

STAFF ANALYSIS
TEMPORARY SPECIAL ACTION
WSA20-01

ISSUES

Temporary Special Action Request, WSA20-01, submitted by William Amberg of Copper Center, requests a continuous caribou season in Unit 13 from Aug. 1–Mar. 31 and that the caribou harvest limit in Unit 13 remainder be changed to two caribou for the 2020/21 and 2021/22 seasons.

DISCUSSION

The proponent notes that the State fall season has been extended in recent years to September 30, which matches the Federal subsistence season. The proponent is concerned about the high number of hunters attempting to harvest caribou crossing the Richardson highway in a very narrow area and that this is creating a public safety concern. The proponent states that this request would alleviate some of that harvest pressure. The proponent also notes that in three of the past five years, Nelchina caribou have migrated through Federal lands in Unit 13 during October when the season is closed, precluding subsistence users from harvesting an important food resource upon which they rely. While the proponent intends to submit this as a Federal proposal in 2021, he stresses this request is needed for the 2020–2022 wildlife regulatory cycle to help reduce the size of the Nelchina caribou herd (NCH), which is above State management objectives and at increased risk of disease and overgrazing its habitat.

While not explicit in his original request, the proponent clarified that his intent was to change the Unit 13 remainder harvest limit to two caribou and for this request to be for the 2020–2022 wildlife regulatory cycle.

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

... After adequate notice and public hearing, the Board may temporarily close or open public lands for the taking of fish and wildlife for subsistence uses, or modify the requirements for subsistence take, or close public lands for the taking of fish and wildlife for nonsubsistence uses, or restrict take for nonsubsistence uses.

Existing Federal Regulation

Unit 13—Caribou

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

<i>Unit 13, remainder – 2 bulls by Federal registration permit only</i>	<i>Aug. 1 – Sept. 30</i> <i>Oct. 21 – Mar. 31</i>
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Proposed Federal Regulation

Unit 13—Caribou

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

<i>Unit 13 remainder – 2 bulls caribou by Federal registration permit only</i>	<i>Aug. 1 – Sept. 30</i> <i>Oct. 21 – Mar. 31</i>
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Existing State Regulation

Unit 13—Caribou

<i>Residents – One caribou by permit</i>	<i>YC495</i>	<i>Aug. 1 - Aug. 5</i>
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<i>Residents – One caribou by permit per household, available only by application. See Subsistence Permit Hunt Supplement for details</i>	<i>RC561</i>	<i>Aug. 10 – Aug. 31</i> <i>Oct. 21 – Mar. 31</i>
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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>Sept. 1 – Sept. 20</i> <i>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 – Sept. 20</i> <i>Oct. 21 – Mar. 31</i>
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Or

<i>Residents – One caribou by permit</i>	<i>DC485</i>	<i>Aug. 20 – Sept. 20</i>
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Oct. 21 – Mar. 31

Nonresidents

No open season

Extent of Federal Public Lands

Unit 13 is comprised of approximately 12% Federal public lands and consists of 6% National Park Service (NPS) managed lands, 4% Bureau of Land Management (BLM) managed lands, and 2% U.S. Forest Service (USFS) managed lands (**Map 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 by non-Federally qualified subsistence users. Federal public lands within the ANILCA additions to Denali National Park are closed to hunting. 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.

Customary and Traditional Use Determinations

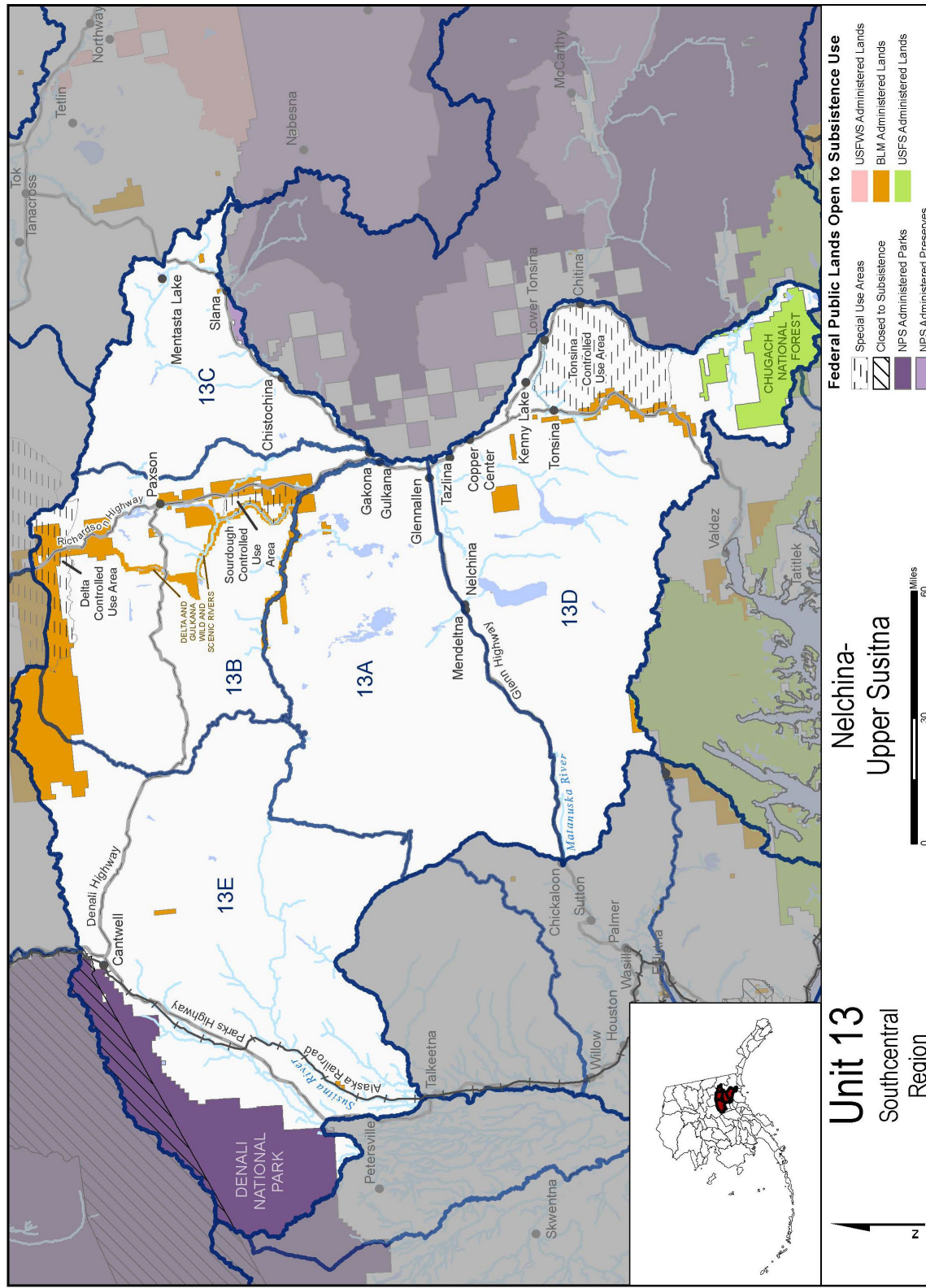
Residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), 13, 20D (excluding residents of Fort Greely), and Chickaloon have a customary and traditional use determination for caribou in Unit 13B.

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 and 239 (excluding residents of Denali National Park Headquarters) have a customary and traditional use determination to harvest caribou in Unit 13E.

Under the guidelines of ANILCA, National Park Service regulations identify qualified local rural subsistence users in National Parks and Monuments by: 1) identifying resident zone communities which include a significant concentration of people who have customarily and traditionally used subsistence resources on park lands; and 2) identifying and issuing subsistence use (13.440) permits to individuals residing outside of the resident zone communities who have a personal or family history of subsistence use. In order to engage in subsistence in the Denali National Park ANILCA additions, the National Park Service requires that subsistence users either live within the park's resident zone (36 CFR 13.430, 36 CFR 13.902) or have a subsistence permit (36 CFR 13.440) issued by the park superintendent.



Map 1. Unit 13

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. 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 1998a). 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, because 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 – Sept. 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 taken in consultation with the ADF&G area biologist and the Chairs of the Eastern Interior Alaska Subsistence Regional Advisory Council (Eastern Interior Council) and Southcentral Council. For the remainder of Unit 13, the harvest limit remained two bulls for the Aug. 10 – Sept. 30 and Oct. 21 – Mar. 31 seasons (OSM 2003).

In 2005, the Board adopted Proposal WP05-08 for Units 13A and 13B to allow the sex of caribou harvested to be determined for both the fall and winter seasons 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).

Emergency Order 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, Emergency Order 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 Subsistence Harvest (CSH) 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 – Sept. 20 and Oct. 21 – Mar. 31 and a harvest quota of 300 caribou. 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 since the Federal harvest limit was two caribou. However, State regulations stipulate that Tier I and CSH 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, Emergency Order 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 – Sept. 30 to Aug. 1 – Sept. 30 (OSM 2012).

In 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 in order 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).

Also 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 Wildlife 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 2018, Proposal WP18-19 was submitted by the Ahtna Inter-Tribal Resource Commission (AITRC) requesting that AITRC be allowed to distribute Federal registration permits to Ahtna tribal members for the Federal caribou season in Units 13A, 13B, and 13 remainder. In addition, the proponent requested that the Ahtna Advisory Committee 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 Unit 13A and 13B

each year. The Board voted to defer WP18-19 pending development of a framework for a Community Harvest System (OSM 2018a).

In 2018, ADF&G issued four Emergency Orders 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 population objective. Emergency Order 04-02-18 changed the harvest limit from one caribou to one bull and the reporting requirements to three days. Emergency Order 04-04-18 closed the Tier 1 NCH hunt, RC561, on August 18, 2018 as reported harvest was approaching the harvest quota. Emergency Order 04-05-18 closed drawing hunt DC485 on August 26, 2018 to remain within the quota of 250 bulls set for that hunt. Emergency Order 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.

In September 2019, ADF&G issued Emergency Order 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 reason was 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 April 2020, the Board adopted deferred Proposal WP18-19 with modification. The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest caribou and moose in Unit 13 as part of a community harvest system, subject to a framework established by the Board under unit specific regulations.

Current Events

Two other temporary special action requests concerning caribou in Unit 13 have been submitted for the 2020/21 regulatory year. WSA20-02, submitted by AITRC, requests the development of an AITRC-administered community harvest system for moose and caribou in Units 11, 12, and 13. However, due to actions taken by the Board on deferred proposal WP18-19, this analysis will only examine moose and caribou in Unit 12. WSA20-03, submitted by Kirk Wilson of Glennallen, requests that the Board close Federal public lands in Unit 13 to the hunting of moose and caribou by non-Federally qualified users for the 2020/21 season.

The Wrangell-St. Elias National Park Subsistence Resource Commission (WRST SRC) submitted a letter to the Board expressing support for the change in harvest limit and opposition to the change in season. The WRST SRC supported changing the harvest limit in Unit 13 remainder to two caribou to provide additional subsistence opportunity and opposed the October season because of concerns about disturbing caribou during the rut and the potential of harvesting rutting bulls, which could result in wasted meat.

Resident Hunters of Alaska (RHAK) submitted written comments in opposition of WSA20-01, stating that a continuous season is unnecessary because ample opportunity already exists, and bulls are in rut and

inedible during October. RHAK also states that non-resident hunters should always be restricted first, and recommends using the Alaska Board of Game process to first limit non-resident hunters if the needs of residents are not being met.

ADF&G submitted written comments for WSA20-01 (**Appendix 1**), stating opposition to the continuous season portion of the proposal because an October season would be during the rut when bull meat is unpalatable. ADF&G states most caribou herds in Alaska are managed with a closed season during the rut to allow for uninterrupted breeding and to discourage the potential harvest of unpalatable meat. Regarding changes to the harvest limit, ADF&G comments that no justification exists for diminishing the Federal manager's discretion to announce sex restrictions, and that annual, in-season changes to harvest limits should be set in consultation with State wildlife managers. A point of clarification from OSM: While the requested harvest limit changes were not explicitly clear in the proponent's submitted request, the proponent clarified that he intended to only request changes to the harvest limit in Unit 13 remainder, which does not delegate authority to a Federal in-season manager to set sex restrictions. ADF&G also provided biological and harvest information on caribou in Unit 13, which can be found in **Appendix 1**.

Andy Lockhart, an Alaskan resident, submitted written comments in opposition of WSA20-01. He expressed concerns over inexperienced hunters shooting bull caribou in rut and then wasting the meat because it's inedible.

A public hearing for WSA20-01 was held via teleconference on May 21, 2020. Five people testified, including ADF&G, the executive director of the Ahtna Intertribal Resource Commission, and three members of the public. All were in opposition to the continuous season; three supported the change in harvest limit. All testifiers opposed an open season during the rut because bulls are inedible. One testifier stated that the current season is more than adequate. Several testifiers stated that the harvest limit should be changed to match the rest of Unit 13. ADF&G's comments mirrored their written comments.

A Tribal and ANCSA corporation consultation for WSA20-01 was held via teleconference on May 26, 2020. However, no Tribes or corporations participated.

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 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 objectives for the NCH are based on the principle of sustained yield and are as follows (Robbins 2014):

- Maintain a fall population of 35,000–40,000 caribou, with a minimum of 40 bulls:100 cows and 40 calves:100 cows.

- 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 2019, the NCH population ranged from 31,114–53,500 caribou and averaged 40,888 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, 2019).

However, in October 2018, the NCH was estimated to be only 33,229, which is below the lower State population objective (Hatcher 2020, 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 FCH, and lower than anticipated productivity reduced the NCH from approximately 41,400 the previous year (Rinaldi pers. comm. 2019). In the summer of 2019, the NCH minimum population estimate increased to 53,500 caribou (ADF&G 2019b). In October 2019, the population estimate was 46,528 caribou (BLM 2020).

Bull:cow and calf:cow ratios have similarly fluctuated over time. Between 2001 and 2018, the fall bull:cow ratio ranged from 24–64 bulls:100 cows and averaged 40.2 bulls:100 cows. Over the same time period, the fall calf:cow ratio ranged from 19–55 calves:100 cows and averaged 39.1 calves:100 cows (**Table 1**).

From 2008–2012, below average fall calf weights and low parturition rates for 3-year-old cows suggested nutritional stress, raising concern for the health of NCH population (Schwanke and Robbins 2013). Schwanke and Robbins (2013) cautioned that without a timely reduction in the NCH population, range quality and long-term herd stability may be compromised.

The Mentasta Caribou Herd primarily ranges within Units 11, 12, and 20E. However, Mentasta caribou may occasionally travel into Unit 13, given its proximity to Units 11 and 12. The Mentasta caribou herd only numbered 479 caribou in 2019 and has experienced low recruitment for decades. About 20 Mentasta caribou have active radio-collars, facilitating surveying and monitoring by agency staff. Caribou hunting in Unit 11 is currently closed to protect the Mentasta herd, which cannot sustain any harvest (OSM 2020).

Table 1. Population size and composition of the Nelchina caribou herd (Tobey and Kelleyhouse 2007; ADF&G 2008, 2010a, 2018, 2019; Schwanke 2011; Schwanke and Robbins 2013; Robbins 2015, 2016a, 2016b, 2017, pers. comm.; Rinaldi 2019, pers. comm.; Hatcher 2020, pers. Comm.).

Year	Total bulls:100 cows ^a	Calves:100 cows ^a	Population size ^b
2003	31	35	31,114
2004	31	45	38,961
2005	36	41	36,993
2006	24 ^c	48 ^c	-
2007	34	35	33,744
2008	39	40	-
2009	42	29	33,146
2010	64	55	44,954
2011	58	45	40,915
2012	57	31	46,496
2013	30	19	40,121
2014	42	45	-
2015	36	45	48,700
2016	57	48	46,673
2017	35	35	41,411
2018	40	20	35,703
			33,229 ^a
2019			53,500
			46,528 ^a
Average	40.2	39.1	40,888

^a Fall composition survey and population estimate

^b Summer photocensus

^c Modeled estimate

Cultural Knowledge and Traditional Practices

Most of game management Unit 13 was the traditional territory of the Ahtna. Moose, caribou, and Dall sheep were the primary large game mammals important for subsistence within the region (Simeone 2006). Caribou were traditionally hunted in the spring and fall (ADF&G 2017; de Laguna 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 (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 & McClellan 1981; Haynes & Simeone 2007; Reckord 1983; Simeone 2006).

ADF&G’s Division of Subsistence conducts household subsistence harvest surveys periodically throughout Alaska. Though this survey data is only available for some communities in some years, it is an additional source for documenting patterns of use in rural Alaska. The most recent surveys conducted for the study years of 2009 through 2013 in communities along the upper Copper River drainage note that large land mammal harvest is high and comprised between 21% and 88% of the total community harvests by weight. While bear, sheep, goat and bison were also taken, the majority of the large land mammal harvest was moose and caribou for all communities surveyed (Holen, et al. 2012; Kukkonen & Zimpleman 2012; La Vine, et al. 2013; La Vine & Zimpleman 2014). Surveys reported the per capita large land mammal harvest from communities in the Copper River Basin ranged from approximately 11 lb per person in Mendeltna to 121 lb per person in Mentasta Pass (La Vine et al. 2013).

The per capita caribou harvest from Copper River Basin communities ranged from no harvest in Tolsona and Chistochina to approximately 45 lbs per person in Paxson (Holen et al. 2015; Kukkonen et al. 2012). Even in those communities that reported no harvest for their study year, caribou was widely used, shared, and received. For example, while Tolsona reported no caribou harvest for the study year, 25% of the households reported using caribou (Holen et al. 2015).

During each study year, communities within the Copper River Basin harvested or hunted for caribou in Units 11, 12, and 13 (Holen et al. 2015; Kukkonen et al. 2012; La Vine et al. 2013; La Vine & Zimpleman 2014). Maps produced during the subsistence surveys describe harvest and search efforts over the course of a calendar year and do not distinguish the season of attempted harvests. Harvest and search areas specific to Unit 13 described a pattern by each community for hunting along local road corridors and locations close to home. Some communities described mostly road hunts while others included harvest and search areas that extended all throughout the basin. Caribou harvest and search areas included locations along the Middle Fork Chulitna River, Tyone River, Copper River, Nenana River, Klutina and Mentasta Lakes, Nabesna Road, and the Denali, Parks, Glenn, and Richardson Highways (Holen et al. 2015; Kukkonen et al. 2012; La Vine et al. 2013; La Vine & Zimpleman 2014). Eastern Interior communities with customary and traditional use of caribou in Unit 13 mostly hunted close to home in units other than 13 (Holen et al. 2012).

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. Population limits can be controlled solely by human harvest, and harvest quotas are adjusted annually in order to achieve State management objectives (Schwanke and Robbins 2013).

Over 95% of the NCH harvest occurs in Unit 13. Between 2001 and 2018, harvest from the NCH under State regulations ranged from 793–5,785 caribou/year and averaged 2,334 caribou/year (Robbins 2017, pers. comm.). Over the same time period, caribou harvest under Federal regulations in Unit 13 ranged from 237–610 caribou/year and averaged 411 caribou/year (OSM 2019, **Table 2**). During this time period, 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.

The harvest quota and associated harvest has increased in recent years (2010–2017) in response to the increasing NCH population (**Table 2**). In 2016, the initial harvest quota of 4,000 caribou was lifted after population estimates from the summer photocensus showed that the NCH was still growing. No adjusted quota was announced in 2016 (Robbins 2017, pers. comm.). The quota was adjusted to 6,000 caribou—3,000 bulls and 3,000 cows—in 2017 to encourage more harvest and to prevent overgrazing.

On August 3, 2018 the State issued Emergency Order 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). In 2019, 2,775 Federal permits were issued, which is comparable to the previous five year average of 3,063 permits per year. As of May 20, 2020, 2,074 permits had been returned, and 101 caribou (80 bulls and 21 cows) had been reported harvested by Federal permit (BLM 2020, OSM 2020). While the 2019 Federal harvest is lower than in recent years, this is likely because caribou migrated through Federal lands during October when the season is closed. There are also 700 outstanding harvest reports for 2019.

Between 2001 and 2018, the number of Federal hunters and harvest success rates for the FC1302 hunt have shown substantial annual variation, but only slightly increasing and decreasing trends, respectively (**Table 3**). Between 2001 and 2009, hunter numbers and success rates averaged 1,322 hunters and 30.8%, respectively. Between 2010 and 2018, hunter numbers and success rates averaged 1,469 hunters and 27.8%, respectively. Success rates for caribou harvest depend largely on caribou availability 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. Nelchina caribou herd 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; 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 ^a	5,785	491	6,276
2017	6,000 ^b	4,529	358	4,887
2018	1,400 ^c	1,411	370	1,781
2019	3,450		101 ^d	

^a Initial harvest quota of 4,000 was lifted and no adjusted quota was announced

^b 3,000 bulls and 3,000 cows

^c Harvest quota for the State season was reduced to 1,400 on August 3, 2018 by Emergency Order 04-02-18

^d Reported harvest as of May 2020.

Table 3. 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	3,151	1,530	491	32.1
2017	3,071	1,526	358	23.5
2018	3,082	1,433	370	25.8
2019 ¹	2,775	863	101	11.7
Average ²	2,765	1,396	411	29

¹ 700 harvest reports still outstanding

² Does not include 2019

Effects of the Proposal

If WSA20-01 is approved, the Federal caribou season would be open from Aug. 1–Mar. 31 with no closed period in October for the 2020/21 and 2021/22 seasons. Additionally, the harvest limit for Unit 13 remainder would change to two caribou. This request would benefit Federally qualified subsistence users by providing increased hunting opportunity.

The NCH rut in October, which is why the season has historically been closed during this time period. Harvesting during rut may disrupt caribou mating, decreasing breeding success, and ultimately reducing calf production. However, since the current management goal is herd reduction, this is not a concern. Federally qualified subsistence users would also risk harvesting a bull in rut when their meat is unpalatable, but could target and harvest cows and young bulls instead.

Caribou have been unavailable on Federal public lands in Unit 13 in recent years, with their presence peaking in October when the season is closed (BLM 2020). Eliminating the closed season during October may increase subsistence opportunity and harvest by allowing hunting when caribou are available. An October season may also provide more opportune weather for proper meat care. During

community household surveys, some communities described early hunting opportunities as challenging because of warmer falls due to climate change, and expressed interest in delaying the hunting season to October when weather is cooler (Holen et al. 2012; Holen et al. 2015; Kukkonen et al. 2012; La Vine 2014).

As the NCH has been above population objectives in nine out of the last ten years, this request poses little conservation concern. Rather, increasing harvest could benefit the NCH by helping to keep the herd at a sustainable level. However, caribou populations fluctuate from year to year as evidenced by the population changes between 2017 and 2019. It is possible that the NCH population will decrease substantially in 2020 or 2021, like it did in 2018. If the NCH's population decreases substantially due to unforeseen circumstances (e.g. severe winter resulting in high overwinter mortality), an increase in total harvest and cow harvest could become a conservation concern.

Another potential conservation concern is incidental harvest from the Mentasta Caribou Herd, especially of cows. While little Federal public land exists in Unit 13C, it is road accessible and popular with hunters. Monitoring of radio-collared Mentasta caribou would help determine whether Mentasta caribou are present in Unit 13 during hunting season.

OSM CONCLUSION

Support Temporary Special Action WSA20-01 **with modification** to delegate authority to the BLM Glennallen Field Office Manager to open and close a may-be-announced Oct. 1-20 season for caribou in Unit 13 and to set any needed sex restrictions in Unit 13 remainder for the 2020/21 and 2021/22 regulatory year (**Appendix 2**). Note: The in-season manager already has authority to set sex restrictions in Units 13A and 13B.

The modified regulation should read:

Unit 13— Caribou

*Unit 13A and 13B – 2 caribou by Federal registration permit only.
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 – Sept. 30
Oct. 21 – Mar. 31
**Oct. 1-20 season may
be announced***

*Unit 13 remainder – 2 ~~bulls~~ **caribou** by Federal registration permit
only*

*Aug. 1 – Sept. 30
Oct. 21 – Mar. 31*

***Oct. 1-20 season may
be announced***

Justification

This request increases harvest opportunity for Federally qualified subsistence users and could benefit the NCH by helping reduce the herd to within management objectives. Delegating authority to an in-season

Federal manager provides the flexibility and safeguards needed to manage this hunt in response to changing herd and environmental conditions. Specifically, harvesting caribou during the rut in October is generally avoided as bulls are unpalatable and harvest could disrupt breeding, which could negatively affect calf production. However, if herd reduction is the goal, then disrupting breeding is not a concern and the in-season manager could announce an October season with the option of specifying cows-only to increase subsistence opportunity and help reduce the caribou population.

Additionally, as specified in **Appendix 2**, the Federal in-season manager will consult with others, including the superintendent of Wrangell-St. Elias National Park and Preserve (WRST) before taking any management actions. Consultation with the WRST superintendent will help to ensure protection of the Mentasta caribou herd.

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SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS

Southcentral Alaska Subsistence Regional Advisory Council

Support WSA20-01 **with modification** to only change the harvest limit in Unit 13 remainder to two caribou. The Council concurred with the recommendation of the Wrangell-St. Elias Subsistence Resource Commission to change the harvest limit but not the season. The Council stated that changing the harvest limit would increase opportunity for Federally qualified subsistence users, but was concerned that the addition of an October season would allow for harvest during the rut, which could lead to wanton waste as rutting bulls are inedible during this time period.

Eastern Interior Alaska Subsistence Regional Advisory Council

Support WSA20-01 **with modification** to only change the harvest limit in Unit 13 remainder from two bulls to two caribou. The Council agreed with the recommendation from the Wrangell-St. Elias Subsistence Resource Commission to support the change in harvest limit but not the change in season. The Council stated that changing the harvest limit would provide increased harvest opportunity for Federally qualified subsistence users and could benefit the Nelchina herd by helping to reduce its population. The Council did not support an October season as it would occur during the rut when bulls are inedible. The Council was concerned about potential wanton waste issues from users harvesting rutting bulls.

INTERAGENCY STAFF COMMITTEE COMMENTS

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

Appendix 1



THE STATE
of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game

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MEMORANDUM

TO:	Anthony Christianson, Chair Federal Subsistence Board	DATE:	May 20, 2020
FROM:	Ben Mulligan <i>BJM</i> Deputy Commissioner	PHONE:	267-2190
		SUBJECT:	Wildlife Special Actions 01, 02, & 03

The Alaska Department of Fish and Game (ADF&G) has reviewed Wildlife Special Actions WSA20-01, WSA20-02, WSA20-03. Temporary Special Action Request WSA20-01, submitted by William Amburg, requests a continuous caribou season in Unit 13 from Aug. 1-Mar. 31, and that the caribou harvest limit in Unit 13 remainder be changed to two caribou for the 2020/21 and 2021/22 seasons. Temporary Special Action Request WSA20-02, submitted by the Ahtna Intertribal Resource Commission, requests the development of a community harvest system for moose and caribou in Units 11, 12, and 13. Given the Board's recent action on Wildlife Proposal WP18-19, only the Unit 12 requests will be considered in the analysis for this special action. Temporary Special Action Request WSA20-03, submitted by Kirk Wilson, requests that the Board close Federal public lands in Unit 13 to the harvest of moose and caribou except for Federally qualified subsistence users for the 2020/21 season.

The State of Alaska, Department of Fish and Game (ADF&G) appreciates the opportunity to provide comments on these Special Action requests.

Background

Caribou

ADF&G maintains the Nelchina caribou herd with the objective of 35,000–40,000 animals remaining in the herd after the fall hunting season. The strategy behind this objective is to maintain the herd below carrying capacity to prevent overgrazing of summer or winter range and allow for a relatively stable level of harvest annually. Caribou herds typically display cyclical patterns of growing population abundance, when significant numbers of caribou may be harvested, but if population growth is not curbed then populations will go into an inevitable decline after the herd exceeds the carrying capacity of its range. These precipitous declines are often followed by extended periods of little or no harvest to allow a herd to recover to a level where sustainable harvest may be allowed. Nelchina caribou herd management is an approach

that has been in place since the mid-1990s with the intent of reducing the extent to which the herd abundance fluctuates, thus allowing harvest annually and avoiding prolonged periods of little or no harvest.

The mild winters and productive summers of 2014, 2015, and 2016 resulted in high productivity within the Nelchina herd and population abundance increased steadily. A significant increase in harvest was necessary to stop population growth and reduce caribou abundance to within population objectives before herd grazing resulted in negative effects on nutritional availability on the herd's range.

Fall abundance estimates are used to predict abundance for the following summer, and the appropriate number of draw permits are issued in February for the following hunting season. The department increased the number of draw permits for RY16, which was the only regulatory option to increase caribou harvest for the Nelchina caribou herd at that time. Public outreach efforts were utilized to encourage harvest; overall harvest (state and federal combined) increased from 4,169 caribou in RY15 to 6,296 caribou in RY16. This was a period of overabundance, and this level of harvest should not be expected annually for Nelchina caribou hunters. Despite this high level of harvest, herd abundance remained well above population objectives after both the fall and winter hunts and remained at its previous level in 2017 (the herd was not reduced). The maximum number of draw permits were issued for RY17 and 4,890 caribou were harvested. Following the fall hunt, Nelchina caribou abundance remained above population objectives by more than 1,400 animals. Given this information, the maximum number of draw permits were issued for RY18.

Over the winter of 2017/2018, adult mortality was higher than predicted and calf recruitment was lower than average. Additionally, in the spring of 2018 the Nelchina herd displayed lower parturition rates than it had in previous years. These factors, including the 2018 calf crop being lower than in recent years, resulted in an abundance estimate for the summer of 2018 that was above the lower end of the population objectives. The reduction in abundance in 2018 was a natural fluctuation that, while not predictable in terms of precise timing, was expected if herd abundance remained above objectives. Had harvest been reduced in RY15, RY16, or RY17, the natural reduction in Nelchina caribou abundance in 2018 may have been much more drastic than observed. The herd has returned to a more manageable size just below or within population objectives, and permit numbers and harvest levels will return to more typical levels. Regardless, the number of draw permits issued in a given year does not affect actual harvest, as draw hunts are regulated with quotas in years such as 2018, when draw permits were issued in February according to the fall abundance estimate, and an accumulation of natural events resulted in a lower than predicted abundance estimate in the following summer.

With the reduction of the herd in 2018, an overall quota of 5% of the herd (1,800 animals) was set to utilize harvestable surplus while still allowing for herd growth. Predicting a federal harvest of 400 animals and a CC001 harvest of 150 bulls, quotas were set for the remaining hunts as: 500 bulls for RC561, 500 bulls for RC562, and 250 bulls for DC485 (Table 1).

The Unit 13 federal caribou season FC1302 opened on August 1, 2018 with no competition from state hunters. CC001 (838 permits) opened on August 10th and remained open until September 20th. Only 376 CC001 hunters have reported hunting in RY18. RC561 opened on August 10th as well, but the quota was achieved, and the hunt was closed by emergency order on August 18th. Less than 1,800 RC561 hunters hunted Unit 13 over this time period. DC485 opened on August 20th; the quota was met, and the hunt was closed by emergency order on August 26th; 1,223 DC485 hunters hunted in Unit 13 over this time period. Only federal hunters and CC001 hunters

were in the field from August 27th until September 1st when RC562 opened. The quota for RC562 was reached at the close of the regularly scheduled season on September 20th; 2,080 RC562 hunters hunted Unit 13 over this time period. Only federal hunters remained in the field from September 21st until the fall season closed on September 30th. CC001 was the only state hunt to reopen for the winter season on October 21st when the federal season also reopened. State hunts, however, were limited to bulls only while the federal hunts remained either sex. Both hunts remained open until March 31st. Caribou migrated across federal lands in Unit 13 in late October and early November in 2018. Only 63 caribou were harvested by CC001 hunters during the winter season. A total of 260 caribou were harvested by non-subsistence users in RY18. One-thousand-five-hundred eighty-five caribou were harvested by subsistence users, and 19% of the total harvest of Nelchina caribou was taken on FC1302 permits. The Amount Necessary for Subsistence (ANS) for caribou in Unit 13 is 600–1,000

Table 1. Unit 13 caribou hunt structure, RY18.

Hunt	Bag Limit	Permits	Quota	Predicted Harvest	Days Open	Hunted	Actual Harvest
RC561	Bull Only	4,586	500	500	9	1,795	530
RC562	Bull Only	4,181	500	500	20	2,080	528
CC001	Bull Only	838	400	150	204	376*	167
DC485	Bull Only	5,000	250	250	7	1,223	260
FC1302	Bull or Cow	3,082	-	400	223	TBD*	360
		17,687		1,800		>5,474	1,845

*Total number of hunters for RY18 has not been finalized; reports as of 5/21/19

For RY19, Nelchina caribou grouped-up in large photographable aggregations and the herd had very high productivity. The federal caribou season opened August 1st and closed on September 30th. The new youth caribou hunt (YC495; 200 permits) opened on August 1st – closing on August 5th. No state hunters were in the field from August 6th through the 9th. On August 10th CC001 opened (810 permits), as well as RC561 (2,790 permits). RC561 closed on August 31st and RC562 opened on September 1st (2,884 permits). DC485 opened on August 29th (399 permits). This hunt structure resulted in significantly less caribou hunters in Unit 13 at any given time, compared to the previous seven seasons. Due to slow harvest rates for both state and federal hunters, additional opportunity for state permits was created for September 21st through September 30th. This allowed federal hunters holding state permits to continue to hunt on state lands in addition to federal lands during this period. Caribou migrated across the Richardson Highway and largely out of Unit 13 during the season closure of October 1st through October 20th. Harvestable surplus for RY19 was not harvested during the fall season, and all regularly scheduled caribou seasons reopened on October 21st and closed on March 31st.

Moose

Following the standard moose hunt structure for Unit 13, the federal season for RY19 opened on August 1st and closed on September 20th. No other moose hunters were in the field from August 1st until CM300 opened on August 20th. There were 2,140 CM300 permits for RY19, but in RY18 only 662 CM300 hunters actually hunted out of 2,331 permits issued. On September 1st, the state general moose season opened, as did DM324 (5 permits) and DM335–DM339 (115 permits combined). All moose hunts closed on September 20th.

Management Strategies

The Amount Necessary for Subsistence (ANS) for caribou in Unit 13 is 600–1,000 and the ANS for moose in Unit 13 is 300–600. Harvestable surplus and harvest for both caribou and moose in Unit 13 were well above the ANS in RY18 with 1,845 caribou and at least 790 moose harvested. Total moose harvest for RY18 in Unit 13 has not been finalized, as harvest data continues to be coded for GM000. Federal permit holders harvesting caribou in Unit 13 where caribou are available on federal subsistence hunt areas annually harvest 7%–19% of the total Nelchina caribou harvest (most recent five-year average = 11%). Federal permit holders harvesting moose on federal lands in Unit 13 account for 8%–10% of the total moose harvest in Unit 13 (most recent five-year average = 9%).

Federal hunt data does not support the interpretation that the number of state hunters in the field negatively impacts either moose or caribou hunt success on federal permits in Unit 13. In RY10–RY13 the average number of annual state moose hunters in Unit 13 was 4,602 (Table 2). This average increased to 5,190 state moose hunters for RY14–RY17. Federal permit success during those time periods actually increased from a four-year average of 5% to a four-year average of 7%; federal hunt success increased from a four-year average of 10% to 13%; federal catch per unit effort (CPUE 100dy) also increased from a four-year average of 1.53 moose per 100 days of effort to a four-year average of 2.15 moose per 100 days of effort. In RY18 the number of state moose hunters in Unit 13 dropped to 4,553, but federal moose permit success also dropped to 4%, federal hunt success dropped to 10%, and federal CPUE dropped to 1.7 moose per 100 days.

Table 2. Unit 13 Federal Moose Harvest and State Moose Hunter Numbers

RY	FM1301 Harvest	FM1301 Permits	FM1301 Hunted	Permit Success	Hunt Success	State Hunters	Total Unit 13 Harvest	% Harvest on FM1301 Permits	FM1301 CPUE (100dy)
2010	77	1,172	669	7%	12%	4,239	777	10%	1.4
2011	80	1,327	680	6%	12%	4,156	826	10%	1.8
2012	59	1,292	645	5%	9%	4,896	625	9%	1.4
2013	50	1,205	535	4%	9%	5,116	624	8%	1.5
2014	86	1,313	656	7%	13%	4,649	845	10%	2.1
2015	85	1,330	699	6%	12%	5,039	966	9%	2
2016	99	1,385	685	7%	14%	5,866	983	10%	2.3
2017	90	1,399	686	6%	13%	5,208	905	10%	2.2
2018	61	1,357	631	4%	10%	4,553*	790*	8%	1.7

*Total number of GM000 hunters and harvest for RY18 in Unit 13 has not been finalized; reports as of 5/21/2019

Similarly, for RY10–RY13 the four-year average for number of state caribou hunters in Unit 13 was 4,849 (Table 3). This four-year average increased to 7,214 state caribou hunters for RY14–RY17. Permit success during those time periods remained stable with four-year averages of 14% for both time periods; hunt success remained stable with four-year averages of 28% for both time periods; catch per unit effort (CPUE 100dy) decreased slightly from a four-year average of 4.80 caribou per 100 days of effort to a four-year average of 4.62 caribou per 100 days of effort. In RY18 the total number of state caribou hunters dropped to roughly 5,474 hunters; while federal reporting is not complete at this time to provide hunt success or CPUE for RY18, the overall permit success actually dropped to 11% with the decrease of state hunters in the field. Federal hunt success for caribou is likely impacted more by the timing of caribou migration across federal lands than by the number of state hunters in the field.

Table 3. Unit 13 Federal Caribou Harvest and State Caribou Hunter Numbers

FC1302												
RY	Bull Harvest	% of Harvest	Cow Harvest	% of Harvest	Total Harvest	Permits	Permit Success	Permits Hunted	Hunt Success	CPUE	State Permits	State Hunters
2010	316	70%	130	29%	452	2,852	16%	1,536	29%	5.1	4,755	3,279
2011	281	71%	113	29%	395	2,980	13%	1,425	28%	4.8	4,598	3,260
2012	326	61%	203	38%	537	2,953	18%	1,518	35%	6	8,449	6,198
2013	210	75%	68	24%	279	2,781	10%	1,305	21%	3.3	12,567	6,654
2014	177	75%	59	25%	237	2,943	8%	1,395	17%	2.6	7,164	4,718
2015	444	75%	147	25%	595	3,064	19%	1,562	38%	6.9	8,895	5,735
2016	299	61%	192	39%	491	3,158	16%	1,532	32%	5.4	14,475	9,649
2017	207	58%	145	41%	354	3,071	12%	1,517	23%	3.6	14,446	8,754
2018	220	63%	129	37%	352	3,082	11%	-	-	-	14,605	5,474
2019	-	-	-	-	-	-	-	-	-	-	7,083	-

Federally qualified subsistence hunters wishing to harvest moose and caribou in Unit 13 can and do participate in subsistence and general season hunts for moose or caribou offered by the State of Alaska, which allow these hunters to access wildlife resources on all public lands in Unit 13. Federally qualified subsistence caribou hunters in Unit 13 may choose to hunt state lands in addition to federal lands by participating in Tier I registration hunts (RC561 or RC562) or the Community Subsistence Harvest opportunity (CC001). Federally qualified subsistence moose hunters in Unit 13 may choose to hunt state lands in addition to federal lands by participating in the general season moose hunt (GM000) or the Community Subsistence Harvest opportunity (CM300).

While no hunting-related accidents have been reported in Unit 13 to substantiate a public safety concern related to excessive hunting pressure on Unit 13 federal lands at large, questionable hunting practices do create a public safety concern when caribou are migrating across the Richardson Highway in late fall or early winter. This public safety concern is most often a result of traffic jams caused by hunters walking on and/or parking on the pavement of the Richardson Highway in narrow and dangerous sections of the road in an attempt to harvest caribou that have just been witnessed crossing the road. This situation occurs every year when caribou cross during open hunting seasons, even during times when state hunts are closed and only federal hunters have the opportunity to harvest animals during the migration across the highway. This public safety concern is a realistic argument presented in WSA19-03, but this concern would not be addressed by eliminating state hunters from hunting on federal lands. If this public safety concern is to be addressed, the most effective way to do so would be to consider a corridor along the Richardson Highway in which all hunting is prohibited within a given distance from the centerline of the highway.

Position

Harvestable surplus and harvest levels for both moose and caribou in Units 12 & 13 are well above ANS. The Nelchina caribou herd in RY19 returned to an overabundance that necessitated increased harvest. Surveys will be conducted in June and July 2020 to ascertain current productivity and abundance for the Nelchina caribou herd. There is no conservation concern at this time. WSA20-01 seeks to open the caribou season during the rut, a time when many consider the meat of bull caribou to be unpalatable. ADF&G is Opposed on that aspect of the proposal. Most caribou herds in Alaska are

managed with a break during the rut to allow time for uninterrupted breeding and to discourage the potential take of unpalatable meat. The proposal also seeks to change the bag limit from 2 caribou, sex to be announced by the federal manager to just two caribou. ADF&G sees no justification for diminishing the manager's discretion in this way, but annual bag limits and in-season changes should be set in consultation with state wildlife managers.

WSA20-02 seeks to establish a community harvest system for moose and caribou similar to the action taken by the Federal Subsistence Board under WP18-19. ADF&G does not take a position on administration procedures for federal hunts.

WSA20-03 seeks to close federal public lands to moose and caribou hunting except for federally qualified users. There is no evidence that hunting pressure has displaced moose or caribou from traditional migration corridors. The data indicate that restricting federal lands to federally qualified hunters is not likely to impact hunt success for federally qualified hunters. The action proposed in WSA20-03 action will not address the perceived public safety concern on federal lands during the caribou hunting season particularly along the Richardson Hwy.

Cc: Eddie Grasser, Director, Division of Wildlife Conservation
Lisa Olson, Operations Manager, Subsistence Section
Cheryl Brooking, Assistant Attorney General, Department of Law
George Pappas, State Liaison, Office of Subsistence Management

Appendix 2

Glennallen Field Office Manager
Bureau of Land Management
PO Box 147
Mile Post 186.5 Glenn Highway
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 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 Unit 13 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 National Park Service (NPS), 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 BLM 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 open and close a may-be-announced season between Oct. 1-21 for the 2020-2022 wildlife regulatory cycle.
- To set sex restrictions in Unit 13 remainder for the 2020-2022 wildlife regulatory cycle.

This delegation also permits you to close and reopen Federal public lands to nonsubsistence hunting, but does not permit you to specify permit requirements or harvest and possession limits for State-managed hunts.

This delegation may be exercised only when it is necessary to conserve caribou populations, to continue subsistence uses, for reasons of public safety, or to assure the continued viability of the populations. All other proposed changes to codified regulations, such as customary and traditional use determinations, shall be directed to the Board.

The Federal public lands subject to this delegated authority are those within Unit 13.

4. Effective Period: This delegation of authority is effective from the date of this letter until the end of the 2020-2022 regulatory cycles (June 30, 2022).

5. Guidelines for Delegation: You will become familiar with the management history of the wildlife species relevant to this delegation in the region, with current State and Federal regulations and management plans, and be up-to-date on population and harvest status information. You will provide subsistence users in the region a local point of contact about Federal subsistence issues and regulations and facilitate a local liaison with State managers and other user groups.

You will review special action requests or situations that may require a special action and all supporting information to determine (1) consistency with 50 CFR 100.19 and 36 CFR 242.19, (2) if the request/situation falls within the scope of authority, (3) if significant conservation problems or subsistence harvest concerns are indicated, and (4) what the consequences of taking an action or no action may be on potentially affected Federally qualified subsistence users and non-Federally qualified users. Requests not within your delegated authority will be forwarded to the Board for consideration. You will maintain a record of all special action requests and rationale for your decision. A copy of this record will be provided to the Administrative Records Specialist in OSM no later than sixty days after development of the document.

For management decisions on special actions, consultation is not always possible, but to the extent practicable, two-way communication will take place before decisions are implemented. You will also establish meaningful and timely opportunities for government-to-government consultation related to pre-season and post-season management actions as established in the Board's Government-to-Government Tribal Consultation Policy (Federal Subsistence Board Government-to-Government Tribal Consultation Policy 2012 and Federal Subsistence Board Policy on Consultation with Alaska Native Claim Settlement Act Corporations 2015).

You will immediately notify the Board through the Assistant Regional Director for OSM, and coordinate with the Chair(s) or alternate of the affected Council(s), local ADF&G managers, and other affected Federal conservation unit managers concerning emergency and temporary special

actions being considered. You will ensure that you have communicated with OSM to ensure the special action is aligned with ANILCA Title VIII, Federal Subsistence regulations and policy, and that the perspectives of the Chair(s) or alternate of the affected Council(s), OSM, and affected State and Federal managers have been fully considered in the review of the proposed special action.

If the timing of a regularly scheduled meeting of the affected Council(s) permits without incurring undue delay, you will seek Council recommendations on the proposed temporary special action(s). If the affected Council(s) provided a recommendation, and your action differs from that recommendation, you will provide an explanation in writing in accordance with 50 CFR 100.10(e)(1) and 36 CFR 242.10(e)(1).

You will issue decisions in a timely manner. Before the effective date of any decision, reasonable efforts will be made to notify the public, OSM, affected State and Federal managers, law enforcement personnel, and Council members. If an action is to supersede a State action not yet in effect, the decision will be communicated to the public, OSM, affected State and Federal managers, and the local Council members at least 24 hours before the State action would be effective. If a decision to take no action is made, you will notify the proponent of the request immediately. A summary of special action requests and your resultant actions must be provided to the coordinator of the appropriate Council(s) at the end of each calendar year for presentation to the Council(s).

You may defer a special action request, otherwise covered by this delegation of authority, to the Board in instances when the proposed management action will have a significant impact on a large number of Federal subsistence users or is particularly controversial. This option should be exercised judiciously and may be initiated only when sufficient time allows for it. Such deferrals should not be considered when immediate management actions are necessary for conservation purposes. The Board may determine that a special action request may best be handled by the Board, subsequently rescinding the delegated regulatory authority for the specific action only.

6. Support Services: Administrative support for regulatory actions will be provided by the Office of Subsistence Management.

Sincerely,

Anthony Christianson
Chair

Enclosures

cc: Federal Subsistence Board
Assistant Regional Director, Office of Subsistence Management
Deputy Assistant Regional Director, Office of Subsistence Management

Subsistence Policy Coordinator, Office of Subsistence Management
Wildlife Division Supervisor, Office of Subsistence Management
Subsistence Council Coordinator, Office of Subsistence Management
Chair, Southcentral Alaska Subsistence Regional Advisory Council
Chair, Eastern Interior Alaska Subsistence Regional Advisory Council
Commissioner, Alaska Department of Fish and Game
Special Assistant to the Commissioner, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record