



SOUTHCENTRAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL

*February 18-19, 2015
Anchorage, Alaska*



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On the cover...

A mountain goat takes in the scenery from atop a hillside.



USFWS

SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL

February 18, 2015 10:00 am – 5:00 pm; February 19, 2015 8:00 am – 5:00 pm

February 18-19, 2015

Dimond Center Hotel, Anchorage, Alaska

TELECONFERENCE: call the toll free number: 1-866-916-7020, then when prompted enter the passcode: 37311548

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. 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. **Roll Call and Establish Quorum** (*Secretary*)..... 4
2. **Invocation**
3. **Call to Order** (*Chair*)
4. **Welcome and Introductions** (*Chair*)
5. **Review and Adopt Agenda*** (*Chair*) 1
6. **Election of Officers***
 - Chair (*DFO*) (*Vice Chair*)
 - Vice-Chair (*New Chair*)
 - Secretary (*New Chair*)
7. **Review and Approve Previous Meeting Minutes*** (*Chair*) 5
8. **Reports**
 - Council Member Reports
 - Chair’s Report
9. **Public and Tribal Comment on Non-Agenda Items** (available each morning)
10. **Old Business** (*Chair*)

a. Rural Determination Process Review – Secretarial Proposed Rule* (<i>Anthropology</i>)	Supplemental
b. Customary & Traditional Use Determination – Southeast Council Proposal (<i>Anthropology</i>)	Supplemental
c. Refuges Proposed Rule on Hunting*	Supplemental
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e. Review of FRMP Strategic Plan	
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14. Closing Comments

15. Adjourn (Chair)

To teleconference into the meeting, call the toll free number: 1-866-916-7020, then when prompted enter the passcode: 37311548

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 Donald Mike, 907-786-3629, donald_mike@fws.gov, or 800-877-8339 (TTY), by close of business on February 10, 2015.

DRAFT

REGION 2

Southcentral Alaska Subsistence Regional Advisory Council

Seat	Year Apptd <i>Term Expires</i>	Member Name and Community
1	2007 2016	Robert Henrichs Cordova
2	2014 2016	Eleanor Dementi Cantwell
3	2003 2016	Greg Encelewski Ninilchik Vice Chair
4	2010 2016	Mary Ann Mills Kenai
5	2014 2016	Lee R. Adler Glennallen
6	2003 2017	Gloria Stickwan Tazlina
7	2011 2017	James Showalter Sterling
8	2011 2017	Michael V. Opheim Seldovia
9	2011 2017	Andrew T. McLaughlin Chenega Bay
10	2009 2015	Judith C. Caminer Anchorage Secretary
11	1993 2015	Ralph Lohse Copper River Chair
12	2003 2015	Tom Carpenter Cordova
13	2013 2015	Herman N. Moonin, Jr. Ninilchik

SOUTHCENTRAL ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL
Kenai Chamber of Commerce and Visitor Center
Kenai, Alaska
October 15-16, 2014
Meeting Minutes

Call to Order

Meeting called to order by Chair Lohse.

Roll Call & establish a Quorum

Ms Caminer called roll. Regional Advisory Council (RAC) members present: Ralph Lohse, Greg Encelewski, Robert Henrichs, Andrew McLaughlin, Mary Ann Mills, Michael Opheim, James Showalter, Gloria Stickwan, and Tom Carpenter (telephonic). Two vacancies, one absent. Quorum established with ten of eleven seated members present.

Coordinator: Donald Mike, OSM

Agency Staff Present

Chuck Ardizzone, OSM
Trent Liebich, OSM
Drew Crawford, ADF&G
Steve Kessler, US Forest Service
Milo Burcham, US Forest Service
Barbara Cellarius, NPS
Pippa Kenner, OSM
Mary McBurney, NPS
Jeff Anderson, Kenai NWR biologist
Glen Chen, BIA
Steve Miller, Kenai NWR deputy mgr
Todd Esklin, Kenai NWR biologist
Sarah Bullock, BLM Glennallen
Dennis Teitzel BLM Glennallen Field mgr

Welcome and Intro

Introductions of RAC members and public.

Review and Adopt Agenda

Mr. McLaughlin requested to add delegation of authority under new business. Added Alaska BOF proposal, under agency reports.
Mr. Henrich moved to adopt the agenda, 2nd called by Ms. Stickwan. Question called. Motion carried. Meeting agenda adopted.

Review and Approve Previous Meeting Minute

Mr. Henrich moved to adopt the minutes of the March 11-13, 2014 RAC meeting. Question called. Motion carried with one abstention (Mr. Henrich).

Reports

Council Member Reports

Ms. Stickwan reported on SRC activities within the Copper River region. Mr. Henrichs gave a report on moose in the Cordova/Copper River area and Copper River subsistence fishery. Ms. Caminer attended the FSB work session in April in Anchorage. Mr. McLaughlin reported observations of the black bear population in Prince William Sound, the observed population appears to be declining due to environmental factors, and this was followed by the deer population falling due to prior winter snow level. Ms. Mills provided background information and success of the Kenai educational fisheries.

805(c) Report

The Council was referenced to page 19 of the Council materials for the 805 (c) report on the recent actions taken by the Federal Subsistence Board on the wildlife regulatory proposals.

Chair's Report

Chair Lohse reported that he was consulted and responded to the Special Action from the Kenai National Wildlife Refuge in-season manager on fisheries actions.

Public & Tribal Comment on Non-Agenda Items

The public was informed public and Tribal comments are available throughout the session of the meeting.

Mr. Courtenay Larson of Cooper Landing provided testimony on FP15-09.

Old Business

Customary & Traditional Use Determination

Ms. Pippa Kenner, OSM Anthropologist, provided a briefing on the status of the Federal Subsistence Board's review on the C&T Use Determination. The Council was informed they will have further opportunity for review and comment at its winter 2015 public meeting. The Board will have an analysis on the C&T Use Determination for the RACs review and recommendations.

Secretaries on Rural Review Process

Mr. Chuck Ardizzone, OSM Deputy Assistant Regional Director, referred the Council to page 38 of the Council meeting materials on the Rural Determination Process Review. The review is provided as a briefing for the Council. The Board will be recommending to the Secretaries to make changes in the Secretarial regulations on rural determination process where the Board will determine all areas or communities in Alaska are nonrural; and all communities and areas are therefore nonrural.

New Business

Priority Info Needs for FRMP and Partners Program

Mr. Liebich and Ms. Kenner provided the overview on the FRMP. The Council supported the priority information needs listed on page 75 of their council books. The council was concerned

that the funding distribution is outdated and the allocation of monies between regions should be revised. The Council would also like to see a new strategic plan developed for the Cook Inlet Regions as previously there was only an abbreviated plan completed. The Council wanted to add an additional priority information need to their region. They would like a project developed that examines past data/research conducted along the Copper River and the relationship between climate, use patterns, and stock, status and trend information.

Partners for Fisheries Monitoring Program Strategic Plan

The Council supports the Partners Program and would like to see it develop independently of the FRMP process. The Council provided numerous comments on proposed changes to the program, including:

- The Council would like to see more interactions between partners and the Council at their meetings (e.g., develop and give presentations).
- Representatives from the partners program should deliver presentations at the Alaska Federation of Natives convention and other annual meetings and conferences that have a connection to rural subsistence issues.
- Increase and enhance internship programs for youth living in rural communities.
- Consult and coordinate with U.S. Department of Agriculture to expand the partners program into food security aspects of subsistence management.
- People with multidisciplinary backgrounds and skills should be prioritized as partners.
- Expand the program to include wildlife in addition to fisheries issues; the program needs to be more holistic.
- Expand the program to other parts of south central Alaska.

2015 Fisheries Regulatory Proposals

Statewide:

FP15-01

Mr. Liebich provided the summary of the analysis. OSM preliminary conclusion is to support.

FP15 -01, submitted by Southcentral RAC requests that the definition of “hook” be described in regulation as “a hook with or without a barb.”

Action: Mr. Henrichs moved to adopt FP15-01 and 2nd called by Mr. McLaughlin, as presented by OSM.

Justification: The Council supported the proposal stating no conservation concerns exist and allowing barbless hooks would be an unnecessary restriction on subsistence users.

Regional:

FP15-09

Ms. Kenner provided the summary analysis. OSM preliminary conclusion is to oppose the proposal.

FP15 -09, submitted by Courtney Larsen of Cooper Landing, AK, requests the total cash value per household of salmon taken within the Kenai River drainage and exchanged in customary trade between rural residents and individuals other than rural residents not exceed \$1,000 annually. Customary trade should be recorded and reported, and advertising should be regulated.

Action: Mr. Encelewski moved to adopt the FP15-09, 2nd called by Ms. Mills.

Justification: The Council opposed stating the proposal will create more administrative burden for subsistence users, and the proponents request is currently an allowed use in Federal fishery regulations. Additionally, this proposal would set limits on the sale of fish which are not needed at this time.

FP15-10

Mr. Liebich presented the summary analysis. Prior to the OSM Staff analysis, Mr. Jeff Anderson, Kenai NWR inseason fishery manager, presented biological fishery information relating to salmon on the Kenai and Kasifol River drainages. OSM preliminary conclusion is to oppose.

FP15 -10, submitted by the Ninilchik Traditional Council requests a community set gillnet fishery be established within the Kenai River for salmon.

Action: Ms. Mills moved to support FP15-10, 2nd called by Mr. Opheim.

Justification: The Council supports the proposal and stated that it will provide for a meaningful preference. Chinook and rainbow trout harvest will be limited and conservation concerns can be addressed through an operational plan. The operational plan, with review by the in-season manager, will require prior approval with the land managing agency prior to any fishing. The proponent stated that gillnet is a customary and traditional use method.

FP15-11

Mr. Liebich presented the summary analysis. OSM preliminary conclusion is to oppose.

FP15 -11, submitted by the Ninilchik Traditional Council requests a community set gillnet fishery be established within the Kasilof River for salmon.

Action: Ms. Mills moved to adopt the proposal, 2nd called by Mr. Opheim.

Justification: The Council supports the proposal and stated that it will provide for a meaningful preference. Chinook and rainbow trout harvest will be limited and conservation concerns can be addressed through an operational plan. The operational plan, with review by the in-season manager, will require prior approval with the land managing agency prior to any fishing. The proponent stated that gillnet is a customary and traditional use method.

2014 Annual Report Issues

The Council discussed issues related to the Southcentral region to submit to the Federal Subsistence Board. The Annual report is a way for the Councils to bring regional subsistence

issues, uses and needs to the Secretaries. The Secretaries delegated this responsibility to the Board.

The Council discussed several Annual Report items for approval for its 2015 winter meeting. The final report will be approved by the Council at that meeting and submitted to the Board for its response. The following is a list of Annual Report items the Council developed for the Board:

- *Intent of ANILCA.* The Council would like to make the Board aware that AFN passed a resolution in 2012 supporting a rural preference and reaffirmed their previous position for a Native, plus a subsistence rural preference. The Council would like to see the intent of ANILCA reviewed when food security issues are being affected.
- *Regional Issues/Resources.* Resource demands have increased in Alaska among various user groups. The Council addressed and discussed the shortage of certain subsistence resources. Current regulatory means addresses some of the shortages through subsistence priority on Federal Public Lands. As demands increase for subsistence resources, distribution conflicts also have increased to meet all these user demands for the same resource.
- *Allocation of Fisheries Resource Monitoring Funds.* The Fisheries Resource Monitoring Program is important to the Council; it has provided valuable data for the Council to use when developing its recommendations on Federal subsistence fishery proposals, when the original allocations were developed for each Region, the Federal Subsistence Management Program did not have responsibility for the Cook Inlet waters and subsistence fisheries. The Council requested a reallocation of funds to the Southcentral area to include that significantly additional area and associated costs.
- *NMFC Subsistence Seat.* The Magnuson - Stevens Act is being debated in Congress for reauthorization. The Council has discussed the importance of a seat on the NPMC to represent subsistence users on its panel. The Department of Commerce, through the NPMC, has authority to manage the fisheries in the Bering Sea. The Bering Sea fishery has by-catch of Alaska-bound salmon during the commercial Pollock fisheries affecting all subsistence salmon fisheries in the State's anadromous waters.

Special Actions. The special action is a tool to address out of cycle requests and changes in federal subsistence regulations and used by in-season managers in consultation with the affected RAC chairs and members. The Council requests these Special Actions be distributed in a timely manner.

- *Partners Program.* The Partners Program should be expanded to be more of an interdisciplinary approach and fully engage young people.
- *Indigenous Rights/Subsistence Preference.* The Alaska Federation of Natives recently passed a resolution supporting a Native-plus rural preference.

The Council requested the Board to review the testimony of former Secretary of Interior Udall on ANILCA of 1980, and the recent resolution of the AFN in support of Native-plus rural preference for hunting and fishing on all Federal public lands in Alaska. The Council would appreciate comments back from its review.

- *Federal Subsistence Management Proposals.* The Council addressed regulatory proposals on fish and wildlife and develops recommendations for the Board's consideration. In some cases, the Office of Subsistence Management preliminary conclusions may say support to “align” with current State hunting or fishing regulatory languages and/or the Board may also use the term in its deliberations.

The Council discourages the Board and staff from using the phrase “aligning or align” proposed Federal regulations with the State of Alaska regulations. Using that term implies that the federal program is following the lead of the State of Alaska when the Federal Program in the Council’s opinion is the lead. Rural users hear the wrong message by the use of those words.

- *Subsistence Resources – Local Observations.* Subsistence, sport and recreational users in the field have observed, on fish and wildlife resources, abnormal growths, or invasive plant species present in their communities. These events are occurring with increased frequency due to environmental factors. The Council encouraged the Board, with interagency effort, to provide technical or scientific reports of events outlining these phenomena occurring on the resources.
- *All-RAC Meeting.* The Council supported an all Council meeting in 2015 and will provide some suggestions for agenda items. For those who attended the previous one, they recalled it was an excellent meeting and well worth the effort and expense.
- *All RAC Chairs meeting.* The Council recommended Council Chairs get together to exchange information and learn challenges and successes of other Councils.

Additionally, the Council discussed **redefining Customary and Traditional Use**. The Council brought forth the concept of legally defining the terms customary and traditional. [Current Code of Federal Regulations, 50 CFR Subpart A §100.4, defines the term and is also defined in the Subsistence Management Regulations for the harvest of wildlife.] Customary and Traditional Use findings are very important when season and harvest limits are to be established for a particular region and area. The Board should work with the DOI solicitors to legally define the term. Establishing a legal definition could ensure that subsistence priorities are protected as ANILCA intended for rural residents of Alaska.

RAC Nominations

Mr. Carl Johnson, Coordination Division Chief, briefed the Council on the Recommended Changes to Nominations Appointment Process.

Mr. Lohse spoke in favor of alternates and a carry-over term for the Council and stated it will solve establishing a quorum for all the RACs. Ms. Stickwan commented she is in favor of reappointments.

All-Council and Chairs meeting

The Council commented and was in support of an all Council meeting, and a RAC Chair meeting prior to the Federal Subsistence Board meeting. The Council commented that it will be advantageous for an all Council meeting and will be a unifying experience and helpful in sharing ideas.

BOF Proposals

The Council was presented a list of State of Alaska, Board of Fish Proposals and moved to oppose 38 and support 50 and 37. The Council delegated Ms. Gloria Stickwan to attend the BOF meeting in Cordova to begin on Dec 3, 2014. The Council discussed each of the proposals and will submit its comment to the BOF for the record.

BOF Proposal 37

Require a department operated check station to monitor subsistence personal use harvest and permit compliance in the Chitina and Glennallen subdistricts.

The Council, in past public meetings, has requested for a check station to monitor the amount of salmon taken and subsistence use out of the Chitina and Glennallen subdistricts and the Council supports a requirement for a department check station. The harvest information obtained from a check station will allow for fisheries managers to consider when developing regulatory proposals.

BOF Proposal 38

Change the opening date for the Chitina Subdistrict personal use salmon fishery to open as early as June 1, but not later than June 11.

The Council did not support a June 1 opening for the Chitina Subdistrict personal use salmon fishery. The early season could cause a detriment to Federally qualified subsistence users, and it does not align with the current Federal Fishery management regulations.

BOF Proposal 50

Prohibit use of barbed hooks, multiple hooks, and bait when fishing for king salmon in the Upper Copper/Upper Susitna Area.

The Council opposed catch and release recognizing that catch and release increases the chance of mortality, and is not culturally acceptable within the Copper River basin. The Council's comment is consistent with its recent action taken on Federal Fishery proposal FP15-01 where allowing only barbless hooks would be an unnecessary restriction on subsistence users.

Agency Reports

USFWS

Mr. Jeff Andersen provided a briefing on Cook Inlet Area fishery and Mr. Todd Esklin gave an update on subsistence moose hunt in the Kenai Peninsula. Mr. Steve Miller, and Ms. Heather from the U.S. FWS Anchorage office presented the proposed rule on the restriction of hunting and fishing on refuge lands in Alaska.

OSM

Mr. Ardizzone provided Staffing Change occurring in the Office of Subsistence Management.

U.S. Forest Service

Mr. Milo Burcham updated the Council on biological information, fishing permits in the Copper River delta. They also informed the Council on recent black bear, moose, and deer surveys occurring on Forest Service managed lands. Mr. Burcham also provided to the Council on special actions for Unit 6 deer. Mr. Steve Kessler reported on Chugach management issues.

Mr. Robert Stovall and Mr. Jeff Bryden from the Seward ranger district provide an update on moose and caribou permits issued from their office.

NPS

Ms. Barbara Cellarius provided a report on the Chisana Caribou Herd Hunting permits, FEIS Wilderness Area Trails, and the recent Press Release for Wrangell-St. Elias NP/P ORV Regulations. Ms. Cellarius also briefed the Council on the draft regulations for horns and antlers.

SRC appointments

Ms. Cellarius also informed the Council that Ms. Gloria Stickwan's term has expired for a seat on the Wrangell-St. Elias National Park SRC. Mr. McLaughlin moved to reappoint Ms. Stickwan, 2nd called by Mr. Encelewski, to the Wrangell-St. Elias National Park SRC. The Council discussed and stated Ms. Stickwan has done a great job in representing subsistence users in the Copper River and reappointed her to another term. Motion carried.

Ms. Mary McBurney provided a briefing on the NPS Proposed rule to restrict hunting and fishing on NPS managed lands – 17 public hearings are planned statewide on the proposed rule. Ms. Stickwan moved to include comments from the Council for the NPS proposed rule.

BLM

Ms. Sarah Bullock and Mr. Dennis H. presented to the Council recent changes on the land status in the Paxson closed area.

URS

Donlin Creek EIS Update: Mr. Taylor Brelsford and staff provide the Council the URS final EIS draft for a gas line from the Donlin Creek gold mine, upper Kuskokwim, to Cook Inlet. The gas line will provide gas to the Donlin Creek mine to provide power to operate the mining operation.

Future Mtg Dates

Confirm date and Location of winter 2015 winter Meeting. February 18-19, 2015
Select date and Location of Fall 2015 Meeting. Oct 20-21, 2015

Closing Comments

Adjourn

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

December 16, 2014

Donald Mike, DFO
USFWS Office of Subsistence Management

Ralph Lohse, Chair
Southcentral Alaska Subsistence Regional Advisory Council

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

To: Federal Subsistence Regional Advisory Councils
Date: December 2014
Subject: Scoping for Regulations to Allow *Subsistence Collections and Uses of Shed or Discarded Animal Parts & Plants from National Park System Areas in Alaska*

Issue:

The National Park Service (NPS) selected a modified Alternative D to implement its April 2014 decision regarding the environmental assessment (EA) on *Subsistence Collections and Uses of Shed or Discarded Animal Parts and Plants from Park Areas in Alaska*. The selected alternative will allow subsistence collections and uses of shed or discarded animal parts and plants to make into handicrafts for personal or family purposes, to barter, or to sell as customary trade. NPS-qualified subsistence users are residents of communities and areas with federally-recognized customary and traditional (C&T) use determinations for each species in each game management unit within the affected park areas. Subsistence users who have C&T eligibility for animal species will also be allowed to collect plant materials from those areas to make and use or sell handicrafts. The decision clears the way for the NPS to promulgate regulations to authorize such subsistence collections and resource uses on park areas in Alaska. The NPS has attempted to address concerns expressed by several Subsistence Resource Commissions (SRC) and federal Subsistence Regional Advisory Councils.

Alaska-specific regulations are needed to overcome the general nationwide NPS regulation at 36 Code of Federal Regulations (CFR) 2.1, which prohibits: “Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: Living or dead wildlife and fish, or their parts or products thereof, such as antlers or nests; Plants or the parts or products thereof.” ANILCA Titles II and VIII authorize in park areas subsistence uses “of wild, renewable resources for direct or family consumption ...; for making and selling handicraft articles out of nonedible byproducts of wildlife resources taken ...; for barter ...; and for customary trade.”

The NPS indicated in a press release it would begin the process of drafting new regulations within a year of the decision. That process is underway, and we have a preliminary draft rule to available for review during the winter/spring 2015 SRC and RAC meetings. Once proposed regulations are published in the Federal Register, they are available for a 60-day public comment period. The final rule would be published after consideration of the public comments.

These regulations will provide a general framework for authorizing federally-qualified subsistence collections with provisions allowing Superintendents to customize the implementation as needed for local conditions through unit-specific regulations or compendia. NPS will continue consulting with SRCs, RACs, and tribes as the regulations and associated provisions to implement them are developed. Two-way discussions are needed to identify key concerns for the regulations and their implementing provisions such as appropriate types of written authorizations, specific local resource concerns that may need to be addressed in each

park area, and flexibility to address changing conditions in park areas regarding subsistence collections.

Discussion Points:

The EA decision specified the following:

- NPS-qualified subsistence users must have written authorization from the area Superintendent. Such authorization can take many forms. For example, individual permits could be issued to qualified subsistence users or written authorizations could be provided for specific resident zone communities or for areas with customary and traditional use findings for various resources.

Which type of written authorization would be best for your area and why?

- The decision adopted mitigating measures to minimize potential adverse effects on resources and values of affected NPS areas, including visitor use and enjoyment. Mitigating measures may include conditions and limits for collection activities, such as allowable quantities, locations, timing restrictions, or other restrictions to reduce resource impacts or user conflicts. Examples of areas that may be subject to restrictions of subsistence collections include archeological and historic sites; public facilities and travel corridors such as roads, airports and landing strips; and commonly used trails, rivers, and shores of ocean coasts and large lakes. Education programs and materials could be developed to inform the public and qualified subsistence users about the authorized collections.

Which areas and resources should be opened or not opened to subsistence collections and why?

What should be included in a public education program?

Contacts:

Bud Rice, Subsistence Manager, Alaska Regional Office, bud_rice@nps.gov, 907-644-3597

PRELIMINARY DRAFT

Section 13.420 is amended as follows:

By adding the following definitions:

Handicraft article is a finished product in which the shape and appearance of the natural material has been substantially changed by the skillful use of hands, such as sewing, carving, etching, scrimshawing, painting, or other means, which has substantially greater monetary and aesthetic value than the unaltered natural material(s). This term does not include a trophy or European mount of horns or antlers.

Wild renewable byproducts of wildlife means the nonedible antlers, horns, bones, teeth, claws, hooves, hides, fur, hair, feathers and quills, that have been:

- (1) Naturally shed,
- (2) Discarded from a lawfully hunted or trapped animal, or
- (3) Occur through natural mortality.

By revising the definition of *Subsistence uses*, subparagraphs (2) and (3) as follows:

(2) “Barter” shall mean the exchange of handicraft articles or fish or wildlife or their parts taken for subsistence uses—

- (i) For other fish or game or their parts; or
- (ii) For other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature; and

(3) “Customary trade” shall be limited to the exchange of handicraft articles or furs for cash (and such other activities as may be designated for a specific park area in the applicable special regulations of this part).

Section 13.482 is added as follows:

§ 13.482 Subsistence collection and use of animal parts

(a) Local rural residents may collect wild renewable byproducts of wildlife, excluding migratory birds and marine animals, for subsistence uses in park areas where subsistence uses are allowed, provided that:

- (1) The resident has a federal customary and traditional use determination for the species collected in the game management unit where the collecting occurs (50 CFR Part 100), and
- (2) The resident has written authorization from the superintendent.

(b) The superintendent may establish conditions, limits, and other restrictions on collection activities. Areas opened to collections will be identified on a map posted on the park website and available at the park visitor center. Violating a condition, limit, or restriction is prohibited.

(c) Non-conflicting State regulations regarding the use of bear claws that are now or may later be in effect are adopted as a part of these regulations.

WILDLIFE CLOSURE REVIEW BRIEFING

As called for in the Closure Policy, the Office of Subsistence Management is reviewing existing wildlife closures to determine whether the original justifications for closure continue to apply. These reviews are being conducted in accordance with guidance found in the Federal Subsistence Board's Policy on Closures to Hunting, Trapping and Fishing on Federal Public Lands and Waters in Alaska, which was adopted in 2007. According to the policy, existing closures will be reviewed at least every three years, and are typically completed on a three-year rotational schedule. Most of the closures being reviewed this cycle were last reviewed by the Federal Subsistence Board (Board) in 2008. A summary of the current closure reviews which are applicable to your Regional Advisory Council (RAC) are provided.

Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) establishes a priority for the taking of fish and wildlife on Federal public lands and waters for non-wasteful subsistence uses over the taking of fish and wildlife for other purposes (ANILCA Section 804). The Federal Subsistence Board is authorized to restrict or close the taking of fish and wildlife by subsistence and non-subsistence users on Federal public lands and waters (ANILCA Section 804 and 815(3)) when necessary for: 1) the conservation of healthy populations of fish and wildlife; or 2) to continue subsistence users of such populations. In addition, the Board may also close Federal public lands and waters to any taking of fish and wildlife for reasons of public safety, administration, or to assure the continued viability of such population (ANILCA Section 816(b)).

Distribution and abundance of fish and wildlife populations are known to fluctuate based upon a variety of factors such as weather patterns, management actions, habitat changes, predation, harvest activities, and disease. Subsistence use patterns are also known to change over time in response to many factors including resource abundance, human population changes, among others. It is for these reasons that the Board decided in 2007 to conduct reviews every 3 years or earlier if new information becomes available that would potentially allow the closure to be lifted.

A Wildlife Closure Review contains a brief history of why a closure was implemented, along with a summary of the current resource condition and the OSM recommendation as to whether the closure should be continued or lifted.

Councils are asked to consider the OSM recommendation and share their views on the issue. Input from the Councils is critical to the development of regulatory proposals needed to address adjustments to regulations. After the Council reviews the closure review, they have three options, which should be in the form of an **action item**. They can recommend to:

- maintain the status quo
- modify
- rescind

If the Council recommends to modify or rescind, they should submit a proposal (**a separate action item**) at this time. Councils may choose to work with OSM staff to develop a proposal; however, proposals addressing these issues can be submitted by other individuals or organizations as well.

Regardless of the Council recommendation, closures remain in effect until changed by the Federal Subsistence Board, and any regulatory proposals that may result from this review process will be considered through the normal regulatory cycle. The current window for wildlife proposals for the 2014-2016 regulatory cycle closes on March 29, 2013.

FEDERAL WILDLIFE CLOSURE REVIEW

WCR14-34

Current Location: Unit 11—Caribou

Current Federal Regulations

Unit 11

No open season

Closure Dates: Year Round

Current State Regulations

Unit 11—Caribou (caribou regulations for Unit 11 not published)

Unit 11 Resident and Nonresident Hunters:

No State open season

Regulatory Year Initiated: 1993

Regulatory History

In August 1992, the Federal Subsistence Board (Board) closed the “to be announced” fall caribou season by Emergency Special Action S92-09 due to conservation concerns. In 1993, Proposal 34 (P93-034) was adopted by the Federal Subsistence Board (Board) to close Federal public lands to caribou hunting in Unit 11. The combination of low caribou numbers and low recruitment were direct indicators of a continuing conservation concern which warranted protection of the Mentasta Caribou Herd (MCH). Under ANILCA Section 815(3), restricting the taking of fish and wildlife on Federal public lands can be authorized if necessary for the conservation of healthy populations (FSB 1993).

In 1996, the National Park Service (NPS) proposed establishing a limited caribou hunt (15-bull quota) based on the objectives of the “Mentasta Caribou Herd Cooperative Management Plan (1995),” which was signed by Wrangell-St. Elias National Park and Preserve, the Alaska Department of Fish and Game (ADF&G), and Tetlin National Wildlife Refuge. The plan was also endorsed by both the Southcentral and Eastern Interior Subsistence Regional Advisory Councils. Management objectives were based on productivity and not population size. Because of this, the cooperative plan called for establishing a limited hunt despite a declining population due to increased productivity. In 1996, the Board adopted Wildlife Proposal WP96-017 with modification to reopen the caribou season only to residents of Chitina, Chistochina, Copper Center, Gakona, Gulkana, Mentasta, and Tazlina with a quota of 15 bulls. In 1998, Wildlife Proposal WP98-023 was adopted by the Board to close all caribou hunting within Unit 11 because calf recruitment was below management objectives. ADF&G supported the closure because the State season for Mentasta caribou in this area had been closed for several years. In 2011 the Eastern Interior Subsistence Regional Advisory Council (Council) recommended that the closure be continued (EISRAC 2011, OSM 2010).

Closure Last Reviewed: 2011 – WCR10–34

Justification for Original Closure (Section 815(3) Criteria)

Section §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 the 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 816, to continue subsistence uses of such populations, or pursuant to other applicable law;

The combination of low caribou numbers and low recruitment were direct indicators of a continuing conservation concern which warranted protection of this small caribou population. In response to this concern and the need for conservative management actions, the Board closed Federal public lands to caribou hunting in Unit 11 (OSM 1993).

Council Recommendation for the Original Closure

The Federal Subsistence Board’s April 1993 decision, which closed Federal public lands to caribou hunting in Unit 11, occurred prior to the establishment of the Federal Subsistence Regional Advisory Councils.

State Recommendation for the Original Closure

ADF&G supported the closure because the State season for Mentasta caribou in this area had been closed for several years (OSM 1993).

Biological Background

Management of caribou herds in Alaska has been based on site fidelity of cows to discrete calving grounds (Skoog 1968, Hemming 1971, Gunn and Miller 1986) and aggregating together for at least a major portion of the year (Miller 1982). Cows that calve together typically remain together during the rut which suggests that caribou within a herd are breeding together. Population dynamics of caribou are defined by geographic units rather than one large interbreeding population which requires that individual herds be managed separately (Hinkes et al. 2005). There are conflicting views on the role of animal exchange between caribou herds or between calving grounds and its effect on altering demographics (Bergerud 2000). Changes in caribou abundance may be due to changes in distribution that go undetected due to limitations of census efforts (Bergerud 2000). Adjacent herds seldom have concurrent censuses which make it difficult to identify the major shifts of caribou movement between herds. However, major shifts in calving ground use to that of another herd are presumed to be minimal (Gunn and Miller 1986, Valkenburg et al. 2002).

The MCH is the primary herd within Unit 11 and calves and summers within the upper Copper River Basin and northern and western flanks of the Wrangell Mountains (Tobey and Kelleyhouse 2007, Putera 2011). Barten et al. (2001) found that parturient female caribou from the MCH used birth sites that lowered the risk of predation and trade off forage abundance for increased safety. Minimizing risk of predation of neonates may result in ungulates selecting habitats that compromise their ability to optimize foraging (Bowyer et al. 1999, Barten et al. 2001). Female Mentasta herd caribou used sites at higher elevations with sub-optimal forage, presumably to avoid predators, and when <10 day old neonates

were lost, females descended from the higher elevations to join other nonparturient females. In addition, females with neonates >10 days old also descended to join the larger group of females which coincides with moving out of the riskiest period of predation on ungulate neonates (Adams et al. 1995). Jenkins and Barten (2005) found that between 1990-1997, predation of adult females and juveniles was the primary cause of decline and that the survival of juveniles depended on a variety of factors such as winter severity, timing of births, physical condition at birth, and habitat conditions at the birth site.

Population surveys conducted between 1987 and 1991 indicated continued declines in both total numbers and calf:cow ratios. Results from a 1991 survey revealed a critically low calf:cow ratio of 3 calves:100 cows (OSM 1992). This may have been due to a total reproductive failure within the MCH that year as a result of sub-optimal nutrition for female caribou. Poor forage quality in the summer can cause female caribou to skip a breeding season to regain body condition due to being nutritional stress. The resulting decrease in body condition in female caribou can have a negative effect on productivity by causing lower weight gain or survival in calves (Crete and Huot 1993, Dale 2000).

From a 1987 population estimate of 3,160 animals, the herd steadily declined to 336 caribou in 2010 (Putera 2011, pers. comm., **Table 1**). The 1993–2005 population estimates ranged from 970 to 261 animals (post-closure trend) and population estimates that have been adjusted for sightability probabilities show an average of 350 caribou from 2008-2010 (range 319–421) (Putera 2010, pers. comm.). Results from June post-calving and fall post-rut surveys for the period revealed critically low calf production and survival. Fall surveys conducted between 1987 and 2009 revealed severe declines in total observed female caribou from 2,065 to 79, respectively (Putera 2010, pers. comm.).

Fall surveys conducted between 1987 and 2009 also revealed severe declines in total observed Mentasta bulls from 847 in 1987 to 68 in 2009 (**Table 1**). Although observed fall bull:cow ratios appear high, the number of female caribou observed was small and the bull component likely included a significant number of Nelchina bulls. The number of Mentasta bulls per 100 cows has been difficult to determine during fall composition counts due to the presence of Nelchina bulls within the Mentasta herd range in September. Given the years of low Mentasta herd recruitment, recent population estimates for the herd are calculated using a ratio of 30 bulls per 100 cows. While Nelchina bulls have wintered within the range of the Mentasta herd (Putera 2011), the range of the Nelchina herd has varied widely due to wildfires and their effect on lichen availability within their traditional area (Collins et al. 2011). Thus, there is limited ability to predict the extent or frequency of mixing between Nelchina and Mentasta bulls and impossible to discern whether the harvest of a bull would be from the Nelchina or Mentasta herd. Relatively low bull:cow ratios for the MCH could reduce calf survival because higher numbers of adult bulls in the population are important as it helps maintain synchrony in parturition. Holand et al. (2003) showed skewed sex ratio and increased young male age structure of reindeer could result in fewer adult females conceiving during the first estrous cycle due to their hesitation to mate with young bulls. Maintaining synchrony in parturition also provides increased survival chances for calves since parturition is typically timed with the start of plant growth (Bergerud 2000). Late-born offspring have been shown to have lower body mass than caribou born earlier in the season (Holand et al. 2003) which can lead to lower juvenile survival rates due to density dependent factors of winter food limitation (Skogland 1985) and deep snows (Bergerud 2000).

The MCH is considered a sedentary and low density ecotype (Bergerud 1996, Hinkes et al. 2005) versus a migratory and high density ecotype, such as the Nelchina herd, and thus more susceptible to extreme random events. The term ecotype designates populations of the same species that evolved different demographic and behavioral adaptations to cope with specific ecological constraints. A key factor in distinguishing between the two ecotypes is whether animals were dispersed or aggregated when young

were born (Seip 1991, Bergerud 2000). The chronic low calf productivity and recruitment for the Mentasta caribou could make random environmental events a primary driver for a more severe population decline (Tews et al. 2006). Increased winter mortality due to icing events may result in malnutrition and starvation for more susceptible calves, and bulls with depleted energy reserves following the rut (Dau 2004, Miller and Gunn 2003). Bull caribou die at a higher rate than female caribou due to greater energy demands during early winter rutting activities which greatly reduce their body reserves (Russell et al. 1993, Miller and Gunn 2003).

Harvest History

The Mentasta Caribou Herd Management Plan (NPS 1995) states an annual fall harvest quota will be established between 15 and 20 percent of the previous 2-year mean calf recruitment as long as such recruitment is at least 80 calves”. In 2013, the fall recruitment of calves was 23 (Putera 2014), which is well below the minimum threshold of 80 calves required for a hunt (NPS 1995). In addition, at population levels below 2,000 the harvest limit will be limited to “bulls only, and will be closed if the 2-year mean bull:cow ratio drops below 35 bulls:100 cows”.

In addition, the plan states “winter hunts for the Nelchina and Forty-mile caribou herds, may result in incidental harvest of Mentasta caribou and should be managed to minimize the effect on the Mentasta population. When quotas are below 30, permits will be allocated among Federal subsistence users in accordance with a priority system based on: 1) customary and direct dependence upon the resources as the mainstay of one’s livelihood; 2) local residency; and 3) availability of alternative resources (ANILCA, Sec. 804).”

Both annual reported harvest and success rates reflected overall declines between 1977 and 1989. The total harvest reported between 1977 and 1989 was 1,294 caribou. Annual harvest ranged from 149 animals harvested in 1977 to 45 animals in 1989 (ADF&G 1993). The average annual harvest for the 13-year period was 100 caribou (ADF&G 1993). Harvest success rates decreased from 43% in 1977 to 19% in 1989. There was a small harvest from 1996–1998 due to management objectives being met for calf production and recruitment (NPS 1995). Since 1998, there has been no State or Federal season and no reported harvest from the Mentasta Caribou herd.

OSM Preliminary Recommendation:

- maintain status quo**
- initiate proposal to modify or eliminate the closure**
- other recommendation**

Justification

The MCH, as currently defined, exists in low numbers and their occupation of summer and winter ranges results in small groups distributed as a fragmented population. Because of this, total numbers and composition can be significantly affected by sightability when searching for small groups of caribou over vast terrain. Mixing of Nelchina and Mentasta bulls makes interpreting fall composition surveys difficult and there is limited ability to predict the extent, timing or frequency of mixing between the two herds, making it impossible to discern whether a bull was from one herd or the other. The possibility of increased winter mortality due to icing events may result in malnutrition and starvation for more susceptible bulls with depleted energy reserves following the rut. Current low population numbers are indicative of low production, poor recruitment, and low survival rates among cohorts within the

population.

Federal public lands within Unit 11 should remain closed to caribou hunting for conservation concerns (Section 815(3)). The necessity of the closure to Federal public lands in the affected area will be reassessed in three years, per the Federal Subsistence Board Closure Policy, or sooner if additional survey data suggest the closure should be lifted.

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Table 1. Results from 1987-2013 population surveys of the Mentasta Caribou Herd, Unit 11 (Putera 2010, 2014 pers. comm., OSM 2012).

Year	June Calves:100 Cows	Fall Cows	Fall Calves	Fall Bulls	Fall Calves:100 Cows	Fall Bulls:100 Cows ⁷	Fall Population Estimate ¹
1987	18	2065	248	847	12	41	3160
1988	34	1540	277	662	18	43	2480
1989	31	1615	727	258	16	45	2600
1990	-	-	-	-	-	-	-
1991	3	1347	27	566	2	42	1940
1992	16	973	58	399	6	41	1430
1993	9	683	27	260	4	38	970
1994	19	591	65	224	11	38	880
1995	26	541	119	189	22	35	850
1996	16	534	59	187	11 ²	35 ²	780
1997	15	432	23	159	5	40	610
1998	13	350	35	150	10	42	540
1999	13	230	22	177	10	77	430
2000	1	297	0	175	0	59	470
2001	11	228	12	150	5	66	586 ⁵
2002	21	190	55	86	29	45	410 ⁵
2003	17	223	38	101	16	46	522 ⁵
2004	8	-	-	-	5 ³	-	293 ⁴
2005	23	113	17	78	15	69	261
2006	-	-	-	-	-	-	-
2007	23	93	27	72	29	77	280
2008	14	89	18	65	20	73	319 ⁶
2009	12	79	8	68	10	86	421 ⁶
2010	25	88	22	106	25	120	336 ⁶
2013		88	20	68	23	77	

¹ September population estimates are based on # of cows at time of postcalving count and fall calf/bull/cow ratios.

² 1996 fall composition count was not conducted because of early mixing with Nelchina herd. Fall calf/cow was estimated from post-calving calf/cow ratio and survival radio collared cows (.70; 30 June - 30 September). Fall bull/cow ratio is assumed to be the same as 1995.

³ 2004 fall comp count was not conducted due to budget. Fall calf/cow was estimated from post-calving calf:cow ratio and average (1987-2003) calf survivorship (0.63)

⁴ 2004 population estimate is based on extrapolation from June census, adjusted for average calf survivorship and average bull ratios.

⁵ September population estimates are adjusted based on sightability probabilities.

⁶ September population estimates are adjusted based on sightability probabilities and assuming a ratio of 30 bulls:1000 cows within Mentasta here to adjust for mixing of Nelchina bulls.

⁷ Observed high bull:cow ratios likely due to presence of Nelchina bulls.

Note: remnant caribou herds exist in low numbers and as a result their occupation of summer and winter ranges results in small groups distributed as a fragmented population. Because of this, total numbers and composition can be significantly affected by sightability when searching for small groups of caribou over vast terrain.

We are currently excepting proposals for:
Federal Subsistence Hunting and Trapping Regulations

Ending Date: March 25, 2015

How to Prepare Your Proposal

When preparing your proposal, it is important that you include the following information:

- Name
- Organization
- Contact information (Address, Phone, Fax or Email)

Your proposal must include the following information:

1. What regulations do you wish to change? Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state “new regulation.”
2. How should the new regulation read? Write the regulation the way you would like to see it written in the regulations.
3. Why should this regulation change be made?

You should also provide any additional information that you believe will help the Board in evaluating the proposed change.

How to Submit a Proposal

By mail or hand delivery:

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

**In person at any Federal Subsistence
Regional Advisory Council meeting:**

www.doi.gov/subsistence/calendars/index.cfm

On the Web:

Go to the Federal eRulemaking Portal:
www.regulations.gov and search for FWS-R7-
SM-2014-0062, which is the docket number for
this rulemaking.

Questions? Call (800) 478-1456 or (907) 786-3888

All proposals and comments, including personal information provided, are posted on the Web at
www.regulations.gov.

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.

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

Southcentral Alaska Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the Southcentral Alaska Subsistence Regional Advisory Council (Council).
2. **Authority.** The Council is reestablished by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (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 established in accordance with the provisions of 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.** The Council possesses the authority to perform the following duties:
 - a. Recommend the initiation of, review, and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the region.
 - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the region.
 - c. Encourage local and regional participation in the decision making process affecting the taking of fish and wildlife on the public lands within the region for subsistence uses.
 - d. Prepare an annual report to the Secretary containing the following:
 - (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the region.
 - (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the region.

- (3) A recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs.
 - (4) Recommendations concerning policies, standards, guidelines and regulations to implement the strategy.
 - e. Appoint one member to the Wrangell-St. Elias National Park Subsistence Resource Commission and two members to the Denali National Park Subsistence Resource Commission in accordance with Section 808 of the Alaska National Interest Lands Conservation Act (ANILCA).
 - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
 - g. Make recommendations on determinations of rural status.
 - h. Provide recommendations on the establishment and membership of Federal local advisory committees.
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 \$160,000, including all direct and indirect expenses and 1.15 staff years.
 8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 7, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
 - Approve or call all of the advisory committee’s and subcommittees’ meetings,
 - Prepare and approve all meeting agendas,
 - Attend all committee and subcommittee meetings,
 - Adjourn any meeting when the DFO determines adjournment to be in the public interest, and
 - 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 terminate 2 years from the date the Charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.
12. **Membership and Designation.** The Council's membership is composed of representative members as follows:

Thirteen members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the region represented by the Council. To ensure that each Council represents a diversity of interests, the Federal Subsistence Board in their nomination recommendations to the Secretary will strive to ensure that 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 4-year terms. If no successor is appointed on or prior to the expiration of a member's term, then the incumbent member may continue to serve until the new appointment is made or 120 days past the expiration of term, whichever is sooner. A vacancy on the Council will be filled by an appointed alternate, if available, or in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

Council members will elect a Chair, a Vice-Chair, and a 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 may participate in any specific party matter in which the member has a direct financial interest in a lease, license, permit, contract, claim, agreement, or related litigation with the Department.

- 14. Subcommittees.** Subject to the DFO’s approval, subcommittees may be formed for the purposes 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. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
- 15. Recordkeeping.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, must be handled in accordance with General Records Schedule 26, Item 2, or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Secretary of the Interior

Date Signed

Date Filed

Fall 2015 Regional Advisory Council Meeting Calendar

August–November 2015

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug. 16	Aug. 17 WINDOW OPENS	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	Sept. 1	Sept. 2	Sept. 3	Sept. 4	Sept. 5
Sept. 6	Sept. 7 HOLIDAY	Sept. 8	Sept. 9	Sept. 10	Sept. 11	Sept. 12
Sept. 13	Sept. 14	Sept. 15	Sept. 16	Sept. 17	Sept. 18	Sept. 19
Sept. 20	Sept. 21	Sept. 22	Sept. 23	Sept. 24	Sept. 25	Sept. 26
					K/A—Adak	
Sept. 27	Sept. 28	Sept. 29	Sept. 30 <i>End of Fiscal Year</i>	Oct. 1	Oct. 2	Oct. 3
Oct. 4	Oct. 5	NWA—Buckland (tent.)		Oct. 8	Oct. 9	Oct. 10
			YKD—TBA			
Oct. 11	Oct. 12	Oct. 13	Oct. 14	Oct. 15	Oct. 16	Oct. 17
		SE—Petersburg				
			SP—Nome			
Oct. 18	Oct. 19	Oct. 20	Oct. 21	Oct. 22	Oct. 23	Oct. 24
		SC - Seldovia				
Oct. 25	Oct. 26	Oct. 27	Oct. 28	Oct. 29	Oct. 30	Oct. 31
		BB - Dillingham		EI - Fairbanks		
Nov. 1	Nov. 2	Nov. 3	Nov. 4	Nov. 5	Nov. 6	Nov. 7
		WI - Kaltag				
		NS—Kaktovik (tent.)			WINDOW CLOSSES	

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.



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