STAFF ANALYSIS
TEMPORARY SPECIAL ACTION
WSA20-02

ISSUES

Temporary Special Action request WSA20-02, submitted by the Ahtna Intertribal Resource Commission (AITRC), requests the development of an AITRC-administered community harvest system for moose and caribou in Units 11, 12, and 13 for the eight Ahtna tribal communities for the 2020/21 regulatory year.

DISCUSSION

The proponent references a Memorandum of Agreement between the United States Department of the Interior and AITRC that commits to pursuing opportunities for cooperative management on Federal public lands with the eight Federally recognized tribes of the Ahtna region.

The proponent states current harvest success rates of Federally qualified subsistence users are low and that the intent of this request is to increase harvest success rates and provide a meaningful rural preference. The proponent wants to ensure that customary and traditional ways and practices of harvesting subsistence resources are carried on from one generation to the next.

The proponent also states this request is necessary for reasons of administration, as it will provide administrative information necessary in developing a community hunt program such as the number of participants, harvest success rates, and numbers of harvested animals. This information would inform the development of a 2022 regulatory proposal for a community hunt program, which should include community hunt quotas, seasons and harvest limits. However, the current request is not asking for any quotas or changes to existing seasons or harvest limits.

The proponent stipulates that all Federally qualified subsistence users of moose and caribou in Units 11, 12, and 13 residing in the eight Ahtna tribal communities will be eligible to participate in the AITRC-administered Federal community hunts. The proponent also requests a community hunt structure that does not eliminate the possibility of proxy hunting by a Federal designated hunter. AITRC plans to register all federally qualified subsistence users residing within the Ahtna traditional use territory who wish to participate in the community hunt program, and collect confidential harvest reports, including the species and sex of harvested animals, and date and location of harvests. AITRC would also assist in issuing announcements such as emergency season closures or in-season harvest restrictions.

While not explicit in their request, the proponent clarified that they intended for the community hunt to only apply to the eight Ahtna tribal communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake and Tazlina, not every community within Ahtna's traditional use territory. The proponent also clarified that AITRC only intends to administer hunts in the portion of Unit 12 that overlap with the Ahtna traditional use territory (**Figure 1**).

Note: Deferred Proposal WP18-19 as amended, requested establishing a community harvest system for moose in Unit 11 and for moose and caribou in Unit 13, similar to this special action request. The

Federal Subsistence Board (Board) adopted deferred Proposal WP18-19 with modification at its April 2020 meeting. The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest moose in Unit 11 and 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. As the requests for Units 11 and 13 were resolved by Board action on deferred Proposal WP18-19, this analysis will only consider the requests regarding moose and caribou in Unit 12.

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 12 – Caribou

Unit 12-that portion within the Wrangell-St. Elias National Park that lies west of the Nabesna River and the Nabesna Glacier. All hunting of caribou is prohibited on Federal public lands	*No open season.*
Unit 12-that portion east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border—1 bull by Federal registration permit only *Federal public lands are closed to the harvest of caribou except by Federally qualified subsistence users hunting under these regulations.*	*Aug. 10-Sept. 30.*
Unit 12, remainder—1 bull	*Sept. 1-20.*
Unit 12, remainder—1 caribou may be taken by a Federal registration permit during a winter season to be announced. Dates for a winter season to occur between Oct. 1 and Apr. 30 and sex of animal to be taken will be announced by Tetlin National Wildlife Refuge Manager in consultation with Wrangell-St. Elias National Park and Preserve Superintendent, Alaska Department of Fish and Game area biologists, and Chairs of the Eastern Interior Regional	*Winter season to be announced.*

Advisory Council and Upper Tanana/Fortymile Fish and Game Advisory Committee

Unit 12—Moose

Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter trail from the Canadian border to Pickerel Lake—1 antlered bull by Federal registration permit	*Aug. 24–Sept. 20.* *Nov. 1–Feb. 28.*
Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border—1 antlered bull	*Aug. 24–Sept. 30.*
Unit 12, that portion within the Nabesna River drainage west of the east bank of the Nabesna River upstream from the southern boundary of Tetlin National Wildlife Refuge—1 antlered bull by joint Federal/State registration permit only	*Aug. 20–Sept. 20.*
Unit 12, remainder – one bull	*Aug. 24–Aug. 28.* *Septt. 8–Septt. 20.*

Proposed Federal Regulation

§_____.26(n)(12)(i) Unit 12—Unit specific regulations

(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within the Ahtna traditional use territory in Unit 12, subject to a framework to be established by the Federal Subsistence Board.

Unit 12 – Caribou

Unit 12-that portion within the Wrangell-St. Elias National Park that lies west of the Nabesna River and the Nabesna Glacier. All hunting of caribou is prohibited on Federal public lands	*No open season.*
Unit 12-that portion east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border—1 bull by Federal registration permit only	*Aug. 10-Sept. 30.*
Federal public lands are closed to the harvest of caribou except by Federally qualified subsistence users hunting under these regulations.	
Unit 12, remainder—1 bull	*Sept. 1-20.*
Unit 12, remainder—1 caribou may be taken by a Federal registration permit during a winter season to be announced. Dates for a winter season to occur between Oct. 1 and Apr. 30 and sex of animal to be taken will be announced by Tetlin National Wildlife Refuge Manager in consultation with Wrangell-St. Elias National Park and Preserve Superintendent, Alaska Department of Fish and Game area biologists, and Chairs of the Eastern Interior Regional Advisory Council and Upper Tanana/Fortymile Fish and Game Advisory Committee	*Winter season to be announced.*

Unit 12—Moose

Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter trail from the Canadian border to Pickerel Lake—1 antlered bull by Federal registration permit	*Aug. 24–Sept. 30.* *Nov. 1–Feb. 28.*
Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border—1 antlered bull	*Aug. 24–Sept. 30.*
Unit 12, that portion within the Nabesna River drainage west of the east bank of the Nabesna River upstream from the southern boundary	*Aug. 20–Sept. 20.*

of Tetlin National Wildlife refuge—1 antlered bull by joint Federal/State registration permit only		
Unit 12, remainder – one bull		*Aug. 24–Aug. 28. Septt. 8–Septt. 20.*

Existing State Regulation

Unit 12 – Caribou

Unit 12, west of the Glenn Highway (Tok Cutoff) and south of the Alaska Highway within the Tok River drainage	*Residents—One bull*	*Septt. 1-Septt. 20*
Unit 12, west of the Glenn Highway (Tok Cutoff) and south of the Alaska Highway excluding the Tok River drainage (Macomb Herd)	*Residents—One bull by permit available online at http://hunt.alaska.gov or in person in Delta Junction, Tok, and Fairbanks beginning Aug. 1 (RC835)*	*Aug. 10-Aug. 27*
Unit 12, remainder	*Both residents and nonresidents*	*No open season*

Unit 12—Moose

Unit 12, that portion including all drainages into the west bank of the Little Tok River, from its head-waters in Bear Valley at the intersection of the unit boundaries of Units 12 and 13 to its junction with the Tok River, and all drainages into the south bank of the Tok River from its junction with the Little Tok River to the Tok Glacier [1]	*Residents—One bull with spike-fork or 50-inch antlers or antlers with 4 or more brow tines on at least one side*	*Aug 24–Aug 28 Septt 8–Septt 17*
	Residents—One bull with spike-fork or 50-inch antlers or antlers with 4 or more brow tines on at least one side, by permit, available only by application.[1]	*Aug 24–Aug 28 Septt 8–Septt 17*
	Nonresidents—One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side	*Septt 8–Septt. 17*

Unit 12, remainder of that portion within the Tok River drainage upstream of a line from Peak 5885 at 63° 9.243 N. Lat., 143° 24.248 W. long., to MP 105 of the Glenn Highway (Tok Cutoff) at 63° 7.438 N. Lat., 143° 18.135 W. Long., then south along the Glenn Highway (Tok Cutoff) to the Little Tok River Bridge at mile 98.2; and within the Little Tok River drainage up-stream of the Little Tok River Bridge at mile 98.2	*Residents—One bull with spike-fork or 50-inch antlers or antlers with 4 or more brow tines on at least one side*	*Aug 24–Aug 28* *Septt 8–Septt 17*
	Nonresidents—One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side	*Septt 8–Septt 17*
Unit 12, east of the Nabesna River and south of the winter trail running southeast from Pickerel Lake to the U.S./Canada border	*Residents and Nonresidents—One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side*	*Septt 1–Septt 30*
Unit 12, that portion within the Nabesna River drainage west of the east bank of the Nabesna River upstream from the southern boundary of Tetlin National Wildlife Refuge	*Residents—One bull with spike-fork antlers or antlers with 3 or more brow tines on at least one side by permit available in person in Anchorage, Fairbanks, Glennallen, Palmer, Slana Ranger Station, and Tok beginning Aug 2 – Permit RM291*	*Aug 20–Septt 17*
	Nonresidents—One bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side by permit available in person in Anchorage, Fairbanks, Glennallen, Palmer, Slana Ranger Station, and Tok beginning Aug 2 – Permit RM291	*Aug 20–Septt 17*
Unit 12, remainder – one bull	*Residents—One bull*	*Aug 24–Aug 28* *Septt 8–Septt 17*

		Septt 8–Septt 17
	Nonresidents—One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side	

[1] This is a community subsistence permit hunt.

Extent of Federal Public Lands

Unit 12 is comprised of approximately 60% Federal public lands and consist of 48% National Park Service (NPS) managed lands, 11% U.S. Fish and Wildlife Service (USFWS) managed lands, and 1% BLM managed lands (**Figure 1**).

Customary and Traditional Use Determinations

Caribou

Residents of Unit 12, Chistochina, Dot Lake, Healy Lake, and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12.

Moose

Residents of Units 12, 13C, Dot Lake, and Healy Lake have a customary and traditional use determination for moose in Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake.

Residents of Units 12, 13C, and Healy Lake have a customary and traditional use determination for moose in Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border.

Rural residents of Units 11 north of the 62nd parallel, 12, 13A, 13B, 13C, 13D and residents of Chickaloon, Dot Lake, and Healy Lake have a customary and traditional use determination for moose in Unit 12 remainder.

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 Wrangell-St. Elias National Park, 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.

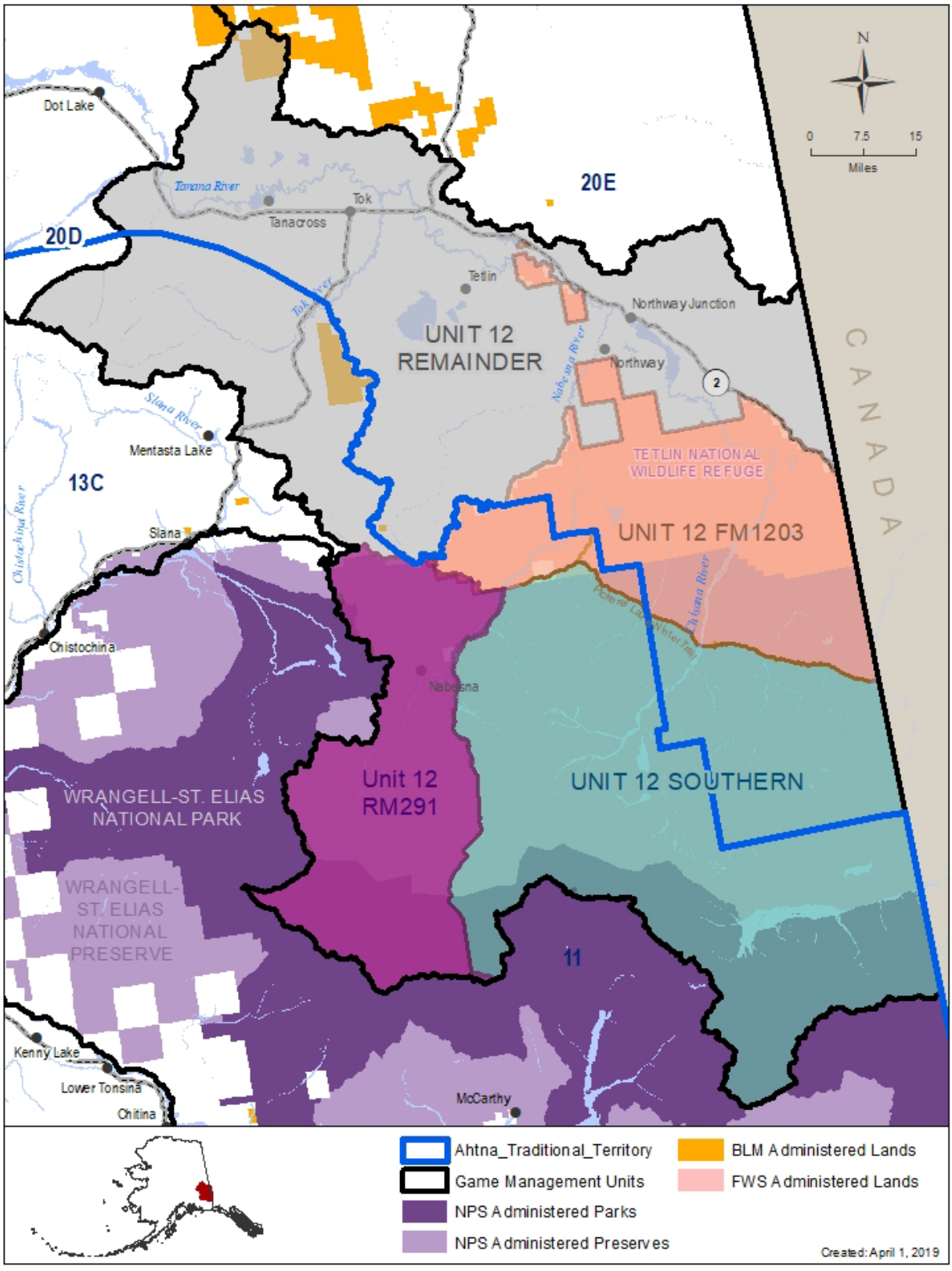

Figure 1. Moose hunt areas, Ahtna Traditional Use Territory, and Federal public lands in Unit 12.

Regulatory History

Caribou

Unit 12 remainder (Nelchina caribou herd)

In 1991, Federal subsistence hunting regulations for caribou in Unit 12 remainder were one bull from Septt. 1-20 and one caribou during a to-be-announced winter season for residents of Tetlin and Northway only as they had a C&T determination for the Nelchina caribou herd (NCH) in Unit 12. Regulations for the Septtember season have remained unchanged since then.

Also in 1991, the Board approved Special Actions S91-05 and S91-08. Special Action S91-05 opened the winter caribou hunt in Unit 12 remainder on Oct. 28 and S91-08 closed it on Dec. 9 after subsistence needs had been met.

In 1992, the Board rejected Proposals P92-105 and P92-106 due to biological concerns. Proposal P92-105 requested abolishing the to-be-announced winter caribou season in Unit 12 remainder and Proposal P92-106 requested lengthening the Septtember caribou season in Unit 12 remainder from Septt. 1-20 to Aug. 20-Septt. 20. The Board determined that there was no biological reason to eliminate the winter hunt and that extending the Septtember hunt could impact the declining Mentasta caribou herd (MCH) and jeopardize the more popular winter hunt.

Also in 1992, the Board adopted Proposal P92-107, which changed the harvest limit for the winter caribou season in Unit 12 remainder from one caribou to one bull in order to protect the declining MCH, which mixes with the NCH in Unit 12 during the winter.

In 1993, the Board rejected Proposal P93-53, which requested that the Unit 12 remainder caribou season be closed when a quota of 125 bulls was reached. The Board rejected the proposal because there was no biological basis to restrict harvest. The Board also approved Special Action S93-06, opening a bulls-only caribou season in Unit 12 remainder from Dec. 6-Jan. 4.

In 1994, the Board approved Special Action S94-15, opening a caribou season in Unit 12 remainder from Nov. 16-Dec. 16 for the residents of Tetlin and Northway only, who had a C&T determination for the NCH in Unit 12. (Note: C&T determinations for caribou used to be by herd.)

In 1996, the Board deferred action on Proposals P96-56 and P96-57, which requested that the eligibility for caribou hunts in Unit 12 be expanded. Identifying customary and traditional use by area instead of by herd and submitting a similar proposal for the 1997 regulatory year were recommended.

In 1997, the Board adopted P97-24 with modification, which requested a complex suite of changes to eligibility for caribou hunts in Units 11, 12, and 13. As a result of P97-24, a customary and traditional use determination was made for caribou in Unit 12. Hence, only residents with a customary and traditional use determination could harvest caribou in Unit 12 remainder during the winter season.

In 1998, the customary and traditional use determination for caribou in Unit 12 was revised to include Healy Lake via adoption of Proposal P98-99 by the Board. Proposal P98-98 requested that the C&T determination for caribou in Unit 12 remainder be expanded. The Board did not take action on Proposal P98-98 due to its action on Proposal P97-24 and an administrative oversight (misprinting of the regulation booklet), which rendered P98-98 moot. The Board also approved Special Action S98-19, opening a caribou season in Unit 12 remainder from Mar. 29 - Apr. 11. The Board also adopted Proposal P98-23, which closed the MCH hunt in Unit 11 due to conservation concerns, including low calf recruitment. This hunt has remained closed.

In 1999, the Board approved Special Actions S99-06 and S99-12, which enabled the Tetlin National Wildlife Refuge (NWR) manager to open/close winter caribou seasons in Unit 12 remainder.

In 2000, the Board adopted Proposal P00-058, which delegated authority to set the opening and closing dates as well as the sex of caribou to be taken for the winter season in Unit 12 remainder to the Tetlin NWR manager in order to increase management flexibility and subsistence opportunities. The Board also adopted Proposal P00-59, which redefined a caribou hunt area in Unit 12, effectively closing the portion of Unit 12 remainder within Wrangell-St. Elias National Park and Preserve (WRST) and west of the Nabesna River in order to protect the declining MCH.

In 2001, the State stopped issuing permits for the winter caribou season in Unit 12 remainder, effectively closing the hunt. This was done because the NCH population was at the lower end of its management objective. The hunt has remained closed due to concerns of overcrowding and safety as well as consideration for the MCH (Butler 2016, pers. comm.).

In 2010, the Board rejected Proposal WP10-102, which requested that the harvest limit for the winter season in Unit 12 remainder be increased from 1 to 2 caribou. The proposal was rejected due to concern for the MCH and uncertainty about the mixing ratio of the Mentasta and Nelchina caribou herds during the winter hunt. The Board also rejected Proposal WP10-103, which requested that the winter season in Unit 12 remainder be opened by regulation on Oct. 21 and remain open until closed by the Tetlin NWR manager, which would have decreased management flexibility and raised conservation concerns for the MCH.

In 2012, the customary and traditional use determination for caribou in Unit 12 was modified to include Chistochina via adoption of Proposal WP12-68 by the Board.

In 2016, the Board approved Emergency Wildlife Special Action WSA16-05 to create a may be announced ten-day caribou season between Oct. 1 and Oct. 20 in Unit 13. WSA16-05 targeted the NCH, the same herd affected by this request. 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. The Board also approved Temporary Wildlife Special Action WSA16-06 to increase the harvest limit for the winter season in Unit 12

remainder from one to two caribou for the 2016/17 regulatory year in order to reduce the NCH population and to increase harvest opportunities for Federally qualified subsistence users.

Southeastern Unit 12 hunt area (Chisana Caribou Herd)

Because of its small population size, the Chisana caribou herd (CCH) has never supported a large harvest. Between 1989 and1994 under State regulations, the harvest limit was 1 bull caribou and the annual harvest ranged between 16–34 animals (Gross 2005). The Federal subsistence regulation from 1989 to 1994 was one bull, Septt. 1- 20. By 1991, due to declining population numbers, the harvest was reduced through voluntary compliance by guides and local hunters. In 1994, the bull portion of the population declined below the Alaska Department of Fish and Game's (ADF&G) management objective and hunting of Chisana caribou was closed by both the Alaska Board of Game (BOG) and the Board. There was no legal harvest of CCH in Alaska between 1994 and 2011.

In 1989 and 1990 the reported harvest of Chisana caribou in the Yukon was 18 and 11 animals and in Alaska was 34 and 34 animals, respectively (Gross 2005). Gross (2005) also reported that the estimated unreported harvest of Chisana caribou between 1989 through 2002 ranged from 1 – 20 in the Yukon and 1-3 animals in Alaska each year. After 2001, Yukon First Nation members voluntarily stopped harvesting Chisana caribou and there continues to be no legal harvest of Chisana caribou in the Yukon.

In 1994, the caribou hunt areas in Unit 12 were split from two areas: 1) Unit 12- that portion lying west of the Nabesna River within the drainages of Jack, Platinum, and Totschunda creeks and 2) Unit 12-remainder, into three hunt areas: 1) Unit 12 west of the Nabesna River within the drainages of Jack, Platinum, and Totschunda creeks, 2) Unit 12- that portion lying east of the Nabesna River and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border, and 3) Unit 12-remainder (OSM 1994). In 1994, the Board adopted Proposal P94-71, which closed the area east of the Nabesna River to the Canadian border to the harvest of caribou (OSM 1994). The closure for the Mentasta Caribou Herd remained in effect for the area west of the Nabesna River, and the area east of Nabesna River was closed primarily to protect the declining Chisana Caribou Herd (CSH), resulting in the following hunt areas:

> *Unit 12 – That portion west of the Nabesna River within the drainages of Jack Creek, Platinum Creek, and Totschunda Creek.*
>
> *Unit 12 – That portion lying east of the Nabesna River and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border.*

In 2000, the areas previously designated west and east of the Nabesna River were combined into one area in Proposal P00-59 (OSM 2000):

> *Unit 12 – That portion of the Nabesna River drainage within the Wrangell-St. Elias National Park and Preserve and all Federal lands south of the Winter Trail running southeast from Pickerel Lake to the Canadian border.*

In 2010, the BOG approved a hunt for residents and nonresidents from Septtember 1 through 30 on the CCH for one bull by drawing permit. The hunt was authorized in the portion of Unit 12 within the White River drainage and that portion within the Chisana River drainage upstream from the winter trail that runs southeast from Pickerel Lake to the Canadian Border. However, on Federal public lands the Federal closure supersedes the existing State regulation and thus Federal public lands effectively remained closed to hunting of the CCH under State regulations at this time.

The entire area remained closed to caribou hunting in the Federal subsistence regulations until 2012, when the areas west and east of the Nabesna River were once again split out into two areas (OSM 2012a).

> *Unit 12 – that portion within the Wrangell-St-Elias National Park that lies west of the Nabesna River and the Nabesna Glacier.*
>
> *Unit 12 – that portion east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border.*

In 2012, the combined proposals WP10-104 and WP12-65/66 were addressed by the Board (OSM 2012a). Proposal WP10-104 requested establishment of a joint Federal/State draw permit for the CCH in Unit 12 with a harvest limit of one bull and a season of Septt. 1–Septt. 30. Proposal WP12-65 requested establishment of a Federal registration hunt for the CCH with a harvest limit of one bull and a season of Aug. 10 – Septt. 30, while WP12-66 requested establishment of a Federal registration hunt with a harvest limit of one bull and a season of Septt. 1–Septt. 30, with the hunt restricted to Federal public lands in Unit 12 east of the Nabesna River and the Nabesna Glacier. OSM noted in its justification for WP12-66 that restricting the hunt west of the Nabesna River and Nabesna Glacier would protect the MCH with minimal impact to subsistence hunters wanting to harvest caribou from the CCH (OSM 2012a). The Board took no action on WP10-104 and WP12-65 and adopted WP12-66 with modification to list the communities allowed to harvest caribou in Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and lands south of the Winter Trail running southeast from Pickerel Lake to the Canadian border under section 804 of ANILCA: Northway, Mentasta, Tetlin, Tok, Chisana, and Chistochina. The authority to manage the Federal hunt was granted by delegation of authority to the Wrangell-St. Elias National Park and Preserve Superintendent. The CCH was considered stable in 2010 and the bull:cow and calf:cow ratios were above the minimum indicators for harvest set by the Draft Management Plan, which was finalized in the fall of 2011 (OSM 2012a, Chisana Caribou Herd Working Group 2012).

Also in 2012, the Board adopted Proposal WP12-68, submitted by the Cheesh'na Tribal Council, which requested the residents of Chistochina be added to the Unit 12 caribou customary and traditional use determination (OSM 2012b).

In 2014, the Board adopted Proposal WP14-15/45 to expand the list of communities eligible to participate in the caribou hunt from the CCH to also include residents of the hunt area and those living in Unit 12 along the Nabesna Road (mileposts 25-46) (OSM 2014a).

In 2014, the Board also adopted Proposal WP14-49 with modification to change the fall season dates from Septt. 1-Septt. 30 to Aug. 10-Septt. 30, so that the bulls would be less likely to be in the rut, and

thus, ensure the quality of the meat (OSM 2014b). In 2016, the Board adopted Proposal WP16-60 opening Federal public lands east of the Nabesna Glacier and south of the Winter Trail running from Pickerel Lake to the Canadian border to all Federally qualified users hunting under these regulations (OSM 2016).

Moose

Federal and State moose hunting regulations in Unit 12 have changed numerous times since 1989. Federal seasons and harvest limits have most often been changed in response to the State's establishment, modification, and/or subsequent discontinuance of spike-fork seasons. State and Federal regulations for the remote hunt area south of the Pickerel Lakes Winter Trail remained consistent until the BOG added the unit-wide Aug. 20–28 spike-fork season in 1995, and the Federal Subsistence Board (Board) followed suit in 1996. In 1998, the BOG opened the Unit 12 spike-fork season on August 15 — five days earlier. In 1999, the Board aligned Federal regulations with the longer State season.

The BOG continued to modify moose regulations in Unit 12 throughout the 2000s. In March of 2000, the BOG adopted Proposal 38, submitted by ADF&G, which changed the State's Unit 12 moose hunting season into a five day August season and a ten day Septtember season. In March of 2012, the BOG adopted Proposal 186 with modification, to change the hunting seasons and harvest limit of moose in portions of Units 11 and 12. In Unit 12, this added a resident and nonresident bull (with antler restrictions) registration hunt (RM291) season from Aug. 20–Septt. 17 in a new hunt area located in the western portion of the Nabesna River Drainage (Wells 2014). In 2017, the BOG adopted Proposal 88, which clarified the antler-restricted moose hunting area within the Tok River drainage.

Federal regulations have also changed multiple times since 2000. Due to conservation concerns expressed by ADF&G and the Tetlin National Wildlife Refuge (NWR), the Council submitted Proposal WP01-41, requesting changes to the fall season dates (from Aug. 15–Aug. 28 and Septt. 1–Septt. 15 to Aug. 24–Aug. 28 and Septt. 8–Septt. 17) and removal of the August spike-fork season from the Tetlin NWR hunt area (FM1203 hunt area) portion of Unit 12. The Board adopted the proposed regulations for the 2001/02 regulatory year.

Throughout the subsequent years, the Board took action on many proposals concerning moose in Unit 12. In May 2003, the Board adopted Proposal WP03-45 with modification, establishing new dates for the fall moose season (from Aug. 15–Aug. 28 and Septt. 1–Septt. 30 to Aug. 24–Septt. 30) and paralleled State actions eliminating the spike-fork season, in that portion of Unit 12 east of the Nabesna River and the Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border (Unit 12 southern hunt area). The Board adopted Proposal WP06-59 in 2006 to clarify moose regulations in Unit 12. This proposal simplified the language for hunt area boundaries within the unit to reduce user confusion. In 2006, WP06-60 was also adopted with modification to eliminate the spike fork antler restriction in Unit 12 remainder during the Aug. 24–28 and Septt. 1–17 portion of the season while maintaining the restriction during the Aug. 15–23 season. In 2007, the Board adopted WP07-57 with modification, which changed the winter season dates (from Nov. 20–Nov. 30 to Nov. 20–Dec. 10) in the FM1203 hunt.

The Board addressed multiple proposals concerning moose in Unit 12 during the 2012 regulatory cycle. The Board adopted Proposal WP12-71/72 with modification to extend the winter season in the Tetlin NWR hunt area portion of Unit 12 from Nov. 20–Dec. 10 to Nov.1–Feb. 28 and extend the fall season from Aug. 24–Aug. 28 and Septt. 8–Septt. 17 to Aug. 24–Septt. 20, while also maintaining the Federal registration permit requirement for the winter season. The same year, Proposal WP12-70/73 was also adopted with modification to align the Unit 11 and Unit 12 remainder moose seasons to Aug. 20–Septt. 20, and create a joint-State/Federal registration permit for a portion of Unit 11 (that portion draining into the east bank of the Copper River upstream from and including the Slana River drainage) and Unit 12 remainder. At the time this was adopted, this (and BOG Proposal 186) aligned the hunt areas in which the joint-State/Federal registration permit would be used. This is because, in 2012, NPS lands were the only Federal public lands located in Unit 12 remainder because the BLM lands currently located in this hunt area were still selected lands, at that time. Additionally in 2012, a Wildlife Special Action Request (WSA12-05) was submitted by WRST to extend the moose season for the Batzulnetas Culture Camp (applies to both Unit 11 and Unit 12) by 31 days, changing the season end date from July 31 to August 31, 2012. This request was unanimously approved by the Board.

In 2018, the Board rejected Proposal WP18-55, which requested a longer harvest season for the Tetlin NWR hunt area. This proposal was opposed due to the low bull:cow ratios east of the Nabesna River.

In 2020, the Board adopted Proposal WP20-50 as modified by the Eastern Interior Council. Proposal WP20-50 requested that Federal and State hunt areas, seasons and harvest limits be more closely aligned due to parcels of BLM managed lands recently becoming unencumbered and therefore, subject to Federal regulations. The Eastern Interior Council modified WP20-50 to extend the fall season in Unit 12, remainder by three days, and to eliminate the Tok River drainage hunt area, which had antler restrictions. The Board adopted the Eastern Interior Council's modification to provide rural subsistence priority.

AITRC Community Harvest System

During the 2018/20 regulatory cycle, AITRC submitted Proposals WP18-17, WP18-18, and WP18-19 concerning moose and caribou in Units 11 and 13. Proposal WP18-17 requested an extension of the moose season in Unit 11 and delegation of authority to AITRC to issue federal registration permits to its tribal members.

Proposal WP18-18 requested that the moose season on Federal public lands in Unit 13E and Unit 13 remainder be changed from Aug. 1-Septt. 20 to Aug. 1-Mar. 31. In addition, AITRC requested authorization to distribute Federal registration permits (FM1301) to Federally qualified tribal members only and that the BLM and Denali National Park and Preserve distribute (FM1301) permits to other Federally qualified subsistence users. AITRC later withdrew Proposal WP18-18.

Proposal WP18-19 requested 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.

During its November 6-7, 2017 meeting, the Southcentral Alaska Subsistence Regional Advisory Council (Council) discussed issues related to AITRC's proposals requesting authority to issue Federal registration permits for caribou and moose in Units 11 and 13. In order alleviate legal concerns about non-Federal entities issuing Federal permits, the Council adopted a modification of Proposal WP18-19 to establish a community harvest system on Federal public lands for caribou and moose in Unit 11 and Unit 13 that would be administered by AITRC and open to Federally qualified users living within the Ahtna traditional use territory.

The Council, along with representatives of AITRC and staff from the Office of Subsistence Management (OSM), discussed possible alternatives to what was originally requested in WP18-19 so that legal concerns associated with AITRC issuing Federal registration permits would be alleviated. During this discussion, a modification was drafted to allow for a hunt via a community harvest system for caribou and moose in Units 11 and 13. In an effort to consolidate the three proposals submitted by AITRC (WP18-17, WP18-18, and WP18-19), hunts for moose in Unit 11 and for caribou and moose in Unit 13 were added to the community harvest system under consideration in Proposal WP18-19.

At its April 2018 meeting, the Board voted to reject Proposal WP18-17 and to defer WP18-19 to its August 2018 work session, pending development of a framework for a Community Harvest System. In May 2018, AITRC submitted a special action request with a community harvest framework, which after clarification included only federally-qualified tribal members living in Ahtna traditional territory. This request was rejected due to its invalid eligibility requirements.

At its August 2018 work session, the Board agreed to meet with AITRC and to present a community harvest framework for discussion purposes. This framework was developed and presented the Board at its April 2020 meeting.

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 and moose in Unit 11 as part of a community harvest system, subject to a framework established by the Board under unit specific regulations.

Current Events

Four written comments were received on this request. Resident Hunters of Alaska (RHAK) submitted written comments for WSA20-02, stating that the current State Community System Hunt already gives preference to rural residents, and ample opportunity already exists under both State and Federal regulations for subsistence users. RHAK also states that a quota would be needed to prevent overharvest.

ADF&G submitted written comments for WSA20-02 (**Appendix 1**), stating that they do not take positions on administrative procedures for Federal hunts. They also provided biological and harvest information on moose and caribou in Unit 13, which can be found in **Appendix 1**.

Andy Lockhart, an Alaskan resident, submitted written comments for WSA20-02, stating his opposition to the requested community harvest system if it would follow the same rules as the current (State) community harvest in Unit 13. He states that if someone can afford expensive hunting equipment (e.g.

trucks, guns, trailers), then they do not need extra help harvesting meat; they can drive to grocery store instead.

The Native Village of Tetlin (Tetlin) submitted written comments in opposition to WSA20-02 due to lack of information on impacts to village residents and Tribal members. Tetlin requested that WSA20-02 is not approved until consultation occurs and additional information is provided to them. Tetlin compared the request to the State's community hunt in Unit 13 where 25 families are required to sign up and report online and only one permit/harvest limit is granted per group. The representative stated that some communities in the Upper Tanana do not have 25 families or reliable cell/internet service, and that large families need more than one harvest limit. The representative stated consultation with the Board is needed to receive more information on how the community hunt would work and its impact on subsistence users.

A public hearing for WSA20-02 was held via teleconference on May 21, 2020. Four people testified. The Native Village of Tetlin and Northway Village Council opposed the request; the executive director of AITRC and a member of the public supported the request. The Native Village of Tetlin reemphasized the concerns stated in their written comments. The executive director of AITRC, who is also the proponent of this request, clarified that their intent is for the community hunt to only apply to Ahtna's traditional use territory, which covers the Nabesna Road and the Tok Cutoff to the Tok River in Unit 12 where Mentasta Lake and Chistochina residents hunt.

A Tribal and ANCSA corporation consultation was held for WSA20-02 via teleconference on May 26, 2020. However, no Tribes or corporations participated.

Biological Background

Caribou

The ranges of the Nelchina, Mentasta, and Chisana caribou herds overlap in Unit 12 (**Figure 2,** CCHWG 2012). The Unit 12 remainder hunt area is managed for the NCH, the hunt area in southeastern Unit 12 is managed for the CCH, and the hunt area in southwestern Unit 12 is managed for the MCH. While the MCH hunt area is closed because of conservation concerns, MCH caribou do travel through the Unit 12 remainder hunt area, mixing with the NCH during some breeding seasons and in the winter.

Nelchina Caribou Herd

The NCH calving grounds and summer range lie within Unit 13. The rut also generally occurs within Unit 13. About 60-95% of the NCH overwinters in Unit 20E, although Nelchina caribou also overwinter in Unit 12 and across northern portions of Units 13 and 11 (Schwanke and Robbins 2013). Nelchina caribou are usually found in Unit 12 remainder over the winter and whey they are en route to wintering grounds in Unit 20E. Winter competition with the Fortymile caribou herd in Unit 20E may be impacting the NCH and range conditions. While the location and timing of the NCH calving grounds in Unit 13 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 (Schwanke and Robbins 2013):

- 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 hunts, 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 2019). 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.

Mentasta Caribou Herd

The calving grounds for the Mentasta caribou herd (MCH) are located in northern Unit 11 within WRST (Route et al. 1995, **Figure 2**). The MCH disperses across Unit 12 and southern Unit 20E in winter, often intermingling with the NCH (Route et al. 1995).

Federal and State biologists completed a cooperative management plan for the MCH in 1995 that specifies the following management objectives (Route et al. 1995):

- To the extent possible, allow for human harvest that will have minimal effects on the production, composition, and abundance of Mentasta caribou.
- To provide harvest priority to Federally-eligible subsistence users and to allow State authorized hunting to occur whenever possible.
- To monitor the herd demographics and harvest such that all pertinent data on the health of the herd are collected and disseminated to all agencies and citizens concerned with their management.

The MCH population declined from an estimated 3,160 caribou in 1987 to an estimated 479 caribou in 2019 (**Table 2**). Data suggests the MCH population has remained stable at low levels since 2004 as evidenced by low calf productivity (Putera 2017, pers. comm.). Between 1987 and 2019, the bull:cow ratio has fluctuated widely, ranging from 35-142 bulls:100 cows and averaging 65 bulls:100 cows. The high ratios are likely due to the presence of Nelchina bulls. Fall calf:cow ratios fluctuated over the same time period, ranging from 0-33 calves:100 cows. Between 1987 and 2017, June calf:cow ratios fluctuated from 1-38 calves:100 cows (**Table 2**, Putera 2011, pers. comm. *in* OSM 2012). Between 1990 and 1997, Jenkins and Barten (2005) confirmed predation, particularly by wolves and bears, as the proximate cause of the MCH population decline.

Chisana Caribou Herd

The CCH is a small, non-migratory herd inhabiting east-central Alaska (primarily WRST) and southwestern Yukon, Canada (**Figure 2**). Genetic analysis suggests that this herd has been unique for thousands of years. The CCH are considered mountain caribou, characterized by cows calving alone at high elevations rather than aggregating in common calving grounds (Bentzen 2013, Bentzen 2011, CCHWG 2012).

The Chisana Caribou Herd Working Group (CCH Working Group) developed a 2010-2015 management plan for the Chisana Caribou Herd (Plan). The Plan guides harvest and management of the CCH, identifying specific goals, objectives, strategies, and activities. Population indicators identified in the Plan include:

- A stable or increasing population trend.
- An observed bull:cow ratio of 35 bulls:100 cows or greater.
- A three-year calf:cow ratio above 15 calves:100 cows.

If any of these criteria are not met, no harvest is recommended. If all criteria are met, the plan recommends an annual bulls-only harvest not exceeding 2% of the estimated population. The Plan also recommends that the harvest be equally distributed between the Yukon (1%) and Alaska (1%). Harvest allocation within Alaska would be determined through the respective Federal and State regulatory process (CCHWG 2012). The CCH Working Group includes the Government of Yukon, Alaska Department of Fish and Game, White River First Nation, Kluane First Nation, National Park Service and U.S. Fish and Wildlife Service.

Little is known about CCH population trends prior to the 1960s. In the mid to late 1970s, the CCH was estimated at 1,000 animals. Estimated herd size peaked in 1988 at 1,900 caribou before declining 60% to an estimated low of 315 caribou in 2002. Data indicated that calf recruitment was chronically low during the decline and that the age structure was skewed toward older animals (Bentzen 2013, CCHWG 2012).

Concern over the decline led to implementation of an intensive captive rearing program in Canada, conducted from 2003 to 2006 by the U.S. Geological Survey (USGS) and the Canadian Wildlife Service. The program captured pregnant cows, placing them in holding pens to guard against predators during calving and the neonatal period. The recovery effort was considered successful in enhancing calf survival and recruitment, which may have offset further population declines (CCHWG 2012).

In 2003, survey efforts intensified due to the captive rearing program and the greater number of radio-collared caribou. Therefore, data (i.e. herd size and composition estimates) are not comparable pre and post 2003 (CCHWG 2012). Since 2003, (2003-2014) the CCH population has appeared stable at approximately 700 caribou (**Table 3**).

Between 1987 and 2002, the bull:cow ratio ranged from 16-40 bulls:100 cows, meeting the population indicators established in the Plan in only four years. Since 2003, bull:cow ratios have exceeded population indicators in all years except 2017, ranging from 32-50 bulls:100 cows between 2003 and 2018 (**Table 3**, CCHWG 2012, Putera 2015, SCRAC 2015).

Herd productivity has improved and stabilized since 2002. Calf:cow ratios ranged from 0-31 calves:100 cows between 1987 and 2002. Calf:cow ratios ranged from 13-28 calves:100 cows between 2003 and 2018. Between 1990 and 2003, the three-year average calf:cow ratio did not meet the population indicators for allowing harvest. Since 2005, the three-year average calf:cow ratio has exceeded the population indicators for harvest.

Predation, particularly by wolves is considered a limiting factor for the CCH, although more research is recommended to better understand the impacts of predation on this herd (CCHWG 2012). Research conducted by the ADF&G, NPS, and the Yukon Department of the Environment (YDE) indicated predation accounted for 89% of documented mortality of radio-collared cows between 1991 and 2003 (Gross 2007). Disease is not considered a factor limiting the CCH population (CCHWG 2012).

Severe weather may also be a limiting factor. Heavy snow years increase energy expenditure by inhibiting movements and access to forage. Heavy snow could also decrease calving success by hampering cow movements to high elevations and increasing predation risks. Warmer, drier summers may increase harassment by insects (CCHWG 2012).

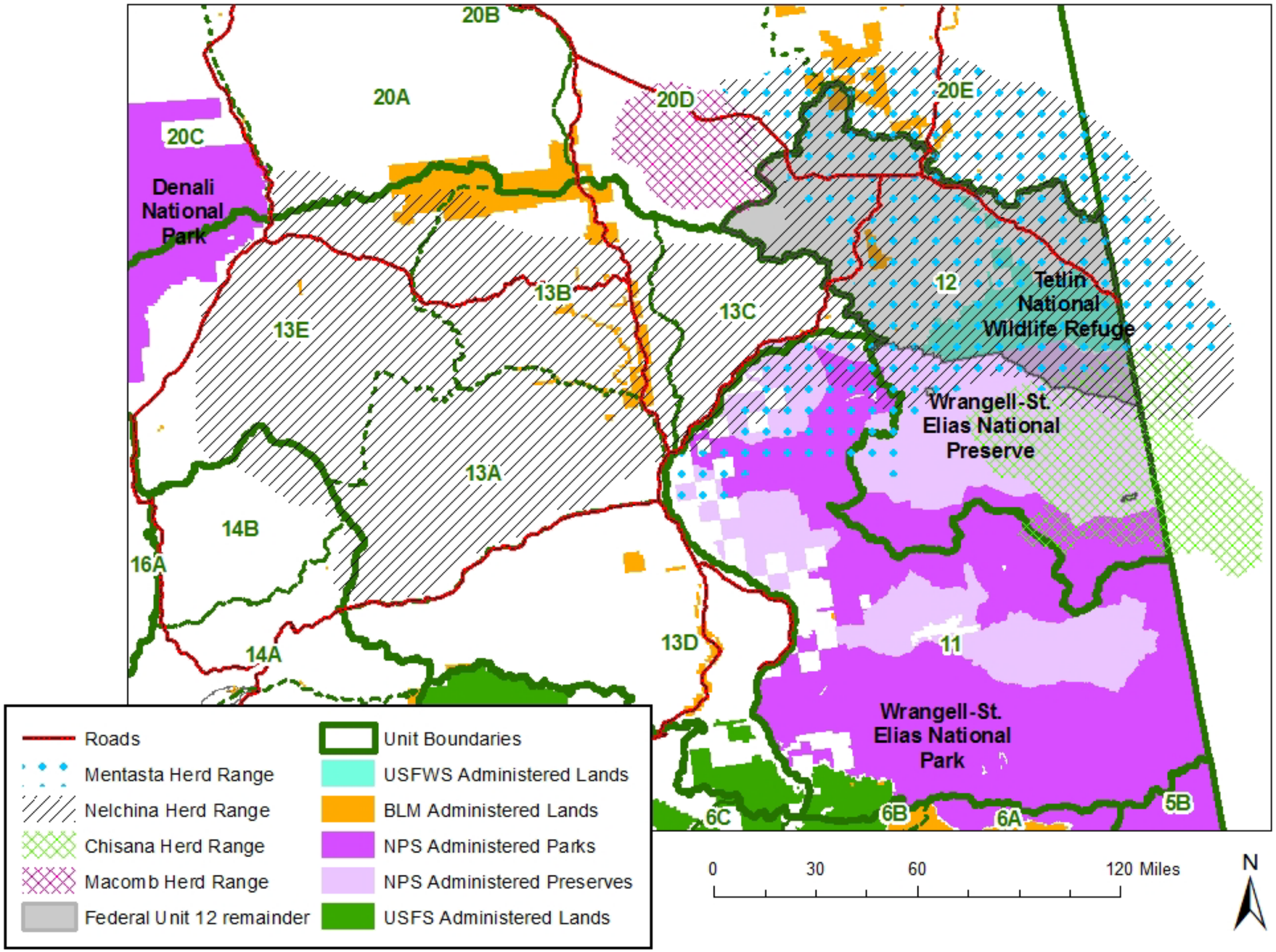

Figure 2. Ranges of the Nelchina, Mentasta, Macomb, and Chisana caribou herds (ADF&G 2016).

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[d]
2019			53,500
			46,528[d]
Average	40.2	39.1	40,888

[a] Fall Composition Counts

[b] Summer photocensus

[c] Modeled estimate

[d] Fall population estimate

Table 2. Population size and composition of the Mentasta caribou herd (OSM 2012c, 2018; FWS 2018; Putera 2017a, pers. comm., 2019, 2020).

Year	June Calves: 100 Cows[a]	Fall Calves: 100 cows	Fall Bulls: 100 cows[b]	Fall Population Estimate[c]
1987	18	12	41	3,160
1988	34	18	43	2,480
1989	31	16	45	2,600
1990	-	-	-	-
1991	3	2	42	1,940
1992	16	6	41	1,430
1993	9	4	38	970
1994	19	11	38	880
1995	26	22	35	850
1996	16	11[d]	35[d]	780
1997	15	5	40	610
1998	13	10	42	540
1999	13	10	77	430
2000	1	0	59	470
2001	11	5	66	586[g]
2002	21	29	45	410[g]
2003	17	16	46	522[g]
2004	8	5[e]	-	293[f]
2005	23	15	69	261
2006	-	30	77	-
2007	23	29	77	280
2008	14	20	73	319[h]
2009	12	10	86	421[h]
2010	25	25	120	336[h]
2011	-	29	40	
2012	-	34	84	-
2013	38	23	77	512
2014	-	-	-	-
2015	-	33	73	-
2016	-	33	142	-
2017	11	18	87	389
2018	10	22	92	470
2019	18	26	95	479

[a]Includes small bulls that are indistinguishable from cows during fixed-wing flights.
[b]Observed high bull:cow ratios likely due to presence of Nelchina bulls.
[c]Population estimates between 2008 and 2017 are based on a June census of cows corrected for sightability, the fall calf:cow ratio, and a fall ratio of 30 bulls:100 cows.
[d]1996 fall composition count was not conducted, because of early mixing with the NCH. Fall calf/cow was estimated from postcalving calf/cow ratio and survival radio-collared cows (0.70; 30 June – 30 Septtember).
[e] 2004 Fall composition count was not conducted due to budget restraints. Fall calf/cow ratio estimated from post-calving calf:cow ratio and average (1987-2003) calf survivorship (0.63).
[f] 2004 population estimate is based on extrapolation from June census, adjusted for average calf survivorship and average bull ratios.
[g]Septtember population estimates are adjusted based on sighting probabilities.

[h]Septtember population estimates are adjusted based on sightability probabilities and assuming a ratio of 30 bulls: 100 cows within the MCH to adjust for mixing with the NCH.

Table 3. Fall sex and age composition of the Chisana Caribou Herd, 2000-2018 (Chisana Caribou Herd Working Group 2012; Gross 2015; Putera 2014, 2017b, 2020; Taylor 2018).

Regulatory Year	Total Bulls: 100 Cows	Calves: 100 Cows	Composition Sample Size	Estimated Herd Size
2000[a]	20	6	412	425
2001[a]	23	4	356	375
2002[a]	25	13	258	315
2003[b]	37	25	603	720
2005[b]	46	23	646	706
2006[b]	48	21	628	-[c]
2007[b]	50	13	719	766
2008	44	21	532	-
2009	48	15	505	-
2010	42	23	622	697
2011	38	16	542	-
2013	49	16	631	701
2014	40	23	528	-
2015	40	19	399	-
2016	46	28	534	-
2017	32	21	540	-
2018	39	13	373	
2019	43	17	445	

[a] Surveys conducted by ADF&G based on a visual search of the herd range.
[b] USGS survey results.
[c] Not available.

Moose

State moose management goals for Unit 12 include protecting the moose population in conjunction with enhancing ecosystem function, maintaining subsistence use of moose, maximizing moose hunting opportunities, and maximizing nonconsumptive use opportunities for moose (Wells 2014, 2016, 2018a). The State management objective for moose in Unit 12 is to maintain a post hunt ratio of 40 bulls:100 cows east of the Nabesna River, and a bull:cow ratio of 25:100 in the remainder portion of the unit (Wells 2014, 2016, 2018a).

Tetlin NWR began collaborating with ADF&G to collect moose population data in Unit 12, shortly after the refuge was established in 1981 (Collins et al. 2005: 3). Similarly, the NPS also collaborates and assists with moose survey efforts throughout Unit 12 (Wells 2018a). An estimate of 4,300–5,600 moose was determined in 2008 using fall Geospatial Population Estimation (GSPE) survey data extrapolated to unsurveyed areas (ADF&G 2017a). This is a slight increase from the 2003 estimate of 2,900–5,100 moose (ADF&G 2017a). Moose densities vary widely throughout the unit, ranging from approximately 0.03 moose/mi^2 in Northway Flats to >2 moose/mi^2 by the north side of the Nutzotin Mountains, in the Chisana survey area (**Figure 3**; ADF&G 2017a).

Region and habitat specific surveys have been conducted since the 2008 population survey (**Table 4**), with unit-wide estimates being extrapolated from regional data. The Tetlin NWR portion (included in the southeastern Unit 12 survey area; **Figure 3**) of Unit 12 was surveyed in November of 2012 along with the northern and northwestern sections (excluding WRST) of the unit. GSPE surveys conducted in these areas produced an estimate of 4,773 moose (Wells 2014). This data was then extrapolated to the rest of the 6,000 mi^2 of estimated moose habitat within Unit 12 to develop an observable moose population estimate of 4,883–6,571 (0.8-1.1 moose/mi^2) (Wells 2014). Similarly, data collected throughout the unit from 2010–2014 was summarized to develop a unit-wide observable November population estimate of 4,492–6,444 moose (Wells 2016, 2018a). However, it should be noted, that this should be considered a rough estimate of the overall Unit 12 moose population.

Surveys are only conducted in each survey area approximately every three or four years, which can make it difficult to determine and respond to population trends in a timely manner (Wells 2016, 2018a). In 2017, a population survey was conducted in the Northwestern survey area in Unit 12. This survey produced a population estimate of 4,081 moose (1.47 moose/mi^2). In 2018, a survey was completed in the Northwestern Unit 12 any-bull analysis area, which is a subsection of the Northwestern survey area. This survey produced a lower moose population estimate for this specific area than previous surveys, but overall, the moose population in this area appeared to be stable (ADF&G 2019a; **Table 4**). Moose densities appear to have been relatively stable within the Southeastern and Northwestern survey areas since 2008, and are expected to remain stable throughout most of the unit (Wells 2016, ADF&G 2017a).

Current estimated unit-wide bull:cow ratios are below the management goal of 40:100 east of the Nabesna River and above the management goal of 25:100 in the remainder of the unit (Wells 2016, 2018b pers. comm., ADF&G 2017a). A majority of the moose harvest takes place near the highway system and the Tok, Little Tok, and Tanana Rivers due to easy access. In these heavily hunted areas, the bull:cow ratio dropped in the past, but this ratio has improved since antler restrictions were put in place in portions of the unit in 1993(ADF&G 2017a).

The most recent comprehensive composition surveys took place in November 2017 and included the portion of Unit 12 east of the Nabesna River and the Unit 12 Northwestern survey area. These surveys produced an estimate of 28 bulls:100 cows east of the Nabesna River, which is below the objective of 40 bulls:100 cows, and is much lower than the 2012 estimate of 46 bulls:100 cows (ADF&G 2018, Wells 2018b pers. comm.). These surveys also produced an estimate of 27 bulls: 100 cows in the Northwestern survey area, which is slightly above the objective of 25 bulls: 100 cows (ADF&G 2018, Wells 2018b pers. comm., **Table 5**).

A scaled down composition survey took place in a condensed Northwestern survey area, referred to as the Northwestern Unit 12 any bull analysis area, in 2018. This survey produced a bull:cow ratio of 30 bulls: 100 cows, which is above the State objective, and is very similar to estimates from the larger Northwestern area surveyed in 2012 and 2017 (**Table 6**; ADF&G 2019a). Composition appeared to remain stable since 2012 in the Northwestern survey area, although it may be important to track

bull:cow ratios in this portion of Unit 12 in the future to ensure that bull:cow ratios remain above current objectives (ADF&G 2018, 2019a).

Table 4. Unit 12 moose population estimates from 2003-2017. The sightability correction factor (SCF) used for 2003-2006 was a factor of 1.25 and a factor of 1.20 for the years 2008–2012 (Wells 2014). No SCF was available for the Chisana survey area in 2014 or for the Northwestern survey in 2017 (Wells 2016, ADF&G 2018).

Survey Area	Year	Population Estimate (±90% CI)	Population Estimate with SCF	Moose/mi² w/SCF
Northwestern Unit 12	2003	3,064 (±35%)	3,830	1.35
	2005	2,129 (±15%)	2,661	0.94
	2006	2,317 (±18%)	2,896	1.07
	2008	3,225 (±18%)	3,870	1.43
	2012	3,058 (±12%)	3,670	1.36
	2017	4,081 (±20%)	---	1.47
Southeastern Unit 12	2003	1,317 (±19%)	1,646	0.56
	2004	1,272 (±20%)	1,590	0.54
	2008	1,843 (±20%)	2,212	0.75
	2012	1,613 (±17%)	1,936	0.66
Nabesna Road	2011	1,272 (±17%)	1,526	0.95
Chisana Alaska Portion	2014	673 (±23%)	---	---

Table 5. Fall aerial moose composition counts for Unit 12 from 2003-2017 (Wells 2014, 2016, 2018a, ADF&G 2018, Germain and Berg 2018). Hash-marks signify that these data were not available from this survey.

Survey Area	Year	Bulls:100 Cows	Calves:100 Cows	Percent Calves	Calves Observed	Adults Observed
Northwestern Unit 12	2003	25	32	19	111	464
	2005	22	30	18	69	315
	2006	37	41	21	185	688
	2008	46	35	20	218	899
	2012	29	27	16	133	650
	2017	27	29	---	---	---
Southeastern Unit 12	2003	89	33	16	89	475
	2004	70	48	20	89	351
	2008	62	24	13	81	552
	2012	52	18	9	65	634
	2017	35	25	16	64	395
Nabesna Road	2011	34	27	14	75	476
Chisana Alaska Portion	2014	50	11	---	---	---

Table 6. Moose surveys for the Northwestern Unit 12 any bull analysis area moose population and composition estimates from fall surveys from 2008-2018 (ADF&G 2019a).

Year	Population Estimate (±90% CI)	Moose/mi²	Bulls:100 Cows	Calves:100 Cows
2008	2,016 (±18%)	0.96	50	34
2012	1,965 (±19%)	0.93	29	27
2017	2,534 (±19%)	1.20	28	32
2018	1,822 (±16%)	0.86	30	36

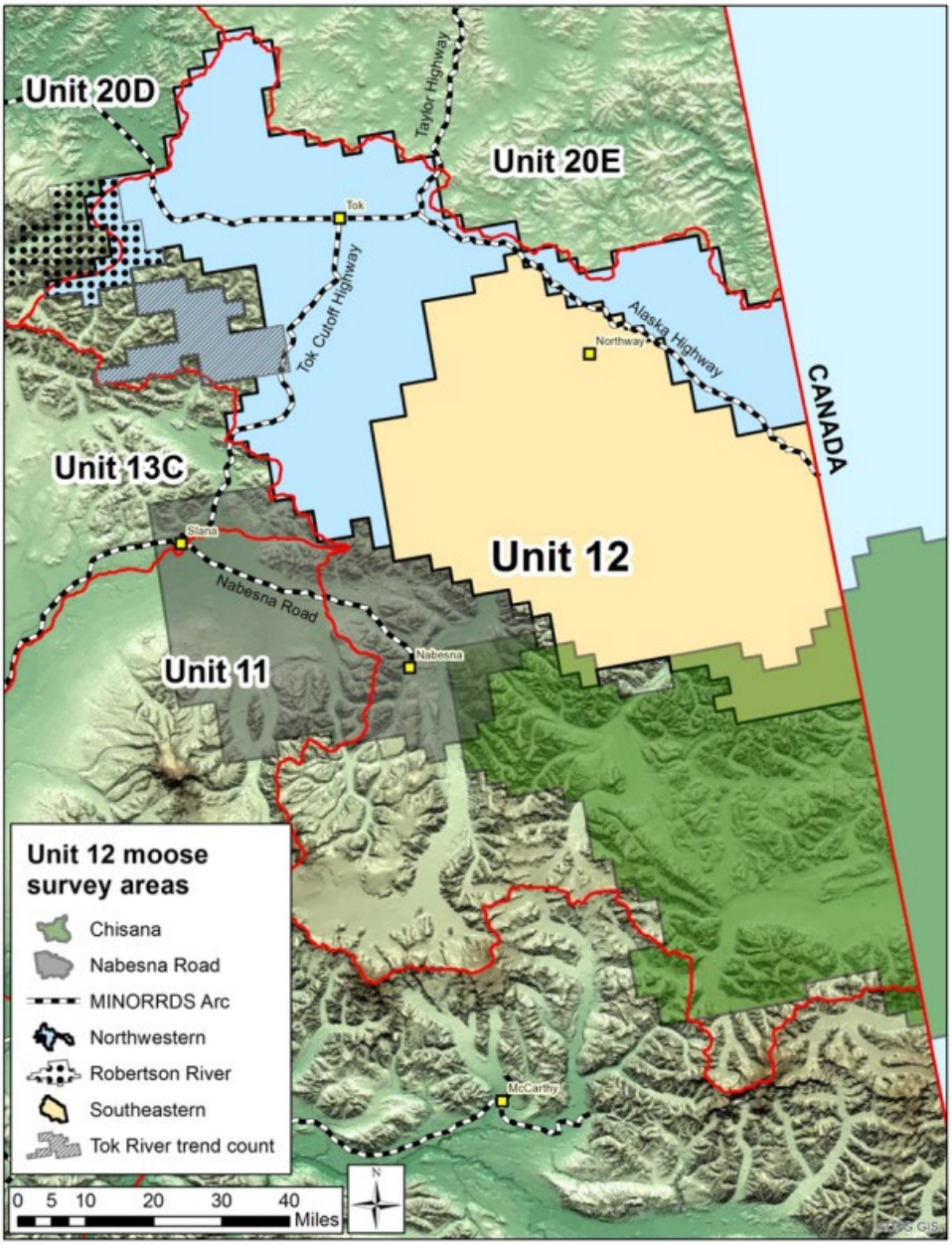

Figure 3. Survey areas used by ADF&G for moose surveys in Unit 12. Map is from Wells (2016, 2018a).

Cultural Knowledge and Traditional Practices

Reference to the harvest and use of large land mammals by the people of the Copper River Basin and Eastern Interior began as early as the 1800s and continues to the present day (Simeone 2006). Archeological evidence and historical accounts suggest that caribou was a primary subsistence resource for the Ahtna Athabascans of the upper Copper River watershed where a successful caribou hunt meant the difference between life and death for those living in the northern portion of the basin and beyond (Simeone 2006). The governor of Russian America, F.P. Wrangell, described witnessing numerous hunts and strategies used to harvest caribou in the 1820s and 1830s, including the use of fences and herd drives (Simeone 2006). As more explorers and early settlers moved into the region, they too depended heavily on the caribou that moved through what are now portions of Units 11, 12, and 13. The traditional practices of drying and smoking meat, as well as the proper and respectful treatment of harvested resources such as caribou and moose, are described in several ethnographic accounts of the Ahtna and people of the upper Tanana (de Laguna and McClellan 1981; Haynes and Simeone 2007; Mishler et al. 1988; Reckord 1983; Simeone 2006).

In recent comprehensive subsistence surveys conducted by the ADF&G for the study years of 2009 through 2013 in the upper Copper River and Tanana watersheds, it has been noted that large land mammal harvest is high (ranging between 17% and 60% of the total community harvest by weight) and in some villages and towns surpassed that of fish (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 moose and 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 communities within 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 throughout the basin. Caribou and moose 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, Park, Glenn, and Richardson Highways (Holen et al. 2015; Kukkonen et al. 2012; La Vine et al. 2013; La Vine & Zimpleman 2014). Ahtna's traditionally and customarily used territory for subsistence users includes Units 11, 13, and the southwestern half of Unit 12 (**Figure 4**).

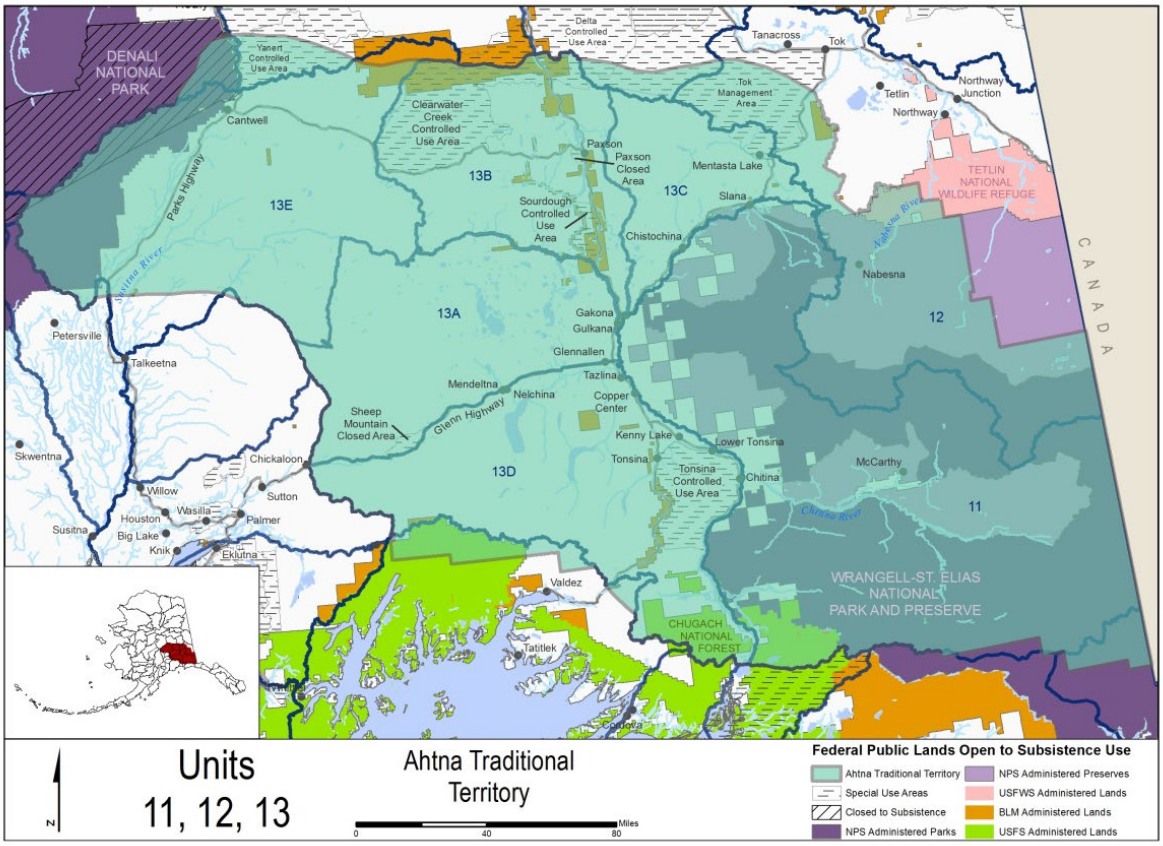

Figure 4. Location of areas customarily and traditionally used for subsistence by the Ahtna people.

Harvest History

Caribou

Nelchina Caribou Herd

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. The Federal harvest limit for caribou in Unit 13A and 13B is two caribou with the sex to-be-announced, and in Unit 13 remainder the harvest limit is two bulls. 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 417 caribou/year (OSM 2019). During this time period, total NCH harvest from Unit 13 averaged 2,751 caribou/year. Federal harvest accounts for 19% of the total Unit 13 caribou harvest on average.

While the long-term average is below State management objectives, the harvest quota and associated harvest has increased in recent years (2010-2018) in response to the increasing NCH population. In 2016, for example, 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.). Wounding loss and illegal and/or unreported harvest account for an unknown number of mortalities (Schwanke and Robbins 2013).

The only caribou season open in Unit 12 under State regulation is in the northwest portion of the unit. The State hunt targets the Macomb caribou herd and, while technically within the Federal Unit 12 remainder hunt area, contains no Federal public lands. Therefore, all caribou harvested from Federal public lands within Unit 12 remainder occurs under Federal regulations. No caribou are taken during the Septtember season as caribou are not present on Federal public lands during this time (Berg 2016, pers. comm.). Between 1998 and 2019, caribou harvest during the winter season ranged from 0-71 caribou/year and averaged 26 caribou/year (**Table 7**).

Winter hunts targeted for the NCH may result in incidental harvest of Mentasta caribou as the herds mix during the winter in Unit 12 remainder, and Nelchina and Mentasta caribou cannot be differentiated (Route et al. 1995, Berg 2016, pers. comm.). The MCH management plan notes, "It is unrealistic to close seasons directed at other larger caribou herds as long as incidental harvest of Mentasta caribou is biologically insignificant." The plan continues, "Movement patterns and aggregation behavior of collared caribou suggest that incidental harvest of Mentasta caribou is usually insignificant" (Route et al. 1995:6).

Mentasta Caribou Herd

While there has not been an open season for the MCH since 1993, some incidental harvest of Mentasta caribou may take place during winter hunts targeting the NCH and Fortymile caribou herd in Unit 12 remainder and Unit 20E. While the MCH management plan does not specify an appropriate mixing ratio, a ratio of 20 Nelchina caribou:1 Mentasta caribou has been used to determine winter season openings by the Board since at least 2000 (OSM 2000). The MCH management plan suggests that incidental harvest of Mentasta caribou is usually minimal (MCH Management Plan 1995).

Chisana Caribou Herd

The CCH has historically been an important food source for the Athabascans of Alaska and the First Nations of the Yukon in Canada (Gross 2007). During the early to mid-1900s, the CCH was used as a subsistence food source by the Ahtna and Upper Tanana Athabascans. Although subsistence hunting has declined in recent years, the CCH continues to be an important aspect of Upper Tanana and Ahtna Athabascan culture. Subsistence use of the CCH declined after 1929. For the last 60 years, few people in Alaska or the Yukon have depended on the CCH as a food source (Bentzen 2011), although First Nation members continued to harvest from the CCH in the Yukon through the 1990s.

In addition to providing an important subsistence resource, in the late 1920s, Chisana caribou became economically important to local hunters as guided hunting became common in the Chisana area. Caribou from the Chisana herd were harvested by nonresident hunters guided by local guides until 1994, when hunting was closed. Primarily five guide/outfitters hunted the herd (4 operated in Alaska and 1 in the Yukon). Bulls were desired by sport hunters, because of their large stature. From 1990 to 1994, 43% of the hunters participating in hunting were nonresidents, who were responsible for 58% of the harvest. Local subsistence users accounted for 9% of the harvest during that time period (Gross 2005).

At its January 2012 meeting, the Board authorized a limited harvest of the CCH consistent with the herd's management plan. The Board delegated authority to the Wrangell-St. Elias National Park and Preserve Superintendent to open and close the season to announce the harvest quota, the number of permits to be issued and the reporting period. Based on the estimated population size and the guidance in the management plan, the harvest quota for the 2012 was set at seven animals.

The NPS met with participating communities and associated tribal governments and other stakeholders to ask for their input regarding permit distribution. As a result, a decision was made to allocate two permits to each of the four eligible communities with Federally recognized tribal governments (Chistochina, Mentasta Lake, Northway, and Tetlin) with the understanding that all community residents, not just tribal members, would be considered for permit distribution. Any remaining permits would be made available to Tok and Chisana residents on a first come-first served basis. For the initial hunt in 2012, the number of permits was limited to fourteen and the reporting period requirement was set at within three days of harvest. The three-day reporting period is still in place; however, no cap was placed on the number of permits in 2018 or 2019. Currently the CCH appears stable at approximately 700 animals, and the quota for the fall 2019 Federal subsistence hunt for the CCH was seven bull caribou (Cellarius 2019). As of May 2020, four permits were issued for the 2019 hunt, three people hunted, and one caribou was harvested (FWS 2020).

Since 2012, a total of 11 caribou have been taken (**Table 8**). Between 2012 and 2019, 61 of the 66 permits issued for this hunt were issued to residents of Unit 12, with residents of Chisana accounting for about 66% of the permits. Of the five permits issued to residents of Unit 13, four permits issued to Chistochina residents in the early years of the hunt and one to a Mentasta Lake resident in 2017.

Table 7. Federal (FC1202) caribou harvest and permits issued in Unit 12 remainder (OSM 2016, 2020).

Regulatory Year	Permits Issued	Bulls Harvested	Cows Harvested	Unknown Sex Harvested	Total Harvest
1998	46	9	0	2	11
1999	206	32	0	0	32
2000	183	38	0	2	40
2001	40	0	0	0	0
2002	2	0	0	0	0
2003	102	13	0	0	13
2004	114	18	1	0	19
2005	78	6	10	0	16
2006	53	0	3	0	3
2007	88	11	5	2	18
2008	147	15	13	0	28
2009	110	17	0	2	19
2010	120	31	23	0	54
2011	103	37	9	0	49
2012	152	35	35	1	71
2013	113	15	21	0	40
2014	116	15	22	0	37
2015	126	14	35	0	49
2016	114	3	3	0	6
2017	128	6	4	0	10
2018	88	10	1	0	11
2019	157	18	31	1	50
Average	108.5	15.6	9.8	0.5	26.2

Table 8. Summary of Chisana caribou harvest in the southeast portion of Unit 12 (FC1205) (FWS 2020).

	2012	2013	2014	2015	2016	2017	2018	2019
Permits Issued	9	9	11	11	8	8	6	4
Individuals Hunting	8	7	8	7	8	3	3	3
Caribou Harvest	2	3	2	0	1	0	2	1
Success Rate[a]	25.0	42.9	25.0	0	12.5	0	66.7	33.3

[a] Success rate is calculated based on the number of individuals hunting, not total permits issued.

Moose

The State sustainable harvest rate for moose in Unit 12 is 3–4% (Wells 2014, 2018a). The Tok River drainage receives a considerable amount of the overall moose harvest in Unit 12 (Wells 2018a). Most of the unit is difficult to access, which leads to those areas near roads and rivers receiving higher harvest pressure than the rest of the unit. In Unit 12, an average of 130 moose have been harvested annually over the last 13 years, with 99 moose being harvested in 2018, the last year for which data are available (**Table 9**; ADF&G 2017b, 2019b). This falls within the State sustainable harvest rate for the unit. Only one cow moose was reported harvested during the fall and winter seasons in this 13 year period, due to regulatory restrictions that only allow bull harvest and include antler restrictions, although an average of four cow moose were taken annually between 2011 and 2014 for use in potlatches (Wells 2016). In 2018, approximately 32% of the moose harvest was taken by users residing in Unit 12 and 35% was taken by all local users who have a customary and traditional use determination for portions of Unit 12 (ADF&G 2017b, 2019b).

Since 2012, an average of seven of the moose harvested in Unit 12 were harvested under the RM291 joint Federal/State registration permit, and an average of 121 moose were harvested under the general hunt, using a harvest ticket (**Table 10, Table 11**; ADF&G 2019b). These were the two main options for users harvesting moose in Unit 12 remainder (although the general hunt also covers the hunt area east of the Nabesna River and south of the Pickerel Lake winter trail, as well as the Unit 12 FM1203 hunt area if harvesting under State regulations). In 2018, only six moose were harvested under the RM291 permit in Unit 12 (ADF&G 2019b). Four of these moose were harvested by Federally qualified subsistence users and two were harvested by residents of Wasilla and Peters Creek (ADF&G 2019b). Conversely, 93 moose were harvested in Unit 12 under the general hunt in 2018, and only 31 of those moose were harvested by Federally qualified subsistence users (ADF&G 2019b).

Harvest tickets are mandatory within Unit 12 when State or Federal registration permits are not required. These tickets require users to submit a report to track harvest throughout the unit. To increase the reporting rate for harvest tickets, ADF&G sends reminder letters to users who did not initially report their harvest (Wells 2014, 2018a). The State also conducts community household surveys in local communities, which helps assess unreported harvest.

A community household survey was completed in Unit 12 for 2011 in Tok. Based on this survey, 48 moose were recorded as being harvested by Tok residents (ADF&G 2011). This is greater than the overall harvest recorded (45 moose) in harvest reports for all local users in Unit 12 for 2011. Due to only 26% of Tok households being surveyed, the State used a conversion factor to develop an estimated harvest of 187 moose taken by Tok residents in 2011, some of which may not have been harvested in Unit 12 (ADF&G 2011, Holen et al. 2012).

Table 9. Reported moose harvest in Unit 12 according to the ADF&G harvest reporting database (ADF&G 2019b).

Year	Unit Resident Harvest	Non-Unit Resident Harvest	Total Resident Harvest	Nonresident Harvest	Unknown Residency Harvest	Total Harvest
2006	45	44	89	26	2	117
2007	52	46	98	24	0	122
2008	55	53	108	49	0	157
2009	57	59	116	26	3	145
2010	44	47	91	18	0	109
2011	45	40	85	27	0	112
2012	33	59	92	34	1	127
2013	35	39	74	25	1	100
2014	59	72	131	38	0	169
2015	49	78	127	34	2	163
2016	36	65	101	39	0	140
2017	30	54	84	50	0	134
2018	32	40	72	27	0	99
Total	**572**	**696**	**1268**	**317**	**9**	**1694**
Average	**44**	**54**	**98**	**32**	**1**	**130**

Table 10. Reported harvest under the RM291 joint Federal and State moose harvest permit in Unit 12 (ADF&G 2019b).

Year	Unsuccessful RM291 Hunters	Successful RM291 Hunters	Bulls Harvested	Cows Harvested	Unknown Gender
2012	50	7	6	0	1
2013	63	9	9	0	0
2014	85	9	9	0	0
2015	48	11	11	0	0
2016	58	6	6	0	0
2017	55	4	4	0	0
2018	49	6	6	0	0

Table 11. Reported harvest for the general moose hunt in Unit 12 (ADF&G 2019b).

Year	Unsuccessful Hunters	Successful Hunters	Bulls Harvested	Cows Harvested	Unknown Gender
2011	365	112	112	0	0
2012	401	120	118	0	2
2013	462	91	90	0	1
2014	416	160	160	0	0
2015	444	152	151	0	1
2016	412	134	133	0	1
2017	483	130	127	0	3
2018	390	93	89	0	4

Effects of the Proposal

If approved, this request would establish an AITRC-administered community harvest system for moose and caribou in Unit 12 for the 2020/21 regulatory year. As no changes to harvest limits or seasons are requested, no effects on moose or caribou populations are expected. AITRC would be able to distribute Federal registration permits issued by Federal managers and collect harvest reports for submission to Federal managers. Details of the community harvest systems will be developed between Federal managers, OSM and AITRC (e.g. coordination of permit distribution and harvest reporting, identifying points of contact/hunt managers, and establishing community boundaries for eligibility).

For the caribou hunts currently managed under FC1202 and FC1205, close communication between AITRC and the respective Federal managers would be needed. In the case of FC1202, the season is to-be-announced, and there might be season closures announced to protect Mentasta caribou, which would need to be communicated to hunters. In the case of FC1205, the Federal manager has the authority to close the hunt when a harvest quota is reached, which requires timely harvest reporting and also an ability to communicate any closures to the remaining permittees.

AITRC represents the eight Ahtna tribal communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake and Tazlina. All of these communities are located in Unit 13. Cantwell residents do not have a customary and traditional use determination for either moose or caribou in Unit 12, and are therefore not eligible to participate in any Unit 12 moose or caribou hunts. The remaining seven communities have a customary and traditional use determination for moose in Unit 12, although five of them only have a determination for portions of Unit 12. Only Chistochina and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12, so they are the only Ahtna tribal communities eligible to participate in Unit 12 caribou hunts.

While AITRC only intends to administer community hunts in the portions of Unit 12 that overlap with the Ahtna traditional use territory, this distinction is not necessary from a regulatory standpoint. This distinction could also substantially complicate regulations since portions of most moose and caribou hunt areas in Unit 12 are both within and outside of the Ahtna traditional use territory (**Figure 1**). If WSA20-02 is approved, AITRC could decide which Unit 12 hunts it would like to administer as community hunts in cooperation with Federal managers and OSM.

AITRC requests that designated hunters be allowed under their community harvest systems. However, according to 50 CFR 100.25(e) (Hunting by designated harvest permit):

If you are a Federally qualified subsistence user (recipient), you may designate another Federally qualified subsistence user to take deer, moose, and caribou, and in Units 1-5, goats, on your behalf unless you are a member of a community operating under a community harvest system or unless unit-specific regulations in §100.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter.

Therefore, the Board would need to specifically allow designated hunting under a community harvest system as existing regulations prohibit it. The Board did not make this specific allowance for Units 11 and 13 in their recent action on deferred Proposal WP18-19.

OSM CONCLUSION

Support Wildlife Special Action Request WSA20-02 **with modification** to name individual communities authorized to participate in the community harvest system in Unit 12 by species and customary and traditional use area, and remove the broader definition of "Ahtna traditional use territory"

The modified regulation should read:

§_____.26(n)(12)(i) Unit 12—Unit specific regulations

(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for caribou is authorized on Federal public lands within Unit 12, subject to a framework to be established by the Federal Subsistence Board.

(E) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use area of Unit 12 remainder, subject to a framework to be established by the Federal Subsistence Board.

(F) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use areas of Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake and Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian Border, subject to a framework to be established by the Federal Subsistence Board.

Unit 12 – Caribou

Unit 12-that portion within the Wrangell-St. Elias National Park that lies west of the Nabesna River and the Nabesna Glacier. All hunting of caribou is prohibited on Federal public lands	*No open season.*
Unit 12-that portion east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border—1 bull by Federal registration permit only	*Aug. 10-Sept. 30.*
Federal public lands are closed to the harvest of caribou except by Federally qualified subsistence users hunting under these regulations.	
Unit 12, remainder—1 bull	*Sept. 1-20.*
Unit 12, remainder—1 caribou may be taken by a Federal registration permit during a winter season to be announced. Dates for a winter season to occur between Oct. 1 and Apr. 30 and sex of animal to be taken will be announced by Tetlin National Wildlife Refuge Manager in consultation with Wrangell-St. Elias National Park and Preserve Superintendent, Alaska Department of Fish and Game area biologists, and Chairs of the Eastern Interior Regional Advisory Council and Upper Tanana/Fortymile Fish and Game Advisory Committee	*Winter season to be announced.*

Unit 12—Moose

Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter trail from the Canadian border to Pickerel Lake—1 antlered bull by Federal registration permit	*Aug. 24–Sept. 30.* *Nov. 1–Feb. 28.*
Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border—1 antlered bull	*Aug. 24–Sept. 30.*
Unit 12, that portion within the Nabesna River drainage west of the east bank of the Nabesna River upstream from the southern boundary	*Aug. 20–Sept. 20.*

of Tetlin National Wildlife Refuge—1 antlered bull by joint Federal/State registration permit only

Unit 12, remainder – one bull	*Aug. 24–Aug. 28.* *Septt. 8–Septt. 20.*

Justification

Establishing a community harvest system will allow AITRC to manage hunts that are subject to the same harvest limits, seasons, and methods and means already established under Federal regulations. The specific guidelines governing the community harvest system would need to be established and agreed upon by Federal managers, AITRC, and OSM. The community harvest system for moose and caribou in Unit 12 would be similar to the system just established for these species in Units 11 and 13, but would only be effective for the 2020/21 regulatory year.

The naming of individual communities is in-line with past Board actions on customary and traditional use determinations in which communities are considered to be geographically based and involving all residents of the community.

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INTERAGENCY STAFF COMMITTEE RECOMMENDATION

The ISC supports the staff recommendation with the following clarifications to be considered by the Board:

- To establish participant eligibility within the individual communities authorized in the community harvest system, the Board may wish to define the geographic boundaries of these communities. If the request is adopted as modified by OSM, eight communities in the region will be eligible to participate in the community harvest system, and it is therefore important to clearly define or identify the boundaries between the eight Ahtna villages and other communities such as Kenny Lake, Glennallen, and Slana. For example, where does Tazlina stop and Glennallen start, or where does Glennallen stop and Gulkana start? Many Copper Basin communities are adjacent to one another along the road system and lack clearly identifiable boundaries. The ISC suggests that the Board consider use of the most recent Census Designated Place (CDP) boundaries established by the United States Census Bureau.

- The Board may consider authorizing issuance of a single permit to AITRC for the community harvest system. Because federal registration and designated hunter permits may only be issued by Federal staff, this will limit the burden on both AITRC and Federal land managers in coordinating in-season permit issuance. For law enforcement purposes, the Board may consider asking AITRC to issue an identification document to be carried by community harvest system participants while hunting. This would allow law enforcement to distinguish those hunting under the community harvest system from those hunting under the general Federal hunt structure.

- It is important to reiterate that participants in the community harvest system are still bound to the existing customary and traditional use determinations for the species to be harvested. So, eligibility for a hunt within the community harvest system requires that the participant be a Federally qualified user, a resident of a community authorized by the Board to participate in the community harvest system, and that they live in a community or area with an existing customary and traditional use determination for the species to be harvested.

- It should be clarified that individuals opting to participate in the community harvest system may not also participate in the general Federal hunt structure during the same season for the same species. To track eligibility for the general Federal hunt and harvest success within the community harvest system, AITRC should provide Federal land managers in the affected units with a weekly in-season list of users opting to participate, and cumulative harvest amounts for each species authorized in the system. This will allow Federal land managers to issue Federal registration permits to only those individuals opting NOT to participate in the community harvest system. It will also allow in-season management strategies to be developed using the best available harvest data.

- Designated hunters are not currently allowed for community harvest systems under existing regulations, and the ISC recommends authorizing these for all three units – 11, 12, and 13 -- to align with traditional hunting practices, as requested by the proponent. These practices frequently include harvest primarily by the most skilled hunters within a community, and subsequent sharing of the harvest among the community's members. Authorizing designated hunters would allow for aggregation of harvest limits within the pool of participating community members.

  Additionally, regardless of this authorization for participants in the community harvest system, the Board may also wish to clarify that residents of the eight Ahtna villages who choose not to participate in the community harvest system may still identify a designated hunter under the general Federal hunt structure. Applicable regulations include:

  > §100.25(a) Designated hunter or fisherman means a Federally qualified hunter or fisherman who may take all or a portion of another Federally qualified hunter's or fisherman's harvest limit(s) only under situations approved by the Board.
  >
  > §100.25(e) Hunting by designated harvest permit. If you are a Federally qualified subsistence user (recipient), you may designate another Federally qualified subsistence user to take deer, moose, and caribou, and in Units 1-5, goats, on your behalf **unless you are a member of a community operating under a community harvest system** [emphasis added] or unless unit-specific regulations in §100.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients but may have no more than two harvest limits in his/her possession at any one time except for goats, where designated hunters may have no more than one harvest limit in possession at any one time, and unless otherwise specified in unit-specific regulations in §100.26.

The ISC recognizes that the 2020-2021 season will be a trial run of the newly implemented community harvest system established by the Board's previous decision on wildlife proposal WP18-19. If wildlife special action WSA20-02 is also adopted, the community harvest system will be expanded to include moose and caribou in Unit 12. We recommend that the Board's action on WSA20-02 include Unit 11 and Unit 13, even though the community harvest system was addressed in WP18-19, to ensure that the system is in place prior to the 2020-2021 seasons. This will allow implementation of the community harvest system prior to publication of the Final Rule that includes the regulatory language for the Board's decision on WP18-19. Furthermore, regulatory language clarifying geographic boundaries and authorizing designated hunters should be included for all three units, as described in the modified regulatory language offered below.

The ISC respectfully requests that the Board direct OSM and the ISC to jointly develop community harvest system framework guidelines to assist land managers in implementing future requests for community harvest systems. It seems prudent for land managers that are expected to implement community harvest systems to know the basic elements that make up a community harvest framework

and the parameters that they must operate within. Such guidance would provide some level of continuity in approaching these systems in other areas of the State. We understand that there needs to be flexibility in relation to local conditions, but also that sidebars will allow for improved coordination and implementation.

The ISC hopes that this first season will provide additional insight on successes and challenges that can be addressed in the subsequently anticipated regulatory proposals for continuation of the system in future regulatory years, for better meeting the needs of all parties, and for working toward greater implementation of DOI's Memorandum of Agreement with AITRC.

The modified regulations should read:

§_____.26(n)(11)(iii) Unit 11—Unit specific regulations

(A) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework to be established by the Federal Subsistence Board.

1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau

2) designated hunters are authorized in this community harvest system

§_____.26(n)(12)(i) Unit 12—Unit specific regulations

(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 12, subject to a framework to be established by the Federal Subsistence Board.

1) the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau

2) designated hunters are authorized in this community harvest system

§_____.26(n)(13)(iii) Unit 13—Unit specific regulations

(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board.

1) **the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau**

2) **designated hunters are authorized in this community harvest system**

Appendix 1

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

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MEMORANDUM

TO:	Anthony Christianson, Chair Federal Subsistence Board	DATE:	May 20, 2020
		PHONE:	267-2190
FROM:	Ben Mulligan BJM Deputy Commissioner	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.

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