



Southcentral Alaska Subsistence  
Regional Advisory Council Meeting Materials  
*October 3-4, 2023*  
*Kenai, Alaska*



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*On the cover...*

Photo of two caribou bulls  
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# SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL

Kenai Chamber of Commerce and Visitor Center

Kenai

October 3-4, 2023

Convening at 9 a.m. daily

**To join via teleconference: Call 1-866-436-1163 and enter the Conference ID: 734 525 593#**

**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. Invocation**
- 2. Call to Order** (*Chair*)
- 3. Roll Call and Establish Quorum** (*Secretary*)
- 4. Welcome and Introductions** (*Chair*)
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- iii. Partners for Fisheries Monitoring Program

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- h. Comment on relevant State of Alaska Regulatory Proposals

- i. Fall 2023 Council application/nomination open season (*Council Coordinator*)

- j. Winter 2024 All-Council meeting proposed topics discussion (*Council Coordinator*)

## 12. Agency Reports

(Time limit of 15 minutes unless approved in advance)

Tribal Governments

Native Organizations

Alaska Department of Fish and Game

Subsistence Division Update

U.S. Fish and Wildlife Service

National Park Service

Wrangel – St. Elias National Park and Preserve Report

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## 15. Adjourn (*Chair*)

To join Meeting via teleconference: Call 1-866-436-1163 and enter the conference ID: 734 525 593#

### *Reasonable Accommodations*

The Federal Subsistence Board is committed to providing access to this meeting for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Nissa Pilcher, 907-891-9054, nissa\_batespilcher@fws.gov, or 800-877-8339 (TTY), by close of business on September 22, 2023.

## REGION 2—Southcentral Alaska Regional Advisory Council

Seat	Year Appointed <i>Term Expires</i>	Member Name & Address	Represents
<b>1</b>	2016 <b>2025</b>	<b>Edward Holsten</b> Cooper Landing	Subsistence
<b>2</b>	2020 <b>2025</b>	<b>Michael Opheim</b> Seldovia	Subsistence
<b>3</b>	2003 <b>2025</b>	<b>Greg Encelewski</b> <b>Chair</b> Ninilchik	Subsistence
<b>4</b>	2016 <b>2025</b>	<b>Diane Selanoff</b> Valdez	Subsistence
<b>5</b>	2020 <b>2025</b>	<b>Dennis Zadra</b> Cordova	Commercial/Sport
<b>6</b>	2003 <b>2023</b>	<b>Gloria Stickwan</b> <b>Vice-Chair</b> Copper Center	Subsistence
<b>7</b>	2020 <b>2023</b>	<b>Angela Totemoff</b> Anchorage	Subsistence
<b>8</b>	<b>2023</b>	<b>VACANT</b>	
<b>9</b>	2011 <b>2023</b>	<b>Andrew McLaughlin</b> Chenega Bay	Subsistence
<b>10</b>	2021 <b>2024</b>	<b>Donna Faust-Wilson</b> Sutton	Subsistence
<b>11</b>	2021 <b>2024</b>	<b>Hope Roberts</b> <b>Secretary</b> Valdez	Commercial/Sport
<b>12</b>	2021 <b>2024</b>	<b>Heath Kocan</b> Cordova	Subsistence
<b>13</b>	2023 <b>2024</b>	<b>Judith Caminer</b> Anchorage	Commercial/Sport

**SOUTHCENTRAL ALASKA**  
**SUBSISTENCE REGIONAL ADVISORY COUNCIL**  
**Meeting Minutes**

Dimond Center Hotel, Anchorage, Alaska  
March 15, 2023

**Invocation**

Gloria Stickwan gave an invocation.

**Call to Order, Roll Call and Quorum Establishment**

Chair Greg Encelewski called the meeting to order on Wednesday, March 15, 2023, at 9:01 am. Chair Encelewski and Council members Edward Holsten, Michael Opheim, Diane Selanoff, Gloria Stickwan, Andrew McLaughlin, Dennis Zadra, Hope Roberts, and Heath Kocan were present in person. Council member Donna Wilson participated via teleconference. Donna Claus was excused, and Angela Totemoff was absent. With ten of twelve seated Council members present (Council has one vacant seat) quorum was established.

**Attendees participating:**

Office of Subsistence Management (OSM): *Jessica Gill, Robbin La Vine, Brian Ubelaker, Justin Koller, Jason Roberts, Katya Wessels, Orville Lind, Sue Detwiler*  
Kenai National Wildlife Refuge, U.S. Fish and Wildlife Service (USFWS): *Todd Eskelin\**  
U.S. Fish & Wildlife Service: *Dave Wigglesworth, Jill Klein*  
Bureau of Land Management (BLM): *Caroline Ketron, Jacob Masterfield, Chris McKee*  
Bureau of Indian Affairs (BIA): *Glenn Chen\**  
National Park Service (NPS), Anchorage: *Victoria Florey, Grant Hilderbrand, Kim Jochum\**  
Denali National Park and Preserve, NPS: *Amy Craver\*, Pat Owen\**  
Wrangell St. Elias National Park and Preserve, NPS: *Dave Sarafin, Barbara Cellarius\*, Kyle Cutting\**  
U.S. Forest Service: *Greg Risdahl*  
Chugach National Forest, U.S. Forest Service: *David Pearson, Dan Schmalzer, Heather Thamm, Jordan Rymer, Ruth D'Amico\**  
Alaska Department of Fish and Game: *Mark Burch*  
Ahtna Intertribal Resource Commission: *Dan Gorze*  
Native Village of Eyak: *Matte Piche*  
University of Alaska Fairbanks: *Marina Alcantar\**  
Members of the Public: *Toisan Deborah Smith, Judy Caminer*

\*Indicates participation via teleconference.



## **Review and Adopt Agenda**

Motion by Member McLaughlin, seconded by Member Opheim, to adopt the agenda with the following additions:

New Business item M: Department of the Interior (DOI) Update on OSM

Old Business item B: Delegations of Authority

The motion passed unanimously.

## **Election of Officers**

Richard Greg Encelewski was elected Chair.

Andrew McLaughlin was elected Vice-Chair.

Michael Opheim was elected Secretary.

## **Review and Approve Previous Meeting Minutes**

Motion by Member McLaughlin, seconded by Member Holsten, to approve the Fall 2022 meeting minutes as presented. The motion passed unanimously.

## **Council Member Reports**

Diane Selanoff of Valdez reported that humpies (Pink Salmon) and kings (Chinook Salmon) were low this year. She expressed concerns about out-of-town bear hunters trespassing. There were not a lot of harvested moose. A moth species has been impacting local blueberries. Shellfish has been good. There is anticipation with the upcoming herring arrival.

Heath Kocan of Cordova reported that people that got moose tags were able to fill their tickets. He hopes that silver (Coho Salmon) fishing will improve.

Michael Opheim of Seldovia reported that rabbits are in decline this year. Moose were brought down to the road because of heavy snow. He saw a cow with an injured leg and another heavy with a calf. He noted there were not too many coyotes and wolves have moved down around Nanwalek. People are doing good on winter kings (Chinook Salmon). There have been a lot of ducks and swans overwintering between Crone Bay and Seldovia. Two nanny goats were harvested by nonlocal hunters.

Dennis Zadra of Cordova reported that the community had a lot of snow early in the winter, then ice. Deer population was good before the ice, but he thinks they will be ok. The Alaska Department of Fish and Game forecast for kings (Chinook Salmon) was 15% above the 10-year average and there is a good chance to see kings (Chinook Salmon) on the Copper River. The Sockeye Salmon forecast is 9% below the 10-year average. The Gulkana Hatchery has been seeing poor returns. He just finished participating the statewide Alaska Board of Fisheries meeting, where they voted to eliminate commercial guides in subsistence fisheries.

Hope Roberts of Valdez reported that it has been hard to find sea otters around Valdez, and she has been having to move to other areas to harvest.

Gloria Stickwan of Tazlina reported that the Wrangell-St. Elias National Park and Preserve Subsistence Resource Commission meeting was in February and provided comments on proposed rules. Sue Entsminger was voted in as chair and Member Stickwan was voted in as vice-chair.

Andrew McLaughlin of Chenega Bay reported that the snow started early, followed by rain then freezing and ice. There is not a lot of snowpack at high elevations; willows and alders are sticking up. There might be low run-off and low water events locally. Natural streams might not get enough water for salmon spawning. Silver (Coho Salmon) returns are poor. Clam beds that have been harvested historically are being disrupted by sea otters. Herring and humpback whales are late to return to the area. No mountain goats have been seen on Bainbridge Island. There has been less subsistence harvest due to fuel prices hindering excursions. There have been few deer harvested with fewer hunters attempting to harvest. Winter kings (Chinook Salmon) are getting harvested by trollers in Prince William Sound.

Edward Holsten of Cooper Landing reported that there has been lots of snow with no rain. After the first snow, a few bears wandered through town without causing trouble. The rabbit population is high. There have been more younger moose around, possibly due to snow in the mountains, and there has been hardly any roadkill. The community is facing some severe Chinook Salmon closures.

Donna Wilson of Sutton reported that there have been concerns about the proposed haul road for mining activity in Tok with possible impacts of dust and transport.

Greg Encelewski of Ninilchik reported that there has been a lot of snow and no rain. Snow machiners and seismic work have been impacting local animals. The Federal moose hunt went well. People have been going across the bay to get clams. Salmon forecast projection is a little lower than average. Kings (Chinook Salmon) closure is earlier than normal, and the only river open to sport fishing is the Ninilchik River because of the hatchery upstream; harvest on wild stocks is closed. There has been a battle between the drift gill fleet and the Federal and State governments. Set nets on the Kenai River are closed because of low king (Chinook Salmon) returns. A few wolves have been taken around Ninilchik and there have been lots of coyotes around. Food security is getting tight, and subsistence is really important in and around communities.

## **Old Business**

### ***Follow up on May 2023 North American Caribou Workshop and Arctic Ungulate Conference***

The Council received a follow up presentation on the North American Caribou Workshop and Arctic Ungulate Conference in May 2023 by Mr. Brian Ubelaker, Wildlife Biologist with Office of Subsistence Management.

***Delegation of Authority Letters***

Member McLaughlin provided a background on the Unit 6 deer & moose Delegation of Authority Letter for the Cordova District Ranger. The Council in the past voted in support of a temporary special action and associated delegated authority and approved the letter with a two-year sunset clause. He noted that local people should be consulted before the Federal manager acts. Member McLaughlin motioned, seconded by Member Selanoff, to request the Federal Subsistence Board rescind the Unit 6 moose and deer Delegation of Authority Letter from the Cordova District Ranger. The motion passed unanimously.

**New Business*****Wildlife Closure Reviews***

The Council reviewed two regional wildlife closure reviews and two crossover closure reviews. Mr. Ubelaker presented the analysis for all four closure reviews. The two regional closure reviews were WCR24-03 (Unit 7, draining into King's Bay closed to moose hunting except by residents of Chenega Bay and Tatitlek) and WCR24-41 (Unit 6C closed to moose hunting by non-federally qualified users in November and December). The two crossover closure reviews were WCR24-35 (Unit 12, east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickeral Lake to the Canadian border closed to caribou hunting by non-federally qualified users (Chisana caribou)) and WCR24-42 (Unit 12, within Wrangell-St. Elias National Park and Preserve that lies west of the Nabesna River and the Nabesna Glacier closed to caribou hunting by all users (Mentasta caribou)).

***Call for Federal Wildlife Proposals***

Prior to opening the call for Federal wildlife proposals, the Council heard reports on the status of wildlife in the region from Kyle Cutting, wildlife biologist, and Barbara Cellarius, cultural anthropologist, with Wrangell-St. Elias National Park and Preserve; Pat Owen, wildlife biologist with Denali National Park and Preserve; Todd Eskelin, wildlife biologist with Kenai National Wildlife Refuge; David Pearson, Subsistence Program Lead with Chugach National Forest; and Caroline Ketron, anthropologist with the Glennallen Field Office, Bureau of Land Management.

Mr. Ubelaker presented the call for Federal wildlife proposals. The Council voted to submit one proposal to the Federal Subsistence Board for the 2024-2026 wildlife regulatory cycle. The proposal was to rescind the delegation of authority letter for the Cordova District Ranger for Unit 6 moose and deer.

***Department of Interior Update on Office of Subsistence Management***

Assistant Secretary for Indian Affairs Bryan Newland presented on the President's proposed FY 2024 budget, which included a proposal to move the Office of Subsistence Management from the U.S. Fish and Wildlife Service to the Assistant Secretary for Indian Affairs office.

***Denali National Park and Preserve Individual C&T Analyses***

Ms. Amy Craver, Cultural Resources Historian, presented two individual customary and traditional use requests for Denali National Park and Preserve: ICTP 23-01 and ICTP 24-01. Member Opheim motioned to support both proposals, Member McLaughlin seconded. The motion passed unanimously. The

Council supported these two proposals because they would benefit subsistence users and would not unnecessarily restrict other users and there are no conservation concerns.

### ***2021 Council Charter Review***

Ms. Jessica Gill, Council Coordinator, reviewed the Southcentral Alaska Subsistence Regional Advisory Council charter. Member Holsten motioned to approve the 2021 Council Charter, adding in language about a non-voting youth representative seat that could receive college credit for participation. Member Opheim seconded. The motion passed unanimously.

### ***Review and approve FY2022 Annual Report***

Member Selanoff motioned to adopt the FY2022 Annual Report with two additions:

- Support for expanding educational and other opportunities for youth and young potential Council members within the Federal Subsistence Management Program and on the Council
- Request standard 4-year review of all Delegation of Authority Letters within the region

Member Opheim seconded. The motion passed unanimously.

### ***Federal Subsistence Board Updated Draft Council Correspondence Policy***

Ms. Robbin La Vine, OSM Policy Coordinator, reviewed the updated Council Correspondence Policy. Member McLaughlin motioned to support the draft Council Correspondence Policy as written and Member Opheim seconded. The motion passed unanimously.

### ***Fisheries Resource Monitoring Program Update***

Mr. Justin Koller, OSM Fisheries Biologist, presented an update on the Fisheries Resource Monitoring Program.

### ***Partners for Fisheries Monitoring Program Update***

Mr. Koller presented an update on the Partners for Fisheries Monitoring Program. Mr. Matt Piché, Fisheries Biologist, presented a report on Copper River Chinook Salmon distribution and run timing funded through the Partners program for the Native Village of Eyak.

### ***Regulatory Cycle Update***

Mr. Koller updated the Council on the fisheries regulatory cycle.

### ***Request for Reconsideration RFR22-01***

Mr. Koller updated the Council on the request for reconsideration for the Lower Copper River Federal subsistence dipnet fishery.

***NPS seeks input on proposed changes to 2020 Hunting and Trapping regulations on national preserves in Alaska***

Dr. Grant Hilderbrand, Associate Regional Director for Resources, updated the Council on the proposed rule for sport hunting on national preserves. Member Stickwan and Dr. Barbara Cellarius, anthropologist with Wrangell-St. Elias National Park and Preserve, presented a letter on the proposed rule from the Wrangell-St. Elias Subsistence Resource Commission (SRC). Member Stickwan motioned to adopt the SRC comments on the proposed rule and submit them as comments from the Council to the National Park Service. Member Selanoff seconded the motion. The motion passed unanimously.

***Public Testimony (for complete testimony, please review transcripts for March 15, 2023)***

No members of the public provided public testimony.

**Agency Reports:**

- Ninilchik Traditional Council report was presented by Mr. Greg Encelewski, President
- Ahtna InterTribal Resource Commission report was presented by Mr. Dan Gorze, Fisheries Biologist
- Chugach Regional Resources Commission report was presented by Mr. Michael Opheim, Inter-Tribal Liaison
- Report on ocean acidification impacts on Pink Salmon and Razor Clams was presented by Ms. Marina Alcantar, Doctoral Candidate, University of Alaska Fairbanks, Marine Biology Program
- Chugach National Forest Law Enforcement update presented by Mr. Jordan Rymer, Law Enforcement Officer
- Chugach National Forest report presented by Mr. Pearson, Biological Science Technician (Fisheries)
- Wrangell-St. Elias National Park and Preserve Subsistence Resource Commission and anthropology report presented by Dr. Cellarius, Anthropologist
- Wrangell-St. Elias National Park and Preserve fisheries report presented by Mr. Dave Sarafin, Fisheries Biologist
- Office of Subsistence Management report presented by Ms. La Vine, Policy Coordinator

**Future Meeting Dates:**

Fall 2023 meeting to be held October 3-4, 2023 in Kenai.

Winter 2024 All Council meeting preferred date is March 4-8, 2024 in Anchorage.

Fall 2024 meeting to be held October 10-11, 2024, location to be determined.

The meeting was adjourned after one day.

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Jessica Gill, Designated Federal Officer  
U.S. Fish and Wildlife Service Office of Subsistence Management

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Greg Encelewski, Chair  
Southcentral Subsistence Regional Advisory Council

These minutes will be formally considered by the Southcentral Subsistence Regional Advisory Council at its Fall 2023 meeting, and any corrections or notations will be incorporated in the minutes at that meeting.

A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Contact Jessica Gill at 1-800-478-1456 (toll free) or 907-310-6129, or by email at [jessica\\_gill@fws.gov](mailto:jessica_gill@fws.gov).



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## Federal Subsistence Board Meeting Advisory



U.S. Fish and Wildlife Service  
Bureau of Land Management  
National Park Service  
Bureau of Indian Affairs

Forest Service

**For Immediate Release:**  
August 3, 2023

**Contact:** Robbin La Vine  
(907) 786-3353 or (800) 478-1456  
robbin\_lavine@fws.gov

### Results from the Federal Subsistence Board Work Session

During its August 2-3, 2023, work session, the Federal Subsistence Board (Board) discussed and approved responses to Regional Advisory Council (Councils) FY22 annual reports, reviewed Council recommendations for changes to Council charters, and received briefings on updates to the Regional Advisory Council Correspondence Policy and a letter from the Southeast Council to the Board on transboundary river watersheds.

The Board voted to recommend the Secretaries of the Interior and Agriculture (Secretaries) adopt the Councils' requests to modify their Council charters to add language authorizing a non-voting young leader seat to the Membership and Designation Section of all ten Councils' charters. The Board also voted to recommend that the Secretaries adopt charter language submitted by the Northwest Arctic Council to improve geographic representation on the Council. The Board also approved individual customary and traditional use determination proposals ICTP23-01 and ICTP23-02 pertaining to areas managed by the National Park Service in Unit 13.

In addition to the public work session, the Board held an executive session on Thursday, August 3, 2023. The purpose of this meeting was to develop recommendations to the Secretaries of Interior and Agriculture for appointments to the Regional Advisory Councils. A summary of the executive session will be made available to the Councils and, upon request, to the public.

Information about the Federal Subsistence Management Program may be found on the web at [www.doi.gov/subsistence](http://www.doi.gov/subsistence) or by visiting [www.facebook.com/subsistencealaska](https://www.facebook.com/subsistencealaska).

**Missing out on the latest Federal subsistence issues?** If you'd like to receive emails and notifications on the Federal Subsistence Management Program, you may subscribe for regular updates by emailing [fws-fsb-subsistence-request@lists.fws.gov](mailto:fws-fsb-subsistence-request@lists.fws.gov).

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**Southcentral Alaska Subsistence Regional Advisory Council**

c/o Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199  
Phone: (907) 787-3888, Fax: (907) 786-3898  
Toll Free: 1-800-478-1456

In Reply Refer to:  
RAC/SC.23003.JG

APR 24 2023

Anthony Christianson, Chair  
Federal Subsistence Board  
c/o Office of Subsistence Management  
1011 E. Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Dear Chairman Christianson:

The Southcentral Alaska Subsistence Regional Advisory Council (Council) appreciates the opportunity to submit its FY-2022 Annual Report to the Federal Subsistence Board (Board) under the provisions of Section 805(a)(3)(D) of the Alaska National Interest Lands Conservation Act (ANILCA). At its public meeting held on October 12-13, 2022, the Council identified concerns and recommendations for this report. The Council approved this Annual Report at its March 15, 2023 meeting. The Council wishes to share the following information and concerns dealing with the implementation of Title VIII of ANILCA and the continuation of subsistence uses in the Southcentral Region:

**1. The process of reporting anticipated needs of subsistence as stated in the Council Charter**

In Section 4(d)(1) and (2), the Council's charter states, "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;" The Council requested clarification on reporting anticipated needs of subsistence and how to conduct an analysis of subsistence use amounts for fish and wildlife in the Southcentral Region. The Council is concerned about increasing competition for resources harvested by Federally qualified subsistence users.

**2. Customary and Traditional Use determination process review and competition for the Federally qualified subsistence users for Copper River Salmon**

The Council expressed interest in reviewing and updating the process for Customary and Traditional Use (C&T) determinations. The Council is aware of the eight factors for C&T (listed

below) and understands that not all factors need to be met to grant C&T to a community. The Council is also aware that in 2010, the Regional Advisory Councils were asked by the Secretary of the Interior to provide input on the process to make it broader and more inclusive. The Council noted that the input provided into the process by the Councils was to be broad and inclusive of *resources* harvested, not for those requesting C&T use determination. The Council is concerned about competition with other users for subsistence resources available to rural residents, especially for Copper River Salmon. The Council worries about increased competition from an increasing rural resident population and the establishment of new rural communities by non-rural residents who then request C&T. The Council noted requiring communities meet all factors of C&T could alleviate some issues with the C&T request process. Also, the process could be improved by setting some criteria thresholds. For example, the factors that incorporate time (e.g., the phrases “long-term”, “many years”, “passing knowledge from generation to generation”) are not clearly defined.

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

### **3. Climate change impacts on methods and means of use and the need for flexibility in seasons affected by climate change**

The Council expressed concerns about climate change impacting the methods and means of harvest of subsistence resources. For example, high water levels from intense precipitation are impacting the use and efficacy of traditional fishwheels. Sites that are good for fish wheels which are often not suitable during high water events, and increased precipitation results in more debris (trees, root wads, etc.) in the river when the water is really high that can impact or break the wheels. This example, among others documented in previous annual reports and Council reports during Council meetings, make it difficult to reliably depend on traditional resources. Another major impact from climate change is a change in species migration timing, which results in a mismatch between regulated season timing and resource availability. Additionally, methods and means of harvest used by generations have become inefficient for harvest of traditional resources. The Council encourages the Board to review harvest seasons and methods of harvest and be ready to adapt to changing situations.

**4. Climate change impacts on ocean resources, including paralytic shellfish poisoning and ocean acidification impacts on clams, salmon, and ocean food webs**

The Council is interested in continuing to receive information about the impacts of climate change on ocean resources. This has been a topic of interest to the Council for the last few years, and the staff at OSM has invited guest speakers to speak about climate impacts. The Council is particularly interested in how climate change is impacting marine food webs. Subsistence resources such as clams and salmon are critical to the people that call the Southcentral region home, and impacts to marine food webs will have profound impacts on species utilized as subsistence resources. Understanding the impacts of climate change on salmon and clams will allow State and Federal subsistence managers to respond more readily to changing population sizes. The Council noted they would be interested in learning more about the causes and impacts of paralytic shellfish poisoning (PSP). The seasonality of PSP has changed, and as a result, clams have not been safe to eat during the winter months.

**5. Ahtna Intertribal Resource Commission Memorandum of Agreement on cooperative management of customary and traditional subsistence uses in the Ahtna region**

The Council expressed interest in receiving an update on the Memorandum of Agreement (MOA) between the Department of Interior and Ahtna Intertribal Resource Commission. The purpose of this MOA was to formalize subsistence wildlife management partnership for the allocation and harvest of moose and caribou by rural residents of the Native villages in the Ahtna region on Federal public lands. The MOA was established in 2017 to create a new Federal advisory committee that covers the Ahtna Traditional Use territory. The Council would like to know the status of the MOA.

**6. Jurisdiction on subsistence shellfish resources in Prince William Sound and concern over the stock size and closure of subsistence shellfish seasons**

The Council expressed concerns over subsistence crabbing opportunities within Prince William Sound. The Council acknowledged that the Board does not have jurisdiction here and that the waters of Prince William Sound are State-managed. Subsistence harvesters have been utilizing the intertidal area to collect food for thousands of years, and it is a disservice to Federally qualified subsistence users to not have authority over the resources contained in the intertidal zone. State regulations have been much more stringent than Federal for peoples' ease of getting food. With the recent closure of the commercial Tanner and King Crab fisheries, there is concern that subsistence closures could be on the way.

**7. Support opportunities for youth representative seat on the Regional Advisory Council**

The Council advocates for a 'youth representative seat' on the Regional Advisory Councils. It is essential for younger subsistence users to learn about the Federal regulatory process so that this new generation of leaders can understand and participate in the public decision-making process effectively. The Council would like the Board to explore the possibility of applying college



credit towards engagement in the Council process. This will enable interested students to participate in the work of their Regional Advisory Council while also earning credits for school.

**8. Request a standard four-year review of all Delegation of Authority Letters**

The Board can delegate specific regulatory authority to local Federal managers to issue emergency or temporary special actions to ensure conservation of healthy fish or wildlife populations, to continue uses of fish or wildlife, to ensure public safety, or to assure the continued viability of fish or wildlife populations. Delegation of Authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 110.10(d)(6), which state: "The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board." The Council requests the Board implement a four-year review process for Delegation of Authority similar to the periodic review of wildlife and fishery closures. A four-year review process will allow for continual inclusion of local participation and input during in-season management decisions, adjust to Federal staffing changes, and allow for flexibility in the management system.

The Southcentral Alaska Subsistence Regional Advisory Council appreciates the Board's attention to these matters and the opportunity to assist the Federal Subsistence Management Program in meeting its charge of protecting subsistence resources and uses of these resources on Federal public lands and waters. The Council looks forward to continuing discussions about the issues and concerns of subsistence users in the Southcentral Region. If you have any questions regarding this report, please contact me via Jessica Gill, Subsistence Council Coordinator, Office of Subsistence Management, at [jessica\\_gill@fws.gov](mailto:jessica_gill@fws.gov), or 1-800-478-1456 or 907-310-6129.

Sincerely,



Richard (Greg) Encelewski  
Chair Regional Advisory Council  
Southcentral Region

Enclosure

cc: Federal Subsistence Board  
Southcentral Alaska Subsistence Regional Advisory Council  
Office of Subsistence Management  
Interagency Staff Committee  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Special Projects Coordinator, Alaska Department of Fish and Game  
Administrative Record



## **Federal Subsistence Board**

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



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

FOREST SERVICE

AUG 08 2023

OSM 23063

Richard Greg Encelewski, Chair  
Southcentral Alaska Subsistence  
Regional Advisory Council  
c/o Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Dear Chair Encelewski:

This letter responds to the Southcentral Alaska Subsistence Regional Advisory Council's (Council) fiscal year 2022 Annual Report. The Secretaries of the Interior and Agriculture have delegated to the Federal Subsistence Board (Board) the responsibility to respond to these reports. The Board appreciates your effort in developing the Annual Report. Annual Reports allow the Board to become aware of the issues outside of the regulatory process that affect subsistence users in your region. The Board values this opportunity to review the issues concerning your region.

**1. The process of reporting anticipated needs of subsistence as stated in the Council Charter**

*In Section 4(d)(1) and (2), the Council's charter states, "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." The Council requested clarification on reporting anticipated needs of subsistence and how to conduct an analysis of subsistence use amounts for fish and wildlife in the Southcentral Region. The Council is concerned about increasing competition for resources harvested by Federally qualified subsistence users.*

**Response:**

The Board is keenly aware of the heavy demand by many users for the harvest of fish and wildlife in your region. Title VIII of the Alaska National Interest Lands Conservation Act

(ANILCA) broadly requires the Board to provide a priority for subsistence uses over other consumptive uses of fish and wildlife on Federal public lands. Neither Title VIII nor its implementing regulations require the Federal program to quantify amounts that are needed for subsistence. Accordingly, there is currently no quantitative formula for identifying or reporting anticipated needs for subsistence uses.

The Board relies on the Regional Advisory Councils to identify the current and anticipated subsistence needs in their respective communities based on members' local and traditional knowledge. This knowledge can be either quantitative or qualitative. No formal analysis is needed. The Board also asks the Council to support your region by making recommendations on regulatory proposals and special actions and by submitting proposals and requests for special actions when necessary. It is not required to meet a threshold before alerting the Board that it must act to support the continuation of subsistence uses. The Board is aware of the conflicts and challenges your region faces over declining harvests and resources. If increasing pressure on important fish and wildlife resources is interfering with the continuation of subsistence uses, you can request the Board close Federal public lands and waters to non-subsistence uses through a special action.

## **2. Customary and Traditional Use determination process review and competition for the Federally qualified subsistence users for Copper River Salmon**

*The Council expressed interest in reviewing and updating the process for Customary and Traditional Use (C&T) determinations. The Council is aware of the eight factors for C&T (listed below) and understands that not all factors need to be met to grant C&T to a community. The Council is also aware that in 2010, the Regional Advisory Councils were asked by the Secretary of the Interior to provide input on the process to make it broader and more inclusive. The Council noted that the input provided into the process by the Councils was to be broad and inclusive of resources harvested, not for those requesting C&T use determination. The Council is concerned about competition with other users for subsistence resources available to rural residents, especially for Copper River Salmon. The Council worries about increased competition from an increasing rural resident population and the establishment of new rural communities by non-rural residents who then request C&T. The Council noted requiring communities meet all factors of C&T could alleviate some issues with the C&T request process. Also, the process could be improved by setting some criteria thresholds. For example, the factors that incorporate time (e.g., the phrases "long-term", "many years", "passing knowledge from generation to generation") are not clearly defined.*

*A community or area's customary and traditional use is generally exemplified through these eight factors: (1) a long-term, consistent pattern of use, excluding interruptions beyond the control of the community or area; (2) a pattern of use recurring in specific seasons for many years; (3) a pattern of use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics; (4) the consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the community or area; (5) a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances,*

*where appropriate; (6) a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation; (7) a pattern of use in which the harvest is shared or distributed within a definable community of persons; and (8) a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to the community or area.*

**Response:**

The Board appreciates the Council's comments and concerns for the customary and traditional use determination process. It is critical that the Council provide feedback to the Board on the impacts of regulations and processes on subsistence users so that adaptive decisions can be made. As the Council noted, the goal of the customary and traditional use determination analysis process is to recognize customary and traditional uses in the most inclusive manner possible. When considering customary and traditional use determinations, the Board uses the broad threshold criteria and recognizes that they do not account for the regional and cultural differences across the State of Alaska. Instead, the Board relies on Regional Council recommendations and the eight customary and traditional use determination factors as guidelines for recognizing a community's pattern of resource use and its role in their subsistence way of life.

The Federal Subsistence Management Program prioritizes the use of a subsistence resource for federally qualified subsistence users when that resource is limited and there is a conservation concern for it. There are four levels of subsistence prioritization, depending on the severity of the conservation concern.

- Level 1: Limitations and restrictions to all users except federally qualified subsistence users
- Level 2: Closure to all users except federally qualified subsistence users
- Level 3: Prioritization among federally qualified subsistence users
- Level 4: Closure to all users

A regulatory proposal or special action request must be submitted for each level of Federal subsistence prioritization. An ANILCA Section 804 subsistence resource prioritization analysis is only required when there is a proposal for Level 3: Prioritization among Federally qualified users. When this occurs, the Board determines which of the communities with customary and traditional use determinations for that resource have priority based on customary and direct dependence on the resource, proximity to the resource, and availability of alternative subsistence resources.

Recognizing that customary and traditional use determination remains a complicated but essential process of the Federal Subsistence Management Program, OSM is planning to organize a session on this topic at the All-Council meeting in March 2024.

**3. Climate change impacts on methods and means of use and the need for flexibility in seasons affected by climate change**

*The Council expressed concerns about climate change impacting the methods and means of harvest of subsistence resources. For example, high water levels from intense precipitation are impacting the use and efficacy of traditional fishwheels. Sites that are good for fish wheels, which are often not suitable during high water events, and increased precipitation results in more debris (trees, root wads, etc.) in the river when the water is really high that can impact or break the wheels. This example, among others documented in previous annual reports and Council reports during Council meetings, make it difficult to reliably depend on traditional resources. Another major impact from climate change is a change in species migration timing, which results in a mismatch between regulated season timing and resource availability. Additionally, methods and means of harvest used by generations have become inefficient for harvest of traditional resources. The Council encourages the Board to review harvest seasons and methods of harvest and be ready to adapt to changing situations.*

**Response:**

The Board thanks the Council for bringing their concerns regarding climate change impacts on methods and means to its attention. We recognize that the Council is uniquely positioned to offer first alerts on changing conditions and important trends that impact subsistence in your region. The Board values your unique traditional knowledge, understands that there is a need for flexibility in seasons because of climate change, and will ensure the appropriate staff tracks this issue and integrate your knowledge and observations into their analyses. We will use this information for our decision-making.

The Federal Subsistence Management Program can support adaptation to changing climatic and environmental conditions by ensuring a regulatory process that facilitates flexibility. The Special Action process provides an avenue for responding to unexpected issues and changes, and the Board will continue to be responsive to the need for quick action on out of cycle requests. Flexibility can also be built into the subsistence management system by delegating authority to local land managers. Delegation of authority enables managers to respond more quickly to changes in the timing and availability of subsistence resources from season to season.

More persistent changes to the seasonality and availability of resources due to issues like climate change can also be accommodated through the regulatory process. Closures to non-federally qualified subsistence users, or ANILCA Section 804 prioritizations among federally qualified subsistence users may become necessary if shortages of traditional subsistence resources continue to be prevalent. Other species may also become more abundant and important to subsistence economies with shifts in environmental conditions. In this case, the Federal Subsistence Management Program can assist communities in delineating seasons, harvest limits, and methods and means for harvesting these resources.

The Board also notes that the Council can invite representatives from State, Federal, non-governmental, and other research organizations to give presentations on climate change effects and mitigation at its regular meetings. Some organizations to consider include:

- Alaska Center for Climate Assessment and Policy
- Alaska Climate Adaptation Science Center

- Alaska Department of Environmental Conservation: Climate Change in Alaska
- Experts identified through the U.S. Climate Resilience Toolkit
- Scenarios Network for Alaska + Arctic Planning
- The Alaska Native Tribal Health Consortium
- Conservation of Arctic Flora and Fauna (CAFF)
- Exchange for Local Observations and Knowledge in the Arctic (ELOKA)

**4. Climate change impacts on ocean resources, including paralytic shellfish poisoning and ocean acidification impacts on clams, salmon, and ocean food webs**

*The Council is interested in continuing to receive information about the impacts of climate change on ocean resources. This has been a topic of interest to the Council for the last few years, and the staff at OSM has invited guest speakers to speak about climate impacts. The Council is particularly interested in how climate change is impacting marine food webs. Subsistence resources such as clams and salmon are critical to the people that call the Southcentral region home and impacts to marine food webs will have profound impacts on species utilized as subsistence resources. Understanding the impacts of climate change on salmon and clams will allow State and Federal subsistence managers to respond more readily to changing population sizes. The Council noted they would be interested in learning more about the causes and impacts of paralytic shellfish poisoning (PSP). The seasonality of PSP has changed, and as a result, clams have not been safe to eat during the winter months.*

**Response:**

Thank you for sharing this issue with the Board. As noted in the response to issue number 3 of this annual report, the Council, with the help of OSM staff, can invite subject matter experts to present on the impacts of climate change to marine food webs at the next and future Council meetings.

If the Council is specifically interested in paralytic shellfish poisoning, the State of Alaska Department of Environmental Conservation and Department of Health has useful information on this topic on their websites:

<https://dec.alaska.gov/eh/fss/shellfish/paralytic-shellfish-poisoning/>  
<https://health.alaska.gov/dph/epi/id/pages/dod/psp/default.aspx>

Additionally, the National Oceanic and Atmospheric Administration National Center for Coastal Ocean Science has been identifying paralytic shellfish toxins in marine food webs in Southcentral Alaska (<https://coastalscience.noaa.gov/project/prevalence-of-paralytic-shellfish-toxins-in-marine-food-webs-of-prince-william-sound-and-kachemak-bay-alaska/>) and conducting other research related to ocean acidification impacts on clams, salmon, and ocean food webs, as well.

Another site that has a wealth of information on climate change impacts is the Alaska Harmful Algal Bloom Network (AHAB) (<https://ahab.aos.org/>). Finally, the Council may propose the development of a working group on issues of concern to the AHAB by contacting Thomas



Farrugia at: farrugia@aoos.org.

**5. Ahtna Intertribal Resource Commission Memorandum of Agreement on cooperative management of customary and traditional subsistence uses in the Ahtna region**

*The Council expressed interest in receiving an update on the Memorandum of Agreement (MOA) between the Department of Interior and Ahtna Intertribal Resource Commission. The purpose of this MOA was to formalize a subsistence wildlife management partnership for the allocation and harvest of moose and caribou by rural residents of the Native villages in the Ahtna region on Federal public lands. The MOA was established in 2017 to create a new Federal advisory committee that covers the Ahtna Traditional Use territory. The Council would like to know the status of the MOA.*

**Response:**

In 2017, the Department of the Interior (DOI) and Ahtna Inter-Tribal Resource Commission (AITRC) signed the Memorandum of Agreement to provide AITRC with the authority to cooperatively manage certain aspects of subsistence hunting within Ahtna's traditional territory. Areas for implementation outlined in the MOA include a community harvest system, the formation of a local advisory committee, cooperative efforts to develop policies, programs, and projects for conservation and sustainable subsistence harvest within the Ahtna region, and the funding and support to build capacity within AITRC for the implementation of the MOA.

Beginning in 2021, with assistance from AITRC, the Federal Subsistence Board established a community harvest system for caribou and moose in Ahtna's traditional territory. AITRC distributes the hunt registration and harvest reporting forms to federally qualified subsistence hunters living within the eight Ahtna traditional communities. Hunters report their harvests (or lack thereof) to AITRC, who in turn provides this information to Federal subsistence managers. Federally qualified subsistence hunters that choose not to participate in the community harvest system can get their reporting forms from the BLM Glenallen field office staff.

In July 2022, AITRC asked OSM to initiate steps for establishing the Ahtna Local Advisory Committee to provide input into subsistence hunting management plans and decision-making. Because the MOA is between DOI and AITRC, OSM forwarded the request to DOI to determine next steps. The MOA and draft charter for the Ahtna Local Advisory Committee is currently under review by DOI.

**6. Jurisdiction on subsistence shellfish resources in Prince William Sound and concern over the stock size and closure of subsistence shellfish seasons**

*The Council expressed concerns over subsistence crabbing opportunities within Prince William Sound. The Council acknowledged that the Board does not have jurisdiction here and that the waters of Prince William Sound are State-managed. Subsistence harvesters have been utilizing the intertidal area to collect food for thousands of years, and it is a disservice to Federally qualified subsistence users to not have authority over the resources contained in the intertidal zone. State regulations have been much more stringent than Federal for peoples' ease of getting*

*food. With the recent closure of the commercial Tanner and King Crab fisheries, there is concern that subsistence closures could be on the way.*

**Response:**

Thank you for conveying this important information. The Board recognizes the value and importance of marine resources to the federally qualified subsistence users of Prince William Sound. The Board considers this an information sharing item, considering there is no Federal subsistence fisheries jurisdiction in the described waters. The Board encourages communication with local Alaska Department of Fish and Game fishery managers and, if necessary, working through the State's Local Advisory Committee and Alaska Board of Fisheries process during the next Prince William Sound or Statewide shellfish meeting.

For information on upcoming Board of Fisheries meetings visit:  
<https://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.meetinginfo>

For information on Alaska Department of Fish and Game subsistence management visit:  
<https://www.adfg.alaska.gov/index.cfm?adfg=subsistence.main>

**7. Support opportunities for youth representative seat on the Regional Advisory Council**

*The Council advocates for a 'youth representative seat' on the Regional Advisory Councils. It is essential for younger subsistence users to learn about the Federal regulatory process so that this new generation of leaders can understand and participate in the public decision-making process effectively. The Council would like the Board to explore the possibility of applying college credit towards engagement in the Council process. This will enable interested students to participate in the work of their Regional Advisory Council while also earning credits for school.*

**Response:**

The Board commends the Council for continuous advocacy for youth engagement with the Federal Subsistence Management Program. The Board understands the importance of educating and training emerging young leaders. Several councils across Alaska put forward requests this fiscal year (FY-2023) to establish a non-voting "youth representative seat" or "a young adult developmental seat" on their Councils and/or to add corresponding language to their charters. The Board is going to review and evaluate Council charter change requests at its August 2023 executive session and will provide recommendations to the Secretaries of the Interior and Agriculture for consideration and a decision.

The Board also appreciates the Council's innovative suggestion of giving college credit for engagement in the Council process and, thus, adding further benefits to interested students. While this is outside of the scope of the Federal Subsistence Management Program and we will not be able to take a lead on this initiative, the Program and the Board would be open to support involvement of any academic program that is interested in engaging their students in our public process.

**8. Request a standard four-year review of all Delegation of Authority Letters**

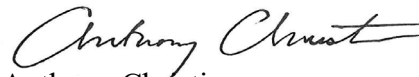
*The Board can delegate specific regulatory authority to local Federal managers to issue emergency or temporary special actions to ensure conservation of healthy fish or wildlife populations, to continue uses of fish or wildlife, to ensure public safety, or to assure the continued viability of fish or wildlife populations. Delegation of Authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 110.10(d)(6), which state: "The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board." The Council requests the Board implement a four-year review process for Delegation of Authority similar to the periodic review of wildlife and fishery closures. A four-year review process will allow for continual inclusion of local participation and input during in-season management decisions, adjust to Federal staffing changes, and allow for flexibility in the management system.*

**Response:**

The issuance of Delegation of Authority Letters (DALs) is an administrative function of the Board and not regulatory in nature. Because of this, the Council may address DALs whenever they want without the restrictions of the normal regulatory cycle or a four-year cycle as with closure reviews. You may request that your Council Coordinator provide you with copies of DALs for your region and you may choose to add a review of DALs on your meeting agendas. Your concerns and recommendations on DALs discussed during a meeting can be forwarded to the Board as a request for action.

In closing, I want to thank you and your Council for your continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I speak for the entire Board in expressing our appreciation for your efforts and am confident that the subsistence users of the Southcentral Alaska Region are well represented through your work.

Sincerely,



Anthony Christianson  
Chair

cc: Southcentral Alaska Subsistence Regional Advisory Council  
Federal Subsistence Board  
Office of Subsistence Management  
Interagency Staff Committee  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Special Project Coordinator, Alaska Department of Fish and Game  
Administrative Record

**Southcentral Alaska Subsistence Regional Advisory Council**

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

In Reply Refer To:  
RAC/SC.23033.JG

MAR 27 2023

Sarah Creachbaum, Regional Director  
National Park Service  
Alaska Regional Office  
240 West 5th Avenue  
Anchorage, AK 99501

Dear Ms. Creachbaum,

I write to you on behalf of the Southcentral Alaska Subsistence Regional Advisory Council (Council) to provide the Council's comments on the Proposed Rule regarding Hunting and Trapping in National Preserves in Alaska (RIN 1024-AE70).

The Council represents subsistence harvesters of fish and wildlife resources on Federal public lands and waters in Alaska's Southcentral Region. It was established by the authority in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and is chartered under the Federal Advisory Committee Act. Section 805 of ANILCA and the Council's charter establishes the Council's authority to initiate, review and evaluate proposals for regulations, policies, management plans, and other matters related to subsistence uses of fish and wildlife within the region. The Council also reviews resource management actions occurring outside their regions that may impact subsistence resources critical to communities served by the Council. The Council provides a forum for the expression of opinions and recommendations regarding any matter related to the subsistence uses of fish and wildlife within the region.

The Council held a public meeting on March 15, 2023, in Anchorage. Among the items discussed was the National Park Service (NPS) Proposed Rule to amend its regulations for sport hunting and trapping in national preserves in Alaska. This proposed rule would prohibit certain harvest practices, including bear baiting; and prohibit predator control or predator reduction on national preserves. During the discussion, Council members requested that the NPS consider the written comments provided by the Wrangell-St. Elias National Park and Preserve Subsistence Resource Commission (enclosed) as comments from the Southcentral Council. The Wrangell-St. Elias National Park and Preserve Subsistence Resource Commission met during a public meeting on February 23-24, 2023, to develop comments to this proposed rule.

The Council thanks you for the opportunity to comment on this Proposed Rule. If you have any questions or would like to follow up, please contact me through our Subsistence Council Coordinator Jessica Gill, by email at [jessica\\_gill@fws.gov](mailto:jessica_gill@fws.gov) or by phone at (907) 310-6129.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Greg Encelewski". The signature is fluid and cursive, with the first name "Richard" being the most prominent.

Richard Greg Encelewski  
Chair, Regional Advisory Council  
Southcentral Region

Enclosure

cc: Federal Subsistence Board  
Southcentral Alaska Subsistence Regional Advisory Council Members  
Office of Subsistence Management  
Interagency Staff Committee  
Administrative Record

## **Wrangell-St. Elias National Park Subsistence Resource Commission Comments on Proposed Changes to National Park Service Regulations for Hunting and Trapping in National Preserves in Alaska Published in the Federal Register on January 9, 2023 (RIN 1024-AE70)**

### **General Comments:**

We disagree with the assertion that these proposed changes will not impact subsistence. They would affect subsistence users. For some species, there is no federal season, such that if a local subsistence user wants to hunt or trap, he or she must do so under state regulations. Additionally, non-rural relatives of a local subsistence user would not be able to come out to assist the local resident with traditional subsistence harvest activities in the National Preserve. Subsistence users also benefit from the harvest of predators by people hunting under state regulations. There are too few subsistence hunters to make a difference in the taking of the predator species. Prohibiting bear baiting under state regulations would also negatively impact subsistence users because it eliminates an economic opportunity for local rural residents. Guiding sport hunters, including at bait stations, is a way that rural residents can support themselves and still live where they grew up.

As citizens volunteers, commenting on these proposed regulation changes is burdensome. The proposed regulations should specifically provide information about how the proposed National Park Service (NPS) regulation changes related to existing state and federal regulations. It is a large burden for reviewers to look this information up.

NPS-qualified subsistence users also hunt and trap on state lands under state regulations, as do others. Regulations that are consistent across the landscape, across different jurisdictions, are easier for users to understand and follow. When different rules apply to people hunting and trapping under state regulations on NPS lands, there is the potential to result in confusion. The NPS has an obligation to make things easy and understandable for hunters and trappers. For example, there should be clear information about where state and federal regulations are the same or different.

Each National Preserve in Alaska is different. Instead of applying the same regulations statewide, there should be different regulations tailored to each Preserve made through the Board of Game process.

### **§13.1 Definitions**

We recommend a modification to the definition of “trapping” as follows (recommended addition is bolded and underlined): “*Trapping* means taking furbearers with a trap **or with a firearm** under a trapping license.” This would clarify that firearms could be used, for example, to take a furbearer that has broken away after having been caught in a trap or snare.

### **§13.42 Taking of wildlife in national preserves:**

Regarding proposed paragraph (f), which would prohibit predator control or predator reduction activities: We recommend not adopting this provision. Restrictions on predator control are a Lower-48 policy that is unnecessary in Alaska. Alaska is different from the Lower-48 state. Upon statehood, the State of Alaska was given management authority over wildlife. Sound game management requires harvesting all species in the ecosystem. Wolves, coyotes, and bears take moose and caribou calves, which reduces the

number of moose and caribou that are available for harvest. Some species need to be controlled through harvest in order to maintain a balance.

Regarding paragraph (k) and the associated table: We recommend not adopting these provisions for the following reasons.

- Many of the prohibitions in this table also appear in state regulations. If a prohibition exists in state regulations, there is no need to repeat it in NPS regulations.
- Any exception to the prohibitions allowed in state regulations should continue to apply. They often provide customary and traditional harvest opportunities that were requested by Alaska residents, both Native and non-Native, and that may not exist under federal subsistence regulations.
- Finally, to the extent that the prohibitions listed in the table do not exist in state regulations, we question the need for them, as described below. Upon statehood, the State of Alaska was given management authority over wildlife, and the state regulations should stand.

Regarding Bear baiting: Bear baiting is allowed under state regulations and should be allowed in National Preserves. We disagree with the justification presented in the Proposed Rule for prohibiting baiting based on public safety concerns. One of the SRC member has been bear baiting for 10 years. Baiting bears only takes place in the spring, before the tourists arrive, and is done away from people. There are already provisions in regulation restricting baiting close to trails, roads and houses. Bears are more habituated to wild game from a kill than they are to bait stations. At bait stations, they just eat and leave. Grizzly bears are extremely wary of people. They will spook when they smell a human – they not only leave the bait station, but they don't come back. Also, bait stations are only up for a couple of months. When food source is gone, the bears don't come back. If there is a problem area, it could be addressed through a proposal to the Board of Game for an area-specific closure.

Rather than increasing public safety concerns, bear baiting is a mitigation measure that increases safety by reducing the number of bears. Baiting also benefits subsistence by reducing the number of bears that prey on other species including moose and caribou.

Concerning the seasons for wolves and coyotes (bullet #12 in the table): Fur sewers in our area attest to the fact that the fur of wolves harvested in May is attractive and very usable for handicrafts and garments. Coyotes are not native and moved into Alaska. Harvest then in the summer is not a problem.



U.S. Fish and Wildlife Service  
Bureau of Land Management  
National Park Service  
Bureau of Indian Affairs

## Federal Subsistence Board News Release



**For Immediate Release**  
July 18, 2023

**Media Contact:**  
Brandon Raile  
Public Affairs Officer  
Chugach National Forest  
907 723-4358  
brandon.raile@usda.gov

Under the authority of:

**36 CFR §242.10 and .19**  
**50 CFR §100.10 and .19**

### **Unit 7 Dall Sheep Federal Drawing Hunt Closed**

MOOSE PASS, Alaska – Seward District Ranger Ruth D’Amico, under authority delegated by the Federal Subsistence Board, is closing the Unit 7 Federal subsistence sheep drawing hunt to the harvest of Dall sheep. The closure will be effective for the entire season of August 10 - September 20, 2023. Based on aerial surveys conducted by the Alaska Department of Fish and Game (ADF&G), there is no harvestable surplus of full curl Dall sheep in the Round Mountain and Crescent Lake sheep survey areas. There will be no corresponding State hunt in the area, as ADF&G did not issue any draw permits for the Round Mountain and Crescent Lake hunt areas in Unit 7 this year. The Federal public lands in the remainder of Unit 7 are open to Dall sheep hunting under state regulations with a state harvest ticket until the season closes, unless closed by Federal special action.

A map and description of the closed areas are available from the Seward Ranger District and the Soldotna area office of ADF&G. Information on Federal subsistence management special actions can be found at <https://www.fs.usda.gov/news/chugach/news-events>. For additional information, contact Ruth D’Amico at 907-288-7730 or [ruth.damico@usda.gov](mailto:ruth.damico@usda.gov), or subsistence biologist Andrew Sanders at 907-250-0439 or [andrew.sanders@usda.gov](mailto:andrew.sanders@usda.gov).

Information on the Federal Subsistence Management Program can be found at <https://www.doi.gov/subsistence>

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## Federal Subsistence Board News Release



U.S. Fish and Wildlife Service  
Bureau of Land Management  
National Park Service  
Bureau of Indian Affairs

Forest Service

**For Immediate Release:**  
July 26, 2023

**Contact:** Robbin La Vine  
(907) 206-0900 or (800) 478-1456  
robbin\_lavine@fws.gov

### Federal Subsistence Board Closes Fall Caribou Season in Unit 13

The Federal Subsistence Board (Board) approved WSA23-01/03 to close the Federal caribou season in Unit 13 from August 1–September 30, 2023.

Emergency Wildlife Special Actions WSA23-01, submitted by the Alaska Department of Fish and Game (ADF&G), and WSA23-03, submitted by the Bureau of Land Management and the Ahtna Intertribal Resources Commission, request that the fall caribou season in Unit 13 be closed due to a dramatic decline in the Nelchina caribou herd population.

The Board approved WSA23-01/03 recognizing that conservation concerns warrant a closure to all users for the fall 2023 season. The most recent population information shows the Nelchina Caribou Herd in serious decline. The fall 2022 estimate was 17,433 animals, a reduction in 50% from the fall 2021 estimate and well below the State management objective of 35,000–40,000 caribou. Additionally, composition metrics for the herd are concerning, with a calf:cow ratio of 16:100 and a bull:cow ratio of 26:100, both of which are well below the management objective of 40:100 for each. ADF&G has closed all State caribou seasons throughout Unit 13, and it is prudent that Federal lands be closed in unison to protect the viability of the herd. Such a closure is consistent with ANILCA Section 816(b) and is needed for conservation of the Nelchina Caribou Herd and to provide for the continuation of subsistence uses of the caribou resource in the long-term.

Additional information on the Federal Subsistence Management Program may be found on the web at [www.doi.gov/subsistence](http://www.doi.gov/subsistence) or by visiting [www.facebook.com/subsistencealaska](https://www.facebook.com/subsistencealaska).

**Missing out on the latest Federal subsistence issues?** If you'd like to receive emails and notifications on the Federal Subsistence Management Program you may subscribe for regular updates by emailing [fws-fsb-subsistence-request@lists.fws.gov](mailto:fws-fsb-subsistence-request@lists.fws.gov).

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**STAFF ANALYSIS  
EMERGENCY SPECIAL ACTION  
WSA 23-01/03**

**ISSUES**

Emergency Wildlife Special Action WSA23-01, submitted by the Alaska Department of Fish and Game (ADF&G), and WSA23-03, submitted by the Bureau of Land Management (BLM) and the Ahtna Intertribal Resource Commission (AITRC), request closing the Federal fall caribou hunt on the Nelchina Caribou Herd (NCH) within Unit 13 for the 2023 season. If approved by the Federal Subsistence Board (Board) this action would close the Federal hunt in Unit 13 from August 1 through September 30.

**DISCUSSION**

The proponents state the most recent NCH abundance estimate in fall of 2022 was 17,433 animals, which is well below the management objective of 35,000–40,000 caribou. In addition, population composition ratios associated with the herd of 26 bulls:100 cows and 16 calves:100 cows, are well below management objectives of 40 bulls or calves:100 cows for each. Severe weather conditions during the winters of 2021/22 and 2022/23 caused high overwinter mortality of both adults and calves, leading to a reduction in the overall population and lower than expected spring recruitment. Observed productivity of the herd has not been sufficient to cause population growth from 2021 to present. Based on the most recent data, the proponents determined there is no harvestable surplus available for the fall 2023/24 season. ADF&G intentionally did not offer drawing hunts for both the resident (DC485) and youth (YC495) hunts and has closed State caribou hunts in Unit 13 via Emergency Order (EO) No. R4-01-23 on June 30, 2023. Additional abundance surveys were conducted in early July 2023, but as of this writing the data is not yet available.

The applicable Federal regulations are found in 36 CFR 242.19(a) and 50 CFR 100.19(a) (Emergency Special Actions) and state that:

*“...In an emergency situation, if necessary to ensure the continued viability of a fish or wildlife population, to continue subsistence uses of fish or wildlife, or for public safety reasons, the Board may immediately open or close public lands for the taking of fish and wildlife for subsistence uses, or modify the requirements for take for subsistence uses, or close public lands to take for nonsubsistence uses of fish and wildlife, or restrict the requirements for take for nonsubsistence uses.”*

**Existing Federal Regulation**

**Unit 13–Caribou**

*Units 13A and 13B—2 caribou by Federal registration permit only      Aug. 1–Sep. 30  
(FC1302). The sex of animals that may be taken will be announced by*

*the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council* Oct. 21–Mar. 31

*Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)* Aug. 1–Sep. 30

*Oct. 21–Mar. 31*

## **Proposed Federal Regulation**

### **Unit 13–Caribou**

*Units 13A and 13B—2 caribou by Federal registration permit only (FC1302). The sex of animals that may be taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council* ~~Aug. 1–Sep. 30~~ Oct. 21–Mar. 31

*Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)* ~~Aug. 1–Sep. 30~~ Oct. 21–Mar. 31

## **Existing State Regulation**

### **Unit 13–Caribou**

*Residents – One caribou by permit per household, available only by application. See Subsistence Permit Hunt Supplement for details* RC561 No open season.

*Residents – One caribou by permit per household, available only by application. See Subsistence Permit Hunt Supplement for details* RC562 No open season.

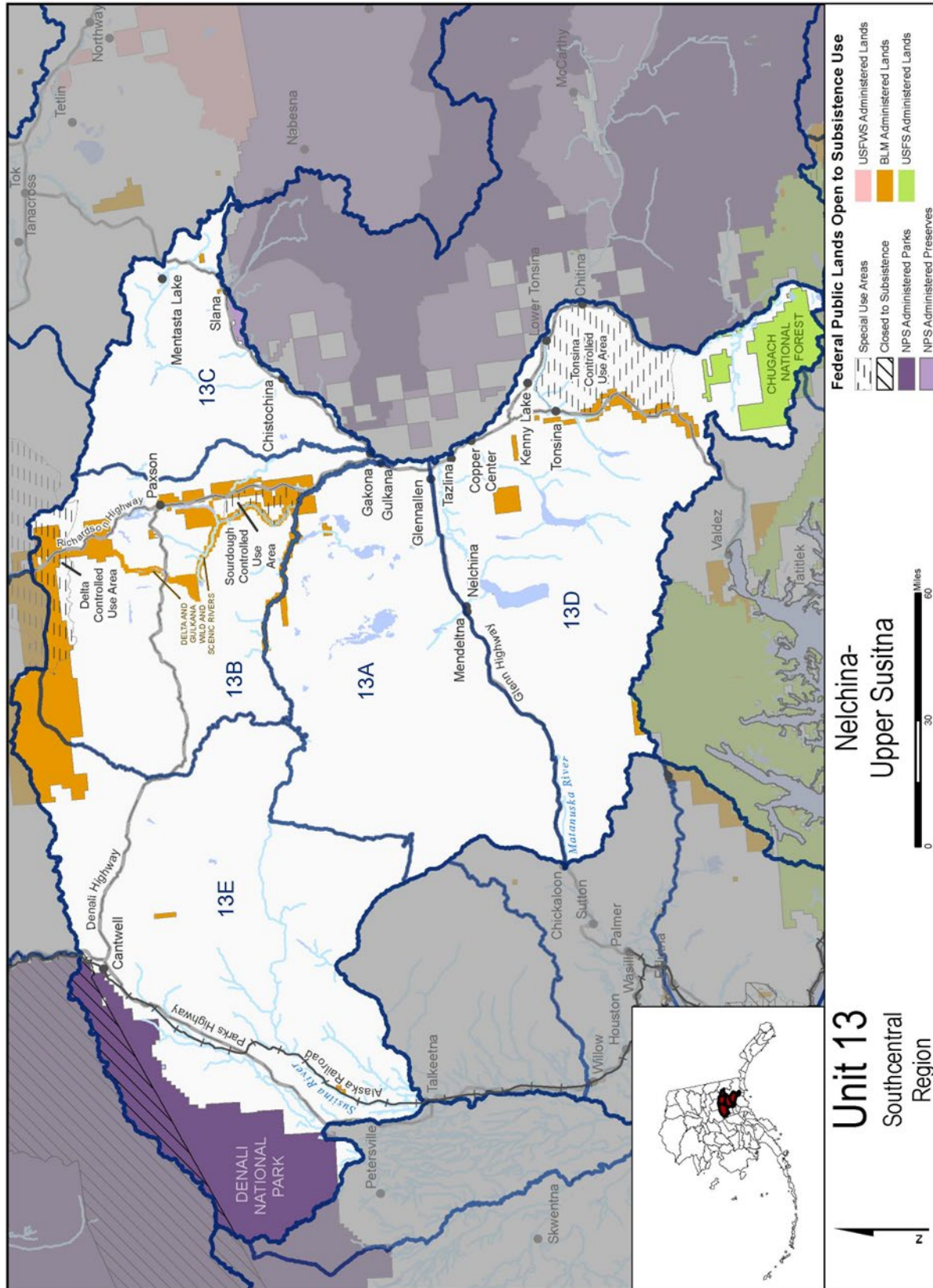
*Residents – One caribou by permit per household, available only by application. See the Subsistence Permit Hunt Supplement for details* CC001 No open season.

*Nonresidents – One bull caribou by permit* DC475 No open season

### **Extent of Federal Public Lands**

Unit 13 is comprised of approximately 13% Federal public lands and consists of 6% National Park Service (NPS) managed lands, 5% Bureau of Land Management (BLM) managed lands, and 2% U.S. Forest Service (USFS) managed lands (**Figure 1**).

Federal public lands within Denali National Park as it existed prior to the Alaska National Interest Lands Conservation Act (ANILCA) (December 1980) are closed to all hunting and trapping. Federal public lands within the ANILCA additions to Denali National Park are closed to hunting and trapping by non-federally qualified subsistence users. BLM manages additional lands within Unit 13 that are selected for conveyance by the State of Alaska or Native Corporations and are not currently available for Federal subsistence because of the land selection status. If these land selections are relinquished, they would become lands available for Federal subsistence.



**Figure 1.** Map of Unit 13 and all subunits.

### **Customary and Traditional Use Determinations**

Residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), 13, 20D (excluding residents of Fort Greely), and Chickaloon have a customary and traditional use determination for caribou in Unit 13B.

Residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), 13, Chickaloon, Dot Lake, and Healy Lake have a customary and traditional use determination to harvest caribou in Unit 13C.

Residents of Units 11, 12 (along the Nabesna Road), 13, and Chickaloon have a customary and traditional use determination to harvest caribou in Unit 13A and 13D.

Residents of Units 11, 12 (along the Nabesna Road), 13, Chickaloon, McKinley Village, and the area along the Parks Highway between mileposts 216-239 (excluding the residents of Denali National Park Headquarters) have a customary and traditional use determination to harvest caribou in Unit 13E.

### **Regulatory History**

The following regulatory history is abbreviated for the purposes of this emergency special action. A full description of Federal and state actions relevant to the NCH can be found in the most recent analysis of Wildlife Proposal WP24-09 (OSM 2023a).

The NCH is an important resource for many rural and non-rural users. Its proximity to the Glenn and Richardson highways enhances accessibility of the NCH to Anchorage and Fairbanks residents (Tobey 2003). A State Tier II system for NCH harvest was established in 1990 for Unit 13. A State Tier I permit was added for the 1996/97 and 1997/98 regulatory years to allow any Alaskan resident to harvest cows or young bulls to reduce the herd to the management objective of 35,000–40,000 caribou (ADF&G 1997). In 1998, the Tier I hunt was closed, as the herd was brought within management objectives due to increased harvest and lower calf recruitment (ADF&G 2001).

Between 1998 and 2008, the Board adjusted seasons, harvest limits, and opportunities to hunt on Federal public lands dependent on regulatory proposals, requests from the public, and herd assessment by managers. Season length and harvest limits changed in concert with the population estimates of the NCH. When population metrics allowed for additional harvest, requests were adopted to allow for more Federal harvest. In 2007 ADF&G issued EO 02-01-07, which closed the remainder of the 2006/07 State season for the NCH on February 4, due to high State hunter success in the State Tier II hunt. Likewise, EO 02-08-07 closed the 2007/08 Tier II hunt on September 20. The hunt was scheduled to re-open on October 21, but concerns about unreported harvest in both the State and Federal hunts resulted in the closure remaining for the rest of the season.

In 2009, the Alaska Board of Game (BOG) eliminated the State Tier II hunt but added two new hunts: a Tier I hunt and a Community Harvest hunt for residents of Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Copper Center. The harvest limit for each was one caribou (sex to be announced annually) with season dates of Aug. 10–Sep. 20 and Oct. 21–Mar. 31 and a harvest quota of

300 caribou, each. A federally qualified subsistence user could opt into the State community harvest system or use a State registration permit to harvest one caribou under State regulations and then get a Federal permit to harvest an additional caribou within Unit 13 since the Federal harvest limit was two caribou. However, State regulations stipulate that Tier I and community harvest system permit holders may not hunt moose or caribou under State or Federal regulations outside of Unit 13 and the Copper Basin Community Hunt area, respectively (ADF&G 2019a).

In July 2010, the Alaska Superior Court found that elimination of the Tier II hunt was arbitrary and unreasonable (ADF&G 2010a). In response, the BOG held an emergency teleconference in July 2010 and opened a Tier II hunt from Oct. 21–Mar. 31, maintained the existing Tier I season, and awarded up to 500 additional Tier I permits (ADF&G 2010a). Subsequently, EO 04-1-10 closed the remainder of the winter NCH Tier II season due to harvest reports indicating that approximately 1,404 bulls and 547 cows were harvested, and unreported harvest was expected to raise the total harvest above the harvest objective (ADF&G 2010b; OSM 2012).

In 2012, the Board adopted Wildlife Proposal WP12-25, which added an additional nine days to the beginning of the fall caribou season in all of Unit 13 to provide more opportunity to federally qualified subsistence users. The season was extended from Aug. 10–Sep. 30 to Aug. 1–Sep. 30 (OSM 2012).

In fall 2016, the Board acted on Wildlife Special Action WSA16-05 to delegate authority to the BLM Glennallen Field Office Manager to open a ten-day caribou season within the 20-day period of October 1 through October 20 should caribou from the NCH be present on Federal public lands. WSA16-05 was approved to allow increased harvest of the NCH, whose population was above State management objectives and to provide additional hunting opportunity for federally qualified subsistence users as fall harvest was low due to caribou being inaccessible during the regular hunting season because of delayed migration (OSM 2016).

In 2018, Wildlife Proposal WP18-19 was submitted by the Ahtna Intertribal Resource Commission (AITRC) requesting they be allowed to distribute Federal registration permits to Ahtna tribal members for the Federal caribou season in Unit 13. In addition, the proponent requested that the Ahtna Advisory Committee (which was to be formed) be added to the list of agencies and organizations consulted by the BLM Glennallen Field Office Manager, when announcing the sex of caribou taken in Units 13A and 13B each year. The Board voted to defer WP18-19 pending development of a framework for a community harvest system (OSM 2018).

In 2018, ADF&G issued four EOs for the NCH in Unit 13. In response to high overwinter mortality, emigration to the Fortymile Caribou Herd (FCH), and lower than anticipated productivity, the NCH was reduced to approximately 35,700 caribou, which is near the lower end of the management objective. EO 04-02-18 changed the harvest limit from one caribou to one bull and established the three-day reporting requirement. EO 04-04-18 closed the State Tier 1 NCH hunt, RC561, on August 18, 2018, as reported harvest was approaching the harvest quota. EO 04-05-18 closed drawing hunt DC485 on August 26, 2018, to ensure not exceeding the quota of 250 bulls set for that hunt. EO 04-07-18 closed all NCH winter hunts as the harvestable surplus was taken during the fall hunting seasons.



In July 2019, the Board rejected Wildlife Special Action WSA19-03, which requested closure of Federal public lands in Unit 13 to caribou and moose hunting by non-federally qualified subsistence users for the 2019/20 season. The Board determined a closure was not warranted for conservation, continuation of subsistence uses, or safety reasons, as these populations were routinely monitored, and annual biological data was used to inform management plans and to establish sustainable harvest guidelines. Federal harvest rates remained consistent compared to annual overall harvest rates and the Board believed the closure would not alleviate public safety concerns as non-federally qualified subsistence users would still be able to cross Federal public lands to access State and private lands.

In September 2019, ADF&G issued EO 04-09-19 to extend the season for all State caribou hunts in Unit 13 by ten days from September 20 to September 30. The EO was issued to reduce the NCH population, which had grown to more than 53,000 animals, well above the upper end of the population objective for the herd.

In 2020, the Board adopted several proposals and special actions affecting caribou in Unit 13. First, in April the Board adopted deferred proposal WP18-19 with modification, establishing a community harvest system for moose and caribou in Unit 13. It also named eight individual communities within the Ahtna traditional use territory that are authorized to harvest caribou and moose in Unit 13 as part of the community harvest system, subject to a framework established by the Board under unit specific regulations.

In July 2020, the Board acted on two Wildlife Special Action requests regarding caribou hunting in Unit 13, WSA20-01 and WSA20-03. WSA20-01 requested a continuous caribou season in Unit 13 from Aug. 1-Mar. 31 and that the harvest limit in Unit 13, remainder be changed from two bulls to two caribou for the 2020/21 and 2021/22 seasons. The Board approved the change in harvest limit to provide additional subsistence opportunity because there was no conservation concern. However, they did not approve the continuous season due to concerns of harvesting bulls during the rut when they may be unpalatable. This action was consistent with the Southcentral and Eastern Interior Subsistence Regional Advisory Councils' recommendations.

WSA20-03 requested closure of Federal public lands in Unit 13 to the hunting of moose and caribou by non-federally qualified subsistence users for the 2020/21 season. The Board approved closure of Federal public lands in Units 13A and 13B only to moose and caribou hunting by non-federally qualified subsistence users for the 2020/21 and 2021/22 seasons. The Board supported the closure due to its necessity for reasons of public safety and continuation of subsistence uses. The Board limited the closure to Units 13A and 13B because this is the area where the most overcrowding, disruption of hunts, and serious safety concerns have occurred. The Board extended the special action to the 2021/22 season as a regulatory proposal would not become effective until July 1, 2022, which reduced the administrative burden associated with processing additional requests.

Also in July 2020, the Board approved Wildlife Special Action WSA20-02 with modification regarding the AITRC administered community harvest system. AITRC submitted WSA20-02 to effectively and immediately implement the community harvest system that the Board had approved in April 2020 (via

adoption of deferred WP18-19). In January 2021, the Board approved a community harvest system framework, which was required to implement the system, as part of its adoption of WSA20-07. This special action addressed a regulatory inconsistency that prevented the community harvest system from being effectively implemented. In April 2022, the Board adopted Wildlife Proposal WP22-36, which codified these temporary regulations in the Code of Federal Regulations.

In 2022, ADF&G took action to decrease a steep population decline by changing harvest limits. Severe winter conditions resulted in a low population estimate with a lower-than-expected harvestable surplus. ADF&G established the resident caribou harvest limit in Unit 13 as one bull only, with a harvestable surplus of 1,000 bull caribou (615 allocated to State harvest and 385 for Federal harvest). ADF&G requested the BLM to restrict harvest to bulls only, which the BLM decided not to do. These low harvest quotas led to both State registration hunts being closed by EO when quotas were exceeded. Reported Federal harvest under permit FC1302 for the fall and winter seasons was a total of 162 caribou, 112 bulls and 50 cows. On June 30, 2023, the State announced the closure of all NCH hunts for the 2022/23 season via EO R4-01-23. This EO closed the two Tier I registration hunts (RC561 and RC562) and the community subsistence hunt (CC001). The resident youth hunt (YC495) and resident drawing hunt (DC485) were not offered during the drawing application period of 2022 (ADF&G 2022), as ADF&G determined the NCH population was too low to offer these opportunities.

### **Biological Background**

The NCH calving grounds and summer range lie within Unit 13. The rut also generally occurs within Unit 13 from late September through mid-October. About 60-95% of the NCH overwinters in Unit 20E, although Nelchina caribou also overwinter in Unit 12 and across northern portions of Units 11 and 13 (Schwanke and Robbins 2013). Winter competition with the FCH in Unit 20E may be impacting the NCH and range conditions. While the calving season and location of the NCH calving grounds remains static, use of other seasonal ranges varies with resource availability and snow cover (Schwanke and Robbins 2013).

State management goals and harvest objectives are based on the principle of sustained yield (Robbins 2014). Since the 1990s, ADF&G has aimed to maintain a fall, post-hunt population of 35,000–40,000 caribou, with minimum ratios of 40 bulls:100 cows and 40 calves:100 cows (Hatcher and Robbins 2021). The goal is to provide for the harvest of 3,000–6,000 caribou annually.

The State manages the NCH for maximum sustained yield, principally by annual adjustments in harvest quotas. The population of the NCH has fluctuated over time, influenced primarily by harvest (Schwanke and Robbins 2013). Between 2003 and 2022 the NCH summer population estimate ranged from 21,000–53,500 caribou and averaged 39,361 caribou (**Table 1**). However, many times the herd has exceeded State population objectives and harvest regulations have been liberalized to quickly reduce the population in an effort to preserve habitat conditions. Reduced predation resulting from intensive wolf management programs intended to benefit moose in Unit 13 and the FCH in Units 12 and 20 may have contributed to NCH population increases (Schwanke and Robbins 2013; ADF&G 2017a, 2019a). The predator control program has been active in Unit 13 since 2000 (ADF&G 2023c). Activity under the program was

suspended during 2012, 2015–2017, and 2019–2021, all coinciding with population estimates at or above management objectives (ADF&G 20223c).

Following a period of higher-than-expected population and an associated liberalized harvest period from 2010–2017, in October 2018, the NCH was estimated to be only 33,229, which is below the minimum State population objective (**Table 1**). A combination of a liberal hunt, severe winter conditions in the eastern part of their range that resulted in high over-winter mortality, emigration of some animals to the FCH, and lower than anticipated productivity reduced the NCH from the previous year's fall estimate of 41,411 (Rinaldi pers. comm. 2019). In the summer of 2019, the NCH minimum population increased to the highest estimate of 53,500 caribou (ADF&G 2019b). However, by October 2019, the population estimate had fallen to 46,528 caribou and has since declined to the summer 2022 estimate of 21,000 caribou and the fall 2022 estimate of 17,433 caribou (**Table 1**), which is the lowest estimate since 2003 (ADF&G 2023a, 2023b). Factors contributing to this decline include deep snow across the range of the NCH during the winter of 2021–2022 leading to increased adult mortality. Spring thaw was also late that year delaying green-up, migration, and calving, which led to low calf recruitment. Preliminary indicators suggest difficult winter conditions for 2022–2023 led to poor recruitment again. Smaller cohorts over the last two years have the potential to slow population growth and recovery for the NCH (ADF&G 2023b).

Bull:cow and calf:cow ratios have also fluctuated greatly over time. Between 2003 and 2021, the fall bull:100 cow ratio ranged from 24–64 bulls:100 cows and averaged 42 bulls:100 cows. The fall calf:100 cow ratio for the same timeframe ranged from 19–55 calves:100 cows and averaged 39 calves:100 cows (**Table 1**).

**Table 1.** Population estimates and composition metrics of the NCH (ADF&G 2008, 2010a, 2018, 2019a, 2023a, 2023b; Hatcher 2021, pers. comm.; Rinaldi 2019, pers. comm.; Robbins 2015, 2016a, 2016b, 2017, pers. comm.; Schwanke and Robbins 2013; Schwanke 2011; Tobey and Kelleyhouse 2007). Fall herd estimates are derived from summer minimum count data combined with fall harvest and composition survey data.

Year	Total bulls:100 cows <sup>a</sup>	Calves:100 cows <sup>a</sup>	Summer Herd Estimates <sup>b</sup>	Fall Herd Estimates
2003	31	35	31,114	30,141
2004	31	45	38,961	36,677
2005	36	41	36,993	36,428
2006	23 <sup>c</sup>	40 <sup>c</sup>	-	-
2007	34	35	33,744	32,569
2008	39 <sup>c</sup>	40 <sup>c</sup>	-	33,288 <sup>c</sup>
2009	42	29	33,146	33,837
2010	64	55	44,954	48,653
2011	58	45	40,915	41,394
2012	57	31	46,496	50,646
2013	30	19	40,121	37,257
2014	42	45	-	-
2015	36	45	48,700	46,816
2016	57	48	46,673	46,673
2017	35 <sup>c</sup>	35 <sup>c</sup>	-	41,411 <sup>c</sup>
2018	40	20	35,703	33,229
2019	32	41	53,500	46,528
2020	28 <sup>c</sup>	17 <sup>c</sup>	-	35,000 <sup>c</sup>
2021	38	45	38,400	35,500
2022	26	16	21,000 <sup>c</sup>	17,433 <sup>c</sup>
Average	42	39	39,361	39,739

<sup>a</sup> Fall composition counts

<sup>b</sup> Summer photocensus

<sup>c</sup> Modeled estimate

## Harvest History

The NCH is a popular herd to hunt and experiences heavy harvest pressure due to its road accessibility and proximity to Fairbanks and Anchorage. Harvest quotas are adjusted annually to achieve State management objectives and keep the herd from growing to unsustainable levels (Schwanke and Robbins 2013). In recent years, caribou have been largely unavailable on Federal public lands during the fall Federal season (Aug. 1– Sep. 30) with their presence peaking during October when the season is closed for the rut (BLM 2020; OSM 2023b).

Over 95% of total NCH harvest occurs in Unit 13. Between 2001 and 2022, harvest from the NCH under State regulations ranged from 519–5,785 caribou/year (**Table 2**). Over the same period, caribou harvest under Federal regulations in Unit 13 ranged from 102–610 caribou/year (**Table 2**). Federal harvest (FC1302) accounts for 14% of the total Unit 13 caribou harvest on average. Fluctuations in Unit 13 caribou harvest follows changes in abundance and population estimations.

On August 3, 2018, the State issued EO 04-02-18, which reduced the quota to 1,400 bull caribou, noting that additional Federal harvest could be taken sustainably while allowing for modest growth and subsistence opportunity (ADF&G 2018). In 2018, caribou were largely unavailable during the fall Federal subsistence hunt (Hankins 2019), a trend that continues through today with the migration of the NCH typically falling between Federal seasons (OSM 2023b). Federal FC1302 permits issued from 2019–2022 average 2,746, which is comparable to the overall average since 2001 of 2,762 (**Table 3**). Reported Federal harvest for 2022/23 of 142 caribou was much lower than the long term 2001–2022 average of 371 (OSM 2023b). The 2022 Federal subsistence harvest was lower than in recent years, which may be because of lower abundance of caribou or because they migrated through Federal public lands during October when the season was closed.

Between 2001 and 2022, the number of Federal subsistence hunters and harvest success rates for the FC1302 hunt have shown substantial annual variation (**Table 3**). Between 2003 and 2012, Federal subsistence hunter numbers and success rates averaged 1,353 hunters and 31%, respectively. Between 2013 and 2022, Federal subsistence hunter numbers and success rates averaged 1,219 hunters and 25%, respectively. Success rates for caribou harvest depend largely on caribou availability (a function of migration timing) rather than abundance, and availability likely explains some of the substantial annual variation. Of note, federally qualified subsistence users may also harvest under State regulations, and those harvests are not reflected in the data above or in Table 3. The data described above and in Table 3 only considers harvests under Federal regulations (FC1302).

**Table 2.** Harvest amount of Nelchina caribou in Units 13. Showing amounts of State harvest quota, State harvest, and Federal harvest (Schwanke and Robbins 2013; Tobey and Kelleyhouse 2007; OSM 2023b; Robbins 2015, 2017, pers. comm.; WinfoNet 2019; BLM 2020). Unit 12 harvest shown for winter may be announced season. FC1202 harvest does not apply to harvest quota set by ADF&G.

Regulatory Year	Harvest Quota	State Harvest	Federal Harvest (FC1302)	Total Unit 13 Harvest
2001		1,479	498	1,977
2002		1,315	337	1,652
2003		995	322	1,317
2004		1,226	335	1,561
2005		2,772	610	3,382
2006		3,043	570	3,613
2007		1,314	385	1,699
2008		1,315	273	1,588
2009		753	349	1,102
2010	2,300	1,899	451	2,350
2011	2,400	2,032	395	2,427
2012	5,500	3,718	537	4,255
2013	2,500	2,303	279	2,582
2014	3,000	2,712	237	2,949
2015	5,000	3,402	595	3,997
2016	N/A <sup>a</sup>	5,785	491	6,276
2017	6,000 <sup>b</sup>	4,529	358	4,887
2018	1,400 <sup>c</sup>	1,411	370	1,781
2019	3,450	2,735	102	2,837
2020	5,090 <sup>d</sup>	3,770	306	4,076
2021	1,250 <sup>d</sup>	1,505	220	1,725
2022	615 <sup>d</sup>	519	162	681

**Table 3.** The number of permits issued, permits used, caribou harvested, and harvest success rates for the FC1302 Federal caribou hunt (OSM 2023b).

Regulatory Year	Permits Issued	Hunted	Harvest	Success Rate (%)
2001	2,565	1,469	498	33.9
2002	2,507	1,379	337	24.4
2003	2,574	1,240	322	26.0
2004	2,555	1,337	335	25.1
2005	2,557	1,499	610	40.7
2006	2,631	1,317	570	43.3
2007	2,399	1,092	385	35.3
2008	2,532	1,229	273	22.2
2009	2,576	1,339	349	26.1
2010	2,852	1,535	451	29.4
2011	2,980	1,425	395	27.7
2012	2,953	1,518	537	35.4
2013	2,781	1,303	279	21.4
2014	2,943	1,395	237	17.0
2015	3,061	1,560	595	38.1
2016	3,154	1,533	491	32.1
2017	3,071	1,526	358	23.5
2018	3,082	1,433	370	25.8
2019	2,787	900	102	11.3
2020	2,916	1,195	306	25.6
2021	2,606	945	220	23.3
2022	2,676	396	142	35.9
Average	2,762	1,298	371	28.3

### Cultural Knowledge and Traditional Practices

Most of Unit 13 falls within the traditional territory of the Ahtna Athabascans (de Laguna and McClellan 1981, Simeone 2006, ADF&G 2017b). Archaeological evidence and historical accounts indicate that caribou have been a primary subsistence resource for the Ahtna, who have hunted caribou seasonally in the spring and fall for generations (de Laguna and McClellan 1981, Simeone 2006, ADF&G 2017b). De Laguna (1981) reported that within Ahtna territory, caribou and moose were caught either in drag-pole snares or in snares set 200-300 feet apart in long brush fences. Caribou were also hunted with the use of spears from skin boats, and later, guns were used for both caribou and moose hunting (de Laguna 1981, Reckord 1983). The traditional practices of drying and freezing meat, as well as the proper and respectful treatment of harvested resources such as caribou, are described in several ethnographic accounts of the Ahtna and people of the upper Tanana (de Laguna and McClellan 1981, Reckord 1983, Simeone 2006, Haynes and Simeone 2007).

Caribou continue to be vital resources for residents of the Copper River and Tanana watersheds (Kukkonen and Zimpleman 2012, La Vine et al. 2013, La Vine and Zimpleman 2014, Holen et al. 2015). ADF&G's Division of Subsistence conducts household subsistence harvest surveys periodically throughout rural Alaska. Though this survey data is only available for some communities in some years, it is an important source for documenting patterns of resource use. In the most recent comprehensive subsistence surveys conducted in the region by ADF&G between 2009 and 2013, large land mammal harvest accounted for 17% to 60% of communities' total subsistence harvests by weight (Kukkonen and Zimpleman 2012, La Vine et al. 2013, La Vine and Zimpleman 2014, Holen et al. 2015). While bear, sheep, goat, and bison were also taken, most of the large land mammal harvest was composed of caribou and moose for all communities surveyed (Kukkonen and Zimpleman 2012, La Vine et al. 2013, La Vine and Zimpleman 2014, Holen et al. 2015). Surveys reported that harvests of large land mammals by communities in the Copper River Basin ranged from approximately 11 pounds per person in Mendeltna, to 121 pounds per person in Mentasta Pass (La Vine et al. 2013). In some communities in the region, large land mammal harvests surpassed those of fish (Kukkonen and Zimpleman 2012, La Vine et al. 2013, La Vine and Zimpleman 2014, Holen et al. 2015).

During each study year between 2009 and 2013, communities within the Copper River Basin harvested or hunted for caribou in Units 13, as well as in nearby Units 11 and 12 (Kukkonen and Zimpleman 2012, La Vine et al. 2013, La Vine & Zimpleman 2014, Holen et al. 2015). Harvest and search areas specific to communities within Unit 13 illustrate a pattern of hunting along nearby road corridors and locations close to home (Kukkonen et al. 2012, La Vine et al. 2013, La Vine & Zimpleman 2014, Holen et al. 2015). Some communities described hunting primarily along road corridors, while others noted that their caribou harvest and search areas extended throughout the basin (Kukkonen et al. 2012, La Vine et al. 2013, La Vine & Zimpleman 2014, Holen et al. 2015). Significantly, even in communities that reported no harvest for their study year, caribou were still widely used, shared, and received (Holen et al. 2015). For example, while Tolsona reported no caribou harvest during the 2013 study year, 25% of Tolsona households still reported using caribou (Holen et al. 2015).

User conflict between local and non-local caribou hunters has long been an issue in Unit 13 (Holen et al. 2015, SCRAC 2015). Recent subsistence research, technical papers, and public testimony at Board special action hearings, Regional Advisory Council meetings, and Board sessions have provided a record of public sentiment on increasing issues of hunting pressure and competition in the area (SCRAC 2015).

Household subsistence surveys conducted between 2009 and 2013 also documented local concerns about issues of user conflict regarding access to, and competition for, key subsistence resources (Holen et al. 2015). Many communities in the region had concerns about the amount of caribou and other large land mammal harvest taken by non-local hunters (Holen et al. 2015). Some residents argued that most of the meat harvested in Unit 13 is not eaten by residents of the region (Holen et al. 2015). Others added that non-local hunters were out-competing locals and driving game away (Holen et al. 2015). Many communities surveyed from 2009 to 2013 noted that better-equipped urban hunters, traffic pressure on the roads, and significant increases in the use of off-road vehicles were decreasing the success rates and efficiency of federally qualified subsistence users by interfering with access to favored hunting areas and driving game further from road corridors (Holen et al. 2015). A Paxson resident explained:



ATV use is out of control in the Denali Highway area. There is just too much motorized access. Local subsistence hunters cannot compete with those people that come into this area with lots of equipment like motorhomes and 4-wheelers or 6-wheelers (Holen et al. 2015: 258).

Some local community members have also noted that changing climatic conditions are complicating more traditional large land mammal hunting practices in the area, as warmer weather is extending longer into the hunting season and altering the timing of yearly biological cycles and herd migrations (Kukkonen and Zimpelman 2012; La Vine et al. 2013; La Vine and Zimpelman 2014, Holen et al. 2015).

### **Effects of the Proposal**

If this special action is approved by the Board, there will be no harvest of caribou from the NCH on Federal public lands in Unit 13 by any users for the fall 2023 season, including harvest under Federal registration permit FC1302 or the AITRC administered community harvest system. This will be a major reduction in resources available to federally qualified subsistence users. However, extreme winter conditions and delayed spring conditions during the winter of 2021/22 led to high overwinter mortality and lower recruitment rates for the NCH resulting in lower population estimates for 2022/23. Similar conditions and mortality during the winter of 2022/23 are expected to lead to even lower population estimates in 2023. The latest fall estimate of 17,433 caribou is about half of the lower extent of the population management objective set by ADF&G.

A closure in Unit 13 to caribou hunting may lead to an increase of GMU 13 hunters, both federally and non-federally qualified subsistence users, traveling to other regions to harvest caribou. This may result in more users moving to the Upper Tanana to hunt the Fortymile caribou herd in Unit 20. While only federally qualified subsistence users from Unit 20 have customary and traditional use determination for the Fortymile caribou herd, with the concurrent closure on state lands in Unit 13, if both State and Federal public lands are open in Unit 20, this may attract all users to hunt there.

While this restriction would eliminate a much relied upon natural resource of federally qualified subsistence users, the major reduction in harvest may conserve the NCH and aid in its recovery. Any population increase may provide for more subsistence opportunity in the future.

### **OSM CONCLUSION**

**Support** Wildlife Special Action WSA23-01/03.

### **Justification**

Conservation concerns warrant a closure to caribou hunting on Federal public lands in Unit 13 by all users. Constant hunting pressure, low recruitment rates, and severe weather conditions causing higher than usual mortality have led to a major decline in NCH population. Supporting WSA23-01 may facilitate recovery of the NCH by allowing the remaining animals to stay in the population and add to the productivity and recruitment of the herd. With ADF&G closing all State caribou seasons in Unit 13, closing the Federal fall season will protect the remaining caribou in the NCH and may ensure continued viability of the NCH.

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THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Fish and Game

Office of the Commissioner  
Headquarters Office

1255 West 8th Street  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Main: 907.465.6136  
Fax: 907.465.2332

July 3, 2023

Mr. Anthony Christianson  
Federal Subsistence Board, Chair  
1011 East Tudor Road  
Anchorage, Ak 99503

Chair Christianson:

As you are aware the Alaska Department of Fish and Game (department) recently issued an Emergency Order with accompanying Advisory Announcement (attached) closing all Nelchina caribou hunts under state regulations in Game Management Unit (GMU) 13. This letter is a request that the Federal Subsistence Board close all Nelchina caribou hunts on federally managed land in GMU 13 for conservation purposes. Such closure is authorized by Section 816(b) of ANILCA “to assure the continued viability” of the Nelchina caribou herd, following consultation with the department. We request an immediate closure for sixty days under an emergency special action, followed by a longer-term closure under a temporary special action for the entire 2023-2024 season.

In the fall of 2022, the Nelchina caribou herd was estimated at 17,433 animals with a bull:100 cow ratio of 26 (objective 40:100) and a calf:100 cow ratio of 16 (objective 40:100). The herd experienced severe winter conditions (i.e., deep snow, early and persistent snow, high precipitation) in the winters of 2021/22 and 2022/23, followed by late spring, coinciding with late migration and a late calving period. Overwinter mortality of adults and calves was high, resulting in a reduction in overall population numbers and low recruitment of the 2021 and 2022 calf cohort into the population; 87% of the collared 2022 calf cohort died prior to spring. Productivity and recruitment for 2021–2023 has not been sufficient to grow the herd with the unusually high levels of mortality that have been observed. Additional caribou abundance surveys will be conducted in July 2023 but at this time there is no harvestable surplus.

There is public support for closing all Nelchina caribou hunts. In February, Ahtna Incorporated requested a closure of all Nelchina caribou hunting until the herd recovers to within the State’s population objectives. In addition, we have consulted with Ahtna Inter-Tribal Resource Commission and understand they intend to make a similar request to close any federal hunt to allow the herd to recover to a sustainable level. Because of the action taken by the department,

permittees of Tier I and Community Subsistence caribou hunts will be released from the permit condition limiting their caribou hunting to GMU 13.

Thank you for your time and consideration of this request. If you or your staff have any questions, please contact Ryan Scott at (907) 465-4191 or email [ryan.scott@alaska.gov](mailto:ryan.scott@alaska.gov).

Sincerely,



Doug Vincent-Lang  
Commissioner

Cc: George Pappas- State Subsistence Liaison, Office of Subsistence Management, US  
Department of the interior  
Ben Mulligan- Deputy Commissioner, Department of Fish and Game, State of Alaska  
Mark Burch- Wildlife Biologist, Division of Wildlife Conservation, Department of Fish  
and Game, State of Alaska

Karen Linnell, Executive Director  
Ahtna Intertribal Resource Commission  
P.O. Box 613, Glennallen, AK 99588  
907-822-4466  
karen@ahtnatribal.org

Marnie Graham, Field Manager  
Bureau of Land Management Glennallen Field Office  
P.O. Box 147, Glennallen, AK 99588  
907-822-3217  
mgraham@blm.gov

### **Requested Special Action:**

We request an Emergency Special Action to close hunting of the Nelchina Caribou Herd by all users on Federal public lands in Game Management Unit 13 (Unit 13) for the 2023 fall hunt to assure the continued viability of the Nelchina Caribou Herd. Such a closure is authorized by 816(b) of ANILCA and under 50 CFR 100.19(a). The relevant regulations are as follows:

### **Existing Federal Regulation**

#### **Unit 13—Caribou**

<i>Units 13A and 13B—2 caribou by Federal registration permit only (FC1302). The sex of animals that may be taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council</i>	<i>Aug. 1–Sep. 30 Oct. 21–Mar. 31</i>
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<i>Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)</i>	<i>Aug. 1–Sep. 30 Oct. 21–Mar. 31</i>
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### **Proposed Federal Regulation**

#### **Unit 13—Caribou**

<del><i>Units 13A and 13B—2 caribou by Federal registration permit only (FC1302). The sex of animals that may be taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and</i></del>	<del><i>Aug. 1–Sep. 30 Oct. 21–Mar. 31</i></del>
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~~Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council~~  
**Federal public lands are closed to the taking of caribou for the 2023 fall season for non-Federally qualified users and Federally qualified subsistence users.**

~~Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)~~

~~Aug. 1–Sep. 30~~

~~Oct. 21–Mar. 31~~

**Federal public lands are closed to the taking of caribou for the 2023 fall season for non-Federally qualified users and Federally qualified subsistence users.**

### **Reason for the Action:**

There is no harvestable surplus of Nelchina Caribou available, and any hunt could have a significant adverse effect on the health of the population. The Alaska Department of Fish and Game (ADF&G) has established fall population objectives for the Nelchina Caribou Herd of 35,000-40,000 individuals, with a calf to cow ratio of 40:100 and a bull to cow ratio of 40:100. In a June 8<sup>th</sup> communication from ADF&G to Marnie Graham, BLM Glennallen Field Manager, the fall 2022 caribou population estimate showed 17,433 animals, the calf to cow ratio was 16:100, and the bull to cow ratio was 26:100. Although the population fluctuates from year to year, the fall 2022 estimate represents a 50% decline from the 2021 population estimate. This, combined with the low calf:cow and low bull:cow ratios suggest the Nelchina Caribou Herd is under stress and a closure to all users for the fall season is warranted to ensure the continued viability of this population. On June 30<sup>th</sup>, 2023, ADFG informed BLM there were low birth rates and poor neonate survival on the 2023 calving ground, which further supports our request for a closure.

During a consultation with the Ahtna Intertribal Resource Commission (AITRC) on June 28, 2023, AITRC expressed full support for a moratorium on hunting Nelchina Caribou in Unit 13 until the population recovers. On July 6, 2023, BLM met with the Eastern Interior Alaska and Southcentral Subsistence Regional Advisory Council Chairs. All parties were supportive of an emergency closure. On June 30, 2023, we were made aware that ADF&G had closed the State caribou RC561, RC562 and CC001 hunts in Unit 13 for the 2023-2024 regulatory year by Emergency Order (R4-01-23).



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THE STATE  
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GOVERNOR MIKE DUNLEAVY

## Department of Fish and Game

Office of the Commissioner  
Headquarters Office

1255 West 8th Street  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Main: 907.465.6136  
Fax: 907.465.2332

July 3, 2023

Mr. Anthony Christianson  
Federal Subsistence Board, Chair  
1011 East Tudor Road  
Anchorage, Ak 99503

Chair Christianson:

As you are aware the Alaska Department of Fish and Game (department) recently issued an Emergency Order with accompanying Advisory Announcement (attached) closing all Nelchina caribou hunts under state regulations in Game Management Unit (GMU) 13. This letter is a request that the Federal Subsistence Board close all Nelchina caribou hunts on federally managed land in GMU 13 for conservation purposes. Such closure is authorized by Section 816(b) of ANILCA “to assure the continued viability” of the Nelchina caribou herd, following consultation with the department. We request an immediate closure for sixty days under an emergency special action, followed by a longer-term closure under a temporary special action for the entire 2023-2024 season.

In the fall of 2022, the Nelchina caribou herd was estimated at 17,433 animals with a bull:100 cow ratio of 26 (objective 40:100) and a calf:100 cow ratio of 16 (objective 40:100). The herd experienced severe winter conditions (i.e., deep snow, early and persistent snow, high precipitation) in the winters of 2021/22 and 2022/23, followed by late spring, coinciding with late migration and a late calving period. Overwinter mortality of adults and calves was high, resulting in a reduction in overall population numbers and low recruitment of the 2021 and 2022 calf cohort into the population; 87% of the collared 2022 calf cohort died prior to spring. Productivity and recruitment for 2021–2023 has not been sufficient to grow the herd with the unusually high levels of mortality that have been observed. Additional caribou abundance surveys will be conducted in July 2023 but at this time there is no harvestable surplus.

There is public support for closing all Nelchina caribou hunts. In February, Ahtna Incorporated requested a closure of all Nelchina caribou hunting until the herd recovers to within the State’s population objectives. In addition, we have consulted with Ahtna Inter-Tribal Resource Commission and understand they intend to make a similar request to close any federal hunt to allow the herd to recover to a sustainable level. Because of the action taken by the department,

permittees of Tier I and Community Subsistence caribou hunts will be released from the permit condition limiting their caribou hunting to GMU 13.

Thank you for your time and consideration of this request. If you or your staff have any questions, please contact Ryan Scott at (907) 465-4191 or email [ryan.scott@alaska.gov](mailto:ryan.scott@alaska.gov).

Sincerely,



Doug Vincent-Lang  
Commissioner

Cc: George Pappas- State Subsistence Liaison, Office of Subsistence Management, US  
Department of the interior  
Ben Mulligan- Deputy Commissioner, Department of Fish and Game, State of Alaska  
Mark Burch- Wildlife Biologist, Division of Wildlife Conservation, Department of Fish  
and Game, State of Alaska



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

1255 West 8<sup>th</sup> Street  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Main: 907.465.4110  
Fax: 907.465.6094

July 25, 2023

Mr. Anthony Christianson, Chair  
Federal Subsistence Board  
1011 East Tudor Road  
Anchorage, Ak 99503

Dear Chair Christianson:

The Alaska Board of Game is fully aware that the Alaska Department of Fish and Game (department) recently issued an Emergency Order closing all Nelchina caribou hunts under state regulations in Game Management Unit (GMU) 13.

This letter is a request that the Federal Subsistence Board (FSB) close all Nelchina caribou hunts on federally managed land in GMUs 11, 12, and 13 for conservation purposes and to assure the continued viability of the herd. The most recent survey indicates there is no harvestable surplus of Nelchina caribou at this time. Any harvest of Nelchina caribou will negatively affect the future health of the herd and delay any potential growth and resumption of subsistence use opportunity. ANILCA Title VIII Sec. 801(3), 802(1)(3), 804, 815(1), and 816(b) all direct the Secretaries to close harvest opportunities when necessary to "assure the continued viability" of resources for continued subsistence uses.

The State of Alaska has taken the necessary step to curtail harvest from the core Nelchina Herd consistent ". . .with recognized scientific principles. . ." It is only reasonable that the federal system cooperates as per Sec. 802(3) with the State management agencies. Chair Christianson and members of the FSB, this an opportunity for both boards to work cooperatively as mandated in ANILCA Sec. 802 (3) to ensure the sustainable and continued viability of the Nelchina caribou herd for future uses.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry Burnett".

**Jerry Burnett, Chair**  
Alaska Board of Game

cc: Doug Vincent-Lang, Commissioner, Alaska Department of Fish and Game  
Ryan Scott, Deputy Director, Div. of Wildlife Conservation, Alaska Department of Fish and Game  
Sue Detwiler, Asst. Regional Director, Office of Subsistence Management, US Department of the Interior  
George Pappas, State Subsistence Liaison, Office of Subsistence Management, US Department of the Interior

## **Presentation Procedure for Proposals and Closure Reviews**

### **1. Introduction and Presentation of Draft Staff Analysis**

### **2. Report on Board Consultations:**

- a. Tribes
- b. ANCSA Corporations

### **3. Agency Comments:**

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

### **4. Advisory Group Comments:**

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

### **5. Summary of Written Public Comments**

### **6. Public Testimony**

### **7. Regional Council Recommendation (motion to support)**

### **8. Discussion/Justification**

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

### **9. Restate final motion for the record**

### **10. Council's Vote**

WP24-09 Executive Summary	
<b>General Description</b>	Wildlife Proposal WP24-09 requests delegating authority to the BLM Glenallen Field Office manager to close, reopen and adjust season dates, set harvest limits including any needed sex restrictions, and set any needed permit conditions for caribou in Units 13A and 13B via Delegation of Authority Letter only and that the Ahtna Intertribal Resource Commission (AITRC) be consulted whenever any in-season management actions may occur. The BLM also requests that the harvest limit for caribou in subunits 13A and 13B be changed from “2 caribou” to “up to 2 caribou.” <i>Submitted by the Bureau of Land Management.</i>
<b>Proposed Regulation</b>	<p><b>Unit 13—Caribou</b></p> <p><i>Units 13A and 13B—<b>up to 2 caribou</b> by Federal registration permit only (FC1302)). <del>The sex of animals that may be taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council</del></i></p> <p><i>Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)</i></p> <p><i>Aug. 1–Sep. 30 Oct. 21–Mar. 31</i></p> <p><i>Aug. 1–Sep. 30 Oct. 21–Mar. 31</i></p>
<b>OSM Preliminary Conclusion</b>	<b>Support</b> Proposal WP24-09.
<b>Southcentral Alaska Subsistence Regional Advisory Council Recommendation</b>	

WP24-09 Executive Summary	
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Interagency Staff Committee Comments</b>	
<b>ADF&amp;G Comments</b>	
<b>Written Public Comments</b>	<b>1 Support</b>

## **STAFF ANALYSIS**

### **WP24-09**

#### **ISSUES**

Wildlife Proposal WP24-09, submitted by the Bureau of Land Management (BLM) Glennallen Field Office, requests delegating authority to the BLM Glenallen Field Office manager to close, reopen and adjust season dates, set harvest limits including any needed sex restrictions, and set any needed permit conditions for caribou in Units 13A and 13B via Delegation of Authority Letter only and that the Ahtna Intertribal Resource Commission (AITRC) be consulted whenever any in-season management actions may occur (**Appendix 1**). The BLM also requests that the harvest limit for caribou in subunits 13A and 13B be changed from “2 caribou” to “up to 2 caribou.”

#### **DISCUSSION**

The proponents state that expansion of the authority delegated to the Federal in-season manager will allow for better management of the Nelchina Caribou Herd (NCH) and more timely responses to changing hunt conditions. Removing the limited authority currently in unit-specific regulations will also simplify Federal regulations.

Establishing a variable harvest limit will allow the in-season manager to adjust harvest limits in response to fluctuations in the NCH population. Conservation concerns regarding the NCH have arisen lately, because of a severe winter and late spring in 2022. High adult mortality and low calf recruitment led to a summer population estimate of only 21,000 caribou, which is well below the State management objective of 35,000-40,000 caribou.



**Existing Federal Regulation****Unit 13—Caribou**

*Units 13A and 13B—2 caribou by Federal registration permit only (FC1302). The sex of animals that may be taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council*

*Aug. 1–Sep. 30  
Oct. 21–Mar. 31*

*Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)*

*Aug. 1–Sep. 30  
Oct. 21–Mar. 31*

**Proposed Federal Regulation****Unit 13—Caribou**

*Units 13A and 13B—**up to** 2 caribou by Federal registration permit only (FC1302). ~~The sex of animals that may be taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern Interior Regional Advisory Council and the Southcentral Regional Advisory Council~~*

*Aug. 1–Sep. 30  
Oct. 21–Mar. 31*

*Unit 13, remainder—2 bulls by Federal registration permit only (FC1302)*

*Aug. 1–Sep. 30  
Oct. 21–Mar. 31*

**Existing State Regulation****Unit 13—Caribou**

*Residents – One caribou by permit* *YC495 Aug. 1–Aug. 5*

*Or*

*Residents – One caribou by permit per household, available only by application. See Subsistence Permit Hunt Supplement for details* *RC561 Aug. 10–Aug. 31  
Oct. 21–Mar. 31*

*Or*

<i>Residents – One caribou by permit per household, available only by application. See Subsistence Permit Hunt Supplement for details</i>	<i>RC562</i>	<i>Sep. 1– Sep. 20 Oct. 21–Mar. 31</i>
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*Or*

<i>Residents – One caribou by permit per household, available only by application. See the Subsistence Permit Hunt Supplement for details</i>	<i>CC001</i>	<i>Aug. 10– Sep. 20 Oct. 21–Mar. 31</i>
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*Or*

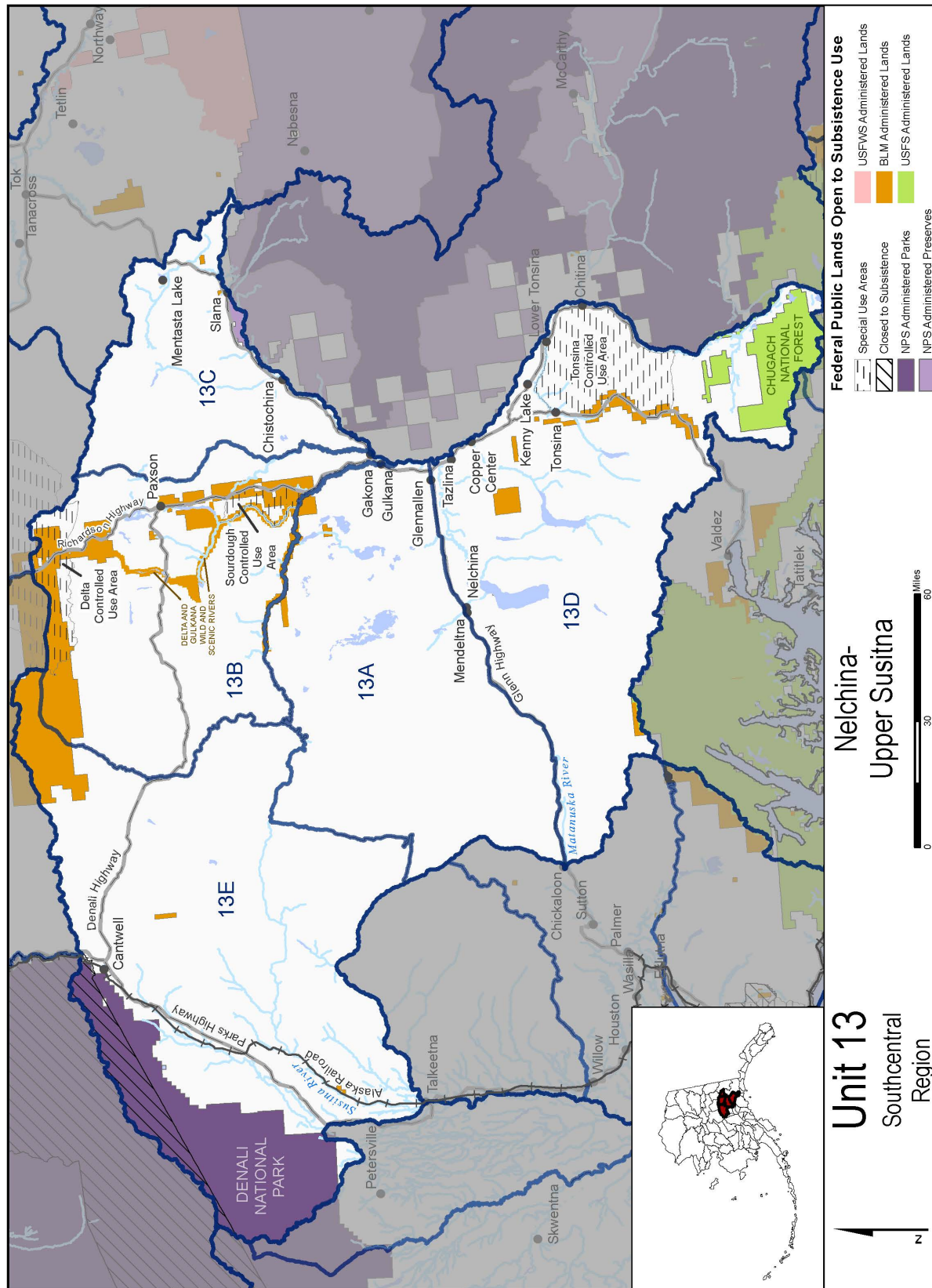
<i>Residents – One caribou by permit</i>	<i>DC485</i>	<i>Aug. 20– Sep. 20 Oct. 21–Mar. 31</i>
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<i>Nonresidents – One bull caribou by permit</i>	<i>DC475</i>	<i>No open season</i>
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#### **Extent of Federal Public Lands/Waters**

Unit 13 is comprised of approximately 13% Federal public lands and consists of 6% National Park Service (NPS) managed lands, 5% BLM managed lands, and 2% U.S. Forest Service (USFS) managed lands (**Map 1**). Unit 13A is comprised of approximately 1% Federal public lands and consists solely of BLM managed lands. Unit 13B is comprised of approximately 18% Federal public land and consists solely of BLM managed lands.

Federal public lands within Denali National Park are closed to all hunting and trapping as it existed prior to the Alaska National Interest Lands Conservation Act (ANILCA) (December 1980). Federal public lands within the ANILCA additions to Denali National Park are closed to hunting and trapping by non-federally qualified users. BLM manages additional lands within Unit 13 that are selected for conveyance by the State of Alaska, Native Corporations, or Alaska Tribes and are not currently available for Federal subsistence because of the land selection status. If these land selections are relinquished, they would become lands available for Federal subsistence.



**Map 1.** Unit 13.

## **Customary and Traditional Use Determinations**

Residents of Units 11, 12 (along the Nabesna Road), 13, and Chickaloon have a customary and traditional use determination to harvest caribou in Unit 13A.

Residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), 13, 20D (excluding residents of Fort Greely), and Chickaloon have a customary and traditional use determination for caribou in Unit 13B.

## **Regulatory History**

The NCH is an important resource for many rural and non-rural users. Its proximity to the Glenn and Richardson highways enhances accessibility of the NCH to Anchorage and Fairbanks residents (Tobey 2003). A State Tier II system for NCH harvest was established in 1990 for Unit 13. A State Tier I permit was added for the 1996/97 and 1997/98 seasons to allow any Alaskan resident to harvest cows or young bulls to reduce the herd to the management objective of 35,000–40,000 caribou (ADF&G 1997). In 1998, the Tier I hunt was closed, as the herd was brought within management objectives due to increased harvest and lower calf recruitment.

In 1998, the Federal Subsistence Board (Board) adopted Proposal P98-036 to extend the winter caribou season from Jan. 5–Mar. 31 to Oct. 21–Mar. 31 (OSM 1998). This gave federally qualified subsistence users the same opportunity to harvest an animal as those hunting under State regulations.

In 2001, the Board adopted Proposal WP01-07, which changed the harvest limit from two caribou to two bulls by Federal registration permit only for all of Unit 13 (OSM 2001).

In 2002, the Board rejected Proposal WP02-17, which requested closure of Federal public lands in Units 13A and 13B to moose and caribou hunting by non-federally qualified users. The Board rejected this proposal consistent with the recommendations of the Southcentral Alaska Subsistence Regional Advisory Council (Southcentral Council), the Interagency Staff Committee, and the Alaska Department of Fish and Game (ADF&G). All opposed this closure because closing Federal public lands in Units 13A and 13B to non-federally qualified users would not result in a conservation benefit due to the limited amount of Federal public land in Unit 13. The Board further reasoned that additional opportunities existed for Federal subsistence users to hunt on Federal public lands after the State closed its season, and because of the more liberal Federal harvest limit and longer season (OSM 2002).

In 2003, the Board adopted Proposal WP03-14, which changed the harvest limit for Units 13A and 13B back to two caribou, although only bulls could be harvested from Aug. 10–Sep. 30. For the Oct. 21–Mar. 31 winter season, the BLM's Glennallen Field Office Manager was delegated authority to determine the sex of animals to be taken in consultation with ADF&G and the Chairs of the Eastern Interior Alaska Subsistence Regional Advisory Council (Eastern Interior Council) and Southcentral Council. This authority was delegated to provide management flexibility to the in-season manager to offer a limited cow harvest during the winter hunt when population metrics warranted it. Enabling the in-season manager to make this determination allowed for a Federal priority while safeguarding the

caribou population. For the remainder of Unit 13, the harvest limit remained two bulls for the Aug. 10–Sep. 30 and Oct. 21–Mar. 31 seasons (OSM 2003).

In 2005, the Board adopted modified Proposal WP05-08 via the consensus agenda. This proposal allowed the sex of caribou harvested to be determined for both the fall and winter seasons in Units 13A and 13B by the BLM Glennallen Field Office Manager in consultation with the ADF&G area biologist and Chairs of the Eastern Interior and Southcentral councils (OSM 2005). The adoption of this proposal allowed for the BLM to adaptively manage harvest of the NCH as population composition changed. When the population metrics supported cow harvest, the in-season manager could allow subsistence users to harvest cows, thereby enhancing a subsistence priority.

Emergency Order (EO) 02-01-07 closed the remainder of the 2006/07 State season for the NCH on February 4, 2007, due to high State hunter success in the State Tier II hunt. Likewise, EO 02-08-07 closed the 2007/08 Tier II hunt on September 20, 2007. The hunt was scheduled to re-open on October 21, 2007, but concerns about unreported harvest in the State and Federal hunts resulted in closure for the remainder of the season.

For the 2009/10 season, the State Tier II hunt was eliminated. Two hunts were added: a Tier I hunt and a Community Harvest hunt for residents of Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Copper Center. The harvest limit for each was one caribou (sex to be announced annually) with season dates of Aug. 10–Sep. 20 and Oct. 21–Mar. 31 and a harvest quota of 300 caribou, respectively. A federally qualified subsistence user could opt into the State community harvest system or use a State registration permit to harvest one caribou and then get a Federal permit to harvest an additional caribou within Unit 13 since the Federal harvest limit was two caribou. However, State regulations stipulate that Tier I and community harvest system permit holders may not hunt moose or caribou under State or Federal regulations outside of Unit 13 and the Copper Basin Community Hunt area, respectively (ADF&G 2019a).

In July 2010, the Alaska Superior Court found that elimination of the Tier II hunt was arbitrary and unreasonable (ADF&G 2010a). In response, the Alaska Board of Game (BOG) held an emergency teleconference in July 2010 and opened a Tier II hunt from Oct. 21–Mar. 31, maintained the existing Tier I season, and awarded up to 500 additional Tier I permits (ADF&G 2010a). Subsequently, EO 04-1-10 closed the remainder of the winter NCH Tier II season due to harvest reports indicating that approximately 1,404 bulls and 547 cows were harvested, and unreported harvest was expected to raise the total harvest above the harvest objective (ADF&G 2010b; OSM 2012).

In 2012, the Board adopted Proposal WP12-25, which added an additional nine days to the beginning of the fall caribou season in all of Unit 13 to provide more opportunity to federally qualified subsistence users. The season was extended from Aug. 10–Sep. 30 to Aug. 1–Sep. 30 (OSM 2012).

In 2016, Federal public lands in the Paxson Closed Area were determined to be open (i.e., no longer State selected) to the taking of big game, which includes caribou, by federally qualified subsistence users hunting under Federal subsistence regulations. The Board rejected Proposal WP16-16, which

requested that Federal public lands within the Paxson Closed Area in Unit 13 be closed to federally qualified subsistence users (OSM 2016b).

Additionally in 2016, the Board adopted Proposal WP16-17, which rescinded the restriction prohibiting federally qualified subsistence users from hunting caribou within the Trans-Alaska Oil Pipeline right-of-way in Unit 13 (OSM 2016c).

In fall 2016, the Board approved Emergency Wildlife Special Action WSA16-05 to delegate authority to the BLM Glennallen Field Office Manager to open a ten-day caribou season between Oct. 1 and Oct. 20. WSA16-05 was approved to increase harvest of the NCH, which was above State management objectives, and to provide additional hunting opportunity for federally qualified subsistence users as fall harvest was low due to caribou being inaccessible during the regular hunting season because of delayed migration (OSM 2016a).

In 2018, Proposal WP18-19 was submitted by AITRC requesting they be allowed to distribute Federal registration permits to Ahtna tribal members for the Federal caribou season in Unit 13. In addition, the proponent requested that the Ahtna Advisory Committee (which was to be formed) be added to the list of agencies and organizations consulted by the BLM Glennallen Field Office Manager, when announcing the sex of caribou taken in Units 13A and 13B each year. The Board voted to defer WP18-19 pending development of a framework for a community harvest system (OSM 2018).

In 2018, ADF&G issued four EOs for the NCH in Unit 13. In response to high overwinter mortality, emigration to the Fortymile caribou herd (FCH), and lower than anticipated productivity, the NCH was reduced to approximately 35,700 caribou, which was near the lower end of the State's population management objective. EO 04-02-18 changed the State harvest limit from one caribou to one bull and the reporting requirement to three days. EO 04-04-18 closed the Tier 1 NCH hunt, RC561, on August 18, 2018, as reported harvest was approaching the harvest quota. EO 04-05-18 closed drawing hunt DC485 on August 26, 2018, to remain within the quota of 250 bulls set for that hunt. EO 04-07-18 closed the winter hunting seasons for all of these hunts.

In July 2019, the Board rejected Temporary Wildlife Special Action WSA19-03, which requested closure of Federal public lands in Unit 13 to caribou and moose hunting by non-federally qualified users for the 2019/20 season. The Board determined the requested closure was not warranted for conservation, continuation of subsistence uses, or safety reasons. The Board concluded that the closure was not necessary for the conservation of healthy caribou or moose populations in Unit 13, as these populations are routinely monitored, and annual biological data is used to inform management plans and to establish sustainable harvest guidelines. The closure was also not shown to be necessary to continue subsistence uses of those populations. Federally qualified subsistence users' annual harvest rates had remained consistent in comparison to the annual harvest rates by non-federally qualified users. Nevertheless, the Board recognized that local harvesters do experience an influx of non-local hunters, and many feel displaced by this activity and alter their subsistence activities as a result. In addition, the closure would not alleviate public safety concerns as non-federally qualified users would still be able to cross Federal public lands to access State and private lands.

In September 2019, ADF&G issued EO 04-09-19 to extend the closing date for all State caribou hunts in Unit 13 by ten days from September 20 to September 30. The EO was issued to reduce the size of the NCH population, which had grown to more than 53,000 animals, well above the upper end of the population objective for the herd.

In 2020, the Board adopted several proposals and special actions affecting caribou in Unit 13. First, in April the Board adopted deferred proposal WP18-19 with modification, establishing a community harvest system for moose and caribou in Unit 13. It also named eight individual communities within the Ahtna traditional use territory that are authorized to harvest caribou and moose in Unit 13 as part of the community harvest system, subject to a framework established by the Board under unit specific regulations.

In July 2020, the Board adopted two special actions with modification regarding caribou hunting in Unit 13, WSA20-01 and WSA20-03. WSA20-01 requested a continuous caribou season in Unit 13 from Aug. 1-Mar. 31 and that the harvest limit in Unit 13, remainder be changed from two bulls to two caribou for the 2020–2022 regulatory cycle. The Board approved the change in harvest limit to provide additional subsistence opportunity and because there were no conservation concerns. The Board did not approve the continuous season due to concern over harvesting bulls during rut when they may be unpalatable. This action was consistent with the Southcentral and Eastern Interior councils' recommendations.

WSA20-03 requested closure of Federal public lands in Unit 13 to the hunting of moose and caribou by non-federally qualified users for the 2020/21 season. The Board approved closure of Federal public lands in Units 13A and 13B only to moose and caribou hunting by non-federally qualified users for the 2020–2022 regulatory cycle. The Board supported the closure due to its necessity for reasons of public safety and continuation of subsistence uses. The Board limited the closure to Units 13A and 13B because this is the area where the most overcrowding, disruption of hunts, and serious safety concerns have occurred. The Board extended the special action to the 2021–2022 regulatory year as a regulatory proposal would not become effective until July 1, 2022, and to reduce the administrative burden associated with processing additional requests.

Also in July 2020, the Board adopted Wildlife Special Action WSA20-02 with modification regarding the AITRC administered community harvest system. AITRC submitted WSA20-02 to effectively and immediately implement the community harvest system that the Board had approved in April 2020 (via adoption of deferred WP18-19). In January 2021, the Board approved the community harvest system framework, which was required to implement the system, as part of its adoption of WSA21-07. This special action addressed a regulatory inconsistency that prevented the community harvest system from being effectively implemented. In April 2022, the Board adopted Wildlife Proposal WP22-36, which codified these temporary regulations in the CFR.

In 2022, ADF&G issued four emergency orders (EOs) regarding caribou in Unit 13. A steep population decline and low recruitment due to a severe winter resulted in a population estimate below management objectives and therefore, a low harvest quota. On July 14, ADF&G established the

resident caribou harvest limit in Unit 13 as one bull caribou and the harvestable surplus of 1,000 bulls as the quota with 615 bulls allocated to the State hunts (and the remaining 385 to the Federal hunts) to allow for growth of the herd via EO 04-02-22. In a corresponding press release, ADF&G outlined the distribution of the harvest quota across State hunts, including the youth hunt (70), non-resident hunt (0), resident drawing hunt (70), resident August registration hunt (140), resident September registration hunt (140), and community hunt (195).

BLM began printing and issuing Federal registration permits (FC1302) on July 7, 2022, which was 7 days prior to the state releasing their harvest quotas through EO 04-02-22. The ADF&G area biologist in Unit 13 contacted the BLM Field office in Glennallen about July 19<sup>th</sup> to share the data of the recent NCH survey, the actions ADF&G were planning to implement due to the population decline, and to request that BLM recognize the need to take action for the conservation of the NCH by changing the harvest limit from two caribou, either sex, to 2 bull caribou (Rinaldi 2023, pers. comm.). Since BLM had already started issuing permits, ADF&G sent a letter asking for the change in harvest limit to the BLM State Director, elevating their concern above the Field Office level (**Appendix 2**). The BLM considered these requests but decided not to modify the harvest limit and responded to ADF&G with FSB letter OSM 22111.RLS (**Appendix 3**). More specifically, BLM did not restrict harvest to bulls only because: 1) Unit 13, remainder is already restricted to bull harvest; 2) the NCH is not present in Units 13A and 13B to any great extent and even then is not typically present on the Federal lands therein until late in the fall season; 3) the NCH often migrates through Federal lands when the season is closed to Federal hunting; and 4) harvest of cows by federally qualified subsistence users on Federal land has historically been minimal because hunters have been very receptive to ADF&G's population concerns and the BLM's outreach efforts to encourage the harvest of bulls only.

On August 16, 2022, State registration hunt RC561 was closed by EO 04-03-22 after the RC561 harvest quota was exceeded when 161 bull caribou were harvested in 8 days. On September 12, State registration hunt RC562 was closed by EO 04-06-22 after the RC562 harvest quota was exceeded when 205 bull caribou were harvested in 13 days. In mid-October, all State winter hunts were closed by EO 04-08-22 before they opened because ADF&G determined no harvestable surplus was available and to promote NCH recovery. A total of 162 caribou, including 112 bulls and 50 cows, were harvested under Federal hunt FC1302.

### **Biological Background**

The NCH calving grounds and summer range lie within Unit 13. The rut also generally occurs within Unit 13 from late September through mid-October. About 60-95% of the NCH overwinters in Unit 20E, although Nelchina caribou also overwinter in Unit 12 and across northern portions of Units 11 and 13 (Schwanke and Robbins 2013). Winter competition with the Fortymile herd in Unit 20E may be impacting the NCH and range conditions. While the location and timing of the NCH calving grounds remains static, use of other seasonal ranges varies with resource availability and snow cover (Schwanke and Robbins 2013).



State management goals and harvest objectives are based on the principle of sustained yield (Robbins 2014). ADF&G aims to maintain a fall population of 35,000–40,000 caribou, with minimum ratios of 40 bulls:100 cows and 40 calves:100 cows. They also want to provide for the annual harvest of 3,000–6,000 caribou.

The State manages the NCH for maximum sustained yield, principally by annual adjustments in harvest quotas. The population of the NCH has fluctuated over time, influenced primarily by harvest (Schwanke and Robbins 2013). Between 2003 and 2022 the NCH summer population estimate ranged from 21,000–53,500 caribou and averaged 39,361 caribou. However, the herd exceeded State population objectives from 2010–2017 and in 2019 (**Table 1**). Reduced predation resulting from intensive wolf management programs intended to benefit moose in Unit 13 and the FCH in Units 12 and 20 may have contributed to NCH population increases (Schwanke and Robbins 2013; ADF&G 2017a, 2019a).

However, in October 2018, the NCH was estimated to be only 33,229, which is below the minimum State population objective (Hatcher 2020a, pers. comm.). A combination of a liberal hunt, severe winter conditions in the eastern part of their range that resulted in high over-winter mortality, emigration of some animals to the Fortymile herd, and lower than anticipated productivity reduced the NCH from the previous year's fall estimate of approximately 41,400 (Rinaldi pers. comm. 2019). In the summer of 2019, the NCH minimum population increased to the highest estimate of 53,500 caribou (ADF&G 2019b). However, by October 2019, the population estimate had fallen to 46,528 caribou (BLM 2020) and has since declined to the summer 2022 estimate of 21,000 caribou and the fall 2022 estimate of 17,433 caribou, which is the lowest estimate since 2003 (ADF&G 2023a, 2023b). Factors contributing to this decline include deep snow across the range of the NCH during the winter of 2021–2022 leading to increased adult mortality. Spring thaw was also late that year delaying green-up, migration, and calving, which led to low calf recruitment. Preliminary indicators suggest difficult winter conditions for 2022–2023 lead to poor recruitment again. Smaller cohorts over the last two years will slow population growth and the recovery potential for the NCH (ADF&G 2023b).

Bull:cow and calf:cow ratios have similarly fluctuated over time. Between 2003 and 2021, the fall bull:cow ratio ranged from 24–64 bulls:100 cows and averaged 42 bulls:100 cows. Over the same time, the fall calf:cow ratio ranged from 19–55 calves:100 cows and averaged 39 calves:100 cows (**Table 1**).

The Mentasta Caribou Herd primarily ranges within Units 11, 12, southern 20E, and Yukon-territory, Canada (Hatcher 2020b). However, Mentasta caribou may occasionally travel into Unit 13, given its proximity to Units 11 and 12. The Mentasta caribou herd was estimated at 672 caribou in 2021 and has remained stable at relatively low levels for decades (Cutting 2023). Currently about 10 Mentasta caribou cows have active radio-collars. An additional 25 collars are planned for deployment in 2023, facilitating on going surveying and monitoring by agency staff. There has been no reported harvest from the Mentasta Caribou Herd since 1998, as both State and Federal seasons have been closed. In 2022, a Federal may be announced caribou season was established for Unit 11, which is intended to target the larger NCH but may result in some harvest of Mentasta caribou (OSM 2023).

**Table 1.** Population size and composition of the NCH (ADF&G 2008, 2010a, 2018, 2019a, 2023a, 2023b; Hatcher 2021, pers. comm.; Rinaldi 2019, pers. comm.; Robbins 2015, 2016a, 2016b, 2017, pers. comm.; Schwanke 2011; Schwanke and Robbins 2013; Tobey and Kelleyhouse 2007).

Year	Total bulls:100 cows <sup>a</sup>	Calves:100 cows <sup>a</sup>	Summer Herd Estimates <sup>b</sup>	Fall Herd Estimates <sup>d</sup>
2003	31	35	31,114	30,141
2004	31	45	38,961	36,677
2005	36	41	36,993	36,428
2006	23 <sup>c</sup>	40 <sup>c</sup>	-	-
2007	34	35	33,744	32,569
2008	39 <sup>c</sup>	40 <sup>c</sup>	-	33,288 <sup>c</sup>
2009	42	29	33,146	33,837
2010	64	55	44,954	48,653
2011	58	45	40,915	41,394
2012	57	31	46,496	50,646
2013	30	19	40,121	37,257
2014	42	45	-	-
2015	36	45	48,700	46,816
2016	57	48	46,673	46,673
2017	35 <sup>c</sup>	35 <sup>c</sup>	-	41,411 <sup>c</sup>
2018	40	20	35,703	33,229
2019	32	41	53,500	46,528
2020	28 <sup>c</sup>	17 <sup>c</sup>	-	35,000 <sup>c</sup>
2021	38	45	38,400	35,500
2022	-	-	21,000 <sup>c</sup>	17,433 <sup>c</sup>
<b>Average</b>	42	39	39,361	39,739

<sup>a</sup> Fall composition counts

<sup>b</sup> Summer photocensus

<sup>c</sup> Modeled estimate

<sup>d</sup> Estimates are derived from summer minimum count data, combined with fall harvest and composition survey data.

### Cultural Knowledge and Traditional Practices

Units 13A and 13B fall within the traditional territory of the Ahtna Athabascans (ADF&G 2017b, de Laguna and McClellan 1981, Simeone 2006). Archaeological evidence and historical accounts indicate that caribou has been a primary subsistence resource for the Ahtna, who have hunted caribou seasonally in the spring and fall for generations (ADF&G 2017b; de Laguna and McClellan 1981; Simeone 2006). De Laguna (1981) reported that within Ahtna territory, caribou and moose were caught either in drag-pole snares or in snares set 200-300 feet apart in long brush fences. Caribou were also hunted with the use of spears from skin boats, and later, guns were used for both caribou and moose

hunting (de Laguna 1981; Reckord 1983). The traditional practices of drying and freezing meat, as well as the proper and respectful treatment of harvested resources such as caribou, are described in several ethnographic accounts of the Ahtna and people of the upper Tanana (de Laguna and McClellan 1981; Haynes and Simeone 2007; Reckord 1983; Simeone 2006).

Caribou continue to be vital resources for residents of the Copper River and Tanana watersheds (Holen et al. 2015; Holen et al. 2012; Kukkonen and Zimpleman 2012; La Vine, et al. 2013; La Vine and Zimpleman 2014). ADF&G's Division of Subsistence conducts household subsistence harvest surveys periodically throughout rural Alaska. Though this survey data is only available for some communities in some years, it is an important source for documenting patterns of resource use. In the most recent comprehensive subsistence surveys conducted in the region by ADF&G between 2009 and 2013, large land mammal harvest accounted for 17% to 60% of communities' total subsistence harvests by weight (Holen et al. 2015; Holen et al. 2012; Kukkonen and Zimpleman 2012; La Vine, et al. 2013; La Vine and Zimpleman 2014). While bear, sheep, goat, and bison were also taken, most of the large land mammal harvest was composed of caribou and moose for all communities surveyed (Holen, et al. 2012; Kukkonen and Zimpleman 2012; La Vine, et al. 2013; La Vine and Zimpleman 2014). Surveys reported the per capita large land mammal harvest from communities in the Copper River Basin ranged from approximately 11 pound per person in Mendeltna to 121 pound per person in Mentasta Pass (La Vine et al. 2013). In some communities in the region, large land mammal harvests surpassed those of fish (Holen et al. 2015; Holen et al. 2012; Kukkonen and Zimpleman 2012; La Vine, et al. 2013; La Vine and Zimpleman 2014).

During each study year, communities within the Copper River Basin harvested or hunted for caribou in Units 13, as well as in nearby Units 11 and 12 (Holen et al. 2015; Kukkonen et al. 2012; La Vine et al. 2013; La Vine & Zimpleman 2014). Harvest and search areas specific to communities within Unit 13 illustrate a pattern of hunting along nearby road corridors and locations close to home (Holen et al. 2015; Kukkonen et al. 2012; La Vine et al. 2013; La Vine & Zimpleman 2014). Some communities described hunting primarily along road corridors, while others noted that their caribou harvest and search areas extended throughout the basin (Holen et al. 2015; Kukkonen et al. 2012; La Vine et al. 2013; La Vine & Zimpleman 2014). **Table 2** shows the caribou hunt permits received by residents of communities that have reported hunting in Units 13A and 13B under the FC1302 permit between 2017 and 2021. These residents and communities would be directly affected by this proposal. Significantly, even in communities that reported no harvest for their study year, caribou were still widely used, shared, and received (Holen et al. 2015). For example, while Tolsona reported no caribou harvest during the 2013 study year, 25% of Tolsona households still reported using caribou (Holen et al. 2015).

User conflict between local and non-local caribou hunters has long been an issue in Unit 13 (Holen et al 2012, SCRAC 2015). Recent subsistence research, technical papers, and public testimony at Board special action hearings, Regional Advisory Council meetings, and Board sessions have provided a record of public sentiment on increasing issues of hunting pressure and competition in the area (SCRAC 2015).

Household subsistence surveys conducted between 2009 and 2013 also documented local concerns about issues of user conflict regarding access to, and competition for, key subsistence resources (Holen et al. 2012, Holen et al. 2015). Many communities in the region had concerns about the amount of caribou and other large land mammal harvest taken by non-local hunters (Holen et al. 2012, Holen et al. 2015). Some residents argued that most of the meat harvested in Unit 13 is not eaten by residents of the region (Holen et al. 2012, Holen et al. 2015). Others added that non-local hunters were out-competing locals and driving game away (Holen et al. 2012). Many communities surveyed from 2009 to 2013 noted that better-equipped urban hunters, traffic pressure on the roads, and significant increases in the use of off-road vehicles were decreasing the success rates and efficiency of federally qualified subsistence users by interfering with access to favored hunting areas and driving game further from road corridors (Holen et al. 2012, Holen et al. 2015). A Paxson resident explained:

ATV use is out of control in the Denali Highway area. There is just too much motorized access. Local subsistence hunters cannot compete with those people that come into this area with lots of equipment like motorhomes and 4-wheelers or 6-wheelers (Holen et al. 2012: 258).

Some local community members have also noted that changing climatic conditions are complicating more traditional large land mammal hunting practices in the area, as warmer weather is extending longer into the hunting season and altering the timing of yearly biological cycles and herd migrations (Holen et al. 2012; Holen et al. 2015; Kukkonen and Zimpelman 2012; La Vine et al. 2013; La Vine and Zimpelman 2014).

**Table 2.** Reported hunt data for selected communities with a customary and traditional use determination for caribou in Units 13A and/or 13B that have utilized the FC1302 permit in one of the two subunits between 2017 and 2021 (OSM 2023, ADLWD 2022).<sup>a</sup>

<b>Community</b>	<b>Estimated Community Population</b>	<b>Number of FC1302 Permits Hunted in 13A or 13B</b>
Delta Junction	983	1435
Copper Center	316	467
Glennallen	427	402
Tazlina	257	174
Gakona	181	148
Kenny Lake	294	101
Chickaloon	246	74
Glacier View	251	60
Chitina	97	29
Silver Springs	105	29
Tolsona	12	27
Sheep Mountain	--	22
Tangle Lakes	--	20
Nelchina	46	19
Slana	93	19
Copperville	--	18
Lake Louise	40	14
Tonsina	51	13
Cantwell	196	11
Paxson	26	11
Gulkana	89	10
Sourdough	--	10
Meiers Lake	--	8
McCarthy	114	6

<sup>a</sup> Communities or areas with fewer than 5 hunts reported during this time are not included. This is not an exhaustive list of communities or areas qualified to hunt under the FC1302 permit in 13A and 13B.

## Harvest History

The NCH is a popular herd to hunt and experiences heavy harvest pressure due to its road accessibility and proximity to Fairbanks and Anchorage. Upper population limit of the herd may be controlled solely by human harvest, and harvest quotas are adjusted annually in order to achieve State management objectives and keep the herd from growing to unsustainable levels (Schwanke and Robbins 2013). In recent years, caribou have been largely unavailable on Federal public lands during the early Federal subsistence hunt (August– September) with their presence peaking during October when the season is closed for the rut (BLM 2020; OSM 2023).

Over 95% of the NCH harvest occurs in Unit 13. Between 2001 and 2022, harvest from the NCH under State regulations ranged from 753–5,785 caribou/year and averaged 2,334 caribou/year (Robbins 2017, pers. comm.). Over the same period, caribou harvest under Federal regulations in Unit 13 ranged from 142–610 caribou/year and has averaged 371 caribou/year (OSM 2019, 2023, **Table 3**). During this time, total NCH harvest from Unit 13 averaged 2,744 caribou/year. Federal harvest (FC1302) accounts for 17% of the total Unit 13 caribou harvest on average.

On August 3, 2018, the State issued EO 04-02-18, which reduced the quota to 1,400 bull caribou, noting that additional Federal harvest could be taken sustainably while allowing for modest growth and subsistence opportunity (ADF&G 2018). In 2018, caribou were largely unavailable during the early Federal subsistence hunt (FC1302) (Hankins 2019), a trend that continues through today with the migration of the NCH typically falling between Federal seasons (Ketron 2023, pers. comm.). Federal permits issued from 2019–2022 average 2,746, which is comparable to the overall average since 2001 of 2,762. Reported Federal harvest for 2022/23 of 142 caribou was lower than the 2001–2022 average of 371 (OSM 2023). The 2022 Federal subsistence harvest is lower than in recent years, this maybe because of lower abundance of caribou or because they migrated through Federal lands during October when the season is closed.

Between 2001 and 2022, the number of Federal subsistence hunters and harvest success rates for the FC1302 hunt have shown substantial annual variation, but only slightly increasing and decreasing trends, respectively (**Table 4**). Between 2003 and 2012, Federal subsistence hunter numbers and success rates averaged 1,353 hunters and 31%, respectively. Between 2013 and 2022, Federal subsistence hunter numbers and success rates averaged 1,219 hunters and 25%, respectively. Success rates for caribou harvest depend largely on caribou availability (a function of migration timing) rather than abundance, and availability likely explains some of the substantial annual variation. Of note, federally qualified subsistence users may also harvest under State regulations, and those harvests are not reflected in the data above or in **Table 4**. The data described above and in **Table 4** only considers harvests under Federal regulations (FC1302).

**Table 3.** NCH State harvest quota, State harvest, and Federal harvest (FC1302) in Unit 13 (Schwanke and Robbins 2013; Tobey and Schwanke 2009; Tobey and Kelleyhouse 2007; OSM 2019, 2023; Robbins 2015, 2017, pers. comm.; WinfoNet 2019; BLM 2020).

Regulatory Year	Harvest Quota	State Harvest	Federal Harvest (FC1302)	Total Unit 13 Harvest
2001		1,479	498	1,977
2002		1,315	337	1,652
2003		995	322	1,317
2004		1,226	335	1,561
2005		2,772	610	3,382
2006		3,043	570	3,613
2007		1,314	385	1,699
2008		1,315	273	1,588
2009		753	349	1,102
2010	2,300	1,899	451	2,350
2011	2,400	2,032	395	2,427
2012	5,500	3,718	537	4,255
2013	2,500	2,303	279	2,582
2014	3,000	2,712	237	2,949
2015	5,000	3,402	595	3,997
2016	N/A <sup>a</sup>	5,785	491	6,276
2017	6,000 <sup>b</sup>	4,529	358	4,887
2018	1,400 <sup>c</sup>	1,411	370	1,781
2019	3,450	2,735	102	2,837
2020	5,090 <sup>d</sup>	3,770	306	4,076
2021	1,250 <sup>d</sup>	1,505	220	1,725
2022	615 <sup>d</sup>	519	162	681
Average		2,297	371	2,669

<sup>a</sup> Initial harvest quota of 4,000 was lifted and no adjusted quota was announced

<sup>b</sup> 3,000 bulls and 3,000 cows

<sup>c</sup> Harvest quota for the State season was reduced to 1,400 on August 3, 2018, by EO 04-02-18

<sup>d</sup> Fall quota; population status and quotas are reassessed after the fall hunt annually; fall quotas are for State harvest only and do not include total harvestable surplus.

**Table 4.** The number of permits issued, permits used, caribou harvested, and harvest success rates for the FC1302 Federal caribou hunt (OSM 2020).

Regulatory Year	Permits Issued	Hunted	Harvest	Success Rate (%)
2001	2,565	1,469	498	33.9
2002	2,507	1,379	337	24.4
2003	2,574	1,240	322	26.0
2004	2,555	1,337	335	25.1
2005	2,557	1,499	610	40.7
2006	2,631	1,317	570	43.3
2007	2,399	1,092	385	35.3
2008	2,532	1,229	273	22.2
2009	2,576	1,339	349	26.1
2010	2,852	1,535	451	29.4
2011	2,980	1,425	395	27.7
2012	2,953	1,518	537	35.4
2013	2,781	1,303	279	21.4
2014	2,943	1,395	237	17.0
2015	3,061	1,560	595	38.1
2016	3,154	1,533	491	32.1
2017	3,071	1,526	358	23.5
2018	3,082	1,433	370	25.8
2019	2,787	900	102	11.3
2020	2,916	1,195	306	25.6
2021	2,606	945	220	23.3
2022	2,676	396	142	35.9
Average	2,762	1,298	371	28.3

### Alternative Considered

One alternative suggested by agency staff was to delegate authority for all of Unit 13 rather than just for 13A and 13B. Delegating the authority for in-season management of caribou in only a portion of Unit 13 has the potential to create confusion regarding seasons and harvest limits in Unit 13 remainder, especially given that a single caribou permit applies to all subunits of Unit 13. The harvest limit in 13A and 13B could potentially be reduced to one caribou, but with a two-bull caribou limit in the remainder of the unit; or the season extended or shortened in 13A and 13B, but not in the remainder of the unit. Reducing the harvest limit in Units 13A and 13B, while retaining the two bulls limit in Unit 13 remainder could send a message that there is not a conservation concern there and result in increased hunting pressure in 13C, 13D, and 13E. If this authority was delegated to the BLM for all of Unit 13 all seasons could be adjusted to account for shifting harvest patterns and strategies. This alternative was



not considered because the proponent did not specifically request this delegation. Harvest records do not indicate this need either. Since 2016, 72% of Federal caribou harvest has been from Units 13A and 13B. The NCH typically does not inhabit Unit 13D and the rest of Federal land within Unit 13 remainder is not as easily accessed as Units 13A and 13B.

### **Effects of the Proposal**

If this proposal is adopted, the BLM Glenallen Field Office manager will be delegated authority to close and reopen seasons, adjust season dates, set harvest limits including any needed sex restrictions, and set any needed permit conditions for caribou in Units 13A and 13B via delegation of authority letter only (**Appendix 1**). The delegation would include the authority to close and reopen Federal public lands in subunits 13A and 13B to non-subsistence hunting but does not authorize changes to permit requirements or harvest and possession limits for State-managed hunts. Consultation with AITRC, in addition to the usual state and Federal agencies and Regional Advisory Councils, would be required before any in-season management actions occur. The caribou harvest limit in Units 13A and 13B would change from “2 caribou” to “up to 2 caribou.”

Expanding the authority delegated to the in-season manager provides management flexibility to respond to changing herd population metrics and hunt conditions in a timely manner. Currently, in-season management actions such as closing seasons during times of conservation concern require submission of a special action request, a full analysis process and Board action, which can take months. Delegating authority will allow for quick, in-season management actions to protect the NCH population from possible overharvest or to allow additional subsistence harvest opportunity as conditions allow. Removing the Delegated Authority from unit-specific regulations will simplify Federal regulations, while a Delegation of Authority Letter provides more explicit and detailed explanations of the requirements and process needed to enact in-season management actions. The addition of AITRC to the consultation process ensures that an important group of subsistence users relying on the NCH are incorporated into the decision-making process.

Changing the harvest limit in Units 13A and 13B from “2 caribou” to “up to 2 caribou” will allow the in-season manager to respond to changing population metrics and better manage harvest to optimize herd conservation and Federal subsistence hunting opportunity. For example, during times of population decline and conservation concern, the ability to restrict the harvest limit to only one caribou or one bull could help protect the NCH from further declines, while still allowing some harvest opportunity for federally qualified subsistence users.

## OSM PRELIMINARY CONCLUSION

**Support** Proposal WP24-09.

### Justification

Approving WP24-09 will allow for quick in-season management decisions to be made for protection of the NCH when a conservation concern arises in Units 13A and 13B. Incorporation of AITRC into the consultation process with the BLM will allow an important group of federally qualified subsistence users who rely upon the NCH to be incorporated into management decisions regarding the NCH.

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## WRITTEN PUBLIC COMMENTS



### Ahtna Intertribal Resource Commission

PO Box 613 – Glennallen, Alaska 99588  
Phone: (907) 822-4466 Fax: (907) 822-4406

[www.ahtnatribal.org](http://www.ahtnatribal.org)  
[connect@ahtnatribal.org](mailto:connect@ahtnatribal.org)

June 30, 2023

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

*Submitted to: [subsistence@fws.gov](mailto:subsistence@fws.gov)*

Re: Written comments on WP24-09 and Federal Wildlife Closure Reviews WCR24-35 and WCR 24-42

Dear Chairman Anthony Christianson:

The Ahtna Intertribal Resource Commission (AITRC) serves the eight Federally recognized Tribal governments and the two Alaska Native Corporations within the Ahtna Territory, including portions of Game Management Units 11, 12, and 13.

#### **WP24-09 Nelchina Caribou Herd Delegation of Authority Changes and Changes in Harvest Limit**

AITRC supports Wildlife Proposal 24-09 submitted by the Bureau of Land Management's Glennallen Field Office. This proposal would (1) relocate the current delegated authority found in unit-specific caribou hunting regulations to the Delegation of Authority Letter, (2) expand the Scope of Glennallen Field Office Manager's Delegated Authority, and (3) revise the harvest limit from "2 caribou" to "up to 2 caribou," given the ongoing conservation concerns associated with the Nelchina Caribou Herd.

Relocating the delegation authority language from harvest regulations to the Delegation Letter seems to be a matter of housekeeping and consistency, which AITRC supports. We also support AITRC being specifically listed in the Delegation of Authority Letter to further advance the cooperative federal management partnership between AITRC and the US Department of the Interior in 2016.

AITRC agrees with the proponent of WP24-09 that the scope of the Federal In-Season Manager should be expanded to including closing, opening, and adjusting season dates, as well as setting harvest limits, including any sex restrictions or to set any needed permit condition. These are important management tools that the BLM Field Office Manager should have available to

*Tsin'aen*

respond to fluctuating Nelchina Caribou Herd population dynamics and any potential conservation crisis. Existing authorities found in the harvest regulations are inadequate to support responsible conservation management and to ensure the continuation of Federal subsistence uses when possible, during periods of conservation concern.

AITRC also supports, albeit reluctantly, the requested revision of the harvest limits for Nelchina caribou from 2 caribou to “up to 2 caribou” for times of conservation concern given the reconnection that the population status may not support a bag limit of two animals and that in order to continue Federal subsistence uses, it may be necessary to limit the harvest limit to one bull caribou until such time that the herd’s population is rebuilt to be within management objective.

#### **Chisana Caribou Herd Wildlife Closure Review WCR24-35**

Federal public lands are closed to the harvest of Chisana caribou except by Federally qualified subsistence users. Presently, the hunting of Chisana caribou is limited to the Federally qualified rural residents of Unit 12, Chistochina, Dot Lake, Healy Lake, and Mentasta Lake.

AITRC supports the continuation of the closure of caribou hunting of the Chisana Caribou Herd to all but federally qualified subsistence users. Given the small size of the Chisana caribou population and the negative customary and traditional use determination established by the Alaska Board of Game, it would be detrimental to Federal subsistence uses to open up caribou hunting to sport and recreational hunters at this time.

#### **Mentasta Caribou Herd Wildlife Closure Review WCR24-42**

All hunting of the Mentasta Caribou Herd is prohibited on Federal public lands. However, in 2022, the Federal Subsistence Board approved WP22-35, as amended, which established a may be announced Federal subsistence hunt in Game Management Unit 11 for bull caribou when Nelchina caribou are present in sufficient abundance to warrant an opportunity. While the present population status of the Nelchina Caribou Herd may be insufficient to support a limited federal subsistence hunt within the range of the Mentasta Caribou Herd at this time, AITRC supports a revision of the current Wildlife Closure of caribou hunting in Unit 11 to allow for this newly established “May be announced” hunt.

Sincerely,

  
Karen Linnell  
Executive Director AITRC

## Appendix 1

Glennallen Field Office Manager  
Bureau of Land Management  
PO Box 147  
Glennallen, Alaska 99588

Dear Field Office Manager:

This letter delegates specific regulatory authority from the Federal Subsistence Board (Board) to the manager of the Bureau of Land Management (BLM) Glennallen Field Office (GFO) to issue emergency or temporary special actions if necessary to ensure the conservation of a healthy wildlife population, to continue subsistence uses of wildlife, for reasons of public safety, or to assure the continued viability of a wildlife population. This delegation only applies to the Federal public lands subject to Alaska National Interest Lands Conservation Act (ANILCA) Title VIII jurisdiction within Units 13A and 13B for the management of caribou on these lands.

It is the intent of the Board that actions related to management of caribou by Federal officials be coordinated, prior to implementation, with the Alaska Department of Fish and Game (ADF&G), representatives of the Office of Subsistence Management (OSM), **the Ahtna Intertribal Resource Commission**, and the Chair of the affected Council(s) to the extent possible. The Office of Subsistence Management will be used by managers to facilitate communication of actions and to ensure proposed actions are technically and administratively aligned with legal mandates and policies. Federal managers are expected to work with managers from the State and other Federal agencies, the Council Chair or alternate, local tribes, and Alaska Native Corporations to minimize disruption to subsistence resource users and existing agency programs, consistent with the need for special action.

### DELEGATION OF AUTHORITY

**1. Delegation:** The Glennallen Field Office Manager is hereby delegated authority to issue emergency or temporary special actions affecting caribou on Federal lands as outlined under the **Scope of Delegation**. Any action greater than 60 days in length (temporary special action) requires a public hearing before implementation. Special actions are governed by Federal regulation at 36 CFR 242.19 and 50 CFR 100.19.

**2. Authority:** This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6), which state: “The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board.”

**3. Scope of Delegation:** The regulatory authority hereby delegated is limited to the following authorities within the limits set by regulation at 36 CFR 242.26 and 50 CFR 100.26:

- **To close, reopen, and adjust season dates**