, one in western Alaska and one in northwestern Alaska, which included Unit 26A (FSB 1992). These were areas of the state where the use of brown bears for human consumption had been found to occur at significant levels. Regulations adopted by the State provided subsistence users a liberalized harvest limit of one bear per year, an extended season and elimination of the resident brown bear tag requirement. All edible meat was required to be salvaged. Sealing requirements were eliminated if the skin and skull of a harvested bear were not taken from the designated hunt area. An additional prohibition precluding the use of aircraft to hunt or take brown bears under subsistence regulations was also adopted for the northwestern bear hunting area.

In 2007, the Board adopted Proposal WP07-60 requested the Federal brown bear harvest season in Unit 26A be changed from Sept. 1 –May 31 to July 1 – May 31, which aligned the State and Federal regulations. In 2012, the Board adopted a similar Proposal WP12-82 requested an extension to allow for a year-round hunt from July 1 to June 30, again aligning State and Federal regulations. The State subsistence registration permit requirement was retained in each case to allow managers to track and monitor harvests and prevent future conservation concerns.

Biological Background

Brown bear populations that were reduced during the 1960s by guided sport hunting are slowly increasing or are stable (Carroll 2011). The highest densities of brown bears occur in the foothills of the Brooks Range and lowest in the northern portion of Unit 26A (Carroll 2011).

State management goals and objectives for brown bear are as follows (Carroll 2011):

- Maintain the existing grizzly bear population.
- Maintain a grizzly bear population of approximately 800 bears or greater.
- Monitor the harvest rate of grizzly bears.
- Minimize adverse interactions between grizzly bears and the public.

In the late 1980s, Reynolds (1989) estimated the brown bear population in Unit 26A to be between 900 and 1,120. No current estimates of the sex ratio, composition, or productivity have been conducted since the early studies conducted by Reynolds in the 1980s and Carroll in 1995. The Alaska Department of Fish and Game (ADF&G) conducted periodic surveys to assess the density of brown bears in Unit 26A in the early 1990s and 2000s (Carroll 2011). In 1992, the estimated density from a survey conducted in the western foothills of the Utukok and Kokolik river drainages was 29.5 bears/1,000 km². The density estimate from surveys conducted in 2000, 2001, and 2003 between 1,500 and 4,000 ft. elevation in the eastern portion of Unit 26A, Unit 26B, and western portion of Unit 26C was 18.3 bears/1,000 km². Carroll (1995) estimated densities in Unit 26A were 0.25–2 bears/1,000 km² in the coastal plain, 10–30 bears/1,000 km² in the foothills, and 10–20 bears/1,000 km² in the mountains (Carroll 1995). The 1995 population estimate, using the mid-range of these density estimates, was 81 in the coastal plain, 666 bears

in the foothills, 260 bears in the mountains and a total of 1,007 bears in Unit 26A (Carroll 1995). Recent reports by pilot and hunters and increased number of reported bear encounters on the coastal plain suggest that bears have probably increased in all these areas in Unit 26A (Carroll 2011).

Harvest History

An average of 23 bears, which includes estimates of unreported harvest, were taken per regulatory year in Unit 26A between 2000–2001 and 2010–2011 (**Table 1**). The sex ratio of the harvest from 2000 to 2010 is approximately 2:1 (M:F) (**Table 1**). In the past, unreported harvest and noncompliance with the bear hunting regulations was related to bears causing damage to remote cabins and other bear/human conflicts (Carroll 2011). To accommodate rural hunting practices and because the sealing certificate system was not proven effective to determine the actual harvest, the hunting season is now year round. In addition, waivers for tag fees were established and the requirement for resident tags was eliminated.(Carroll 2007, Carroll 2011). The estimated number of harvested bears that are not reported was determined by comparing data from the North Slope Borough and other community-based harvest assessments with the number of known bears that have been harvested. Even with the documented levels of under-reporting, the total harvest is well below the estimated allowable sustained yield of 51 bears for Unit 26A(Carroll 2011).

Table 1. Brown Bear harvest in Unit 26A from 2000-2011 (Carroll 2011, 2013; OSM 2013).

Year	Male	Female	Estimate of Unreported Harvest	Estimated Total
2000/2001	14	4	6-12	24-30
2001/2002	10	3	6-12	19-25
2002/2003	10	4	6-12	20-26
2003/2004	12	4	6-12	22-28
2004/2005	11	4	6-12	21-27
2005/2006	2	0	6-12	8-14
2006/2007	9	4	6-12	18-25
2007/2008	6	3	6-12	15-21
2008/2009	14	6	6-12	26-32
2009/2010	13	6	6-12	24-30
2010/2011	10	2	6-12	18-24

Other Alternative Considered

An alternative considered was to replace the State subsistence registration permit with a Federal registration permit as a way to track bear harvest to prevent conservation concerns from overharvest.

However, this would require some hunters to have both a State and Federal permit, depending upon the land status of the area in which they are hunting. Such a requirement would only serve to add more regulatory complexity for Federally qualified users, which goes against the intent of the proponent and therefore was not given further consideration.

Effects of the Proposal

If the proposal is adopted it would not provide for a brown bear harvest reporting mechanism in Unit 26A. Eliminating the requirement for a State subsistence registration permit for Federally qualified subsistence users would effectively eliminate the ability of either State or Federal wildlife managers to track the harvest of brown bears. Maintaining a reporting requirement is an important tool for documenting population trends and helps ensure the long-term conservation of bears in the region. In addition, removal of the State registration permit would result in misalignment of State and Federal regulations, adding to regulatory complexity.

Currently, the bear population in Unit 26A appears to be stable to increasing. However, eliminating the State subsistence registration permit requirement could potentially result in increased harvest because hunters would no longer be required to report whether or not they were successful. In addition, village residents who have indicated difficulty in obtaining permits in the past, would not be compelled to contact State personnel to report their harvest if permits were not required. Currently there is no sealing requirement for bear hides or skulls that stay within Unit 26A. If the permit requirement were dropped, there would be no way to track Federal subsistence brown bear harvest. Without these data there would be no way to track the number of bears harvested, or population trends.

OSM PRELIMINARY CONCLUSION

Support Proposal WP14-52 **with modification** to insert the word “subsistence” and to clarify the permit requirements.

The modified regulation should read:

Unit 26A—Brown Bear

*Unit 26A—1 bear by State **subsistence** registration permit only*

July 1–June 30

~~26(n)(23)(iii) You may hunt brown bear in Unit 26A by State registration permit in lieu of a resident tag if you have obtained a State registration permit prior to hunting. Aircraft may not be used in any manner for brown bear hunting, under authority of a brown bear State registration permit, including transportation of hunters, bear, or parts of bear. However, this does not apply to transportation of bear hunters or bear parts by regularly scheduled flights to and between communities by carriers that normally provide scheduled service to this area, nor does it apply to transportation of aircraft to or between publicly owned airports.~~

Justification

Maintaining a harvest reporting mechanism is essential to the sound management of brown bears in Unit 26A. The State subsistence registration permit requirement provides both State and Federal wildlife managers with valuable harvest and population trend information necessary to properly manage brown bears. Currently, there is no practical alternative to the State registration permit for monitoring brown bear harvest, hunter success or population trends as a separate Federal permit would only add regulatory complexity for the user. State Permits can be obtained relatively easily by calling the local ADF&G biologist in Barrow who will mail them out to villages if vendors are not available.

Under current regulations, qualified rural residents have two options when hunting brown bear on Federal lands in Alaska. They can harvest an animal under the State's general harvest regulations, which does not require a registration permit, but does require sealing of the hide and skull, or they can hunt under State/Federal subsistence regulations, which require a State subsistence registration permit and salvage of all edible meat. Under this option, sealing is only required if the animal is removed from the unit.

Clarification of registration permit requirements is needed given past regulatory history. The proponent states that removal of the permit requirement is needed to align State and Federal brown bear populations, but this is not the case. A State subsistence registration permit has been required for Federally qualified users hunting under subsistence regulations since the early 1990s. Removal of the permit requirement would result in misalignment of State and Federal regulations, not the other way around. Previous language under special provisions for brown bear in Unit 26A made it appear as if subsistence hunters could use either a general hunting tag or a registration permit for subsistence harvest of brown bear when only the latter option is legal for those interested in hunting brown bear for food without the need for sealing.

Amending the language under the special provisions section for Unit 23 brown bear hunting to more accurately reflect the requirement for hunters to have a State subsistence registration permit will clarify regulations as it pertains to the subsistence harvest of brown bears. As it reads now, the use of the phrase "you may hunt brown bear by State registration permit in lieu of a resident tag in Unit 26A if you have a State registration permit prior to hunting" gives the appearance that use of a State registration permit for subsistence hunting of brown bears is optional for subsistence harvest of brown bear when in fact it is not and never has been since the regulation was adopted by the Federal Subsistence Board in 1992.

Eliminating the requirement for a State subsistence registration permit would result in Federally qualified users only being able to hunt brown bears in Unit 26A under the State's general brown bear hunting regulations, which would require the hide and skull to be sealed. Such a requirement would add an unwanted reporting burden on Federally qualified users, which goes against the intent of the proponent.

LITERATURE CITED

- Carroll, G. 1995. Brown bear survey-inventory management report. Pages 289–303 in M.V. Hicks, editor. Report of survey-inventory activities, 1 July, 1992–30 June 1994. ADF&G. Federal Aid in Wildlife Restoration. Progress Report. Grants W-24-1, W-24-2. ADF&G. Juneau, Alaska.
- Carroll, G. 2007. Unit 26A brown bear management report. Pages 324–339 in P. Harper, editor. Brown bear management report of survey and inventory activities 1 July 2004 –30 June 2006. ADF&G. Juneau, Alaska.
- Carroll, G. 2011. Unit 26A brown bear management report. Pages 323–334 in P. Harper, editor. Brown bear management report of survey and inventory activities 1 July 2008 –30 June 2010. ADF&G. Juneau, Alaska.

Carroll, G. 2013. Wildlife Biologist. Personal communication: email. ADF&G. Anchorage, AK.

FSB. 1992. Transcripts of Federal Subsistence Board proceedings, April 8, 1992. Office of Subsistence Management, USFWS. Anchorage, AK.

OSM. 2013. Harvest database. Office of Subsistence Management, USFWS. Anchorage, AK

Reynolds, H.V. 1989. Unit 24–26 brown/grizzly bear survey–inventory progress report. Pages 174–184. *in* S.O. Morgan, editor. Annual report of survey–inventory activities, 1987. Vol. XIX, Part V. ADF&G Federal Aid in Wildlife Restoration Progress Report grant W–23 –1, Study 4.0 Juneau, AK. 189 pp.

Spencer, R. 1959. The North Alaskan Eskimo: a study in ecology and society. Dover Publications, Inc. New York. 490 pp.