

BRISTOL BAY

Federal Subsistence

Regional Advisory Council



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Aerial view of Dillingham, Alaska.

Meeting Materials
October 12–13, 2011
Dillingham, Alaska

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BRISTOL BAY ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL
October 12–13, 2011 8:30 am – 5:00 p.m.
City Hall Council Chamber
Dillingham, Alaska

PUBLIC COMMENTS: *Public comments are welcomed for each agenda item. Please fill out a comment form or be recognized by the Chair. Testimony time limits may be given to provide opportunity for all to testify and to keep on schedule.*

PLEASE NOTE: *These are estimated times. Topics order is subject to change. Contact staff at the meeting for the current schedule. Evening session may be called by the Chair of the Bristol Bay Regional Advisory Council.*

AREA CONCERNS: *The Regional Council arranges its meetings to hear and understand the subsistence concerns in the area they meet. Please share your subsistence concerns and knowledge. The agenda is an outline and is open to the area's subsistence concerns, listed or not.*

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B. Establish Date and Location for 2012 Fall Meeting

16. Adjourn

***Persons with disabilities:** Special accommodations for persons with disabilities may be arranged by contacting the Regional Coordinator at least 72 hours prior to the meeting. Hearing or speech impaired individuals may call the Federal Relay Service at 1-800-877-8339 or 1-907-786-3595 TTY.*

***Teleconferencing** is available upon request. You must call the Office of Subsistence Management, 1-800-478-1456, 786-3888 or 786-3676, at least 72 hours prior to the meeting to receive this service. Please notify the Regional Coordinator which agenda topic interests you and whether you wish to testify regarding it.*

***If you have a question** regarding this agenda or need additional information, please contact Donald Mike, Regional Coordinator, toll free at 1-800-478-1456 ext. 3629 or 786-3888; or fax your comments at 907-786-3898.*

REGION 4—Bristol Bay Regional Advisory Council

Seat	Yr Apptd <i>Term Expires</i>	Member Name & Address
1	1993 <i>2013</i>	Peter M. Abraham Togiak
2	1993 <i>2013</i>	Daniel James O'Hara Naknek
3	2003 <i>2013</i>	Nanci Ann Morris Lyon Vice-chair King Salmon
4	2008 <i>2011</i>	Dale C. Myers King Salmon
5	2005 <i>2011</i>	Alvin Boskofsky Chignik Lake
6	2007 <i>2011</i>	Molly B. Chythlook Chair Dillingham
7	2003 <i>2011</i>	Dan O. Dunaway Secretary Dillingham
8	2010 <i>2012</i>	Moses E. Toyukak Sr. Manokotak
9	2006 <i>2012</i>	Thomas A Hedlund Iliamna
10	2009 <i>2012</i>	Richard J. Wilson Naknek

MINUTES

Bristol Bay Subsistence Regional Advisory Council
March 9-10, 2011
Bristol Bay Borough Chambers
Naknek, Alaska

Call to Order

Meeting called to order by Chair Molly Chythlook. Madame Chair Chythlook requested the Coordinator to conduct the Council roll call.

Roll Call and Establish Quorum

Council members present: Nanci Morris Lyon, Dale Myers, Alvin Boskofsky, Molly Chythlook, Dan Dunaway, Moses Toyukak, Richard Wilson.

Absent: Peter Abraham, Thomas Hedlund, and Dan O'Hara excused, members had prior commitments. Quorum established.

Welcome and Introductions

Madam Chair Chythlook welcomed guests and staff members.

Government Agency Employees

Donald Mike	U.S. FWS OSM
Tom Kron	U.S. FWS OSM
Alicia Davis	U.S. FWS OSM
Bill Schaff	U.S. FWS Becharof/AP NWR
Ron Britton	U.S. FWS Becharof/AP NWR
Orville Lind	U.S. FWS Becharof/AP NWR
Paul Liedberg	U.S. FWS Togiak NWR
Andy Aderman	U.S. FWS Togiak NWR
Jerry Berg	U.S. FWS Anchorage
Julie Pinnix	Alaska Pen/Becharof NWR
Troy Hamon	NPS
Ralph Moore	NPS
Dave Mills	NPS
Pat Petrivelli	BIA
George Pappas	ADFG
NPFMC	
Dave Benson	Vice Chair NPFMC
Diana Stram	NPFMC Staff
Nicole Kimball	NPFMC Staff
Eric Olson	

NGOs/Public

Verner Wilson	World Wildlife Fund
Tom Prang	King Salmon
Allan Asplund	Naknek
Joe Klutch	King Salmon

Teleconference

Sky Starkey	Anchorage
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Election of RAC officers

The nomination for Chair was opened by the Council Coordinator. Ms. Morris-Lyon nominates Ms. Chythlook. Other nominations for Chair; Mr. Boskofsky nominates Ms. Morris-Lyon. Second called by Mr. Dunaway and moved to close nominations. Nominations for Chair closed. Ballot vote. Tally: Ms. Chythlook 6 votes; Ms. Morris-Lyon 1 vote. Ms. Chythlook nominated as Chair.

Madame Chair Chythlook opens the nominations for vice chair. Mr. Dunaway nominates Ms. Morris-Lyon, 2nd called by Mr. Myers. Mr. Dunaway move to close nominations. Ms. Morris-Lyon nominated as the vice chair.

Madame Chair Chythlook opens the nominations for secretary. Ms. Morris-Lyon nominates Mr. Dunaway. Mr. Toyukak nominates Mr. Myers. Mr. Toyukak move to close the nominations. Ballot vote. 3 votes for Mr. Dunaway, 3 votes for Mr. Myers. The council opted to a coin toss than a ballot vote. Madame Chair Chythlook declares heads for Mr. Myers and tails to Mr. Dunaway. Mr. Jerry Berg, FWS, tossed the coin and announced the coin toss resulted in heads. Mr. Myers wins the coin toss for Council secretary.

Review and Adopt Meeting Agenda

Ms. Morris-Lyon **moved** to adopt the meeting agenda, second called by Mr. Boskofsky.

Discussion: The Council moved agenda item C. 1., Togiak NWR report, to be the first item under agenda item number 16 to accommodate the refuge staff to leave to resume their ongoing moose surveys. Include Katmai red fish as agenda item 16. B. 3. Red fish update. Insert under agenda item 17. Other business, Pebble mine issue presentation by Mr. Verner Wilson. Question called by Mr. Dunaway. Motion carries. Meeting agenda adopted.

Review and Adoption of minutes: October 23, 2010

Mr. Dunaway **moved** to adopt the minutes, second by Mr. Myers. Discussion: No comments or questions on the minutes. Question called. Motion carries, minutes adopted.

Chair's Report

The Council was briefed on the 805(c) report, final action taken by the Federal Subsistence Board on federal fisheries regulatory proposals.

Council Member reports: Council members provide oral reports on activities occurring within their communities. Ms. Chythlook reported that BBNA is participating in the State Board of Game meeting testifying on moose and caribou issues in Unit 9.

Administrative

Additional materials were provided to the Council as supplement to the meeting that was not part of the meeting materials, including the 2010 draft annual report and agency reports from the refuge.

Open floor for public comments

The public has the opportunity to comment on subsistence related issues throughout the meeting and other issues affecting subsistence uses.

Mr. Verner Wilson, WWF, provided an overview on issues that he will be presenting to the Council. Subject issues brought forward are permanent protection of Bristol Bay from offshore drilling, the NPFMC meeting in Nome to support a hardcap of chum salmon bycatch by the Pollock industry, and tribal consultation.

2010 Draft Annual Report

The Council reviewed the draft 2010 Annual Report and provided modification and specific language for wolf and bear management in Unit 9. Specific language added, insert “what parameters would it take to initiate predator management and what are the criteria(s) that has to be met to initiate predator management” and insert language “maintain its increasing concern”. Delete language “food in fish camps” and replace “Bristol Bay region with Unit 9”. Mr. Dunaway **moved** to adopt the annual report with the changes. Second by Ms. Morris-Lyon. Motion carries.

Council Charter Review

The regional council charters are effective for two years and must be renewed by the Secretaries by October 27 of odd-numbered years. The Council has the opportunity to review its charter at their fall meeting in even numbered years. The Council reviewed its charter and submitted its recommendation to the Board to consider.

6. Duties of RAC Item

d. (1), **insert** “harvest needs”

(1) An identification of current and anticipated subsistence **harvest needs and** uses of fish and wildlife populations within the region.

Insert “sound” and “principles” in Item # 6. Duties of Council: d. (3)

(3) A recommended strategy for the **sound** management **principles** of fish and wildlife populations within the region to accommodate such subsistence uses and needs.

Insert “harvest needs” in Item # 6. Duties of Council: f.

f. Make recommendations on determinations of customary and traditional **harvest needs and** use of subsistence resources.

9. Membership: Insert “harvest needs”

Ten members who are knowledgeable and experienced in matters relating to subsistence **harvest needs and** uses of fish and wildlife and who are residents of the region represented by the Council.

Mr. Dunaway **moved** to adopt the Council’s recommendation for the Board’s consideration. Second by Ms. Morris-Lyon. Motion carries.

Wildlife Closure Review and Recommendation

OSM reviews existing wildlife closures to determine whether original justifications for closures continue to apply and are reviewed every three years. ANILCA allows closures when necessary for the conservation of healthy populations of fish and wildlife. The Councils are consulted to consider OSM preliminary recommendations per Board policy on closures to hunting, trapping, and fishing on Federal Public Lands and Waters in Alaska.

Two closure reviews were presented by Mr. Tom Kron. WCR10-04, Unit 9C remainder and WCR10-06, Unit 9E caribou. The Federal Subsistence Board adopted a special action in August 2005 which temporarily closed Federal public lands in Units 9C remainder and 9E to the hunting of caribou. In April 2006, the Board adopted Proposal WP06-22 to close Federal public lands in Unit 9C remainder and 9E to the hunting of caribou. The Council's recommendation in 2006 was to support the closure to caribou hunting to all users on Federal public lands.

OSM preliminary conclusion is to maintain status quo. Population surveys indicate the NAPCH has declined and hunting the herd would be detrimental to the population.

Mr. Bill Schaff, refuge manager, provided an update on the biological status of the herd and past survey results.

Ms. Morris-Lyon **moved** to support the OSM conclusion to maintain the closure. Second by Mr. Dunaway. Motion carries.

Call for Wildlife Proposals

The OSM announced the opening of wildlife proposals from the public and will be accepting wildlife proposal until the closing date of March 24, 2010.

Salmon Bycatch in Groundfish Fisheries

The North Pacific Fishery Management Council staff addressed the Council on salmon bycatch management measures. NPFMC staff present: Nicole Kimball and Diana Stram, fishery analysts; Eric Olson, current chair of the NPFMC; and Dave Benson, vice chair. Note: the NPFMC presentation is technical in nature. Please review the transcript for additional details.

Ms. Kimball presented an overview of the NPFMC actions and future plans of the NPFMC in addressing chum bycatch management measures. Ms. Diana Stram will present the current alternatives that will be before the NPFMC to consider.

The NPFMC will be meeting June 2011 in Nome to select a preliminary preferred alternative. The alternatives before the NPFMC are Alternative 1 to maintain status quo which retains the current program of the Chum Salmon Savings Area closures triggered by separate non-CDQ and CD caps. Alternative 2, Hard Cap with four components for consideration. Alternative 3 to Trigger Closure which has 4 components to consider, and Alternative 4 a Closure with Rolling Hot Spot exemption, this alternative is similar to Alternative 1.

The NPFMC staff provided a powerpoint presentation with a hardcopy for Council members to use as reference of their presentation and a hardcopy of the alternatives listed, *Bering Sea non-Chinook (Chum) Salmon Bycatch Management Measures* (Revised Feb 2011).

The problem: salmon bycatch in the Pollock fisheries. The NPFMC policy goals are to reduce Chinook bycatch, provide incentives at vessel level, and provide opportunities for the Pollock

fishery to catch quota. The NPFMC will meet in Nome to formally review the analysis and by Oct or Dec 2011 the NPFMC will develop its tentative final action.

Discussion follows. The RAC will present a formal resolution and position on the bycatch issue. An update of the winter moose hunt was provided for Unit 17A. Ten moose were harvested. Moose surveys for portions of Unit 17C and an area in Unit 18 is ongoing.

Agency Reports

Mr. Andy Aderman, Togiak NWR wildlife biologist, presented biological report on the Mulchatna and Nushagak Peninsula caribou herds. The report included composition of the populations and ongoing surveys.

Mr. Bill Schaff, Alaska Peninsula/Becharof NWR refuge manager, reported the 2010-11 Federal subsistence brown bear hunt in Unit 9E within the Alaska Peninsula and Becharof NWR. The hunt allows for one brown bear. No applicants for the hunt were issued during the season. Moose surveys and trend counts are being conducted. A total of 151 moose were counted. A new staff has been added to the refuge in an effort to maintain increased communication with area villages. The refuge has acquired funding for the Kanektok trail. A trail located between the historic village of Kanektok to the south end of Becharof Lake.

Office of Subsistence Management

A briefing statement was made available for the Councils reference on migratory birds issue. Discussion on duck stamps follows.

The Council coordinator provided an update on travel procedures for RAC travel.

Mr. Tom Kron, OSM, provided the Council with an update on the **Secretarial Program Review** to expand the FSB membership by two members, expand deference to RACs, review of the MOU, review of the C&T determination process, and review rural/nonrural process. The Council was referred to a table page 64 of the Meeting Materials, March 9-10, 2011 for their reference. The table outlines the next steps in the Program review and timeline of RAC involvement. The Federal Subsistence Board will review recommendations from the Council and public comments of the Program review on May 3, 2011 and pass its recommendation to the Secretary.

- **Expand FSB membership:** Mr. Dunaway **moved** to adopt the language outlined by the Proposed Federal Regulation to add two public members representing rural Alaskans to the FSB. Second called by Ms. Morris-Lyon. Motion carries.

Mr. Dunaway **moved** to recommend to the FSB to add alternates for the two seats and,

- criteria/alternates include geographic location and extensive subsistence experience and knowledge and ability to participate in the public process
- add language, two subsistence qualified users are seated at all times
- candidate has ability to consult with RAC chairs during public meeting.

Second called by Ms. Morris-Lyon. Motion carries.

- **Deference to RACs:** Briefing provided. No action required. Deference provided for in ANILCA Section 805(c).
- **Review of the MOU:** The Secretary directed the FSB to review the MOU with the RACs and determine the need for the MOU or need for potential changes to clarify Federal authority in regard to the Federal Subsistence Program.

Mr. Dunaway **moved** to support the MOU with recommended language. The Council recommended additional language to the MOU.

II. Purposes. Insert language...*using the best scientific and cultural information and local traditional knowledge (TEK)*

Recommended language in heading III. Guiding Principles. recommendation to include language...*includes keeping an open mind to the possibility of and implementation of predator control when the conservation of a particular species is in peril.*

IV. The FSB and State of Alaska Mutually Agree: add...*and identify tribal as well as other local agency representatives.*

Second called by Ms. Morris-Lyon. Motion carries.

- **Review C&T Determination Process:** The FSB is seeking RAC input on the current C&T determination process. The Council commented that the BBRAC region has no issues with the process as it stands. The current process in place is working.
- **Review Rural/Nonrural Process:** Informational. The FSB will meet in April 6, 2011 in a work session to address the issue to assess whether or not in the State there would be a need for any adjustments in the rural determination process. RAC chairs are invited to attend.

FSB Executive Session Policy

Mr. Tom Kron provided a briefing summary of the FSBs executive session policy. Informational item.

Tribal Consultation

Mr. Tom Kron summarized the current Administration, and by Presidential Order, the importance of tribal consultation across the Federal government. The Board is formally initiating steps to formally incorporate tribal consultation into the Federal Subsistence Management Program. The Board will hold a public meeting in January 2011 and invite tribes to provide comments on Federal fisheries proposals. Additionally, with the RAC participation, meet to discuss development of tribal consultation protocols for the overall Federal Subsistence Management Program. RAC discuss follows.

Public Testimony

Mr. Sky Starkey testified on the agenda item of Tribal Consultation. Mr. Starkey presented the Yukon Delta RAC resolution that they passed on tribal consultation and participation. The Council's resolution calls for tribal participation on the Board, a voting seat. On consultation, the resolution calls for the Board to contribute to a statewide meeting of tribal leaders to review all the issues and develop recommendations on how tribes think a meaningful tribal consultation should proceed.

Bycatch

Mr. Starkey presented the Yukon Delta RAC resolution on chum bycatch requesting the Board to develop a position that protects subsistence uses and to convey to the North Pacific Management Council on how they regulate bycatch. Similar resolution by the Council encouraged to be submitted. BBRAC discussion.

Ms. Morris-Lyon **moved** to adopt BBRAC resolution regarding chum bycatch in the Bering Sea Pollock Fishery be adopted by the Council. Second called by Mr. Wilson.
Question called. Motion carries.

Discussion on Tribal Consultation. Additional opportunity to further comment on the issue will be discussed during the fall meeting of the council. Tribal consultation is an on-going process by the Board to incorporate as much input as possible. Discussion on the issue will be conveyed to the Board at its May 2011 meeting.

Public Testimony

Mr. Joe Klutch, King Salmon AK, testified to the Council on recent State Board of Game actions regarding predator management in Unit 17 and 9. Mr. Klutch appreciated the Council's Annual Report on predator population management.

Mr. Verner Wilson, World Wildlife Fund, addressed the Council and provided the Council with two resolutions for the Council to consider. Resolution requesting the Federal Subsistence Board to permanently protect Bristol Bay and its resources from offshore drilling and a resolution regarding the Pebble mine requesting that the EPA invoke it's .404(c) authority of the Clean Water Act.

Council discussion: The Council discussed the two issues and needed additional information and requested a formal presentation on the two issues to develop an informed decision before developing a position. The Council took no action and requested a formal presentation at its fall 2011 meeting.

Mr. Allen Asplund, Naknek, Ak, testified on the proposed rule to add two members to the current Federal Subsistence Board. Mr. Asplund commented that four members from Alaska should be added. Each representing the four corners of the State and emphasized that the seats should be representatives from rural indigenous candidates. Mr. Asplund also testified on proxy hunting and fishing for local elders. He commented that proxy permits should be available for fishing and harvesting eggs and other subsistence resources.

Alaska Department of Fish & Game

Mr. George Pappas updated the Council on recent State staffing.

National Park Service

Update on recent redfish management issues within Katmai National Park provided by the Council coordinator. Language on proposed regulatory language recommended by the subcommittee reviewed. The draft proposed regulatory language will be submitted to the State BOF as an Agenda Change Request for consideration to accept a Bristol Bay regional proposal out of cycle.

Mr. Dave Mills, Anchorage NPS, provided the Council a legislative history of red fish harvest in Katmai National Park.

Mr. Neal Labrie and Mr. Ralph Moore, KATM NPS, briefed the Council on management activities in regards to red fish harvest within the park and efforts to maintain the Katmai descendents list with tribal leaders in King Salmon and Naknek.

The Council, in an effort to allow harvest of red fish within the park and maintain the descendents list, Ms. Morris-Lyon **moved** to resolve the descendents list, method and means, and season and bag limits within Katmai National Park for the harvest of red fish, spawned out sockeye salmon, to the Federal Subsistence Board. Motion carries.

Subsistence Resource Commission: The National Park Service presented the Council on the status of the SRC membership for Aniakchak National Monument. The NPS recommended appointing Mr. Mark Kosbruk, Sr. from Port Heiden to fill a vacancy. Mr. Boskofsky **moved** to appoint Mr. Kosbruk, Sr. to the SRC. Second called by Ms. Morris-Lyon. Motion carries.

Mr. Troy Hamon, natural resource chief for Katmai National Park, briefed the Council on moose survey's in the park.

Other Business

Unit 9 Registration Hunt

The Council was briefed on the recent actions taken by the State Board of Game, the BOG changed Unit 9C and E to a registration hunt for moose.

NPFMC meeting in Nome

Madame Chair Chythlook will attend the meeting in Nome in June 2011 representing the Bristol Bay RAC.

Time and Location of Next meeting

The next meeting will be October 12-13, 2011 in Dillingham.

Winter meeting March 5-6, 2012 in Naknek, Ak.

Meeting adjourned.

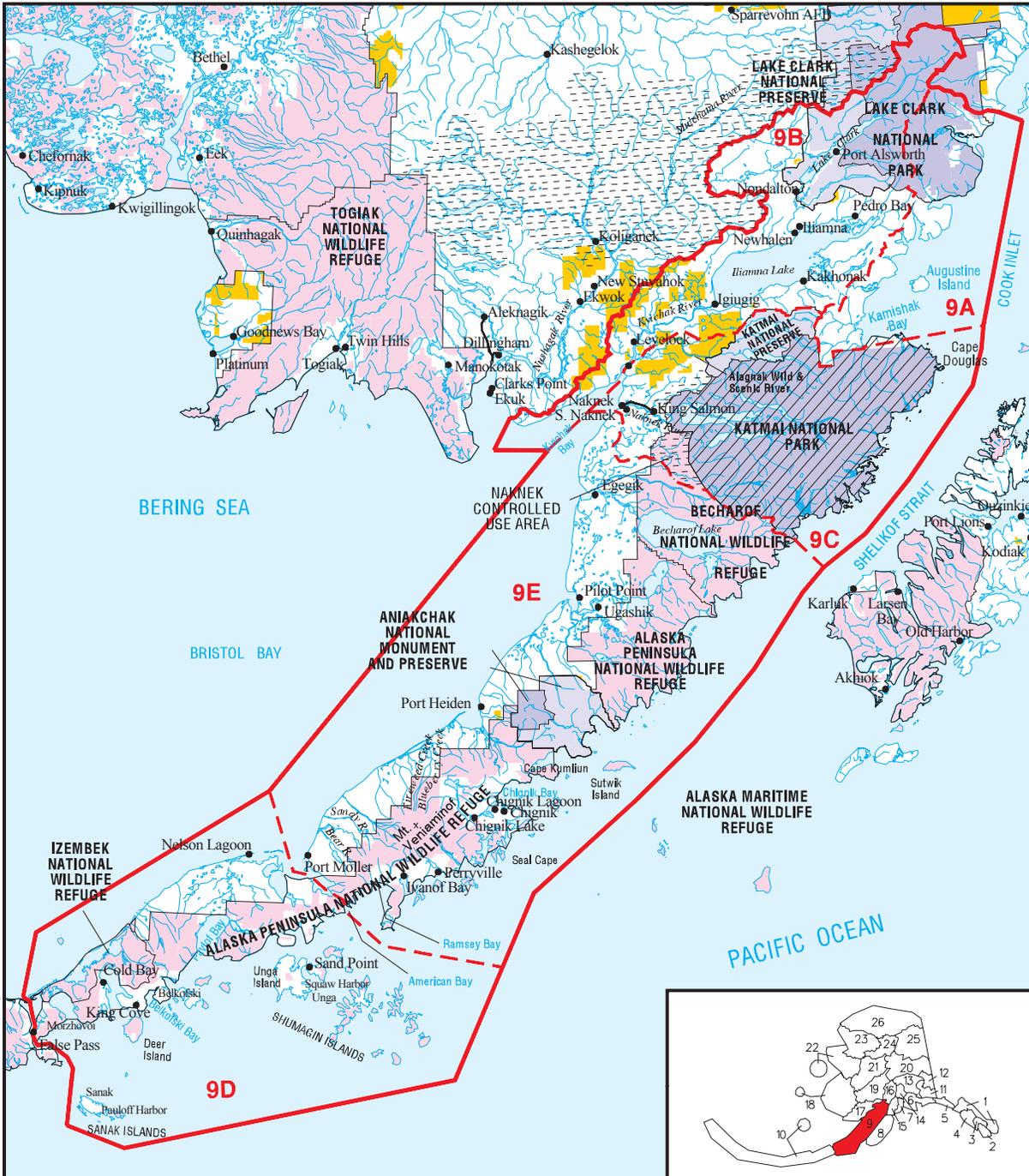
I hereby certify that, to the best of my knowledge, the forgoing minutes are accurate and complete.

\s\ Donald Mike

Donald Mike, DFO
Regional Advisory Council Coordinator

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

Chair Signature:



Unit 9 Alaska Peninsula

Bristol Bay and Kodiak/Aleutian Islands Regions

Federal Public Lands Open to Subsistence Use	
 FWS Administered Land	 Closed to Subsistence
 NPS Administered Parks	 Special Management & Controlled Use Areas
 NPS Administered Preserves	 Unit Boundary
 BLM Administered Land	 Sub-Unit Boundaries
 USFS Administered Land	 Roads

WP12-01 Executive Summary	
General Description	Proposal WP12-01, submitted by the Brown Bear Claw Handicraft Working Group, requests that prior to selling a handicraft incorporating a brown bear claw(s), the hide or claw(s) not attached to a hide, must be sealed by an authorized Alaska Department of Fish and Game (ADF&G) representative and that a copy of the ADF&G sealing certificate would then accompany the handicraft when sold.
Proposed Regulation	<p>Definitions and Utilization of Wildlife</p> <p><i>§ __.25(j)(7) If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, or fur, including claws, of a brown bear taken from Units 1–5, 9A–C, 9E, 12, 17, 20, 22, 23, 24B (only that portion within Gates of the Arctic National Park), 25, or 26.</i></p> <p><i>(i) In Units 1, 2, 3, 4, and 5, you may sell handicraft articles made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of a brown bear taken from Units 1, 4, or 5.</i></p> <p><i>(ii) fReserved Prior to selling a handicraft incorporating a brown bear claw(s), the hide or claw(s) not attached to a hide, must be sealed by an authorized ADF&G representative.</i></p> <p><i>(A) A copy of the ADF&G sealing certificate must accompany the handicraft when sold.</i></p>
OSM Preliminary Conclusion	Support
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	Oppose
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	Support

continued on next page

WP12-01 Executive Summary (continued)	
Northwest Arctic Regional Council Recommendation	
Eastern Interior Regional Council Recommendation	
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	Support
Written Public Comments	1 Support

DRAFT STAFF ANALYSIS WP12-01

ISSUES

Proposal WP12-01, submitted by the Brown Bear Claw Handicraft Working Group, requests that prior to selling a handicraft incorporating a brown bear claw(s), the hide or claw(s) not attached to a hide, must be sealed by an authorized Alaska Department of Fish and Game (ADF&G) representative and that a copy of the ADF&G sealing certificate would then accompany the handicraft when sold.

DISCUSSION

This proposal is a compromise reached by the members of the Brown Bear Claw Handicraft Working Group (Working Group). The proposal addresses concerns originally raised by the State of Alaska with Federal regulations that allow the sale of handicrafts that include brown bear claws from bears that are taken under Federal subsistence regulations. The Working Group suggested that deferred Proposals WP08-05 and WP10-02 be opposed (see deferred Proposal WP10-02), and that Proposal WP12-01 be submitted. The intent of the proposal is to protect subsistence users who incorporate brown bear claws into handicrafts for sale by providing proof that the claws are from brown bears that were harvested by Federally qualified subsistence users. Having proof that the claws are from subsistence-harvested brown bears could provide added value to a handicraft, as it would clearly identify that the claws are from a legally harvested brown bear. Requiring that a copy of the sealing certificate accompany the handicraft would provide a method of tracking legally harvested brown bears, but also would require modification to the sealing certificate, which is managed by the State of Alaska, to include a place on the certificate indicating that the bear was harvested by a Federally qualified subsistence user.

Existing Federal Regulation

Definitions and Utilization of Wildlife

§ __.25(j)(7) If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, or fur, including claws, of a brown bear taken from Units 1–5, 9A–C, 9E, 12, 17, 20, 22, 23, 24B (only that portion within Gates of the Arctic National Park), 25, or 26.

(i) In Units 1, 2, 3, 4, and 5, you may sell handicraft articles made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of a brown bear taken from Units 1, 4, or 5.

(ii) [Reserved].

Proposed Federal Regulation

Definitions and Utilization of Wildlife

§ __.25(j)(7) If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, or fur, including claws, of a brown bear taken from Units 1–5, 9A–C, 9E, 12, 17, 20, 22, 23, 24B (only that portion within Gates of the Arctic National Park), 25, or 26.

(i) *In Units 1, 2, 3, 4, and 5, you may sell handicraft articles made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of a brown bear taken from Units 1, 4, or 5.*

(ii) ~~fReserved~~ ***Prior to selling a handicraft incorporating a brown bear claw(s), the hide or claw(s) not attached to a hide, must be sealed by an authorized ADF&G representative.***

(A) A copy of the ADF&G sealing certificate must accompany the handicraft when sold.

Existing State Regulations

5AAC 92.200. Purchase and sale of game

In accordance with AS 16.05.920(a) and 16.05.930(e), the purchase, sale, or barter of game or any part of game is permitted except as provided in this section.

Except as provided in 5AAC 92.031, a person may not purchase, sell, barter, advertise or otherwise offer for sale or barter:

(1) any part of a bear, except an article of handicraft made from the fur of a bear;

In 2005, the State of Alaska, Board of Game began to allow the sale of raw bear hides, with claws attached, harvested in specific predator control management areas under a State permit.

5 AAC 92.031. Permit for selling skins, skulls, and trophies

(c) After the skin and skull is sealed as required under 5 AAC 92.165(a) , a person may sell the untanned skin, with claws attached, and skull of a black bear taken in an active predator control area listed in 5 AAC 92.125 only under a permit issued by the department.

(d) After the skin and skull is sealed as required under 5 AAC 92.165(a) , a person may sell the untanned skin, with claws attached, and skull of a brown bear taken in an active brown bear predator control area listed in 5 AAC 92.125 only under a permit issued by the department.

(e) In this section, “active” means that predator control permits have been issued for the referenced predator control area during the current year.

Extent of Federal Public Lands

Proposed regulations would apply to all Federal public lands in Units 1-5, 9A-C, 12, 17, 20, 23, 24B (only that portion within Gates of the Arctic National Park), 25, or 26, as defined by Federal subsistence hunting regulations.

Customary and Traditional Use Determinations

The customary and traditional use determinations for brown bear for all units in the State are included in the **Appendix** of WP10-02 (Deferred) analysis.

Regulatory History

The Board has consistently rejected attempts to remove brown bear claws as a legal item with which Federally qualified users can make handicrafts for sale. Retaining the use of claws in handicrafts for sale is consistent with previous Board action, and is not expected to significantly increase harvests, as described in previous analyses.

The Board has provided for the sale of handicrafts made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of brown bears by Federally qualified subsistence users where required. The intent of the Board has been to allow Federally qualified subsistence users to fully utilize the above-listed parts of bears legally harvested under Federal subsistence regulations. It has not been the intent of the Board to create a commercial incentive to harvest bears based on the sale of bear handicrafts.

The following is a brief summary of regulatory actions taken by the Board regarding the sale of handicrafts made from bear parts.

May 2002 — The Board adopted regulations allowing the sale of handicrafts made from the “fur” of black bear (statewide regulation).

May 2004 — The Board adopted regulations allowing the sale of handicrafts made from the “fur” of brown bear taken in Eastern Interior, Bristol Bay, and Southeast regions. The Board also clarified its intent to maintain the Federal definition of “fur,” which includes claws.

May 2005 — The Board adopted regulations that:

- Modified the definition of the term *handicraft*.
- Modified the definition of the terms *skin, hide, pelt, and fur*.
- Modified regulatory language to clarify that bear claws can be used in handicrafts for sale. (The previous language allowing the sale of handicrafts made with bear claws specifically referred to bear fur, with the reference to claws contained in the definition of fur. With the old language it was not obvious to most readers that the use of claws was permitted. This action by the Board did not authorize any new uses.)
- Allowed the sale of handicrafts in Units 1–5 made from bones, teeth, sinew, or skulls of bears taken in those units.

May 2006 — The Board rejected proposed regulations to prohibit the sales of handicrafts made from bear claws to businesses. However, the Board did adopt regulatory language that prohibits handicraft sales that constitute a “significant commercial enterprise.”

May 2007 — The Board rejected proposed regulations that claws be removed from the Federal definition of fur and that sales of handicraft articles made from claws, bones, teeth, sinew, or skulls of black and brown bears be allowed for sale only between Federally qualified subsistence users statewide.

May 2008 — The Board deferred a proposed regulation governing the use of brown bear claws in handicrafts for sale. The proposal asked for the removal of all unit-specific regulations related to the statewide sale of brown bear handicrafts made of skin, hide, pelt or fur. The proposal also stated that sales of brown bear handicrafts made of claws, bones, teeth, sinew, or skulls should occur only between Federally qualified subsistence users. The deferment pended on the formation of a working group to address the issue of developing a method of tracking brown bear claws made into handicrafts for sale. The working group would include representatives from all interested Subsistence Regional Advisory Councils (Councils) and State and Federal staff (FSB 2008:102-119).

May 2010 — The Board was presented with an update of the working group.

Brown Bear Claw Handicraft Working Group

The Brown Bear Claw Handicraft Working Group was composed of representatives from nine of the ten Councils, staff from ADF&G, and staff of Federal agencies. The working group met over several occasions between 2009 and 2011 to discuss a range of issues relating to brown bear claws including their uses in handicrafts, the feasibility of tracking, and potential changes to regulations. An initial scoping meeting between Federal and State staff was held in January 2009; at that meeting a draft charge was developed¹. A briefing was provided to the Councils during the Winter 2009 meeting cycle on the status of the working group, and Councils selected representatives to participate in the working group. The first working group meeting occurred in June 2009. Federal and State staff conducted further research and met twice in the summer of 2009 to discuss research questions and issues. Staff provided another briefing to the Councils on the status of the working group at the Fall 2009 Council meetings.

The working group met again in July 2010 and discussed changing the Federal subsistence regulations over the sale of handicrafts incorporating brown bear claws. The group posed that if these regulations were to change, that the new regulations not be burdensome to subsistence users. The working group also discussed the Convention on International Trade in Endangered Species agreement and sealing requirements, which affect subsistence users who wish to sell handicrafts that incorporate brown bear claws.

The working group came to consensus in July 2010 to recommend that the Board reject deferred Proposal WP10-02 that had been submitted in 2008 (numbered in 2008 as WP08-05) and submit a new proposal. The working group suggested the new proposal require sealing a brown bear only if the subsistence user intends to sell a handicraft incorporating brown bear claw(s). The results of the July 2010 meeting, including the working group's suggested proposal language, were taken to nine of the ten Councils during the Fall 2010 meeting cycle to seek input from the Councils. The Councils also were notified that a new proposal would come before them in the fall of 2011 and before the Board in January of 2012. The working group had requested that the Councils' comments and suggestions be brought back to the working group for their consideration prior to finalizing a proposal. The working group held a teleconference March 2011 to hear the comments and suggestions from the Councils. At its March 2011 meeting, the working group developed a new proposal, WP12-01, requesting that prior to selling a handicraft incorporating a brown bear claw, the hide or claws not attached to a hide, must be sealed by an authorized ADF&G representative. To assure that the handicraft came from a brown bear hide that had been harvested by a Federally qualified subsistence user, a copy of the ADF&G sealing certificate would be required to accompany the handicraft when sold.

Biological Background

Brown bears range throughout most of Alaska, except the islands of the Aleutian Chain west of Unimak and the southeast Alaska islands south of Frederick Sound. Brown bear populations throughout most of Alaska are generally stable and occupy all of their historic range (Miller 1993). Throughout the State, brown bear population densities are diverse and vary according to food availability. On the North Slope where food is scarce, bear densities can be as low as one bear every 300 miles. Brown bear densities as high as one brown bear per mile have been recorded in coastal areas with healthy salmon runs. Brown

¹ Draft charge for working group: Develop a method(s) to recommend to the Federal Subsistence Board and Board of Game for tracking brown bear claws made into handicrafts that is enforceable and culturally sensitive, commensurate with the need to provide conservation of this wildlife resource.

bear density is moderate in interior Alaska where the average is one bear per 15–23 miles (Eide et al. 2008).

The following quote from *Ursus* (2002) may provide a clearer picture of the status of brown and other bears:

Despite our rapidly increasing knowledge of bears, there are few places in the world where we really know how bear populations are faring...Assessments of bear populations often are based on records of dead animals and trends in habitat availability. These data produce dubious indications of population trends. Case studies relating to the trade in bear parts, sport harvests, and nuisance kills indicate that records of human-killed bears may not be accurate and may not necessarily reflect changes in population size. Increasing bear populations may continue to rise with increased levels of human exploitation (as long as it is below the maximum sustainable take), whereas declining populations may continue to plummet despite reduced exploitation. Ironically, bear populations that have been managed for sustained harvests have generally fared better than populations in which hunting has been prohibited, mainly because the former better controls illicit hunting than the latter (Garshelis 2002: 321–334).

There is no evidence to indicate that Federal subsistence regulations have led to an increased legal or illegal harvest of brown bears or that current Federal subsistence regulations adversely affect brown bear populations.

Effects of the Proposal

Adopting the proposal would provide some protection to subsistence users who incorporate brown bear claws into handicrafts for sale by providing proof that the claws are from brown bears that were harvested by Federally qualified subsistence users. By requiring that a copy of the sealing certificate accompany the handicraft, it would clearly identify that the claws are from a legally harvested brown bear. It is possible that having proof that the claws are from a subsistence-harvested brown bear could provide added value to a handicraft, as it would identify that the claws are from a legally-harvested brown bear. Adopting the proposal would only add an additional requirement of sealing the brown bear hide for those who are selling a handicraft incorporating a brown bear claw. In those units where sealing is already required (see **Table 1**), this proposal would have no substantial effect on subsistence users. If adopted, the proposal would require additional paperwork requirements to some subsistence users, which could be a burden to those users.

The sealing certificate would require modification so that there would be a space for indicating that the bear was harvested by a Federally qualified subsistence user. Sealing certificates are managed by the State of Alaska.

There is no known evidence to indicate that current Federal subsistence regulations adversely affect brown bear populations, nor that Federal subsistence regulations have led to an increased legal or illegal harvest of brown bears.

OSM PRELIMINARY CONCLUSION

Support Proposal WP12-01.

Table 1. Handicraft, salvage, and sealing requirements for brown bears harvested under Federal Subsistence Management Regulations*

Regulation	Unit																			
	1	2	3	4	5	6-8	9	10-11	12	13-16	17	18	19	20	21	22	23	24	25	26
___25(j)(7) Authorized to sell handicrafts made from skin, hide, pelt, or fur, including claws, of a brown bear taken from the below units:	X	X	X	X	X		A, B, C, E		X		X			X		X	X	B ¹	X	X
___25(j)(7)(i) In Units 1-5, authorized to sell handicrafts made from skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of a brown bear taken from the below units:	X			X	X															
___25(j)(2)(ii) The hide of brown bears need not be salvaged in units:					X		B				X	X	A ² , B		D	X	X	X		A
___26(j)(2) You may not possess or transport from Alaska the untanned skin or skull of a bear unless both have been sealed; sealing is not required for bears taken in the below units unless removed from the area.					X		B, E				X	X	A, B ³		D	X	X	X		A
___26(j)(3) You must keep a bear skin and skull together until both are sealed; this provision and sealing is not required for bears taken in the below units unless removed from the area. If sealed, ADF&G will remove a rudimentary premolar tooth.					X		B, E				X	X	A, B ³		D	X	X	X		A
___26(j)(3)(ii) If the skin or skull of a bear taken in the below units are removed from the area, you must have it sealed in Bethel, Dillingham, or McGrath; ADF&G will retain the skin of the skull and front claws.							B				X	X	A, B ³							
___26(j)(3)(iii) If the skin or skull of a bear taken in the below units are removed from the area or taken for commercial tanning within the area, you must first have it sealed in Barrow, Galena, Nome, or Kotzebue; ADF&G will retain the skin of the skull and front claws.																D	X	X	X	A
___26(j)(3)(iv) If the skin or skull of a bear taken in the below units are removed from the area, you must first have it sealed in Yakutat.					X															
___26(j)(3)(v) If the skin or skull of a bear taken in the below units are removed from the unit, you must first have it sealed; ADF&G will retain the skin of the skull and front claws.							E													

* See 50 CFR 100 for exact regulatory text.
¹ only in that portion within Gates of the Arctic National Park; ² portions of; ³ downstream of and including the Aniak River drainage.

Justification

Previous action of the Board has been consistent with Section 803 of ANILCA, which includes the “making and selling of handicraft articles out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption.” This proposal would provide some protection to subsistence users who incorporate brown bear claws into handicrafts for sale by providing proof that the claws are from brown bears that were harvested by Federally qualified subsistence users. Requiring a copy of the sealing certificate to accompany the handicraft would clearly identify that the claws are from a legally-harvested brown bear. Value could be added to the handicraft, because the sealing certificate would identify that the claws are from a legally-harvested brown bear. Those subsistence users who harvest brown bears from units where sealing is already required would not be affected by this proposal. It is not anticipated that this proposal would adversely affect brown bear populations.

There is no known evidence to indicate that current Federal subsistence regulations adversely affect brown bear populations and there is no evidence to indicate that Federal subsistence regulations have led to an increased legal or illegal harvest of brown bears.

Requiring that a copy of the sealing certificate accompany the handicraft would provide a method of tracking legally-harvested brown bears, but also would require modification to the sealing certificate, which is managed by the State of Alaska, to include a place on the certificate indicating that the bear was harvested by a Federally qualified subsistence user.

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ADF&G Comments on WP12-01
5/11/2011, Page 1 of 2

Alaska Department of Fish and Game
Comments to RACs

Wildlife Proposal WP12-01: Develop a tracking program for federal subsistence harvested bear claws that are made into handicrafts for sale by federally qualified users.

Introduction: This proposal was a consensus outcome of the Brown Bear claw handicraft working group. The proposal requests all federal subsistence harvested brown bear claws, which are incorporated into handicrafts for sale, be tracked through use of the current department brown bear sealing program. If adopted, federal subsistence users who intend on selling brown bear claws incorporated into handicrafts will be required to have the bear hide sealed by the department. If adopted, a copy of the bear sealing document will be required to accompany the bear claw handicrafts when sold.

Sales of handicrafts made from brown bear claws, teeth, skulls, and bones present a particular problem, because these are potentially high value items, and allowing sales creates market incentives for illegal harvest in Alaska and other states. Adoption of this proposal will protect federal subsistence craftsmen and their clients by providing proof and a means of documenting their handicrafts were legally taken, legal to sale by federally qualified users only, and are legal to own by any customer. Additionally, if this proposal is adopted, the customers who purchase brown bear claw handicrafts from federally qualified users will have the security of written proof certifying the handicraft came from a legally harvested Alaskan brown bear, legally authorized harvester, and legally authorized artisan.

Changing federal regulation to provide documents which support the legal sales of federal subsistence harvested brown bear claw handicrafts should help eliminate illegal commercial markets and the masking of illegal sales in Alaska and elsewhere.

Impact on Subsistence Users: The Federal Subsistence Board's current allowance of brown bear handicraft sales was not based upon a determination that such sales are customary and traditional but instead upon the Board's unsupported argument that the Board can authorize any use if the take is customary and traditional (*see e.g.*, January 2, 2006, letter from Chairman Demientieff to Commissioner Campbell). Therefore, adoption of this proposal will not impact customary and traditional subsistence activities.

Adoption of this proposal will not interfere with continuing to allow federally qualified subsistence users to obtain such handicrafts for ceremonial, religious, and cultural purposes.

If adopted, federally qualified subsistence users who plan on selling handicrafts made from legally harvested brown bear claws will be required to have the hide sealed by the department, retain copies of the sealing certificate, and provide copies of the certificate to customers.

Opportunity Provided by State: Under 5 AAC 92.200, handicrafts made with bear fur may be sold to anyone, but sales of handicrafts made with claws, skulls, teeth, and bones are prohibited. Whole bear skins, with claws attached, taken in certain predator control areas may be sold under 5 AAC 92.031, but only after sealing and under terms of a permit issued for that bear skin.

Conservation Issues: The Federal Subsistence Board created a new market for bear claws and other high value bear parts which could readily mask illegal sales, thereby compounding problems with the international trade of Endangered Species and contributing to the illegal harvest, overharvest, and waste of bears in other states and countries, as well as Alaska. Markets for high value bear handicrafts create a conservation concern because brown bears are protected under the Endangered Species Act in other states and Mexico, and the origin of brown bear products cannot be determined by visual inspection. Brown bears are also listed on Appendix II of the Convention International Trade of Endangered Species (CITES).

In Alaska, economic incentives associated with harvesting brown bears to make handicrafts create conservation concerns because brown bears develop slowly and have a low reproductive rate, making small populations extremely susceptible to overharvest. Allowing widespread sale of high value bear parts without any kind of tracking mechanism is an invitation to illegal harvests. Further, the existing regulations are unenforceable and inconsistent with sound wildlife management principles.

Enforcement Issues: This proposal will reduce enforcement issues created by the existing federal regulation by creating a tracking system which provides documents to accompany brown bear claws used for making handicrafts legally taken, utilized, and sold under federal subsistence regulations. Further, adoption of this proposal will significantly reduce the likelihood that federally-qualified subsistence users will face state prosecution for engaging in sales that are prohibited under state law when they occur on state or private lands.

Jurisdiction Issues: The Federal Subsistence Board lacks jurisdiction to allow sales of any wildlife handicrafts when and where such sales are not customary and traditional. In the past, the Federal Board has rejected this argument, asserting that if any use is customary and traditional then the Board can authorize any other use. The Board's argument is inconsistent with its litigation stance in the Chistochina Unit 12 moose case where it argued that "customary and traditional use" is related to "how resources are used after they are taken," and not to or a prerequisite condition for the taking itself." *State v. Fleagle*, (Case 3:06-cv-00107-HRH) Doc. 32 at 22.

Other Comments: The department appreciates the cooperative work the brown bear claw work group completed over the last two years. Providing for tracking would be an important first step to addressing some of the Department's concerns regarding conservation and enforcement. If brown bear harvests can be tracked over time, and bear parts or handicrafts can be traced to reported legal harvests, conservation concerns will be less likely to arise and managers will be better able to determine if or when legal sales are contributing to illegal sales or otherwise creating conservation concerns.

Recommendation: Support.

WRITTEN PUBLIC COMMENTS

Support. No justification was provided. *Gates of the Arctic Subsistence Resource Commission*

WP10-02 (Deferred) Executive Summary	
General Description	Proposal WP10-02 (deferred proposal WP08-05) requested clarification of the existing Federal Subsistence management regulation governing the use of brown bear claws in handicrafts for sale. The proposal asked for the removal of all unit-specific regulations related to the statewide sale of brown bear handicrafts made of skin, hide, pelt or fur and that sales of brown bear handicrafts made of claws, bones, teeth, sinew, or skulls should occur only between Federally qualified subsistence users. <i>Submitted by the Alaska Department of Fish and Game</i>
Proposed Regulation	<p>§ __.25(j)(7) <i>If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, or fur, not including claws, of a brown bear taken from Units 1–5, 9A–C, 9E, 12, 17, 20, or 25.</i></p> <p style="padding-left: 40px;"><i>(i) In Units 1, 2, 3, 4, and 5, If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of a brown bear to another Federally qualified subsistence user taken from Units 1, 4, or 5.</i></p> <p style="padding-left: 40px;"><i>(ii) [Reserved].</i></p>
OSM Preliminary Conclusion	Take no action
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	Oppose
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	Oppose
Northwest Arctic Regional Council Recommendation	
Eastern Interior Regional Council Recommendation	

continued on next page

WP10-02 (Deferred) Executive Summary (continued)	
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	Take no action
Written Public Comments	None

DRAFT STAFF ANALYSIS
WP10-02 (DEFERRED WP08-05)

Proposal WP10-02 (deferred proposal WP08-05), submitted by the Alaska Department of Fish and Game (ADF&G), requested clarification of the existing Federal Subsistence management regulation governing the use of brown bear claws in handicrafts for sale. The proposal asked for the removal of all unit-specific regulations related to the statewide sale of brown bear handicrafts made of skin, hide, pelt or fur and that sales of brown bear handicrafts made of claws, bones, teeth, sinew, or skulls should occur only between Federally qualified subsistence users.

Proposal WP10-02 was deferred by the Federal Subsistence Board (Board) at its May 2008 meeting at the suggestion of the ADF&G. The original deferment pended on the formation of a working group to address the issue of developing a method of tracking brown bear claws made into handicrafts for sale. In 2008, the Board voted unanimously to defer the proposal. The Board directed that the working group include representatives from all interested Subsistence Regional Advisory Councils (Councils) and State and Federal staff (FSB 2008:102-119). In 2010, the Board was presented with an update of the working group. The Board agreed to continue to defer WP10-02 until the working group could meet again and come to a consensus on a future plan or proposal.

The Brown Bear Claw Handicraft Working Group (Working Group) was composed of representatives from nine of the ten Councils, staff from ADF&G, and staff of Federal agencies. The Working Group met several times between 2009 and 2011 to discuss a range of issues relating to brown bear claws including their uses in handicrafts, the feasibility of tracking, and potential changes to regulations. An initial scoping meeting between Federal and State staff was held in January 2009; at that meeting a draft charge was developed¹. A briefing was provided to the Councils (except Western) during the Winter 2009 meeting cycle on the status of the Working Group, and the Councils selected representatives to participate in the Working Group. The first Working Group meeting occurred in June 2009. Federal and State staff conducted further research and met twice in the summer of 2009 to discuss research questions and issues. Staff provided another briefing to the Councils (except Western) on the status of the Working Group at the Fall 2009 Council meetings.

The Working Group met again in July 2010 and discussed changing the Federal subsistence regulations concerning the sale of handicrafts incorporating brown bear claws. The group posed that if these regulations were to change, that the new regulations not be burdensome to subsistence users. The Working Group also discussed the Convention on International Trade in Endangered Species agreement and sealing requirements, which affect subsistence users who wish to sell handicrafts that incorporate brown bear claws.

The Working Group came to consensus in July 2010 to recommend that the Board reject deferred Proposal WP10-02 that had been submitted in 2008 (numbered in 2008 as WP08-05) and that a new proposal should be submitted. The Working Group suggested the new proposal (WP12-01) require sealing a brown bear only if the subsistence user intends to sell a handicraft incorporating brown bear claw(s). The results of the July 2010 meeting, including the Working Group's suggested proposal, were taken to nine of the ten Councils during the Fall 2010 meeting cycle to seek input from the Councils. The Councils also were notified that a new proposal would come before them in the fall of 2011 and before the Board

¹ Draft charge for working group: Develop a method(s) to recommend to the Federal Subsistence Board and Board of Game for tracking brown bear claws made into handicrafts that is enforceable and culturally sensitive, commensurate with the need to provide conservation of this wildlife resource.

in January of 2012. The Working Group had requested that the Councils' comments and suggestions be brought back to the Working Group for their consideration prior to finalizing a proposal. The Working Group held a teleconference March 2011 to hear the comments and suggestions from the Councils. At its March 2011 meeting, the Working Group developed a new proposal, WP12-01, requesting that prior to selling a handicraft incorporating a brown bear claw, the hide or claws not attached to a hide, must be sealed by an authorized ADF&G representative. To assure that the handicraft came from a brown bear hide that had been harvested by a Federally qualified subsistence user, a copy of the ADF&G sealing certificate would be required to accompany the handicraft when sold.

No analysis was written regarding deferred Proposal WP08-05 (WP10-02). Nothing has changed since the analysis of Proposal WP08-05 was presented to the Board in May of 2008 (see **Appendix**).

Analysis of Proposal WP12-01 is presented separately.

OSM PRELIMINARY CONCLUSION

Take no action on Proposal WP10-02 (deferred proposal WP08-05).

Justification

Proposal WP08-05 (and subsequently WP10-02) was deferred by the Board pending the recommendations of the Brown Bear Claw Handicraft Working Group. The Working Group compromised on a proposed regulation that would address concerns originally raised by the State of Alaska with Federal regulations that allow the sale of handicrafts that include brown bear claws from bears that are taken under Federal Subsistence regulations. The recommendation of the Working Group is to oppose Proposals WP08-05/WP10-02 and for the Board to consider Proposal WP12-01 in place of Proposals WP08-05/WP10-02. Proposal WP12-01, submitted by the Working Group, would continue to allow selling a handicraft incorporating brown bear claws in specific units, while requiring sealing the brown bear hide only when the handicraft incorporating the claw(s) is sold. Analysis of Proposal WP12-01 is presented separately. The State of Alaska intends to request that the Board withdraw deferred proposals WP10-02 (WP08-05) at the January 2012 Board meeting (Yuhas 2011, pers. comm.).

LITERATURE CITED

FSB. 2008. Transcripts of the Federal Subsistence Board proceedings, April 29, 2008. Office of Subsistence Management, FWS. Anchorage, AK.

Yuhas. 2011. State-Federal Subsistence Liaison Team Leader. Alaska Department of Fish and Game, State of Alaska. Anchorage, AK.

WP10-02 APPENDIX

STAFF ANALYSIS

WP08-05

ISSUES

Proposal WP08-05, submitted by the Alaska Department of Fish and Game (ADF&G), requests the removal of all unit-specific regulations related to the statewide sale of brown bear handicrafts made of skin, hide, pelt or fur and that sales of brown bear handicrafts made of claws, bones, teeth, sinew, or skulls should occur only between Federally qualified subsistence users.

It should be noted that within the Proposed Federal Regulation, the regulatory language, as presented, would preclude all sales of brown bear claws unless amended. This language is found in §__.25(j)(7) and includes “not including claws” which would supersede the language in the next passage which, as written, is intended to allow the sale of handicrafts that include brown bear claws only between Federally qualified subsistence users.

DISCUSSION

The proponent submitted this proposal in order to refine Federal regulations, which, in its view, allow for “unconstrained commercial sale of handicrafts made from brown bear parts” and create “market incentives for poaching.” Between 2002 and 2007, the Federal Subsistence Board (Board) considered seven proposals regarding the sale of handicrafts made from some of the nonedible parts of bears. Throughout this period, the Board has consistently provided for the sale of handicrafts made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, and skulls of brown bear taken by Federally qualified subsistence users from units where these practices are considered appropriate.

The proponent’s description of persons eligible to sell handicrafts made with these parts would increase the types of bear parts eligible for sale in much of the State, but would narrow sales only to those between Federally qualified rural residents.

Many of the proponent’s requests are based on conservation concerns (ADF&G 2008). There are many well documented conservation concerns connected to the illegal trade of bear parts such as gall bladders, bile, and paws. These concerns exist because of the lucrative markets for what is referred to as the “traditional Chinese medicine” trade and Asian “wildlife cuisine” which includes the meat of bear paws (not including claws) (HSUS 2008, Garshelis and McLellan 2008, Garshelis 2002, Williamson and Phipps 1999). These types of illegal trade are a threat to bears in North America and around the world. On the other hand, there appears to be an absence of documentation regarding conservation concerns related to bear claws and bear claw handicrafts. This absence seems to indicate that the effects of the trade or sale of bear claws is not comparable to the trade and sale of bear gall bladders and paws.

Existing Federal Regulation

Definitions & Utilization of Wildlife

§ ____.25(j)(7) *If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, or fur, including claws, of a brown bear taken from Units 1–5, 9A–C, 9E, 12, 17, 20, or 25.*

(i) *In Units 1, 2, 3, 4, and 5, you may sell handicraft articles made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of a brown bear taken from Units 1, 4, or 5.*

(ii) *[Reserved].*

Proposed Federal Regulation

Definitions & Utilization of Wildlife

§ ____.25(j)(7) *If you are a Federally qualified subsistence user, you may sell handicraft articles made from the skin, hide, pelt, or fur, **not** including claws, of a brown bear ~~taken from Units 1–5, 9A–C, 9E, 12, 17, 20, or 25.~~*

(i) *In Units 1, 2, 3, 4, and 5, **If you are a Federally qualified subsistence user**, you may sell handicraft articles made from the ~~skin, hide, pelt, fur~~, claws, bones, teeth, sinew, or skulls of a brown bear **to another Federally qualified subsistence user** taken from Units 1, 4, or 5.*

(ii) *[Reserved].*

Existing State Regulations

5AAC 92.200. *Purchase and sale of game*

In accordance with AS 16.05.920(a) and 16.05.930(e), the purchase, sale, or barter of game or any part of game is permitted except as provided in this section.

Except as provided in 5AAC 92.031, a person may not purchase, sell, barter, advertise or otherwise offer for sale or barter:

(1) *any part of a bear, except an article of handicraft made from the fur of a bear;*

In 2005, the State of Alaska, Board of Game began to allow the sale of raw bear hides, with claws attached, harvested in specific predator control management areas under a State permit.

5 AAC 92.031. *Permit for selling skins, skulls, and trophies*

(c) *After the skin and skull is sealed as required under 5 AAC 92.165(a) , a person may sell the untanned skin, with claws attached, and skull of a black bear taken in an active predator control area listed in 5 AAC 92.125 only under a permit issued by the department.*

(d) *After the skin and skull is sealed as required under 5 AAC 92.165(a) , a person may sell the untanned skin, with claws attached, and skull of a brown bear taken in an active brown bear predator control area listed in 5 AAC 92.125 only under a permit issued by the department.*

(e) In this section, “active” means that predator control permits have been issued for the referenced predator control area during the current year.

Extent of Federal Public Lands

Proposed regulations would apply to all Federal public lands in Alaska, as defined by Federal Subsistence hunting regulations. Federal public lands represent approximately 60% of Alaska or 380,000 square miles.

Customary and Traditional Use Determinations

The customary and traditional use determinations for brown bear for all units in the State are included in **Appendix A**.

Regulatory History

The following is a brief summary of regulatory actions taken by the Board regarding the sale of handicrafts made from bear parts.

May 2002 — The Board adopted regulations allowing the sale of handicrafts made from the “fur” of black bear (statewide regulation).

May 2004 — The Board adopted regulations allowing the sale of handicrafts made from the “fur” of brown bear taken in Eastern Interior, Bristol Bay, and Southeast regions. The Board also clarified its intent to maintain the Federal definition of “fur,” which includes claws.

May 2005 — The Board adopted regulations that:

- Modified the definition of the term *handicraft*.
- Modified the definition of the terms *skin, hide, pelt, and fur*.
- Modified regulatory language to clarify that bear claws can be used in handicrafts for sale. (The previous language allowing the sale of handicrafts made with bear claws specifically referred to bear fur, with the reference to claws contained in the definition of fur. With the old language it was not obvious to most readers that the use of claws was permitted. This action by the Board did not authorize any new uses.)
- Allowed the sale of handicrafts in Units 1–5 made from bones, teeth, sinew, or skulls of bears taken in those units.

May 2006 — The Board rejected proposed regulations to prohibit the sales of handicrafts made from bear claws to businesses. However, the Board did adopt regulatory language that prohibits handicraft sales that constitute a “significant commercial enterprise.”

May 2007 — The Board rejected proposed regulations that claws be removed from the Federal definition of fur and that sales of handicraft articles made from claws, bones, teeth, sinew, or skulls of black and brown bears be allowed for sale only between Federally qualified subsistence users statewide.

Biological Background

Brown bears range throughout most of Alaska, except the islands of the Aleutian Chain west of Unimak and the southeast Alaska islands south of Frederick Sound. Brown bear populations throughout most of Alaska are generally stable and occupy all of their historic range (Miller 1993). Throughout the State, brown bear population densities are diverse and vary according to food availability. On the North Slope

where food is scarce, bear densities can be as low as one bear every 300 miles. Brown bear densities as high as one brown bear per mile have been recorded in coastal areas with healthy salmon runs. Brown bear density is moderate in interior Alaska where the average is one bear per 15–23 miles (Eide and Miller 1994 and 2003).

The following quote from *Ursus* (2002) may provide a clearer picture of the biological status of brown and other bears:

Despite our rapidly increasing knowledge of bears, there are few places in the world where we really know how bear populations are faring... Assessments of bear populations often are based on records of dead animals and trends in habitat availability. These data produce dubious indications of population trends. Case studies relating to the trade in bear parts, sport harvests, and nuisance kills indicate that records of human-killed bears may not be accurate and may not necessarily reflect changes in population size. Increasing bear populations may continue to rise with increased levels of human exploitation (as long as it is below the maximum sustainable take), whereas declining populations may continue to plummet despite reduced exploitation. Ironically, bear populations that have been managed for sustained harvests have generally fared better than populations in which hunting has been prohibited, mainly because the former better controls illicit hunting than the latter (Garshelis 2002: 321–334).

Effects of the Proposal

Under current Federal subsistence regulations, brown bear fur with claws can only be used to make handicrafts for sale if the bears were harvested from units in Eastern Interior, Bristol Bay and Southeast Alaska. Other parts, such as bones teeth, sinew, or skulls can only be used in handicrafts for sale from brown bear taken in Southeast Alaska. The proponent's description of persons eligible to sell handicrafts made with these parts would increase the types of bear parts eligible for sale in much of the State, but would narrow all sales only to those between Federally qualified rural residents. The removal of unit-specific restrictions would negate the intent of the Board and the Regional Advisory Councils in recognizing the diverse customary and traditional uses of bears and bear parts throughout the State. These diverse customary and traditional uses are reflected in Regional Advisory Council recommendations. Three proposals (WP08-12, WP08-52 and WP08-53) which request the inclusion of Units 11, 23, 24B and 26 for eligibility to sell brown bear handicrafts with claws have been submitted for the 2008–2010 wildlife regulatory cycle and are analyzed separately.

Previous Board action provided for the sale of handicrafts made from bear claws by Federally qualified subsistence users to consumers including and other than Federally qualified subsistence users. Restricting sales solely to other Federally qualified rural residents, as proposed, will satisfy the need to use these products for regalia and cultural events in rural areas; however, the proposed regulatory language will not allow for handicraft sales to a variety of consumers, which is desired by subsistence users to support themselves and their families in a contemporary cash-subsistence economy.

The Board has also consistently rejected attempts to remove brown bear claws as a legal item with which Federally qualified users can make handicrafts for sale. Retaining the use of claws in handicrafts for sale is consistent with previous Board action, and is not expected to significantly increase harvests, as described in previous analyses.

The Board has provided for the sale of handicrafts made from the skin, hide, pelt, fur, claws, bones, teeth, sinew, or skulls of brown bears by Federally qualified subsistence users where appropriate. The intent of

the Board has been to allow Federally qualified subsistence users to fully utilize the above-listed parts of bears legally harvested under Federal subsistence regulations. It has not been the intent of the Board to create a commercial incentive to harvest bears based on the sale of bear handicrafts.

There is no known evidence to indicate that current Federal subsistence regulations adversely affect brown bear populations, nor that Federal subsistence regulations have led to an increased legal or illegal harvest of brown bears.

OSM CONCLUSION

Oppose proposal WP08-05.

Justification

Previous action of the Board has been consistent with Section 803 of ANILCA, which includes the “making and selling of handicraft articles out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption.” This proposal would unnecessarily restrict the subsistence uses of Federally qualified subsistence users as specified in ANILCA Section 803. There is no evidence to indicate that current Federal regulations adversely affect bear populations, nor has any been provided. Further, there has been no evidence provided to indicate that current Federal regulations have led to an increased legal or illegal harvest of bears. If adopted, this proposal would broaden the use of some of the nonedible parts of brown bear into regions where use is not allowed under current Federal regulations. The residents of a number of these regions have stated, through their Regional Subsistence Advisory Councils, they are opposed to inclusion in these regulations.

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**WP08-05
APPENDIX A**

The customary and traditional use determinations for brown bear for all units in the State are included below.

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
1	<p><i>Unit 1A—Rural residents of Unit 1A, except no Federal subsistence priority for residents of Hyder</i></p> <p><i>Unit 1B—Rural residents of Unit 1A, Petersburg and Wrangell, except no Federal subsistence priority for residents of Hyder</i></p> <p><i>Unit 1C—Rural residents of Unit 1C, Haines, Hoonah, Kake, Klukwan, Skagway, and Wrangell, except no Federal subsistence priority for residents of Gustavus</i></p> <p><i>Unit 1D—Rural residents of Unit 1D</i></p>	1 bear every four regulatory years by State registration permit only
2		
3		
4	<i>Rural residents of Unit 4 and Kake</i>	Unit 4, Chichagof Island south and west of a line that follows the crest of the island from Rock Point to Rodgers Point, including Yakobi and other adjacent islands; Baranof Island south and west of a line which follows the crest of the island from Nisnemi Point to the entrance of Gut Bay and including Kruzof and other adjacent islands—One bear every four regulatory years by State permit only
5	<i>Rural residents of Yakutat</i>	1 bear by Federal registration permit only
6	<i>No Federal subsistence priority</i>	No Federal open season
7	<i>No Federal subsistence priority</i>	No Federal open season

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
8	<i>Rural residents of Old Harbor, Akhiok, Larsen Bay, Karluk, Ouzinkie, and Port Lions</i>	1 bear by Federal registration permit only. Up to 1 permit may be issued in Akhiok; up to 1 permit may be issued in Karluk; up to 3 permits may be issued in Larsen Bay; up to 2 permits may be issued in Old Harbor; up to 2 permits may be issued in Ouzinkie; and up to 2 permits may be issued in Port Lions.
9	<p><i>Unit 9A—Residents of Pedro Bay</i></p> <p><i>Unit 9B—Rural residents of Unit 9B</i></p> <p><i>Unit 9C—Rural residents of Unit 9C</i></p> <p><i>Unit 9D—Rural residents of Units 9D and 10 (Unimak Island)</i></p> <p><i>Unit 9E—Residents of Chignik, Chignik Lagoon, Chignik Lake, Egegik, Ivanof Bay, Perryville, Pilot Point, Ugashik, and Port Heiden/Meshik</i></p>	<p>Units 9A, 9C, and 9D: <i>see Special Provisions</i> for the communities of False Pass, King Cove, Cold Bay, Sand Point, and Nelson Lagoon.</p> <p>Unit 9B, Lake Clark National Park and Preserve—Residents of Nondalton, Iliamna, Newhalen, Pedro Bay, and Port Alsworth only—1 bear by Federal registration permit only. The season will be closed when 4 females or 4 bears have been taken, whichever occurs first.</p> <p>Unit 9B remainder—1 bear by State registration permit only</p> <p>Unit 9E—1 bear by Federal registration permit only</p>
10	<i>Unit 10—Rural residents of Units 9D and 10 (Unimak Island)</i>	<p>No Federal open season.</p> <p><i>See Special Provisions for the communities of False Pass, King Cove, Cold Bay, Sand Point, and Nelson Lagoon for Unit 10.</i></p>
11	<p><i>Unit 11, north of the Sanford River—Residents of Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Slana, Tazlina, Tonsina, and Units 11 and 12</i></p> <p><i>Unit 11 remainder—Residents of Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Slana, Tazlina, Tonsina, and Unit 11</i></p>	1 bear
12	<i>Rural residents of Unit 12, Dot Lake, Chistochina, Gakona, Mentasta Lake, and Slana</i>	1 bear
13	<i>Rural residents of Unit 13 and Slana</i>	1 bear—Bears taken within Denali National Park must be sealed within 5 days of harvest. That portion within Denali National Park will be closed by announcement of the superintendent after 4 bears have been harvested

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
14	<i>Unit 14A—All rural residents</i> <i>Units 14B and 14C—No Federal subsistence priority</i>	No Federal open season
15	<i>No Federal Subsistence priority</i>	
16	<i>No Federal subsistence priority</i>	
17	<i>Unit 17A—Rural residents of Unit 17, and rural residents of Akiak, Akiachak, Goodnews Bay and Platinum</i> <i>Units 17A and 17B, those portions north and west of a line beginning from the Unit 18 boundary at the northwest end of Nenevok Lake, to the southern point of Upper Togiak Lake, and northeast to the northern point of Nukakuk Lake, northeast to the point where the Unit 17 boundary intersects the Shotgun Hills—Rural residents of Kwethluk</i> <i>Unit 17B, that portion draining into Nuyakuk Lake and Tikchik Lake—Rural residents of Akiak and Akiachak</i> <i>Units 17B and 17C—Rural residents of Unit 17</i>	1 bear by State registration permit only <i>Contact ADF&G for permit details</i>
18	<i>Residents of Akiachak, Akiak, Eek, Goodnews Bay, Kwethluk, Mountain Village, Napaskiak, Platinum, Quinhagak, St. Marys and Tuluksak</i>	1 bear by State registration permit only
19	<i>Units 19A and 19B—Rural residents of Units 19 and 18 within the Kuskokwim River drainage upstream from and including the Johnson River</i> <i>Unit 19C—No Federal subsistence priority</i> <i>Unit 19D—Rural residents of Units 19A and 19D, Tuluksak, and Lower Kalskag</i>	Units 19A and 19B, those portions which are downstream of and including the Aniak River drainage—1 bear by State Registration permit only Unit 19A remainder; Unit 19B remainder; and Unit 19D—1 bear Unit 19C—No Federal open season
20	<i>Unit 20E—Rural residents of Unit 12 and Dot Lake</i> <i>Unit 20F—Rural residents of Unit 20F, Stevens Village and Manley</i> <i>Unit 20 remainder—All rural residents</i>	Unit 20A—1 bear Unit 20E—1 bear Unit 20 remainder—1 bear
21	<i>Rural residents of Units 21 and 23</i>	Unit 21D—1 bear by State registration permit only Unit 21 remainder—1 bear
22	<i>Unit 22—Rural residents of Unit 22</i>	Units 22A, 22B, 22D, and 22E—1 bear by State registration permit only Unit 22C—1 bear by State registration permit only

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
23	<i>Rural residents of Units 21 and 23</i>	Unit 23, except the Baldwin Peninsula north of the Arctic Circle—1 bear by State registration permit only Unit 23 remainder—1 bear every four years
24	<i>Unit 24, that portion south of caribou mountain and on public lands within and adjacent to the Dalton Highway Corridor Management Area—Rural Residents of Unit 24 and Stevens Village</i> <i>Unit 24 remainder—Rural residents of Unit 24</i>	1 bear by State registration permit
25	<i>Unit 25D—Rural residents of Unit 25D</i> <i>Unit 25 remainder—Residents of Unit 25 and Eagle</i>	Units 25A and 25B—1 bear Unit 25C—1 bear Unit 25D—1 bear
26	<i>Rural residents of Unit 26, except the Prudhoe Bay-Deadhorse Industrial Complex), Anaktuvuk Pass, and Point Hope</i>	Unit 26A—1 bear by State registration permit only Unit 26B—1 bear Unit 26C—1 bear

ADF&G Comments on **WP10-02**(deferred WP08-05)

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Alaska Department of Fish and Game
Comments to RACs

Wildlife Proposal WP10-02 (Deferred WP08-05): Change the regulations regarding sale of brown bear handicrafts to allow sales of handicrafts made from brown bear fur in all units and to restrict sales of handicrafts made from claws, bones, teeth, or skulls to transactions between federally-qualified subsistence users.

Introduction: Existing federal regulations allow essentially unconstrained commercial sale of handicrafts made from bear parts taken in some units as a customary and traditional activity, despite a lack of substantial evidence demonstrating that such sales are a customary and traditional practice. The sale of such handicrafts is limited only by virtually unenforceable provision that prohibits sales constituting a “significant commercial enterprise.” These regulations also allow the purchase of brown bear handicrafts by persons who are not federally-qualified subsistence users, despite such purchases being prohibited under state law and, as was pointed out at the Spring 2006 Federal Subsistence Board meeting, that sales can even occur over the Internet.

Sales of handicrafts made from brown bear claws, teeth, skulls, and bones present a particular problem, because these are potentially high value items, and allowing sales creates market incentives for illegal harvest in Alaska and other states.

Black bear handicraft sales, although not customary and traditional, do not create the high level of conservation concern raised by sales of brown bear handicrafts. Similarly, sales of brown bear handicrafts do not raise the same level of concern if limited to the skin or fur as defined in state regulations; and even sales of handicrafts made with claws and teeth do not currently raise extremely high levels of concern if limited to sales among federally-qualified users.

Changing the regulation to continue allowing the sale of brown bear fur products to anyone (state regulations allow sale of untanned brown bear hides), while limiting sales of handicrafts made with brown bear claws, teeth, bones, and skulls to sales to other federally-qualified subsistence users, should help eliminate commercial markets and the masking of illegal sales in Alaska and elsewhere. Unit specific restrictions on sales are almost impossible to enforce without tracking and documentation requirements and are not needed for lower value fur handicrafts. This proposal will eliminate the unit-specific sale allowances and render the regulations more user-friendly and more enforceable.

Impact on Subsistence Users: The Federal Subsistence Board’s current allowance of brown bear handicraft sales was not based upon a determination that such sales are customary and traditional but instead upon the Board’s unsupported argument that the Board can authorize any use if the take is customary and traditional (*see e.g.*, January 2, 2006, letter from Chairman Demientieff to Commissioner Campbell). Therefore, adoption of this proposal will not impact customary and traditional subsistence activities.

This proposal will continue to allow rural residents to: sell brown bear fur handicrafts to anyone (as allowed under State law); barter brown bear handicrafts with anyone under federal regulations; and sell brown bear handicrafts to other rural residents under federal regulations. Therefore, this proposed regulation change will not impair the ability of rural residents or urban Alaska Natives to obtain such handicrafts for ceremonial, religious, and cultural purposes.

ADF&G Comments on **WP10-02**(deferred WP08-05)

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Further, adoption of this proposal will significantly reduce the likelihood that federally-qualified subsistence users will face state prosecution for engaging in sales that are prohibited under state law when they occur on state or private lands.

Opportunity Provided by State: Under 5 AAC 92.200, handicrafts made with bear fur may be sold to anyone, but sales of handicrafts made with claws, skulls, teeth, and bones are prohibited. Whole bear skins, with claws attached, taken in certain predator control areas may be sold under 5 AAC 92.031, but only after sealing and under terms of a permit issued for that bear skin.

Conservation Issues: The Federal Subsistence Board created a new market for bear claws and other high value bear parts which could readily mask illegal sales, thereby compounding problems with the international trade of Endangered Species and contributing to the illegal harvest, overharvest, and waste of bears in other states and countries, as well as Alaska. Markets for high value bear handicrafts create a conservation concern because brown bears are protected under the Endangered Species Act in other states and Mexico, and the origin of brown bear products cannot be determined by visual inspection. Brown bears are also listed on Appendix II of the Convention International Trade of Endangered Species (CITES).

In Alaska, economic incentives associated with harvesting brown bears to make handicrafts create conservation concerns because brown bears develop slowly and have a low reproductive rate, making small populations extremely susceptible to overharvest. Allowing widespread sale of high value bear parts without any kind of tracking mechanism is an invitation to illegal harvests. Further, the existing regulations are unenforceable and inconsistent with sound wildlife management principles.

Enforcement Issues: This proposal will reduce enforcement issues created by the existing federal regulation in several ways: (1) by limiting the pool of eligible purchasers for high value bear parts, it will significantly reduce economic incentives for poaching in other states and countries as well as in Alaska; (2) by allowing the sales of brown bear fur handicrafts from any Game Management Unit, as presently allowed under state law, this proposal will eliminate unenforceable Unit-specific sales authorizations in existing regulation; and (3) the proposed regulation will reduce the likelihood that federally-qualified subsistence users will face prosecution for attempting to engage in sales on state or private lands that are prohibited under state law.

Jurisdiction Issues: The Federal Subsistence Board lacks jurisdiction to allow sales of any wildlife handicrafts when and where such sales are not customary and traditional. In the past, the Federal Board has rejected this argument, asserting that if any use is customary and traditional then the Board can authorize any other use. The Board's argument is inconsistent with its litigation stance in the Chistochina Unit 12 moose case where it argued that "customary and traditional use" is related to "how resources are used after they are taken," and not to or a prerequisite condition for the taking itself." *State v. Fleagle*, (Case 3:06-cv-00107-HRH) Doc. 32 at 22.

Recommendation: TAKE NO ACTION / GRANT PERMISSION TO WITHDRAW / DEFER TO PROPOSAL 12-01 AS RECOMMENDED BY WORKING GROUP

WP12-02 Executive Summary	
General Description	Proposal WP12-02 requests that only people 60 years of age or older, or disabled, be allowed to designate their harvest limit to another person. <i>Submitted by Michael Cronk of Tok</i>
Proposed Regulation	<p>§ __.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.</p> <p><i>(e) Hunting by designated harvest permit.</i></p> <p><i>If you are a Federally qualified subsistence user (recipient) who is 60 years of age or older, or disabled, you may designate another Federally qualified subsistence user to take deer, moose and caribou on your behalf unless you are a member of a community operating under a community harvest system or unless unit-specific regulations in § __.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, unless otherwise specified in unit-specific regulations in § __.26.</i></p>
OSM Preliminary Conclusion	Oppose
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	Oppose
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	Oppose
Northwest Arctic Regional Council Recommendation	
Eastern Interior Regional Council Recommendation	

continued on next page

WP12-02 Executive Summary (continued)	
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	Support with modification. Adopt the proposal with modification to establish designated hunter beneficiary qualifications equal to those approved by the Federal Subsistence Board for Unit 6. The State recommends modifying this proposal to require beneficiaries of the federal subsistence designated hunters be blind, 65 years old or older, at least 70% disabled, or temporarily disabled. The State also recommends modifying this proposal to reflect the Unit 6 designated hunter possession limit adopted by the Federal Subsistence Board which to limits designated hunters to possession of only one bag limit at a time. Adoption of these recommended proposal modification will bring regulatory consistency to Units 1 through 6 and make federal and state regulations more parallel.
Written Public Comments	1 support with modification to include windows.

**DRAFT STAFF ANALYSIS
WP12-02**

ISSUES

Proposal WP12-02, submitted by Michael Cronk of Tok, Alaska, requests that only people 60 years of age or older, or disabled, be allowed to designate their harvest limit to another person.

DISCUSSION

The proponent claims that statewide regulations allow a person to harvest an unlimited number of animals per hunting season as long as he or she first obtains a designated hunter permit. The proponent explains that he supported the adoption of a designated hunter regulation to allow hunters to harvest animals for elders and others unable to hunt for themselves. The proponent further describes the problems that now exist with the designated hunter system: increasing numbers of people that formerly did not hunt are now getting designated hunter permits and hunting; hunters gathering designated hunter permits in order to continue hunting after harvesting their individual harvest limit; and hunters receiving designated hunter permits for their children but not hunting with their children and thereby not passing on knowledge of how to hunt. The proponent declares that these uses were not the intent of the Federal Subsistence Board when adopting the regulation, the abuses will continue, and wildlife populations could suffer unless limits are added to the designated hunter system.

Existing Federal Regulation

§ __.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.

(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 on your behalf unless you are a member of a community operating under a community harvest system or unless unit-specific regulations in § __.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, unless otherwise specified in unit specific regulations in § __.26.

Proposed Federal Regulation

§ __.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.

(e) Hunting by designated harvest permit.

*If you are a Federally qualified subsistence user (recipient) **who is 60 years of age or older, or disabled**, you may designate another Federally qualified subsistence user to take deer, moose and caribou on your behalf unless you are a member of a community operating under a community harvest system or unless unit-specific regulations in § __.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, unless otherwise specified in unit-specific regulations in § ____.26.

Relevant Federal Regulation

Unit-specific regulations that preclude or modify the designated hunter system exist for five management units. They are Units 6, 9, 22, 23, and 26 (see **Appendix A**).

Existing State Regulation

The State of Alaska provides for the transfer of harvest limits from one person to another through its proxy hunting program (5 AAC 92.011; see Appendix B). **Table 1** is a side-by-side comparison of the State's proxy system to the Federal designated hunter system.

Table 1. State Proxy System compared to Federal Designated Hunter System.

State of Alaska Proxy System	Federal Subsistence Management Program Designated Hunter System
Applies where there is an open State harvest season.	Applies to Federal public lands when there is an open Federal harvest season.
Applies to caribou, deer, and moose.	Applies to caribou, deer, and moose.
Available to a hunter who is blind, physically disabled, or 65 years of age or older.	Available to Federally qualified subsistence users.
Either the recipient or the hunter may apply for the authorization.	Recipient may designate another Federally qualified subsistence user on his/her behalf.
No person may be a proxy for more than one recipient at a time.	A person may hunt for any number of recipients, but may have no more than two harvest limits in his/her possession at any one time.
Antler destruction is required for all species.	No antler destruction.

Extent of Federal Public Land

This proposal would apply to the entire state. Federal public lands comprise approximately 65% of Alaska and consist of 23% Bureau of Land Management, 15% National Park Service, 21% Fish and Wildlife Service, and 6% Forest Service lands.

Regulatory History

Prior to 2003, the Board adopted designated hunter regulations for 21 unit-specific hunts, and there were differences in how the regulations addressed the designated hunter system (see FSB 2003). In 2003, the Board established the statewide designated hunter system for deer, caribou, and moose, leaving the option for unit-specific regulations to include other species and special provisions (68 FR 38466, June 27, 2003). The Board was supported by the majority of Regional Advisory Councils and the Interagency Staff Committee (FSB 2003).

As mentioned earlier, instances exist in unit-specific regulations that preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter. For example, in Unit 6 special provisions exist for moose, deer, black bear, beaver, and goat; in Unit 9 for caribou; in Unit 10 for caribou; in Unit 22 for muskoxen; in Unit 23 for sheep and muskoxen; and in Unit 26 for sheep and muskoxen (**Appendix A**).

Customary and Traditional Uses

Designated hunter provisions provide recognition of the customary and traditional practices of sharing and redistribution of harvests. A plethora of research supports a need for a designated hunter system in Federal subsistence regulations to harmonize fundamental harvesting characteristics of rural Alaska communities with the Federal Subsistence Management Program. Sahlins (1972) observed that 20% to 30% of households in “family-based production” could be expected to fail to produce enough food to feed themselves. Family-based production is the foundation of the mixed subsistence-cash economy found in most rural Alaskan communities (cf. Wolfe 1981, 1987; Wolfe and Walker 1987; Wolfe et al. 1984). Family-based production is when households linked by kinship distribute the responsibility to harvest, process, and store wild resources based on factors such as skills and abilities, availability of able workers, sufficient income to purchase harvesting and processing technology, and other factors. Sahlins’ (1972) observation has been repeated in subsistence studies conducted in rural Alaska communities (cf. Andrews 1988; Magdanz, Utermohle, and Wolfe 2002; Sumida 1989; Sumida and Andersen 1990). While predominantly-Native communities differ somewhat concerning family-based food production patterns, Wolfe et al. (2007) showed that some of the characteristics apply to culturally-mixed rural communities in Southeast Alaska as well. The common variables that affected household food production in rural Alaska in the late 20th century were: commercial fishing involvement, males over 15 years, age of elders, and single person households. Commercial fishing involvement and three or more males over 15 years correlated with households with relatively high wild food production. Older elders and single person households correlated with households with relatively low wild food production. Wolfe et al. (2007) observed that on a statewide basis it was not uncommon for about 30% of the households in a community to produce about 70% or more of the community’s wild food harvest. Households in the higher harvesting third of households were called “super-households” based on Wolfe’s (1987) research in rural Alaska communities.

The analysis of Proposal WP95-04, concerning a transferable moose harvest limit in Unit 5, described the rationale for the adoption of the proposal. The passage is repeated here because it continues to be relevant, describes the “super-household” phenomenon described above, and provides the primary rationale for the structure of the statewide designated hunter system in regulation today.

[The designated hunter system] legalizes a traditional practice that is already going on. Within the individual harvest limits, some hunters cannot fulfill both the requirements of their own household and those of the people with whom they share. The proposal would permit hunters to harvest moose expressly for sharing.

In every society, the ratio of producers to dependents is strongly influenced by the ecological setting and dominant mode of production. In societies with hunting and gathering economies (termed “subsistence” in Alaska), the proportion of producers ranges from approximately 50 to 70 percent. However, not all producers are hunters; some are engaged in processing foods. Consequently, it is common for a single hunter, in the northern context, to harvest resources for four or more individuals.

Domestic units may pass through several developmental stages with widely varying ratios of producers to dependents. For example, a household in its early stages of development, with infants and small children, is different from a domestic unit headed by a middle-aged couple with several unmarried adult children. During later stages a household may be composed exclusively of elderly post-productive people. In any stage of development, households may contain members who are unable to or do not choose to harvest for themselves. Single-parent families are another category of households, which may rely on others to supply them with resources.

Like households, individual producers also pass through developmental stages with distinctive productive capacities. A considerable amount of an apprentice harvester or processor's effort is consumed in learning. Conversely, individuals in their final productive years are primarily engaged with education and supervisory tasks rather than the direct procurement and processing of resources. Hence, the majority of production is accomplished by that segment of a population that, while having mastered requisite skills, is free of the responsibilities and physical impairments acquired with advancing adulthood. Finally, regardless of stage of development, all producers do not possess equal skills, abilities, and aptitudes. Each community has a minority of good hunters, trappers, and fishers.

Inequalities in individual and household productive capacities are equalized via processes of distribution (sharing and feasting) and exchange (trade and barter). The nature, magnitude, and geographic extent of distributive processes are highly variable across households, communities, societies, and time periods (FSB 1995:31–32).

It is due to the variable nature of the distribution process, mentioned in the final paragraph of the passage above, that the Federal Subsistence Board, based on the recommendations of the majority of Regional Advisory Councils and the Interagency Staff Committee (FSB 2003), adopted the statewide designated hunter provisions that are in current Federal regulations (§ __.25(e)). The Board considered, but did not adopt, a statewide provision that would restrict designators to only elderly or disabled subsistence users. However, based on a review of past analyses from 1993 to 2003, it is clear that the Board anticipated receiving requests to adopt unit-specific regulations that would preclude or modify the designated hunter system.

Harvest History

The designated hunter permit database is maintained at the Office of Subsistence Management (FWS 2011). Table 2 describes the use of the designated hunter system since 2003 when the statewide system was instituted by the Federal Subsistence Board. The data show the cumulative use for the 2003–2009 regulatory years. Designated hunters hunted for caribou, deer, moose, and sheep only. Based on Table 2, it is clear that a large majority of the harvest by designated hunter was deer, and the majority of permits were used in Southeast Alaska (Units 1–5). The portion of the total harvest taken by designated hunters for any one species was highest in Unit 3 for deer (8.9% of the harvest was taken by designated hunters), Unit 12 for caribou (7.0%), and Unit 5 for deer (5.7%); however, designated hunters generally harvested less than 2% of the total harvest for any one species in any single unit (**Table 2**).

People requesting to designate another hunter are not asked to indicate a disability, and therefore, data concerning the number of people with disabilities that designate a hunter could not be presented in the analysis.

Table 2. Use of designated hunter system based on completed harvest reports, 2003-2009 cumulative (ADF&G 2011, FWS 2011).

Management Unit	Designated Hunters Only		All Hunters ^a	Percentage Harvested by Designated Hunters
	Number of Permits Used (Hunted)	Number of Animals Harvested		
Caribou				
9	6	4	2,376	0.2%
12	23	14	199	7.0%
13	100	43	11,600	0.4%
17	11	10	4,819	0.2%
18	2	1	2,894	0.0%
20	14	6	5,007	0.1%
Total (2003-2009)	156	78	26,895	0.3%
Moose				
1	1	1	1,122	0.1%
3	1	1	315	0.3%
5	4	4	314	1.3%
6	33	18	848	2.1%
11	4	4	356	1.1%
13	12	12	4,757	0.3%
15	1	1	3,193	0.0%
19	7	7	1,938	0.4%
24	8	1	1,164	0.1%
25	2	2	1,215	0.2%
26	1	1	96	1.0%
Total (2003-2009)	74	52	15,318	0.3%
Deer				
1	11	18	4,166	0.4%
2	92	105	13,697	0.8%
3	211	314	3,537	8.9%
4	224	407	30,366	1.3%
5	2	7	122	5.7%
6	1	3	14,653	<0.1%
8	134	225	31,894	0.7%
Total (2003-2007) ^b	675	1,079	98,435	1.1%
Sheep				
23	3	2	123	1.6%
Total (2003-2009)	3	2	123	1.6%

^a All hunters including Federally qualified, non-Federally qualified, and nonresidents of the state.

^b Harvest by all hunters available to 2007 only.

Some age data is available for the 2009 and 2010 regulatory years. For the 2009 and 2010 regulatory years combined, of the 1,108 people who designated another hunter, age data is available for only 80 people. Of the 80 people, 3 (4%) were 18-years of age or younger, 59 (74%) were age 19 to 59, and 18 (23%) were 60 or older (**Table 3**).

Table 3. The age of designators, based on the age of 80 out of a total of 1,108 people who designated another hunter during the 2009 and 2010 regulatory years (FWS 2011).

Age of designators	Permits issued		Permits used		Animals taken	
	Number	Percentage	Number	Percentage	Number	Percentage
18 years and younger	3	4%	3	4%	1	3%
19-59 years	59	74%	50	75%	28	70%
60 years and older	18	23%	14	21%	11	28%
Total	80	100%	67	100%	40	100%

Note: percentages may not equal 100 due to rounding.

The designated hunter database at the Office of Subsistence Management compiles limited data on the age of designated hunters because age is not a requirement for designating another hunter (except in Unit 6, see Appendix A). Applications for Federal registration permits request each hunter's age. When a person designates his or her harvest limit to another, the age of the designator is available on the Federal registration permit application; however, some hunts do not require a Federal registration permit. For hunts that do not require a Federal permit, the age of a designator is available on the State hunting license and not readily retrievable. Additionally, Federal registration permit applications ask each hunter to check a box if he or she is designating another hunter; however, this box is usually not checked by those using a designated hunter. Currently, age data is available for people who obtained a Federal registration permit and checked the box indicating they were using a designated hunter for the 2009 and 2010 regulatory years (FWS 2011).

Other Relevant Proposals

Action on this proposal may affect decisions on other wildlife proposals currently under consideration, WP12-10, WP12-11, and WP12-13. All three concern designated hunter provisions in Federal regulations, but none propose restrictions on the designator as does the proposal under consideration in this analysis, WP12-02.

Effects of the Proposal

If this proposal is adopted, only Federally qualified subsistence users who are 60 years of age or older, or disabled, would be allowed to designate another person to take their harvest limit of deer, caribou, and moose—except in Unit 6 where unit-specific regulations allow only those who are either blind, 65 years of age or older, at least 70% disabled, or temporarily disabled to designate a hunter (see **Appendix A**). The extent of impacts on the subsistence users cannot be measured exactly because statistics were only partially gathered to describe the age of those designating a hunter and not whether the user was disabled, noted above. From the information in Table 3, about 77% of the users designating a hunter were under 60 years old and would be prohibited from designating a hunter if this proposal is adopted.

The effect on wildlife populations would depend on the region. In regions where designated hunter use is more common, hunting effort may be eased, but no information has been systematically collected concerning this issue. No effects on other users are anticipated.

If this proposal is not adopted, Federally qualified subsistence users would continue to be allowed to designate another hunter to take their harvest limit of deer, caribou, and moose (except in Unit 6 where additional restrictions are in place, see above). No effects on wildlife populations are anticipated, and no effects on other users are anticipated.

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP12-02.

Justification

Federal subsistence wildlife regulations allow any Federally qualified subsistence user to designate another subsistence user to take his or her harvest limit of deer, caribou, and moose. The designated hunter system supports a valid practice of communal sharing of resources and skills in rural Alaska. While in some regions the designated hunter system is lightly used, nonetheless it provides important regulatory flexibility to accommodate customary and traditional practices.

The proponent raises issues regarding the designated hunter system for the entire state. It is clear that in some regions people are not aware of the permit and their use of the system has not developed but is anticipated to develop as more participate in the formal harvest reporting systems available to them. Additionally, the harvest by designated hunters generally has been a small portion (less than 2%) of the total harvest by all hunters (including Federally qualified users, non-Federally qualified users, and nonresidents of the state, combined). Therefore, a statewide provision restricting the use of the designated hunter system is not supported. In circumstances where evidence is available to clearly warrant, region or unit-specific restrictions could be proposed.

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APPENDIX A
FEDERAL DESIGNATED HUNTER—UNIT SPECIFIC REGULATIONS

§ __.26(n) Unit regulations

Unit 6

(ii)(D) A Federally qualified subsistence user (recipient) who is either blind, 65 years of age or older, at least 70 percent disabled, or temporarily disabled may designate another Federally qualified subsistence user to take any moose, deer, black bear, and beaver on his or her behalf in Unit 6, and goat in Unit 6D, unless the recipient is a member of a community operating under a community harvest system. 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 one harvest limit in his or her possession at any one time;

(E) A hunter younger than 10 years old at the start of the hunt may not be issued a Federal subsistence permit to harvest black bear, deer, goat, moose, wolf, and wolverine;

(F) A hunter younger than 10 years old may harvest black bear, deer, goat, moose, wolf, and wolverine under the direct, immediate supervision of a licensed adult, at least 18 years old. The animal taken is counted against the adult's harvest limit. The adult is responsible for ensuring that all legal requirements are met.

Unit 9

(iii)(E) For Units 9C and 9E only, a Federally qualified subsistence user (recipient) of Units 9C and 9E may designate another Federally qualified subsistence user of Units 9C and 9E to take bull caribou on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report and turn over all meat to the recipient. There is no restriction on the number of possession limits the designated hunter may have in his/her possession at any one time;

(iii)(F) For Unit 9D, a Federally qualified subsistence user (recipient) may designate another Federally qualified subsistence user to take caribou on his or her behalf unless the recipient is a member of a community operating under a community harvest system. 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 four harvest limits in his/her possession at any one time;

Unit 22

(iii)(E) A Federally qualified subsistence user (recipient) may designate another Federally qualified subsistence user to take musk oxen on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients in the course of a season, but have no more than two harvest limits in his/her possession at any one time, except in Unit 22E where a resident of Wales or Shishmaref acting as a designated hunter may hunt for any number of recipients, but have no more than four harvest limits in his/her possession at any one time.

Unit 23

(iv)(D) For the Baird and DeLong Mountain sheep hunts—A Federally qualified subsistence user (recipient) may designate another Federally qualified subsistence user to take sheep on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for only one recipient in the course of a season and may have both his and the recipients' harvest limits in his/her possession at the same time;

(iv)(F) A Federally qualified subsistence user (recipient) may designate another Federally qualified subsistence user to take musk oxen on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must get a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for any number of recipients, but have no more than two harvest limits in his/her possession at any one time.

Unit 26

(iv)(C) In Kaktovik, a Federally qualified subsistence user (recipient) may designate another Federally qualified subsistence user to take sheep or musk ox on his or her behalf unless the recipient is a member of a community operating under a community harvest system. 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;

(iv)(D) For the DeLong Mountain sheep hunts—A Federally qualified subsistence user (recipient) may designate another Federally qualified subsistence user to take sheep on his or her behalf unless the recipient is a member of a community operating under a community harvest system. The designated hunter must obtain a designated hunter permit and must return a completed harvest report. The designated hunter may hunt for only one recipient in the course of a season and may have both his and the recipient's harvest limits in his/her possession at the same time.

APPENDIX B
STATE PROXY HUNTER REGULATIONS

5 AAC 92.011. Taking of game by proxy

(a) A resident hunter (the proxy) holding a valid resident hunting license may take specified game for another resident (the beneficiary) who is blind, physically disabled, or 65 years of age or older, as authorized by AS 16.05.405 and this section.

(d) A person may not be a proxy

- (1) for more than one beneficiary at a time;*
- (2) more than once per season per species in Unit 13;*
- (3) for Tier II Caribou in Unit 13, unless the proxy is a Tier II permittee.*

(j) A proxy participating in a proxy hunt must remove at least one antler from the skull plate or cut the skull plate in half, on an antlered animal, for both the proxy's animal and the beneficiary's animal before leaving the kill site, unless the department has established a requirement that complete antlers and skull plates must be submitted to the department.

(k) Proxy hunting under this section is only allowed for

- (1) caribou;*
- (2) deer; and*
- (3) moose in Tier II hunts, any-bull hunts, and antlerless moose hunts.*

(l) Notwithstanding (k) of this section, proxy hunting is prohibited in the following hunts where the board has determined that the use of the proxy would allow circumvention of harvest restrictions specified by the board:

- (1) Unit 20(E) moose and caribou registration hunts;*
- (2) Units 21(B), 21(C), 21(D), and 24 moose hunts if either the proxy or the beneficiary holds a drawing permit for Units 21(B), 21(C), 21(D), or 24 moose hunts;*
- (3) Units 9(A) and 9(B), unit 9(C), that portion within the Alagnak River drainage, and units 17(B), 17(C), 18, 19(A), and 19(B) caribou hunts from August 1 through October 31.*

ADF&G Comments on WP12-02
August 29, 2011; Page 1 of 1

Alaska Department of Fish and Game
Comments to Regional Advisory Council

Wildlife Proposal WP12-02: Change federal subsistence designated hunter regulations.

Introduction: This proposal seeks to change the statewide federal subsistence designated hunter regulation by specifying the qualifications for the recipient of harvest. The proposal requests federal regulations be changed to require that federal subsistence designated hunters only harvest for federally qualified recipients 60 years of age or older or for a person who is disabled.

The proponent indicates the federal subsistence designated hunter program has diverged from the original intent of the Federal Subsistence Board by allowing designated hunting to provide for elders and others that were unable to hunt for themselves. The proponent indicates the designated hunter program is currently an uncontrolled system. The proponent indicates some federal subsistence users are abusing this regulation and are harvesting as many animals as numbers of permits they can obtain which may lead to detrimental impacts to game populations and subsistence hunting in general.

Impact on Subsistence Users: If adopted, federally qualified subsistence designated hunters could harvest animal for federally qualified users 60 years of age or older or are disabled. If adopted, some federally qualified subsistence super harvesters may expend additional time locating and obtaining game tags from qualified designated hunter beneficiaries. If adopted, designated hunters who cannot locate federally qualified users 60 or over or are disabled may harvest fewer animals per year.

Opportunity Provided by State: Proxy hunting for big game is authorized in state hunting regulation. State proxy hunting is allowed for moose, caribou, and deer. The state proxy hunting beneficiary requirements include being a resident of Alaska who is blind, 70% physically disabled, or 65 years of age or older. Proxy hunters may not proxy hunt for more than one beneficiary at a time and may have only one Proxy Authorization with them in the field at a time.

Conservation Issues: Undetermined at this time. If this proposal is adopted without modifications many more animals may be harvested than anticipated.

Enforcement Issues: If adopted, this proposal would bring federal and state regulations closer to alignment.

Recommendation: Support with modification.

Adopt the proposal with modification to establish designated hunter beneficiary qualifications equal to those approved by the Federal Subsistence Board for Unit 6. The State recommends modifying this proposal to require beneficiaries of the federal subsistence designated hunters be blind, 65 years old or older, at least 70% disabled, or temporarily disabled. The State also recommends modifying this proposal to reflect the Unit 6 designated hunter possession limit adopted by the Federal Subsistence Board which to limits designated hunters to possession of only one bag limit at a time. Adoption of these recommended proposal modification will bring regulatory consistency to Units 1 through 6 and make federal and state regulations more parallel.

WRITTEN PUBLIC COMMENTS

Support with modification to include windows. The designated hunter option is important to traditional subsistence practices and ensuring that animals are harvested correctly.

Gates of the Arctic National Park Subsistence Resource Commission

WP12-03 Executive Summary	
General Description	Proposal WP12-03 would require trappers to move a trap that incidentally harvests a moose, caribou, or deer at least 300 feet for the remainder of the regulatory year. The animal would become the property of the regional management agency. The proposed regulation asks trappers to salvage the edible meat and turn it over to the appropriate agency, but this would not be required. <i>Submitted by the Orutsararmiut Native Council</i>
Proposed Regulation	<p>§___.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.</p> <p><i>(a) Definitions.</i></p> <p><i>Salvage means to transport the edible meat, skull, or hide, as required by regulation, of a regulated fish, wildlife, or shellfish to the location where the edible meat will be consumed by humans or processed for human consumption in a manner which saves or prevents the edible meat from waste, and preserves the skull or hide for human use.</i></p> <p><i>(j) Utilization of fish, wildlife, or shellfish.</i></p> <p style="padding-left: 40px;"><i>(1) You may not use wildlife as food for a dog or furbearer, or as bait . . . except for the following:</i></p> <p style="padding-left: 80px;"><i>(i) The hide, skin, viscera, head, or bones of wildlife.</i></p> <p><i>(3) You must salvage the edible meat of ungulates, bear, grouse, and ptarmigan.</i></p> <p>§___.26 Subsistence taking of wildlife.</p> <p><i>(b) Except for special provisions found at paragraphs (n)(1) through (26) of this section, the following methods and means of taking wildlife for subsistence uses are prohibited:</i></p> <p><i>(10) Using a trap to take ungulates or bear. Continuing to take, or attempting to take, furbearers at a site where a moose, caribou, or deer has been taken incidentally is a violation. Any moose, caribou or deer that dies as a result of being caught in a trap or snare, whether found dead or euthanized, becomes the property of the regional management agency. The trapper should salvage edible meat and surrender it to the appropriate agency. A person who salvages and surrenders the edible meat in accordance with this regulation will not be subject to citation. If such an incidental take occurs, the trapper must move all active traps and snares at least 300 feet from the site for the remainder of the regulatory year (July 1 through June 30), and after the ending of the July 1 – June 30 regulatory year, may reset again in the same place or area during subsequent trapping seasons.</i></p>

continued on next page

WP12-03 Executive Summary (continued)	
OSM Preliminary Conclusion	Oppose
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	Oppose
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	Oppose
Northwest Arctic Regional Council Recommendation	
Eastern Interior Regional Council Recommendation	
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	Oppose
Written Public Comments	None

DRAFT STAFF ANALYSIS WP12-03

ISSUES

Proposal WP12-03, submitted by the Orutsararmiut Native Council, would require trappers to move a trap that incidentally harvests a moose, caribou, or deer at least 300 feet for the remainder of the regulatory year. The animal would become the property of the regional management agency. The proposed regulation asks trappers to salvage the edible meat and turn it over to the appropriate agency, but this would not be required.

DISCUSSION

The proponent intends to protect trappers from enforcement action by more clearly writing a provision into Federal wildlife regulations that is currently only in State wildlife regulations. The proponent indicates that State enforcement officers do not always understand the State regulations concerning the actions trappers must undertake when they take a moose, caribou, or deer incidental to trapping furbearers. The proponent states that trappers have been bothered by State enforcement officers with citations that were later dismissed. Specifically, a trapper was cited for locating a trap at the same location where the trap had incidentally harvested a moose the previous regulatory year. As described below, the activity is allowed in State trapping regulations (5 AAC 92.095(a)(12)). The trapper was freed from having to pay the fine, but had to pay the legal costs of defending himself. It appears the State officer interpreted one year to mean one calendar year (January 1–December 31), while the State regulation indicates one regulatory year (July 1–June 30).

By making this proposal, the Fish and Wildlife Committee of the Orutsararmiut Native Council is responding to concerns brought by tribal members (Roczicka 2011, pers. comm.). The Orutsararmiut Native Council is the Federally recognized Indian Reorganization Act (IRA) Council representing the community of Bethel.

Existing Federal Regulation

§ ____ .25 Subsistence taking of fish, wildlife, and shellfish: general regulations.

(a) Definitions.

Salvage means to transport the edible meat, skull, or hide, as required by regulation, of a regulated fish, wildlife, or shellfish to the location where the edible meat will be consumed by humans or processed for human consumption in a manner which saves or prevents the edible meat from waste, and preserves the skull or hide for human use.

(j) Utilization of fish, wildlife, or shellfish.

(1) You may not use wildlife as food for a dog or furbearer, or as bait . . . except for the following:

(i) The hide, skin, viscera, head, or bones of wildlife.

(3) You must salvage the edible meat of ungulates, bear, grouse, and ptarmigan.

§ __.26 Subsistence taking of wildlife.

(b) Except for special provisions found at paragraphs (n)(1) through (26) of this section, the following methods and means of taking wildlife for subsistence uses are prohibited:

(10) Using a trap to take ungulates or bear.

Proposed Federal Regulation

§ __.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.

(a) Definitions.

Salvage means to transport the edible meat, skull, or hide, as required by regulation, of a regulated fish, wildlife, or shellfish to the location where the edible meat will be consumed by humans or processed for human consumption in a manner which saves or prevents the edible meat from waste, and preserves the skull or hide for human use.

(j) Utilization of fish, wildlife, or shellfish.

(1) You may not use wildlife as food for a dog or furbearer, or as bait . . . except for the following:

(i) The hide, skin, viscera, head, or bones of wildlife.

(3) You must salvage the edible meat of ungulates, bear, grouse, and ptarmigan.

§ __.26 Subsistence taking of wildlife.

(b) Except for special provisions found at paragraphs (n)(1) through (26) of this section, the following methods and means of taking wildlife for subsistence uses are prohibited:

(10) Using a trap to take ungulates or bear. Continuing to take, or attempting to take, furbearers at a site where a moose, caribou, or deer has been taken incidentally is a violation. Any moose, caribou or deer that dies as a result of being caught in a trap or snare, whether found dead or euthanized, becomes the property of the regional management agency. The trapper should salvage edible meat and surrender it to the appropriate agency. A person who salvages and surrenders the edible meat in accordance with this regulation will not be subject to citation. If such an incidental take occurs, the trapper must move all active traps and snares at least 300 feet from the site for the remainder of the regulatory year (July 1 through June 30), and after the ending of the July 1 – June 30 regulatory year, may reset again in the same place or area during subsequent trapping seasons.

Existing State Regulation

5 AAC 92.085. Unlawful methods of taking big game; exceptions

The following methods and means of taking big game are prohibited . . . :

(6) with the use of a trap or snare

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions

a) The following methods and means of taking furbearers under a trapping license are prohibited . . . :

(12) by placing or leaving an active trap or snare set on land that is within 300 feet of the site at which a moose, caribou, or deer was taken using a trap or snare; this prohibition applies for the duration of the regulatory year in which the moose, caribou, or deer was taken using the trap or snare.

5 AAC 92.210. Game as animal food or bait

A person may not use game as food for a dog or furbearer, or as bait

5 AAC 92.220. Salvage of game meat, furs, and hides

(d) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990.

(h) A game animal taken in violation of AS 16 or a regulation adopted under AS 16 is the property of the state.

5 AAC 92.990. Definitions

(49) "salvage" means to transport the edible meat, skull, or hide, as required by statute or regulation, of a game animal or wild fowl to the location where the edible meat will be consumed by humans or processed for human consumption in order to save or prevent the edible meat from waste, and the skull or hide will be put to human use.

16.30.010. Wanton waste of big game animals and wild fowl

(a) It is a class A misdemeanor for a person who kills a big game animal or a species of wild fowl to fail intentionally, knowingly, recklessly, or with criminal negligence to salvage for human consumption the edible meat of the animal or fowl.

Extent of Federal Public Land

This proposal would apply to the entire state. Federal public lands comprise approximately 65% of Alaska and consist of 23% Bureau of Land Management, 15% National Park Service, 21% Fish and Wildlife Service, and 6% Forest Service lands.

Regulatory History

The use of traps to harvest caribou, moose, and deer is prohibited in State and Federal wildlife regulations primarily because traps set for moose, caribou, and deer do not discriminate between animals, such as, cows, bulls, and fawns.

A good estimate of how often moose, caribou, or deer are caught in traps set for furbearers statewide, or by region, is not known at this time (Ardizzone 2011, pers. comm.; Seavoy 2011, pers. comm). State and Federal staff generally assume that low levels of incidental harvests occur and are ongoing. Snare

height above ground, trap location, bait type, location of trail snares, et cetera, are effective techniques to select for targeted furbearers and against non-targeted animals. Occasionally, non-targeted animals are caught, but trappers use techniques to avoid them, and that is one reason there are low levels of incidental harvests (Seavoy 2011, pers. comm.).

Federal regulations require that wildlife caught incidental to trapping furbearers be salvaged (§__.25(j)(3)), and only the hide, skin, viscera, head, or bones may be used for bait (§__.25(j)(1)(i)).

In 1998, the Alaska Board of Game adopted a proposal (Proposal 103) submitted by ADF&G describing the actions trappers must take when they incidentally harvest a moose, caribou, or deer in a trap; for the remainder of the regulatory year (until June 30), a trapper must move the trap at least 300 feet from the site the animal was taken (5 AAC 92.095(a)(12)). Additionally, the animal must be salvaged (5 AAC 92.220(d)) and its parts cannot be used for bait (5 AAC 92.210). Moving the trap from the site of the incidental harvest denies trappers the benefit of continuing to set a trap at a kill site, which may attract furbearers (ADF&G 1998; Rearden 2011, pers. comm.).

Effects of the Proposal

If this proposal is adopted, Federal subsistence users would be required to move a trap for the remainder of the regulatory year when it has taken a moose, caribou, or deer incidental to trapping furbearers. This would be required if the incidental harvest occurred on Federal public lands using Federal trapping regulations. The use of traps to harvest caribou, moose, and deer is prohibited in Federal and State regulations primarily because traps do not discriminate between animals, such as, cows, bulls, and fawns. However, these animals are occasionally caught in traps set for furbearers. The regulations prohibiting the use of traps and snares are not directed at trappers and are enforced because of the nondiscriminatory nature of the method, just described. Requiring a trapper to move a trap would be a hardship that would not conserve caribou, moose or deer.

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP12-03.

Justification

The clear intent of the proponent is to import State wildlife regulations into Federal wildlife regulations and to clarify their intent to law enforcement officers so that other trappers who comply with State regulations are not cited. However, benefits to Federal subsistence users or resource conservation cannot be demonstrated. The State's concern is ungulate's being used as bait, and it is not in the interest of Federal subsistence users for the Federal Subsistence Management Program to impose this regulation on them.

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ADF&G Comments on WP12-03
August 29, 2011; Page 1 of 1

Alaska Department of Fish and Game
Comments to Regional Advisory Council

Wildlife Proposal WP12-03: Incidental harvest requires moving traps for regulatory year. This proposal was submitted by the Orutsararmiut Native Council.

Introduction: The proposer seeks to require trappers to move a trap that incidentally harvests a moose, caribou, or deer at least 300 feet for the remainder of the regulatory year. Trappers would also be required to salvage the edible meat and turn it over to the Federal inseason wildlife manager.

Impact on Subsistence Users: Federal subsistence users would be required to move a trap when it has taken a moose, caribou, or deer incidental to trapping furbearers for the remainder of the regulatory year, and surrender their meat specifically to the Federal inseason wildlife manager.

Opportunity Provided by State:

5 AAC 92.085. Unlawful methods of taking big game; exceptions

The following methods and means of taking big game are prohibited in addition to the prohibitions in 5 AAC 92.080:

(6) with the use of a trap or snare

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions

a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

(12) by placing or leaving an active trap or snare set on land that is within 300 feet of the site at which a moose, caribou, or deer was taken using a trap or snare; this prohibition applies for the duration of the regulatory year in which the moose, caribou, or deer was taken using the trap or snare.

Conservation Issues: None identified nor solved by adoption of this proposal.

Enforcement Issues: This proposal is purported to have been submitted in response to previous confusion by enforcement personnel. The state understands local enforcement personnel have received updated training as a result of reported events surrounding this issue. Failure to adopt this proposal is not expected to contribute to continued enforcement issues.

Other Comments: This proposal is likely unnecessary given that if this proposal is not adopted, Federally qualified subsistence users would continue to be required to comply with the State regulations requiring that when a caribou, moose, or deer are harvested incidentally, the trap must be moved at least 300 feet for the remainder of the regulatory year, or risk receiving a State citation.

Recommendation: Oppose

WP12-39 Executive Summary	
General Description	Proposal WP12-39 requests combining the current Units 17B and 17C regulations, which would provide an additional 31 days of harvest opportunity for moose in portions of western Unit 17C and eastern 17B, and require the use of a State registration permit during the December 1 – December 31 season. <i>Submitted by the Togiak National Wildlife Refuge</i>
Proposed Regulation	See the analysis for proposed regulation.
OSM Preliminary Conclusion	Support
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

DRAFT STAFF ANALYSIS WP12-39

ISSUES

Proposal WP12-39, submitted by the Togiak National Wildlife Refuge, requests combining the current Units 17B and 17C regulations, which would provide an additional 31 days of harvest opportunity for moose in portions of western Unit 17C and eastern 17B, and require the use of a State registration permit during the December 1 – December 31 season.

DISCUSSION

This proposal would simplify moose hunting regulations on Federal public lands in Units 17B and 17C. Federal subsistence regulations currently require a State registration permit during the winter hunt only in the remainder portions of Units 17B and 17C. This proposal would require a State registration permit during the period December 1 – December 31 for all of Units 17B and 17C, which would align Federal regulations with existing State regulations.

Note: The proposal as written stated December 30th as the end date for the winter season. This was a typographical error and has been corrected to read December 31st in the relevant sections of this analysis. In addition, the proposal as written also stated the State registration permit in the text. Federal subsistence regulations do not reference State permit numbers so it has been omitted in this analysis.

Existing Federal Regulation

Unit 17B — Moose

Unit 17B — That portion that includes all the Mulchatna River drainage upstream from and including the Chilchitna River drainage – 1 bull by State registration permit. During the period Sept. 1 – 15, a spike/fork bull or a bull with 50-inch antlers or with 3 or more brow tines on one side may be taken with a State harvest ticket. Aug. 20 – Sept. 15

Unit 17C — Moose

Unit 17C — That portion that includes the Iowithla drainage and Sunshine Valley and all lands west of Wood River and south of Aleknagik Lake – 1 bull by State registration permit. During the period Sept. 1 – 15, a spike/fork bull or a bull with 50-inch antlers or with 3 or more brow tines on one side may be taken with a State harvest ticket. Aug. 20 – Sept. 15

Units 17B and 17C remainder — Moose

Units 17B and 17C remainder — 1 bull by State registration permit. During the period Sept. 1 – 15 a spike/fork bull or a bull with 50-inch antlers or with 3 or more brow tines on one side may be taken with a State harvest ticket. Aug. 20 – Sept. 15
Dec. 1 – Dec. 31

Proposed Federal Regulation

Unit 17B — Moose

Unit 17B—That portion that includes all the Mulchatna River drainage upstream from and including the Chilchitna River drainage—1 bull by State registration permit. During the period Sept. 1—15, a spike/fork bull or a bull with 50-inch antlers or with 3 or more brow tines on one side may be taken with a State harvest ticket. Aug. 20—Sept. 15

Unit 17C — Moose

Unit 17C—That portion that includes the Iowithla drainage and Sunshine Valley and all lands West of Wood River and south of Aleknagik Lake—1 bull by State registration permit. During the period Sept. 1—15, a spike/fork bull or a bull with 50-inch antlers or with 3 or more brow tines on one side may be taken with a State harvest ticket. Aug. 20—Sept. 15

Units 17B and 17C remainder — Moose

Units 17B and 17C remainder—1 bull by State registration permit. During the period Sept. 1—15 a spike/fork or a bull with 50-inch antlers or with 3 or more brow tines on one side may be taken with a State harvest ticket. Aug. 20—Sept. 15
Dec. 1—Dec. 31

Units 17B and 17C — Moose

Units 17B and 17C – one bull. Aug. 20 – Sept. 15
Dec. 1 – Dec. 31

During the period Aug. 20 – Sept. 15 — one bull by State registration permit;

Or

During the period Sept. 1 – 15 — one bull with spike-fork or 50-inch antlers or antlers with 3 or more brow tines on at least one side with a State harvest ticket;

Or

During the period Dec. 1 – 31 — one antlered bull by State registration permit.

Existing State Regulation

Unit 17B — Moose

Residents, one bull by permit Aug. 20 – Sept. 15

Or

One bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on at least one side for residents only Sept. 1 – Sept. 15

Or

<i>One antlered bull by permit for residents only</i>	<i>Dec. 1 – Dec. 31</i>
<i>One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side by permit for nonresidents.</i>	<i>Sept. 5 – Sept. 15</i>

Unit 17B Remainder — Moose

<i>Residents, one bull by permit</i>	<i>Aug. 20 – Sept. 15</i>
<i>Or</i>	
<i>One bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on at least one side for residents only</i>	<i>Sept. 1 – Sept. 15</i>
<i>Or</i>	
<i>One antlered bull by permit for residents only</i>	<i>Dec. 1 – Dec. 31</i>
<i>One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side for nonresidents.</i>	<i>Sept. 5 – Sept. 15</i>

Unit 17C — Moose

<i>Residents, one bull by permit</i>	<i>Aug. 20 – Sept. 15</i>
<i>Or</i>	
<i>One bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on at least one side for residents only</i>	<i>Sept. 1 – Sept. 15</i>
<i>Or</i>	
<i>One antlered bull by permit for residents only</i>	<i>Dec. 1 – Dec. 31</i>

Extent of Federal Public Lands

Federal public lands comprise approximately 8% of Unit 17B and consist of 6% National Park Service managed lands, 1% U.S. Fish and Wildlife Service managed lands and approximately 1% scattered tracts of Bureau of Land Management managed lands.

Federal public lands comprise approximately 25% of Unit 17C and consist of 15% U.S. Fish and Wildlife Service managed lands and 10% Bureau of Land Management managed lands (**See Unit 17 Map**).

Customary and Traditional Use Determinations

Residents of Kwethluk have a positive customary and traditional determination for moose in Units 17A and 17B, those portions north and west of a line beginning from the Unit 18 boundary at the northwest end of Nenevok Lake, to the southern point of upper Togiak Lake, and northeast to the northern point of Nuyakuk Lake, northeast to the point where Unit 17 boundary intersects the Shotgun Hills.

Residents of Akiak and Akiachak have a positive customary and traditional determination for moose in Units 17B, that portion within the Togiak National Wildlife Refuge.

Residents of Unit 17, Nondalton, Levelock, Goodnews Bay and Platinum have a positive customary and traditional determination for moose in Units 17B and 17C.

Regulatory History

The Bristol Bay Federal Subsistence Regional Advisory Council submitted Proposal WP97-50 in 1996 to reduce the harvest of moose in Unit 17B and 17C by shortening the season in a portion of Unit 17B and a portion of Unit 17C from Aug. 20 – Sept. 15 to Aug. 20 – 31; and the remainder of Units 17B and 17C to Aug. 20 – 31 and change antler restrictions. The Council recommended modifying their proposal to align with Alaska Board of Game Proposal 136, submitted by the Nushagak Advisory Committee. The Federal Subsistence Board (Board) adopted WP97-50 as amended in April 1997.

Proposal WP02-26, submitted by the Togiak National Wildlife Refuge in 2001, requested that the Federal permit requirements be aligned with State permit requirements; the proposal was adopted by the Board at its May 2002 meeting.

Biological Background

Much of Unit 17B and 17C is mesic and alpine tundra, which is poor moose habitat. The majority of moose in these units are found in riparian areas of the major river drainages. Moose are now common along the Nushagak/Mulchatna Rivers and all of their major tributaries. They are also found throughout the Wood/Tikchik Lakes area (Woolington 2008).

Over the past three decades moose populations throughout Unit 17 have increased substantially in both numbers and range due to moderate snowfalls over several successive winters and decreased harvest of cow moose, resulting in decreased mortality and increased recruitment rates (Woolington 2008). The reduction in the cow harvest is due in part to a positive response by unit residents to educational efforts by the Alaska Department of Fish and Game (ADF&G) and the Togiak National Wildlife Refuge, and due to residents switching harvest to an abundant alternative food source as the Mulchatna caribou herd grew and expanded its range in the 1980s and 1990s (Van Daele 1995).

The moose population in Unit 17B was estimated at 2500–3000 in 1987 (Taylor 1990). This estimate was primarily based on extrapolations from a census in the upper Mulchatna River area. ADF&G established a minimum management goal of 4900 moose for the unit. Late winter surveys conducted by ADF&G between 1992 and 1997 indicated the moose population size in the unit was stable to increasing. A moose population estimation survey was completed in the western portion of 17B and yielded an estimate of 1202 moose. This included 61 calves comprising 5.1% of the total moose observed (Woolington 2002). A moose population estimation survey was completed for the eastern portion of 17B in March 2002, yielding an estimate of 1953 moose, including 76 calves representing 3.9% of the total moose observed (Woolington 2004). In March of 2006, another moose population estimation survey was completed in the western portion of 17B, yielding an estimate of 1210 moose, including 151 calves. Based on these estimates, it appears the moose population of 17B was less than the minimum management objective (Woolington 2008). A more recent survey of the western portion of 17B in 2010 yielded an estimate of 1137 moose, while a survey of the eastern portion of 17B in 2009 yielded an estimate of 1466 moose (Woolington 2011, pers. comm.).

The moose population in Unit 17C was estimated at 1400–1700 in 1987 (Taylor 1990). This estimate was based on extrapolations from surveys conducted in Unit 17C in 1983. ADF&G established a minimum management goal of 2800 moose for the unit. In March 1999, portions of 17C were surveyed, yielding an estimate of 2955 moose, including 435 calves, representing 14.7% of the total moose observed (Woolington 2002). In March 2004, another moose population survey was conducted within portions of 17C, yielding an estimate of 3670 moose, including 410 calves, representing 11.2% of the total moose observed (Woolington 2006). These survey estimates indicate that the moose population of 17C was

above the minimum management objective (Woolington 2008). A more recent survey of 17C conducted in 2008 yielded an estimate of 3235 moose (Woolington 2011, pers. comm.).

Bull:cow ratios in all areas of Unit 17 have historically been high, but no composition data were collected during the last reporting period of 2005–2007. Aerial surveys to estimate moose in the Lake Clark National Park and Preserve boundary of Unit 17B in 1994 and 1999 yielded an estimated bull:cow ratio of 37:100 and 34:100 respectively (FWS 2002). A calf:cow ratio of 16.5:100 was estimated from surveys in 1999.

Calf production and survival have fluctuated between areas and years in Unit 17. A 1999 population estimation survey yielded a minimum calf percentage of 14.7% in Unit 17C. A 2001 survey indicated a minimum calf percentage of 5.1% in western Unit 17B, while a 2002 survey yielded a minimum calf percentage of 3.9% in eastern Unit 17B. A 2004 population survey indicated a minimum calf percentage of 11.2% in Unit 17C (Woolington 2008). More recent surveys in 2010 and 2009 yielded a minimum calf percentage of 8% for both the western and eastern portions of 17B, while a 2008 survey of 17C yielded a minimum calf percentage of 12% (Woolington 2011, pers. comm.).

Harvest History

Reported moose harvests in Unit 17 have nearly tripled since 1983–1984 from 127 to 380 in 2005–2006 as a result of a 4-fold increase in the number of moose hunters in the unit in response to the increased moose populations. The reported moose harvest from 2003–2007 in Unit 17B has ranged from 113 to 183, with an average annual harvest of 149 moose. In Unit 17C, the five year average annual harvest was 224, with a range of 193 to 251 moose (FWS 2002). Local residents have accounted for the largest numbers of moose harvested in Unit 17 during the most recent reporting period from 2000–2007, with an average of 209 moose (79% of all moose harvested) being harvested by local users during that time period (**Table 1**).

The State's general moose hunt in Units 17B and 17C is of shorter duration with a more restrictive harvest limit than the State registration hunts. Greater numbers of nonlocal Alaska residents and nonresidents participate in the general hunt (Sept. 1 – 15) than local Unit 17 Alaska residents. Longer seasons and more liberal harvest limits have encouraged many resident hunters to participate in State registration hunts (Woolington 2008).

Effects of Proposal

If adopted, this proposal would simplify moose hunting regulations and reduce the regulatory complexity on Federal public lands in Units 17B and 17C and provide increased harvest opportunities for Federally qualified subsistence users. Increased moose harvest in the area including Sunshine Valley and all lands west of Wood River and south of Aleknagik Lake may improve habitat conditions and reduce harvest pressure in other areas of Unit 17.

Federal subsistence regulations currently require a State registration permit during the winter hunt only in the remainder portions of Units 17B and 17C. If adopted, this proposal would require a State registration permit from December 1 – December 31 for all of Units 17B and 17C, which would align with existing State regulations and provide an additional 31 days of hunting opportunity for Federally qualified subsistence users in portions of western Unit 17C (Sunshine Valley and all lands west of Wood River and south of Aleknagik Lake) and in eastern Unit 17B (all of Mulchatna River drainages upstream from (and including) the Chilchitna River drainage). In addition, this alignment with State regulations will aid in minimizing law enforcement violations by Federally qualified subsistence users in areas of mixed land status designations. This change may reduce moose numbers in some areas of Unit 17C that

Table 1. Unit 17 moose hunter harvest and residency for permit hunts^a, 2000-2007 (Woolington 2008).

Regulatory Year	Local Residents ^b	Nonlocal Residents	Nonresident	Total
2000-2001	144	45	0	189
2001-2002	193	57	0	250
2002-2003	228	56	0	284
2003-2004	214	71	0	285
2004-2005	204	50	0	254
2005-2006	224	45	10	279
2006-2007	254	47	6	307

^aIncludes only permittees who reported hunting.

^bUnit 17 residents.

have had little to no harvest during the last 20 years and may help improve habitat conditions and reduce harvest pressures in other areas of Unit 17. Under the State registration permit system, the ADF&G Area Biologist can keep selected areas closed and use Emergency Order authority to close selected areas if the harvest objective is met before the end of the open season.

OSM PRELIMINARY CONCLUSION

Support Proposal WP12-39.

Justification

Adoption of this proposal would revise the moose season in Units 17B and 17C, would provide Federally qualified subsistence users with an additional 31 days of hunting opportunity in portions of these units, and align Federal and State regulations, which will also help minimize law enforcement violations by Federally qualified subsistence users hunting in areas of mixed (Federal and State) land status designation. The moose population may be reduced in areas that have had little or no harvest in the last 20 years and may help improve habitat conditions. Longer seasons and more liberal harvest limits may encourage many resident hunters to participate in registration hunts. The use of a State registration permit for portions of this hunt will allow the managers the opportunity to keep selected areas closed and use Emergency Order authority to close areas if harvest objectives are met before the end of the season.

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WP12-40 Executive Summary	
General Description	Proposal WP12-40 requests a revision of the hunt area descriptor for Unit 17A winter moose hunt to include all of 17A. <i>Submitted by the Togiak National Wildlife Refuge</i>
Proposed Regulation	<p><i>Unit 17A — 1 bull by state registration permit Aug. 25 – Sept. 20</i></p> <p><i>Unit 17A, that portion that includes the area east of the west shore of Nenevok Lake, east of the west bank of the Kemuk River, and east of the west bank of the Togiak River south from the confluence Togiak and Kemuk rivers — 1 antlered bull by State registration permit. Up to a 14-day season during the period Dec. 1–Jan. 31 may be opened or closed by the Togiak National Wildlife Refuge Manager after consultation with ADF&G and the Chair of the Bristol Bay Subsistence Regional Advisory Council local users.</i></p> <p><i>Winter season to be announced.</i></p>
OSM Preliminary Conclusion	Support
Bristol Bay Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	Support
Written Public Comments	None

DRAFT STAFF ANALYSIS WP12-40

ISSUES

Proposal WP12-40, submitted by the Togiak National Wildlife Refuge, requests a revision of the hunt area descriptor for Unit 17A winter moose hunt to include all of 17A.

DISCUSSION

The proponent requests that all of Unit 17A be opened during the Federal winter moose hunt. The closures to moose hunting in portions of 17A were initiated to encourage expansion of moose populations from Unit 17A into southern Unit 18 and were supported by both subsistence users and management agencies. State and Federal managers for Unit 17A did not allow moose hunting west of the Kemuk and Togiak rivers during the first four winter hunts from 2002/2003 to 2005/2006, which allowed the moose population in the unit to increase and expand into the neighboring Goodnews River drainage (southern Unit 18) from 2002 to 2011. Under State regulations, all of Unit 17A has been open to winter moose hunting since the 2006/2007 season. However, Federal regulations have been more restrictive, allowing for a winter harvest only in smaller portions of the unit. A healthy and viable moose population with a harvestable surplus now exists in Unit 17A. This proposal aims to revise the area descriptor for the winter moose hunt to reflect these biological realities and to align Federal and State regulations.

Existing Federal Regulation

Unit 17A — Moose

Unit 17A — 1 bull by state registration permit

Unit 17A — that portion that includes the area east of the west shore of Nenevok Lake, east of the west bank of the Kemuk River, and east of the west bank of the Togiak River south from the confluence Togiak and Kemuk Rivers — 1 antlered bull by State registration permit. Up to a 14-day season during the period Dec. 1–Jan. 31 may be opened or closed by the Togiak National Wildlife Refuge Manager after consultation with ADF&G and local users.

Aug. 25 – Sept. 20

Winter season to be announced.

Proposed Federal Regulation

Unit 17A — Moose

Unit 17A — 1 bull by state registration permit

*Unit 17A, that portion that includes the area east of the west shore of Nenevok Lake, east of the west bank of the Kemuk River, and east of the west bank of the Togiak River south from the confluence Togiak and Kemuk rivers — 1 antlered bull by State registration permit. Up to a 14-day season during the period Dec. 1–Jan. 31 may be opened or closed by the Togiak National Wildlife Refuge Manager after consultation with ADF&G and **the Chair of the Bristol Bay Subsistence Regional Advisory Council** local users.*

Aug. 25 – Sept. 20

Winter season to be announced.

Existing State Regulation

Unit 17A — Moose

Residents, one bull by permit

Aug. 25 – Sept. 20

Or

One antlered bull by permit for residents only

*May be
announced*

Extent of Federal Public Lands

Federal public lands comprise approximately 84% of Unit 17A and all of them are U.S. Fish and Wildlife Service managed lands (See **Unit 17 Map**).

Customary and Traditional Use Determinations

Residents of Akiak and Akiachak have a positive customary and traditional determination for moose in Unit 17A, that portion north of Togiak Lake that includes the Izavieknik River drainage. Residents of Kwethluk have a positive customary and traditional determination for moose in Units 17A and 17B, those portions north and west of a line beginning from the Unit 18 boundary at the northwest end of Nenevok Lake, to the southern point of upper Togiak Lake, and northeast to the northern point of Nuyakuk Lake, northeast to the point where Unit 17 boundary intersects with the Shotgun Hills.

In addition, rural residents of Unit 17, Goodnews Bay, and Platinum have a positive customary and traditional determination for moose.

Regulatory History

WSA-02-11 — A Special Action was submitted by the Togiak Traditional Council, Togiak, Alaska to establish a limited winter moose hunt in part of Unit 17(A). WSA02-11 was subsequently modified by the Togiak Traditional Council recommending that a Federal registration permit be required instead of a State registration permit. The Special Action was approved with modification by the Federal Subsistence Board (Board) on November 12, 2002. The modification stipulated that the Federal subsistence hunt will require the use of a State registration permit rather than the use of a Federal registration permit.

WP04-46 — A proposal submitted by the Bristol Bay Native Association requested that a limited moose hunt be held in Unit 17A during the period of December 1 – January 31. At its May 2004 meeting, the Board adopted the proposal with modifications consistent with the recommendation of the Bristol Bay Regional Advisory Council. The first modification implemented a winter hunt using the State registration permit process instead of a Federal permit and the second modification included language stating “up to a 14-day season” during the period of December 1 – January 31.

WP04-47 — A proposal submitted by Togiak Natives Limited, requested that a winter moose hunt be held in Unit 17A from January 1 – 31, with a harvest limit of one moose and a closure of the season once 20 cows had been harvested. The proposal was rejected by the Board at its May 2004 meeting.

Biological Background

Moose are relative newcomers to southwest Alaska and to Unit 17A, possibly migrating into the area from the middle Kuskokwim River drainages during the last century. Aerial surveys conducted in the 1980s

and 1990s often resulted in less than 10 moose being observed in the unit (Woolington 2008). Local residents harvested moose opportunistically, but other species such as caribou, bears, and beaver were the main sources of wildlife meat in the area. The Alaska Department of Fish and Game (ADF&G) began collecting data on the Unit 17 moose population in 1971. ADF&G established a minimum population objective of 300 moose and a target population of 1100–1750 moose for Unit 17A (Woolington 2008). Late winter moose count minimums for Unit 17A show an increase from 652 animals in 2002 to 1166 animals in 2011. In the neighboring Goodnews River drainage (southern Unit 18), moose numbers increased from 2 in 2002 to 196 in 2011 (Aderman 2011, pers. comm.).

A cooperative research effort between the Togiak National Wildlife Refuge and ADF&G in Unit 17A in 1998 resulted in 36 adult moose being collared. Aerial radiotracking was conducted monthly for all moose and weekly for cows during the calving period. Annual calf production during 1998–2003 averaged 136.5 calves per 100 cows with an average twinning rate of 64.6 percent. Calf survival from birth to November averaged 52.7 percent and annual adult survival during the same period averaged 85.6 percent (FWS 2004). More recent data has shown an average annual calf production between 1998 and 2010 of 129.9 calves per 100 cows with an average twinning rate of 63.8% over the same period. Calf survival from birth to November during this time averaged 47.3% with an average recruitment of 62.6 calves per 100 cows. Bull:cow ratios from 1998 to 2006 averaged 81.7 bulls per 100 cows (Aderman 2008).

Harvest History

Fall and winter hunt statistics were combined for this analysis. For the winter moose hunt period 2003–2010, hunter participation had an annual average of 98 local residents and 8 nonlocal residents. The average harvest for this time period was 27 moose for local residents and 4 moose for nonlocal residents (**Table 1**). From 2003–2010, the average annual hunter success was 29% (Range 18–39%) (Woolington 2011, pers. comm.).

Effects of Proposal

If adopted, this proposal would open up all of Unit 17A during the Federal winter moose hunt. The closure of portions of Unit 17A was supported by subsistence users and local managers in order to encourage expansion of the moose population into southern Unit 18. Moose numbers have increased in both Unit 17A and southern portions of Unit 18 as a result of these closed areas. Moose harvests have increased and reflect an increasing population trend for the species. A healthy and viable moose population with a harvestable surplus now exists in all of Unit 17A. If this proposal is adopted, it would provide for additional opportunity for Federally qualified subsistence users and would align Federal and State hunting regulations in the unit.

OSM PRELIMINARY CONCLUSION

Support Proposal WP12-40.

Justification

Adoption of this proposal would open up all of Unit 17A for the winter moose hunt and would allow for a winter season of up to 14 days during the period Dec. 1 – Jan. 31 in a larger area than currently available to local residents. Opening all of Unit 17A to a winter moose hunt would align Federal and State regulations. Past hunting closures in parts of 17A were initiated to encourage expansion of moose populations into areas of southern Unit 18. These efforts have been a success and a healthy and viable moose population with a harvestable surplus now exists in Unit 17A. Since all of Unit 17A has been open

Table 1. Unit 17A registration moose hunts (RM573 and RM575) 1997 – 2010 (Woolington 2011)

Regulatory Year	Permits Issued			# Reported Hunting			# Moose Reported Taken		
	Local Resident	Nonlocal Resident	Total Permits	Local Resident	Nonlocal Resident	Total Hunters	Local Resident	Nonlocal Resident	Total Moose
1997	44	0	44	39	0	39	15	0	15
1998	48	0	48	43	0	43	10	0	10
1999	55	2	57	39	2	41	10	0	10
2000	54	2	56	48	1	49	10	0	10
2001	55	1	56	46	1	47	6	1	7
2002	39	1	40	35	1	36	8	0	8
2003 (F)	(52)	(7)	(59)	(44)	(3)	(47)	(6)	(1)	(7)
(W)	(19)	(0)	(19)	(14)	(0)	(14)	(4)	(0)	(4)
Tot	71	7	77	58	3	61	10	1	11
2004 (F)	(52)	(1)	(53)	(48)	(0)	(48)	(10)	(0)	(10)
(W)	(44)	(0)	(44)	(29)	(0)	(29)	(10)	(0)	(10)
Tot	96	1	97	77	0	77	20	0	20
2005 (F)	(68)	(5)	(73)	(58)	(3)	(61)	(20)	(1)	(21)
(W)	(76)	(0)	(76)	(35)	(0)	(35)	(3)	(0)	(3)
Tot	144	5	149	93	3	96	23	1	24
2006 (F)	(62)	(5)	(67)	(56)	(5)	(61)	(21)	(3)	(24)
(W)	(48)	(6)	(54)	(26)	(5)	(31)	(11)	(1)	(12)
Tot	110	11	121	82	10	92	32	4	36
2007 (F)	(81)	(2)	(83)	(63)	(0)	(63)	(32)	(0)	(32)
(W)	(98)	(6)	(98)	(45)	(4)	(49)	(8)	(1)	(9)
Tot	179	8	181	108	4	112	40	1	41
2008 ^a (F)	(87)	(16)	(103)	(81)	(13)	(94)	(17)	(7)	(24)
(W)	(110)	(0)	(110)	(64)	(0)	(64)	(21)	(0)	(21)
Tot	197	16	213	145	13	158	38	7	45
2009 ^a (F)	(98)	(21)	(119)	(82)	(17)	(99)	(18)	(11)	(29)
(W)	(35)	(1)	(36)	(29)	(0)	(29)	(2)	(0)	(2)
Tot	133	22	155	111	17	128	20	11	31
2010a(F)	(96)	(17)	(113)	(81)	(12)	(93)	(21)	(6)	(27)
(W)	(30)	(1)	(31)	(26)	(0)	(25)	(10)	(0)	(10)
Tot	126	18	144	106	12	118	31	6	37

Local Residents =Unit 17 residents
December 1 – January 31

RM573: August 25 - September 20. RM575: 2 weeks (TBA)

NOTE: 2005 - 2008 winter hunts included western GMU 17C

^a 2009 and 2010 data preliminary. ^b Fall 2008 was first year that aircraft could be used during this hunt.

As of 12/29/2010 six permittees for RM573-2009 still had not reported, and four permittees for RM575-2009 have not reported

As of 02/03/2011 15 permittees for RM573-2010 still had not reported, and five permittees for RM575-2010 have not reported.
(05/08/2011)

during the last five winter hunts under State regulations, this proposal would clarify Federal and State regulations for hunters.

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ADF&G Comments on WP12-40
August 30, 2011; Page 1 of 2

Alaska Department of Fish and Game
Comments to Regional Advisory Council

Wildlife Proposal WP12-40: This proposal seeks to align state and federal regulations by changing the boundary description for Unit 17A winter moose hunt to include all of 17A.

Introduction: This proposal was submitted by the Togiak National Wildlife Refuge (TNWR) to align state and federal regulations by changing the boundary description for Unit 17A winter moose hunt to include all of 17A

Impact on Subsistence Users: Federally qualified subsistence hunters would ____

Opportunity Provided by State:

Residents, one bull by permit

*Aug 25 – Sept
20*

OR

One antlered bull by permit for residents only

*May be
announced*

Conservation Issues: None. This moose population has increased to target management levels with high calf production.

Enforcement Issues: This proposal would align state and federal regulations therefore reducing confusion for both enforcement officers and users.

Other Comments: Research in this area has been conducted jointly by TNWR and the department through collaborative efforts.

Recommendation: Support.

WP10-45/46/47/48/49/50/52 Executive Summary

<p>General Description</p>	<p>Proposals WP10-45, 46, 47, 48, 49, 50 and 52, were submitted by the Bristol Bay Subsistence Regional Advisory Council. All of the proposals were deferred by the Federal Subsistence Board (Board) during its May 2010 meeting pending the outcome of the Unit 9 Moose Working Group process.</p> <p>The proposed regulations below are based on the outcome of the Unit 9 Moose Working Group, the outcome of the Alaska Board of Game meeting addressing a similar proposal, and the recommendation of the Bristol Bay Regional Advisory Council. The original proposals can be found in Appendix A.</p>
<p>Proposed Regulation</p>	<p>Units 9—Moose</p> <p><i>Unit 9A — 1 bull by State registration permit Sept. 1–Sept. 15</i></p> <p><i>Unit 9B—1 bull by State registration permit Aug. 20–Sept. 15 Dec. 1–Jan. 15</i></p> <p><i>Unit 9C—that portion draining into the Naknek River from the north—1 bull by State registration permit Sept. 1–Sept. 15 20 Dec. 1–Dec. 31</i></p> <p><i>Unit 9C—that portion draining into the Naknek River from the south—1 bull. Aug. 20–Sept. 15 20 Dec. 1–Dec. 31</i></p> <p><i>A by Federal registration permit only State registration permit is required during the Aug. 20 – Sept. 20 season.</i></p> <p>Or</p> <p><i>A Federal registration permit is required during the Dec. 1 – Dec. 31 season.</i></p> <p><i>Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.</i></p> <p><i>Unit 9C remainder—1 bull by State registration permit Sept. 1–Sept. 15 20 Dec. 15–Jan. 15</i></p> <p><i>Unit 9D — 1 bull by Federal registration permit. Dec. 15–Jan. 20</i></p> <p><i>Federal public lands will be closed to the harvest of moose when a total of 10 bulls have been harvested between State and Federal hunts.</i></p>

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WP10-45/46/47/48/49/50/52 Executive Summary (continued)	
Proposed Regulation (Continued)	<p><i>Unit 9E — 1 bull by State registration permit; however only antlered bulls may be taken Dec. 1–Jan. 31</i> <i>Sept. 1–Sept. 20 25</i> <i>Dec. 1–Jan. 31</i></p>
OSM Preliminary Conclusion	<p>Oppose Proposals WP10-46, 47, 48, 49, 50 and 52.</p> <p>Support Proposal WP10-45 with modification to require a State registration permit to harvest moose in Unit 9 and to add an additional 5 days to the fall seasons in Units 9C and 9E.</p> <p>The modified regulations should read:</p> <p>Units 9—Moose</p> <p><i>Unit 9A — 1 bull by State registration permit</i> <i>Sept. 1–Sept. 15</i></p> <p><i>Unit 9B—1 bull by State registration permit</i> <i>Aug. 20–Sept. 15</i> <i>Dec. 1–Jan. 15</i></p> <p><i>Unit 9C—that portion draining into the Naknek River from the north—1 bull by State registration permit</i> <i>Sept. 1–Sept. 15 20</i> <i>Dec. 1–Dec. 31</i></p> <p><i>Unit 9C—that portion draining into the Naknek River from the south—1 bull.</i> <i>Aug. 20–Sept. 15 20</i> <i>Dec. 1–Dec. 31</i></p> <p><i>A by Federal registration permit only State registration permit is required during the Aug. 20 – Sept. 20 season.</i></p> <p>Or</p> <p><i>A Federal registration permit is required during the Dec. 1 – Dec. 31 season.</i></p> <p><i>Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.</i></p> <p><i>Unit 9C remainder—1 bull by State registration permit</i> <i>Sept. 1–Sept. 15 20</i> <i>Dec. 15–Jan. 15</i></p> <p><i>Unit 9D — 1 bull by Federal registration permit.</i> <i>Dec. 15–Jan. 20</i></p> <p><i>Federal public lands will be closed to the harvest of moose when a total of 10 bulls have been harvested between State and Federal hunts.</i></p>

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WP10-45/46/47/48/49/50/52 Executive Summary (continued)	
OSM Preliminary Conclusion (Continued)	<i>Unit 9E — 1 bull by State registration permit; however only antlered bulls may be taken Dec. 15–Jan. 31</i> <i>Sept. 1–Sept. 20 25 Dec. 15–Jan. 31</i>
Southeast Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**DRAFT STAFF ANALYSIS
WP10-45, 46, 47, 48, 49, 50 and 52 (DEFERRED)**

ISSUES

Proposals WP10-45, 46, 47, 48, 49, 50 and 52, were submitted by the Bristol Bay Subsistence Regional Advisory Council. WP10-45 requested a change to the moose season dates in a portion of Unit 9. Proposals WP10-46, WP10-49 and WP10-50 requested that portions of Unit 9 be closed for the taking of moose by non-Federally qualified subsistence users. Proposals WP10-47, WP10-48 and WP10-52 requested that non-Federally qualified users hunting moose in portions of Unit 9 be restricted from harvesting moose within a two mile wide buffer on either side of waterways within Federal public lands. All of the proposals were deferred by the Federal Subsistence Board (Board) during its May 2010 meeting pending the outcome of the Unit 9 Moose Working Group process.

The Working Group subsequently met and developed recommendations for consideration by both the Board and the Alaska Board of Game. Based on these recommendations, as well as actions taken by the Alaska Board of Game at its March 2011 meeting, and a recommendation by the Bristol Bay Subsistence Regional Advisory Council (Council) that its original proposals be opposed and substituted with a proposal to align with recent changes to State regulation, it is requested that a State registration permit be required for moose hunting in Unit 9 and the seasons in Units 9C and 9E be extended 5 days.

DISCUSSION

Council members and area residents have repeatedly expressed concerns about the moose population in Units 9B and 9C, and the adverse effects of competition with nonresidents and non-Federally qualified residents. The Council has submitted numerous proposals to both the Board and the Alaska Board of Game to minimize user conflicts; however, both Boards have struggled with determining the appropriate course of action to address the issues.

In 2008, the Board deferred proposals WP08-30 (which became WP10-45 the following wildlife cycle) and WP08-31 (which became WP10-46) based on a recommendation from the State of Alaska to form a working group to look for alternative management strategies to address the issues raised by the Council.

A working group was established and developed Proposal 14 (State proposal) which was submitted to and adopted by the Alaska Board of Game at its March 2011 meeting. The proposal requested the establishment of a registration permit hunt for moose in Unit 9. At the same meeting, the Alaska Board of Game also adopted Proposal 17 (State proposal) which was submitted by the Alaska Department of Fish and Game (ADF&G), requesting the hunting seasons in Units 9C and 9E be extended by five days due to declining participation in moose hunts where there is additional harvestable surplus.

Existing Federal Regulations

Unit 9—Moose

Unit 9A — 1 bull

Sept. 1–Sept. 15

Unit 9B—1 bull

Aug. 20–Sept. 15

Dec. 1–Jan. 15

<i>Unit 9C—that portion draining into the Naknek River from the north—1 bull</i>	<i>Sept. 1–Sept. 15 Dec. 1–Dec. 31</i>
<i>Unit 9C—that portion draining into the Naknek River from the south—1 bull by Federal registration permit only.</i>	<i>Aug. 20–Sept. 15 Dec. 1–Dec. 31</i>
<i>Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.</i>	
<i>Unit 9C remainder—1 bull</i>	<i>Sept. 1–Sept. 15 Dec. 15–Jan. 15</i>
<i>Unit 9D – 1 bull by Federal registration permit.</i>	<i>Dec. 15–Jan. 20</i>
<i>Federal public lands will be closed to the harvest of moose when a total of 10 bulls have been harvested between State and Federal hunts.</i>	
<i>Unit 9E – 1 bull; however only antlered bulls may be taken Dec. 1–Jan. 31</i>	<i>Sept. 1–Sept. 20 Dec. 1–Jan. 31</i>

Proposed Federal Regulations

The proposed regulations that follow are based on the outcome of the Unit 9 Moose Working Group, the outcome of the Alaska Board of Game meeting addressing a similar proposal, and the recommendation of the Bristol Bay Regional Advisory Council. Therefore, the proposed regulations differ from the original proposals. The original proposals can be found in **Appendix A**.

Units 9—Moose

<i>Unit 9A — 1 bull by State registration permit</i>	<i>Sept. 1–Sept. 15</i>
<i>Unit 9B—1 bull by State registration permit</i>	<i>Aug. 20–Sept. 15 Dec. 1–Jan. 15</i>
<i>Unit 9C—that portion draining into the Naknek River from the north—1 bull by State registration permit</i>	<i>Sept. 1–Sept. 15 20 Dec. 1–Dec. 31</i>
<i>Unit 9C—that portion draining into the Naknek River from the south—1 bull.</i>	<i>Aug. 20–Sept. 15 20 Dec. 1–Dec. 31</i>
<i>A by Federal registration permit only State registration permit is required during the Aug. 20 – Sept. 20 season.</i>	

Or

A Federal registration permit is required during the Dec. 1 – Dec. 31 season.

Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.

*Unit 9C remainder—1 bull by **State registration permit** Sept. 1–Sept. 15 20
Dec. 15–Jan. 15*

Unit 9D — 1 bull by Federal registration permit. Dec. 15–Jan. 20

Federal public lands will be closed to the harvest of moose when a total of 10 bulls have been harvested between State and Federal hunts.

*Unit 9E — 1 bull by **State registration permit**; however only antlered bulls may be taken Dec. 1–Jan. 31 Sept. 1–Sept. 20 25
Dec. 1–Jan. 31*

Existing State Regulations

Moose

Unit 9A

Resident: One bull by permit available online and in person in King Salmon beginning Aug. 17 RM271 Sept. 1–Sept. 15

Nonresident : One bull by permit available online and in person in King Salmon beginning Aug. 17 RM281 Sept. 5–Sept. 15

Unit 9B

Resident: One bull by permit beginning Aug. 17 RM272 Sept. 1–Sept. 15

OR

One antlered bull by permit beginning Dec. 1 RM272 Dec. 15–Jan. 15

Nonresident: One bull with 50-inch antlers or antlers with 4 or more brow tines on at least one side by permit available in person in King Salmon beginning Aug. 17 RM282 Sept. 5–Sept. 15

9C—that portion draining into the Naknek River

Resident : One bull by permit in person in King Salmon beginning Aug. 17 RM272 Sept. 1–Sept. 20

OR

One antlered bull by permit in person in King Salmon beginning Nov. 16 RM272 Dec. 1–Dec. 31

One bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side by permit in person in King Salmon beginning Aug. 17 RM282 Sept. 5–Sept. 20

9C—remainder

Resident: One bull by permit available in person in King Salmon beginning Aug. 17 RM272 Sept. 1–Sept. 20

OR

<i>One antlered bull by permit available in person in King Salmon beginning Dec. 1</i>	RM272	Dec. 15–Jan. 15
<i>Nonresident: 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 King Salmon beginning Aug. 17</i>	RM282	Sept. 5–Sept. 20
<i>Unit 9D</i>		
<i>Resident: One antlered bull by permit available online and in person in King Salmon beginning Dec. 1</i>	RM271	Dec. 15–Jan. 20
<i>Nonresident:</i>		No open season
<i>Unit 9E</i>		
<i>Resident: One bull with spike-fork or 50-inch antlers or antlers with 3 or more brow tines on at least one side by permit available online and in person in King Salmon beginning Sept. 1</i>	RM271	Sept. 10–Sept. 25
 <i>OR</i>		
<i>One antlered bull by permit available online and in person in King Salmon beginning Nov. 16</i>	RM271	Dec. 1–Jan. 20
<i>Nonresident: One bull with 50-inch antlers or antlers with 3 or more brow tines on at least one side by permit available online and in person in King Salmon beginning Sept. 1</i>	RM281	Sept. 10–Sept. 25

Extent of Federal Public Lands

Federal public lands comprise approximately 32% of Unit 9A and consist of portions of Lake Clark National Park and Preserve (**Unit 9 Map**). .

Federal public lands comprise approximately 27% of Unit 9B and consist of portions of Lake Clark National Park and Preserve (23%) and isolated tracts of Bureau of Land Management lands (4%).

Federal public lands comprise approximately 84% of Unit 9C and consist of Katmai National Park (70%), Katmai National Preserve (8%), Becharof National Wildlife Refuge (3%), Bureau of Land Management (3%), and Alagnak Wild River (<1%). The Katmai National Park manages the Alagnak Wild River and subsistence hunting is not authorized in Katmai National Park.

Federal public lands comprise approximately 20% of Unit 9D and consist of Alaska Peninsula and Izembek National Wildlife Refuges.

Federal public lands comprise approximately 50% of Unit 9E and consist of Becharof and Alaska Peninsula National Wildlife Refuges (45%) and Aniakchak National Monument and Preserve (5%).

Customary and Traditional Use Determinations

Residents of Units 9A, 9B, 9C, and 9E have a positive customary and traditional use determination for moose in Units 9A, 9B, 9C, and 9E.

Regulatory History

In 1991, the Board adopted Proposal WP91-23 with modification to change the fall moose season from Sept. 5–20 to Sept. 1–15 in Unit 9B. The Board then expanded the fall season from Sept. 1–15 to Aug. 20–Sept. 15 by adopting WP94-38 with modification in 1994. In 1999 the Board adopted Proposal WP99-35 with modification to extend the winter season from Dec. 1–31 to Dec. 1–Jan. 15.

The Board adopted Proposal WP95-30 with modification to extend the fall season from Sept. 1–Sept 15 to Aug. 20–Sept. 15 for Unit 9C—that portion draining into the Naknek River from the south.

In 2006, the Council submitted Proposal WP07-25, requesting a two-mile buffer, to close Federal public lands to non-Federally qualified subsistence users, on both sides of specified rivers and creeks in Units 9 and 17A, with the intent that it would help moose populations remain stable or increase. The proponent pointed out that too many moose were being harvested by hunters using boats. After further consideration of certain impracticalities, Proposal WP07-25 was opposed by the Council and ultimately by the Board, which noted that the closure would not be consistent with some aspects of ANILCA because the moose population was not of conservation concern.

In March 2007, the Alaska Board of Game considered Proposals 110 and 112 submitted by the Council to reduce competition between local and non-local hunters and between local and non-resident hunters in Units 9B and 9C. The Alaska Board of Game rejected both proposals.

In 2008, Proposals WP08-30 and WP08-31, addressing moose in Units 9B and 9C, were submitted to the Board by the Council. Proposal WP08-30 requested a shorter moose season in Unit 9B while WP08-31 requested a closure of Federal public lands to non-Federally qualified users in Units 9B and 9C. Both proposals were related as the Council's support of WP08-30 was contingent on adoption of WP08-31. After extensive discussion and input from the State of Alaska and the Regional Council Chair, the proposals were deferred by the Board so a working group could be formed to identify other management options that would address conflicts in the units.

Working group

Based on the direction given by the Board, the Office of Subsistence Management provided funding for and worked in cooperation with the ADF&G to initiate a Unit 9 moose working group. The working group was established to better understand the conflicts in the region and to develop management strategies and recommendations for Unit 9 moose. However, due to the timing of the bi-annual wildlife cycle and the timing of the working group meeting, the Council submitted a number of proposals (WP 10-47, 48, 49, 50, 52) to try to address user conflicts in Unit 9. In May 2010 the Board considered those proposals as well as proposals WP10-45 (deferred WP08-30) and WP10-46 (deferred WP08-31) (**Appendix A**). The Board deferred all of these proposals, consistent with the recommendations of the Council until the Unit 9 working group could finish its work.

The working group discussed a number of management strategies and came to consensus on three recommendations:

1. Submit proposals to the Alaska Board of Game and the Federal Subsistence Board to create a registration permit for all of the moose hunts in Unit 9
2. Conduct educational outreach directed at local moose hunters; and

3. Offer educational trapping seminars in the Unit 9 villages.

To address the need for more data and better exchange of information between locals and the ADF&G, the working group proposed creating a registration permit hunt for moose throughout Unit 9. The requirements of this hunt would increase information available to wildlife managers about the moose hunt through hunt report cards. In addition, such a hunt would increase exchange of information between biologists and moose hunters during the permit distribution process. This hunt would also allow managers to redistribute hunting pressure to help eliminate user conflict. To this end, the working group submitted Proposal 14 to the Board of Game for consideration. At its March 2011 meeting the Board of Game considered and adopted the proposal. The Board of Game also adopted Proposal 17 which extended the moose season by five days in Units 9C and 9E.

The desire of the working group for educational outreach towards hunters and trappers was addressed in two ways. A newsletter describing moose biology was developed and will be disseminated to Unit 9 villages in summer 2011. In addition, three wolf trapping clinics were held in three communities: Naknek, Port Heiden, and Nondalton. The clinics were well-attended and were reportedly met with enthusiasm.

Biological Background

Since the early 20th century, moose on the Alaska Peninsula gradually expanded their range southwestward. This expansion was accompanied by a dramatic population increase until the 1960s, when the population peaked and then began to decline. Biologists believe that range damage from over-browsing lead to the decline (Butler 2008). Even after a series of hunting restrictions and improvements in range conditions, the moose population in some subunits, such as 9E, had declined as much as 60% from the peak moose population in the 1960s. Brown bear predation on neonatal moose was thought to be the primary limiting factor of moose in Unit 9 (Butler 2008). Analysis of the ADF&G fall sex and age composition surveys indicate the moose population in most of Unit 9 remained relatively stable from 1980–2008 (Butler 2008).

The ADF&G population objectives for moose in Unit 9 are to: 1) maintain existing densities in areas with moderate (0.5–1.5 moose/square mile) or high (1.5–2.5 moose/square mile) densities; 2) increase low-density populations (where habitat conditions are not limiting) to 0.5 moose/square mile; and 3) maintain sex ratios of at least 25 bulls:100 cows in medium-to-high density populations and at least 40 bulls:100 cows in low-density areas (Butler 2004 and 2008). Overall, management objectives for bull:cow ratios and population are being maintained in Units 9B (low density area), 9C (moderate density area) and 9E (moderate density area) (Butler 2009, pers. comm.) (**Table 1**). The last bull:cow ratio estimate for 9B was 40 bulls:100 cows in 2007 (Butler 2008); for 9C was 47 bulls:100 cows in 2008 (Butler 2009, pers. comm.) and for 9E was 62 bulls:100 cows in 2010 (Riley 2011a).

Table 1 presents moose data for a composite of trend areas and is representative of the subunits. It should be noted that the averages indicated in **Table 1** are derived from variable population density estimates.

The current moose populations in Unit 9 are considered stable albeit at low density (Butler 2008). Moose population estimates by subunits are: Unit 9A, about 300 moose; Unit 9B, approximately 2000 moose; Unit 9C outside of Katmai National Park, approximately 800 moose; Unit 9D approximately 600, and Unit 9E approximately 2,500 (Butler 2008).

Since 1984, population trend counts in Unit 9B have also been conducted by the National Park Service in various portions of Lake Clark National Park and Preserve. In some cases, differing methodologies used and data collected at different times of year meant survey results were too variable to measure statistically

Table 1. Units 9B, 9C and 9E Moose densities and composition ratios (Butler 2007, 2009 pers. comm., Riley 2011b pers. comm.)

Unit 9A Moose – no composition or density data available

Unit 9B Moose

Year	Density per mi ²	Bulls:100 Cow	Calves:100 Cow
1980's Average	0.56	45	22
1990's Average	0.52	55	15
2000's Average	0.46 ^a	34	11
2007 Composition	-	40	2

^aAverage Density based on 2005 data only. Insufficient to assess trend

Unit 9C Moose

Year	Density per mi ²	Bulls:100 Cow	Calves:100 Cow
1980's Average	1.01	37	23
1990's Average	0.87	52	19
2000's Average	0.71 ^a	44	21
2007 Composition	-	40	27
2008 Composition	-	47	13
2009 Composition ^b	-	35	16
2010 Composition ^b	-	33	24

^aAverage Density based on 2005 data only. Insufficient to assess trend

^bOnly 1 trend count area covered data not comparable to previous years

Unit 9C Moose – Alagnak River drainage

Year	Density per mi ²	Bulls:100 Cow	Calves:100 Cow
1980's Average	0.96	34	25
1990's Average	0.86	36	18
2000's Average	0.83	37	11
2007 Composition	-	40	27

Unit 9D Moose – no composition or density data available

Unit 9E Moose

Year	Density per mi ²	Bulls:100 Cow	Calves:100 Cow
1980's Average	0.62	17	45
1990's Average	0.64	18	52
2000's Average	0.62	15	52
2010 Composition	-	62	23

significant changes in population trends (Mangipane and Putera 2007.). Nonetheless, the bull: cow ratios have been consistently high, ranging from 39–69 bulls:100 cows between 1992–2007 for the area of the Park and Preserve within Unit 9B south of Lake Clark. Calf:cow ratios have ranged from 9–20 calves:100 cows between 1992–2007 (Mangipane and Putera 2007).

In the past decade, local residents have regularly expressed difficulty in harvesting sufficient moose; a situation they attribute to a decreasing moose population. According to the area biologist, the erratic calf:cow ratios within Unit 9 (Butler 2008) may lead to the perception that the population is declining. Between 1998 to 2007, the cow:calf ratios in Unit 9B ranged as low as 2 calves:100 cows in 1999 to as high as 26 calves:100 cows in 2003 (Butler 2006 and 2008). In Unit 9C, the ratio was as low as 5 calves: 100 cows in 2003 and as high as 20 calves:100 cows in 2007 (Butler 2006 and 2008). This erratic data can make trend analyses difficult to interpret.

Table 2 Reported moose hunter residency and success in Unit 9, 2000-2009 (ADF&G 2009, Butler 2007).

Year	Successful Hunters				Unsuccessful Hunters				Total ^a
	Local Resident	Nonlocal Resident	Nonresident	Unknown	Local Resident	Nonlocal Resident	Nonresident	Unknown	
2000	37	29	113	1	110	71	105	2	288
2001	33	51	89	2	100	93	67	0	260
2002	39	39	100	1	79	111	84	5	279
2003	41	32	102	2	88	92	91	2	273
2004	34	29	95	3	94	80	82	2	258
2005	43	32	84	1	87	73	92	3	255
2006	28	24	73	0	118	67	84	0	269
2007	34	32	81	1	131	44	85	1	261
2008	33	18	54	3	139	47	77	0	263
2009	21	29	61	6	118	38	39	2	197
Mean	34.3	31.5	85.2	6	106.4	71.6	80.6	2	260.3

^a Includes unknown residency.

Harvest History

Reported moose harvest (2000–2009) for Unit 9 can be found in **Table 2**. Local resident harvest (Alaskans that live in Unit 9) has ranged from 21 to 43 animals, nonlocal resident harvest (all other Alaskans) has ranged from 18 to 51 animals and nonresident harvest has ranged from 54 to 113 animals. The total reported moose harvest has ranged from 108 to 180 animals per year.

Since 2000, the majority (about 89%) of the reported moose harvest has occurred in September and aircraft continue to be the most common method of transportation with boats as the second most common transport mode (Butler 2008). Nonresidents typically had a higher success rate than residents as most flew out to hunt, and many employed guides.

Current Events

In March 2011, the Board of Game considered and adopted Proposal 14, which was submitted by the Unit 9 working group. The proposal requested the establishment of registrations permit hunts for moose in Unit 9. At this meeting the Board of Game also adopted Proposal 17 which extended the moose hunting season five days in subunits 9C and 9E. Based on the actions of the Board of Game, the Council supported aligning, to the maximum extent possible, Federal regulations for moose hunting in Unit 9 with the changes made in State regulation (BBSRAC 2011).

Effects of the Proposal

If adopted, this proposal would increase information available to wildlife managers about moose hunting in Unit 9 through hunt report cards. In addition the issuance of registration permits would increase exchange of information between biologists and moose hunters during the permit distribution process. A registration permit system would allow wildlife managers to collect more reliable harvest data, educate hunters on the importance of reporting, and inform the public about the importance of harvesting only bulls in areas that have low moose densities. Registration hunts could also be managed by specific areas and harvest quotas could be set in heavily hunted areas, allowing wildlife managers to redistribute hunting pressure to help eliminate user conflict.

If adopted this proposal would also add an additional 5 days to the moose hunting seasons in Units 9C and 9E. Lengthening the season would provide additional opportunity for Federally qualified subsistence users to harvest a moose and would align Federal regulations with recent changes made in State regulations. Although this season extension may allow a few additional moose to be harvested the impact to moose population as a whole should be minimal as there is additional harvestable surplus in subunits 9C and 9E.

OSM PRELIMINARY CONCLUSION

Oppose Proposals WP10-46, 47, 48, 49, 50 and 52.

Support Proposal WP10-45 **with modification** to require a State registration permit to harvest moose in Unit 9 and to add an additional 5 days to the fall seasons in Units 9C and 9E.

The modified regulations should read:

Units 9—Moose

<i>Unit 9A — 1 bull by State registration permit</i>	<i>Sept. 1–Sept. 15</i>
<i>Unit 9B—1 bull by State registration permit</i>	<i>Aug. 20–Sept. 15 Dec. 1–Jan. 15</i>
<i>Unit 9C—that portion draining into the Naknek River from the north—1 bull by State registration permit</i>	<i>Sept. 1–Sept. 15 20 Dec. 1–Dec. 31</i>
<i>Unit 9C—that portion draining into the Naknek River from the south—1 bull.</i>	<i>Aug. 20–Sept. 15 20 Dec. 1–Dec. 31</i>
<i>A by Federal registration permit only State registration permit is required during the Aug. 20 – Sept. 20 season.</i>	
<i>Or</i>	
<i>A Federal registration permit is required during the Dec. 1 – Dec. 31 season.</i>	
<i>Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.</i>	
<i>Unit 9C remainder—1 bull by State registration permit</i>	<i>Sept. 1–Sept. 15 20 Dec. 15–Jan. 15</i>
<i>Unit 9D — 1 bull by Federal registration permit.</i>	<i>Dec. 15–Jan. 20</i>
<i>Federal public lands will be closed to the harvest of moose when a total of 10 bulls have been harvested between State and Federal hunts.</i>	
<i>Unit 9E — 1 bull by State registration permit; however only antlered bulls may be taken Dec. 15–Jan. 31</i>	<i>Sept. 1–Sept. 20 25 Dec. 15–Jan. 31</i>

Justification

These changes would be consistent with the recommendation of the Unit 9 moose working group, the Bristol Bay Regional Advisory Council and would align with recent changes made by the Alaska Board of Game to the State Unit 9 moose hunting regulations. The use of registration permits would allow better data collection and allow managers to shift hunter pressure to help alleviate user conflict. The fall Federal moose hunting seasons in Units 9B, 9E and that portion of 9C draining into the Naknek River from the south already start on Aug 20, twelve days prior to the State moose hunting season in those areas, allowing Federally qualified subsistence users the opportunity to hunt moose without competition from individuals hunting under State regulations. Extending the fall moose season in Units 9C and 9E would provide additional opportunity for subsistence users to harvest a moose in area where the moose population can withstand additional harvest pressure.

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APPENDIX A

WP10-45 (WP08-30)(Deferred)

Organization: Bristol Bay Regional Advisory Council
Address: 1011 East Tudor Road, Anchorage, AK 99503
Phone: 907-786-3888

1: What Regulation do you wish to change?

Unit 9B – Moose

Unit 9B – 1 bull	Aug. 20-Sept.15 Dec. 1-Jan.15
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2: How would the new regulation read?

Unit 9B – Moose

Unit 9B – 1 bull	Sept. 1-Sept.15 Dec. 15-Jan.15
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3: Why should this regulation change be made?

Bristol Bay Council members and area residents have expressed concerns about the decline of the moose population in Unit 9B.

4: What impact will this change have on wildlife populations?

A shorter season will likely reduce the number of moose harvested and may help slow the decline of the moose population in this area.

5: How will this change affect subsistence uses?

Subsistence users will still have the opportunity to harvest moose in Unit 9B, but the Fall season would be shortened by 11 days, and the winter season would be shortened by 14 days.

6: How will this change affect other uses, such as sport/recreational and commercial?

No affect to other users.

WP10-46 (WP08-31) (Deferred)

Organization: Bristol Bay Regional Advisory Council
Address: 1011 East Tudor Road, Anchorage, AK 99503
Phone: 907-786-3888

1: What Regulation do you wish to change? Units 9B, 9C – Moose

Unit 9B – 1 Bull
Aug. 20-Sept. 15
Dec. 1-Jan. 15

Unit 9C – that portion draining into the Naknek River from the north – 1 bull
Sept. 1-Sept. 15
Dec. 1-Dec. 31

2: How would the new regulation read?

Units 9B, 9C – Moose

Unit 9B—1 bull. Federal public lands are closed for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.

Aug. 20–Sept. 15
Dec. 1–Jan. 15

Unit 9C, that portion draining into the Naknek River from the north—1 bull. Federal public lands are closed for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.

Sept. 1–Sept. 15
Dec. 1–Dec. 31

Unit 9C, that portion draining into the Naknek River from the south—1 bull by Federal registration permit only. Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.

Aug. 20-Sept. 15
Dec. 1-Dec. 31

Unit 9C remainder—1 bull. Federal public lands are closed for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E, hunting under these regulations.

Sept. 1–Sept. 15
Dec. 15–Jan. 15

3: Why should this regulation change be made?

Bristol Bay Council members and area residents have expressed concerns about the decline of the moose population in Units 9B and 9C.

4: What impact will this change have on wildlife populations?

A closure of Federal public lands to non-Federally qualified subsistence users will likely reduce the number of moose harvested and may help slow the decline of the moose population in this area.

5: How will this change affect subsistence uses?

Subsistence users will still have the same opportunity to harvest moose in Units 9B and 9C.

6: How will this change affect other uses, such as sport/recreational and commercial?

In Units 9B and 9C, that portion draining into the Naknek River from the north, Federal public lands would be closed to the taking of moose for non-Federally qualified subsistence users.

WP10-47 (Deferred)

Organization: Bristol Bay Regional Advisory Council
Address: 1011 East Tudor Road, Anchorage, AK 99503
Phone: 907-786-3888

1: What Regulation do you wish to change?

Unit 9C-Moose

Unit 9C, that portion draining into the Naknek River from north – 1 bull

Sept. 1- Sept 15
Dec. 1-Dec 31

Unit 9C, that portion draining into the Naknek River from the south – 1 bull by Federally registration permit only.

Aug. 20-Sept. 15
Dec. 1-Dec. 31

Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C and 9E hunting under these regulations.

Unit 9C remainder-1 bull

Sept.1-Sept.15
Dec. 15-Jan. 15

2: How would the new regulation read?

Unit 9C-Moose

Unit 9C, that portion draining into the Naknek River from the north – 1 bull

Sept. 1-Sept. 15
Dec. 1-Dec. 31

Non-Federally qualified subsistence users may not harvest a moose 2 miles on either side of waterways within Federal lands

Unit 9C, that portion draining into the Naknek River from the south – 1 bull by Federal registration permit only.

Aug. 20-Sept. 15
Dec. 1-Dec.31

Federal public lands are closed during Dec. for the hunting of moose, except by rural Alaska residents of Units 9A, 9B, 9C, and 9E hunting under these regulations.

Non-Federally qualified subsistence users may not harvest a moose 2 miles on either side of waterways within Federal lands.

Unit 9C remainder – 1 bull

Sept. 1-Sept. 15
Dec. 15-Jan. 15

Non-Federally qualified subsistence users may not harvest a moose 2 miles on either side of waterways within Federal lands.

3: Why should this regulation change be made?

A 2-mile buffer on both sides of these drainages would help moose populations remain stable and the population may even increase. Too many moose are harvested on either side of the drainage by hunters using boats.

4: What impact will this change have on wildlife populations?

It will help the moose populations stabilize or the populations may increase because fewer moose may not be harvested within 2 miles on either side of these streams.

5: How will this change affect subsistence uses?

It wouldn't; residents of Units 9A, 9B, 9C and 9E and Unit 17 would still have the opportunity to hunt moose.

6: How will this change affect other uses, such as sport/recreational and commercial?

Non-Federally subsistence could not harvest moose within 2 miles of a stream but past the 2-mile buffer they could.

WP10-48 (Deferred)

Organization: Bristol Bay Regional Advisory Council
Address: 1011 East Tudor Road, Anchorage, AK 99503
Phone: 907-786-3888

1: What Regulation do you wish to change?

Unit 9B Moose

Unit 9B-1 bull

Aug. 20-Sept. 15
Dec. 1-Jan. 15

2. How should the new regulation read?

Unit 9B Moose

Unit 9B-1 bull

Aug. 20-Sept. 15
Dec. 1-Jan. 15

Non-Federally qualified subsistence users may not harvest a moose 2 miles on either side of waterways within Federal lands.

3: Why should this regulation change be made?

A 2-mile buffer on both sides of these drainages would help moose populations remain stable and the population may even increase. Too many moose are harvested on either side of the drainage by hunters using boats.

4: What impact will this change have on wildlife populations?

It will help the moose populations stabilize or the populations may increase because fewer moose may not be harvested within 2 miles on either side of these streams.

5: How will this change affect subsistence uses?

It wouldn't; residents of Units 9A, 9B, 9C and 9E and Unit 17 would still have the opportunity to hunt moose.

6: How will this change affect other uses, such as sport/recreational and commercial?

Non-Federally subsistence could not harvest moose within 2 miles of a stream but past the 2-mile buffer they could.

WP10-49/50 (Deferred)

Submitted by: Gerald Kosbruk
Organization: Native Village of Perryville
Phone: (907) 853-2203
E-mail: nvproads@hotmail.com

1: What Regulation do you wish to change?

Moose	Unit 9E-1 bull;	Aug. 20-Sept 20
	However, only one antlered	Dec. 1-Jan 31
	bull may be taken Dec. 1 – Jan. 31	

2: How would the new regulation read?

Moose	Unit 9E-1 bull;	Aug. 20-Sept 20
	However, only one antlered	Dec. 1-Jan 31
	bull may be taken Dec. 1 – Jan. 31	

Federal public lands are closed for the hunting of moose, except by rural Alaska residents of Unit 9E hunting under these regulations.

3: Why should this regulation change be made?

Low moose population in Unit 9E is increasingly getting difficult in meeting subsistence needs for the rural residents of Unit 9E. In addition, competition from sport hunters and transporters are also increasing, competing with rural resident subsistence hunters. And, during low seasonal precipitation, low water level makes it difficult to access the moose habitat on river and stream corridors.

4: What impact will this change have on wildlife populations?

None.

5: How will this change affect subsistence uses?

The closure of sport harvest on Federal public lands will increase the opportunity for subsistence users hunting moose in Units 9E.

6: How will this change affect other uses, such as sport/recreational and commercial?

These changes will close sport hunting opportunities for guided hunters seeking trophy animals.

Submitted by: Della Kalmakoff, Village Administrator
Organization: Chignik Lake Traditional Council
Phone: (907) 845-2212

1: What regulation do you wish to change?

Moose	Unit 9E-1 bull;	Aug. 20-Sept 20
	However, only one antlered	Dec. 1-Jan 31
	bull may be taken Dec. 1 – Jan. 31	

2: How should the new regulation read?

Moose	Unit 9E-1 bull;	Aug. 20-Sept 20
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However, only one antlered Dec. 1-Jan 31
bull may be taken Dec. 1 – Jan. 31

Federal public lands are closed for the hunting of moose, except by rural Alaska residents of Unit 9E hunting under these regulations.

3: Why should this regulation change be made?

Low moose population in Unit 9E is increasingly getting difficult in meeting subsistence needs for the rural residents of Unit 9E. In addition, competition from sport hunters and transporters are also increasing, competing with rural resident subsistence hunters. And, during low seasonal precipitation, low water level makes it difficult to access the moose habitat on river and stream corridors.

4: What impact will this change have on wildlife populations?

None.

5: How will this change affect subsistence uses?

The closure of sport harvest on Federal public lands will increase the opportunity for subsistence users hunting moose in Units 9E.

6: How will this change affect other uses, i.e., sport/recreational and commercial?

These changes will close sport hunting opportunities for guided hunters seeking trophy animals.

WP10-52 (Deferred)

Organization: Bristol Bay Regional Advisory Council
Address: 1011 East Tudor Road, Anchorage, AK 99503
Phone: 907-786-3888

1: What Regulation do you wish to change?

Unit 9E-1 bull; however, only antlered bulls may be taken Dec. 1-Jan. 31

Aug. 20-Sept. 20
Dec. 1- Jan. 31

2: How would the new regulation read?

Unit 9E-Moose

Unit 9E-1 bull; however, only antlered bulls may be taken Dec. 1-Jan. 31

Aug. 20-Sept. 20
Dec. 1- Jan. 31

Non-Federally qualified subsistence users may not harvest a moose 2 miles on either side of waterways within Federal lands.

3: Why should this regulation change be made?

A 2-mile buffer on both sides of these drainages would help moose populations remain stable and the population may even increase. Too many moose are harvested on either side of the drainage by hunters using boats.

4: What impact will this change have on wildlife populations?

It will help the moose populations stabilize or the populations may increase because fewer moose may not be harvested within 2 miles on either side of these streams.

5: How will this change affect subsistence uses?

It wouldn't; residents of Units 9A, 9B, 9C and 9E and Unit 17 would still have the opportunity to hunt moose.

6: How will this change affect other uses, such as sport/recreational and commercial?

Non-Federally subsistence could not harvest moose within 2 miles of a stream but past the 2-mile buffer they could.

WP12-42 Executive Summary				
General Description	Proposal WP12-42 requests a reduction in the harvest limit and season for caribou in Unit 18. The proposal would reduce the allowable harvest limit from two to one caribou and reduce the season by approximately three months. <i>Submitted by the Yukon Delta National Wildlife Refuge</i>			
Proposed Regulation	Unit 18 — Caribou <i>Unit 18 — 2-1 caribou; no more than 1 caribou may be a bull; no more than 1 caribou may be taken Aug. 1—Jan. 31</i> <table style="display: inline-table; vertical-align: top; margin-left: 20px;"> <tr> <td><i>Aug. 1—Mar. 15</i></td> </tr> <tr> <td><i>Aug. 1 – Sept. 30</i></td> </tr> <tr> <td><i>Dec. 20 – the last day of February</i></td> </tr> </table>	<i>Aug. 1—Mar. 15</i>	<i>Aug. 1 – Sept. 30</i>	<i>Dec. 20 – the last day of February</i>
<i>Aug. 1—Mar. 15</i>				
<i>Aug. 1 – Sept. 30</i>				
<i>Dec. 20 – the last day of February</i>				
OSM Preliminary Conclusion	Oppose			
Bristol Bay Regional Council Recommendation				
Yukon/Kuskokwim Delta Regional Council Recommendation				
Western Interior Regional Council Recommendation				
Seward Peninsula Regional Council Recommendation				
Interagency Staff Committee Comments				
ADF&G Comments	Support with modification. The department supports the proposed hunting season dates but recommends modifying the proposal to retain the current Federal subsistence bag limit of two caribou per year.			
Written Public Comments	None			

DRAFT STAFF ANALYSIS WP12-42

ISSUES

Proposal WP12-42, submitted by the Yukon Delta National Wildlife Refuge, requests a reduction in the harvest limit and season for caribou in Unit 18. The proposal would reduce the allowable harvest limit from two to one caribou and reduce the season by approximately three months.

DISCUSSION

The proponent requests to reduce the season and harvest limit for caribou in Unit 18. This request is in response to the declining population of the Mulchatna Caribou Herd (MCH) over the last several years. Reduction of the harvest limit and season length could aid in the recovery of the local caribou population.

Note: The proponent original proposed the winter hunt ending date as February 29th. Since this date is only relevant during leap years, the Office of Subsistence Management changed this portion of the proposed regulation to read as “Dec. 20 – the last day of February.”

Existing Federal Regulation

Unit 18 — Caribou

Unit 18 — 2 caribou; no more than 1 caribou may be a bull; no more than 1 caribou may be taken from Aug. 1 – Jan. 31 Aug. 1 – Mar. 15

Proposed Federal Regulation

Unit 18 — Caribou

Unit 18 — ~~2~~ 1 caribou; no more than 1 caribou may be a bull; no more than 1 caribou may be taken Aug. 1 – Jan. 31 Aug. 1 – Mar. 15
Aug. 1 – Sept. 30
Dec. 20 – the last day of February

Existing State Regulation

Unit 18 — Caribou

Residents — two caribou, no more than 1 bull may be taken, and only one caribou may be taken from Aug. 1 – Jan. 31 Aug. 1 – Mar. 15

Extent of Federal Public Lands

Federal public lands comprise approximately 64% of Unit 18 and consist of 62% US Fish and Wildlife Service managed lands and 2% Bureau of Land Management managed lands (See **Unit 18 Map**).

Customary and Traditional Use Determinations

Rural residents of Unit 18, St. Michael, Stebbins, Togiak, Twin Hills, Upper Kalskag, and Manokotak have a positive customary and traditional determination for caribou in Unit 18.

Regulatory History

State and Federal regulations for the MCH were liberalized during the dramatic population increase that occurred in the 1990s. These regulations allowed hunters the opportunity to harvest surplus animals. Numerous modifications were made to the Federal regulations for various management units as the MCH population increased and as it expanded into new range. Following the population decline, regulations became more restrictive in 2006 and 2007.

In March 2006, the Alaska Board of Game adopted new state regulations to reduce harvest limits within the range of the MCH from five to two caribou. In March 2007, the Alaska Board of Game further restricted the caribou harvest to allow no more than one bull to be taken, and no more than one caribou to be taken Aug. 1–Jan. 31. In 2007, the Federal Subsistence Board followed suit and adopted Proposal WP07-23 with modification to reduce the harvest limits in Unit 9B, a portion of Unit 17A, Unit 17B, a portion of Unit 17C, Unit 18, a portion of Unit 19A, and Unit 19B, from five caribou to three due to a large population decline. In March 2009, the Alaska Board of Game eliminated nonresident harvest on the MCH due to the harvestable surplus being lower than the amount necessary for subsistence.

In 2010, Proposal WP10-51 was submitted by the Bristol Bay Subsistence Regional Advisory Council. This proposal requested that the caribou season in Units 9A, 9B, 17B, a portion of 17C, 18, 19A, and 19B be Aug. 1 – Mar. 31, extending the existing season by 16 days. The Federal Subsistence Board supported the proposal with modification to make the season ending date March 15 for all units. In addition, Proposal WP10-60 was submitted by the Yukon Delta National Wildlife Refuge, requesting that the harvest limit for caribou in Unit 18 be reduced from three to two. The Federal Subsistence Board supported the proposal with modification to include a 1-bull restriction and extend the 1-caribou restriction from Aug. 1 – Nov. 30 to Aug. 1 – Jan. 31.

Biological Background

The ADF&G's management objectives for the MCH were to maintain a population of 100,000–150,000 with a minimum bull:cow ratio of 35:100 and to maximize opportunity to hunt caribou (Woolington 2007). However, at the Feb. 27 – Mar. 9, 2009 southcentral/southeast meeting in Anchorage, the Alaska Board of Game reduced the population objective to 30,000–80,000 caribou, citing that these numbers are more realistic for this herd (ADF&G 2009). The Alaska Board of Game also reduced harvest objectives from 6,000–15,000 to 2,400–8,000 during this meeting (ADF&G 2009). The latest photocensus provided a minimum estimate of 30,000 caribou, near the minimum population objective (**Table 1**) (Woolington 2009). Since 2001, bull:cow ratios have been estimated at less than 35 bulls:100 cows which is below the management objective for the herd (**Table 1**).

The MCH increased at an average annual rate of 17% between 1981 and 1996 and approximately 28% from 1992–1994. Overall herd size peaked in 1996, at approximately 200,000 animals with a peak bull:cow ratio of 42:100 (Woolington 2007). The dramatic population growth is attributed to mild winters, movements onto new unexploited range, low predation, and an estimated annual harvest of less than 5% of the population since the late 1970s (Woolington 2007). Since 1996, the population, bull:cow ratio, and calf:cow ratio have significantly declined (**Table 1**). Possible signs of stress in the MCH include an outbreak of hoof rot in 1998 and low calf:cow ratios in fall 1999 (Woolington 2001).

Table 1. Mulchatna Caribou Herd composition counts and population estimates, 1974-2011 (Woolington 2011).

Regulatory Year	Total				Small	Medium	Large	Total bulls (%)	Composition sample size	Minimum estimate of herd size
	bulls:	Calves:	Calves	Cows	(% of bulls)	(% of bulls)	Bulls (% of bulls)			
1974/75	55.0	34.9	18.4	---	---	---	---	---	1,846	
1978/79	50.3	64.5	27.6	---	---	---	---	---	758	
1980/81	31.3	57.1	30.0	---	---	---	---	---	2,250	
1981/82	52.5	45.1	22.8	---	---	---	---	---	1,235	
1986/87	55.9	36.9	19.2	---	---	---	---	---	2,172	
1987/88	68.2	60.1	26.3	---	---	---	---	---	1,858	
1988/89	66.0	53.7	24.4	---	---	---	---	---	536	
1993/94	42.1	44.1	23.7	53.7	---	---	---	22.6	5,907	150,000 ^a
1996/97	42.4	34.4	19.5	56.6	49.8	28.5	21.7	24.0	1,727	200,000 ^a
1998/99	40.6	33.6	19.3	57.4	27.8	43.7	28.5	23.3	3,086	--- ^b
1999/00	30.3	14.1	9.8	69.3	59.9	26.3	13.8	21.0	4,731	175,000 ^c
2000/01 ^e	37.6	24.3	15.0	61.8	46.6	32.9	20.4	23.2	3,894	--- ^b
2001/02	25.2	19.9	13.7	68.9	31.7	50.1	18.3	17.7	5,728	--- ^b
2002/03	25.7	28.1	18.3	65.0	57.8	29.7	12.5	16.7	5,734	147,000 ^d
2003/04 ^f	17.4	25.6	17.9	69.9	36.2	45.3	18.5	12.2	7,821	--- ^b
2004/05 ^g	21.0	20.0	14.2	71.0	64.2	28.9	6.9	14.9	4,608	85,000 ^h
2005/06 ⁱ	13.9	18.1	13.7	75.8	55.3	33.3	11.5	10.6	5,211	--- ^b
2006/07 ^j	14.9	25.5	18.1	71.3	57.5	33.7	8.9	10.6	2,971	45,000 ^k
2007/08 ^l	23.0	15.8	11.4	72.1	52.7	36.0	11.3	16.6	3,943	--- ^b
2008/09 ^m	19.3	23.4	16.4	70.1	46.8	36.1	17.1	13.5	3,728	30,000 ⁿ
2009/10 ^o	18.5	31.0	20.7	66.9	39.7	43.9	16.3	12.4	4,595	--- ^b
2010/11 ^p	16.8	19.5	14.3	73.3	30.0	43.7	26.3	12.4	4,592	--- ^b

^a Estimate derived from photo-counts, corrected estimates, subjective estimate of the number of caribou in areas not surveyed, and interpolation between years when aerial photo surveys not conducted.

^b No current population estimate based on surveys.

^c Estimate based on photocensus conducted July 8, 1999.

^d Estimate based on photocensus conducted June 30, 2002.

^e NOTE: Fall 2000 bull:cow ratio and bull percentages corrected from previous table.

^f Based on pooling data from surveys conducted 10/11/2003 and 10/14/2003.

^g Based on pooling data from surveys conducted 10/12/2004 and 10/30/2004.

^h Estimate based on photocensus conducted July 7, 2004.

ⁱ Based on pooling data from surveys conducted 10/10/2005 and 10/14/2005.

^j Based on pooling data from surveys conducted 10/13-14/2006 and 10/22/2006.

^k Based on photocensus conducted July 11, 2006.

^l Based on pooling data from surveys conducted 10/7-8/2007 and 10/11/2007.

^m Based on pooling data from surveys conducted 10/7/2008 and 10/8/2008.

ⁿ Based on photocensus conducted July 7, 2008.

^o Based on pooling data from surveys conducted 10/12/2009 and 10/16/2009.

^p Based on pooling data from surveys conducted 10/10-11/2010 and 10/13/2010.

The MCH ranges across approximately 60,000 square miles, primarily within Units 9B, 9C, 17, 18, and 19. Wintering areas during the 1980s and early 1990s were along the north and west side of Iliamna Lake, north of Kvichak River, but telemetry data indicated the MCH had been moving to the south and west for wintering (Van Daele and Boudreau 1992 *cited* in Woolington 2007). Starting in the mid-1990s, caribou from the MCH began wintering in Unit 18 south of the Kuskokwim River and in southwestern Unit 19B in increasing numbers. During the winter of 2004/05, much of the herd wintered in Unit 18, south of the Kuskokwim River, and another large part of the herd wintered in the middle Mulchatna drainage. During 2005/06, large numbers wintered near the lower Kvichak River (Woolington 2009).

Habitat

There has been no assessment of habitat by ADF&G for the MCH. Taylor (1989) reported that the carrying capacity of traditional winter areas of the herd had been exceeded by the mid to late 1980s and that the herd was having to utilize other areas to continue its growth. It appears that the MCH has been using these non-traditional winter ranges at an ever increasing rate over the last 25 years.

Portions of the herds range are showing signs of heaving use with extensive trailing evident along major travel routes. Woolington (2007) reported that some of the summer and fall range of the MCH in the Nushagak Hills and elsewhere was trampled and showing signs of heavy grazing, while traditional winter ranges on the north and west sides of Iliamna Lake also showed signs of heavy use despite the fact that few caribou appear to continue to utilize these areas.

Harvest History

Harvest on the MCH continues to decline (Woolington 2007). Total reported MCH harvest was 2,171 in 2005, but had declined to 516 by 2008 (ADF&G 2009). The harvest of males was as high as 86% in 1991/92, but decreased to 48% of the reported harvest in 2005/06 (Woolington 2007).

Most of the harvest occurs in August and September (66% in 2004/05 and 47% in 2005/06) (Woolington 2007), with the majority of harvest occurring close to villages on State lands. Additionally, March also accounts for a relatively high amount of the harvest: 10% in 2004/05 increasing to 23% in 2005/06. Data indicates an increase in the proportion of caribou taken during late winter when compared to the harvest chronology for previous years (Woolington 2007).

Reported harvest during the other nine months has always been relatively low. Between 1991–2006, harvest in July accounted for less than 0.2% of the total annual harvest; October, November, December, January, and February accounted for less than 6%; and April accounted for less than 9% (Woolington 2007). It should be noted, however, that these data only account for the reported harvest and some harvest may be occurring that is unreported.

In Unit 18, harvest by both Federally and non-Federally qualified subsistence users has generally declined since 2003, when the reported harvest for the unit was at the highest (**Table 2**).

Effects of Proposal

If adopted, this proposal would lower the harvest limit to one caribou and reduce the season by approximately three months for Federally qualified subsistence users hunting on Federal lands of Unit 18 under Federal subsistence regulations. These restrictions may help reduce the harvest and help stabilize the MCH population. If adopted, this proposal would result in a misalignment between State and Federal regulations. The proposed one caribou limit would be more restrictive than the States two caribou harvest

Table 2. Unit 18 reported caribou harvest, 2000-2009 (USFWS 2011).

Year	Federally qualified hunters	Non-Federally qualified hunters	Total
2000	121	17	138
2001	309	81	390
2002	145	113	258
2003	435	309	744
2004	295	179	474
2005	372	160	532
2006	234	90	324
2007	329	51	380
2008	210	40	250
2009	192	27	219

limit and hunters could simply choose to hunt under State regulations, thereby limiting the effectiveness of this proposal. At this time, there is no companion State proposal before the Alaska Board of Game to align State and Federal regulations should this proposal pass.

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP12-42.

Justification

This proposal would make the Federal harvest limit and season more restrictive than the State regulations. Even if this proposal is adopted by the Federal Subsistence Board, hunters will still be able to take caribou under State regulations on USFWS and BLM lands in Unit 18 and most local users would still be harvesting close to village communities that are primarily on State and private lands. Therefore, adoption of this proposal by the Federal Subsistence Board will not have the effect sought by the proponent of reducing the harvest. Without alignment with State regulations, the effectiveness of this proposal would be limited, and Federally qualified users would have less opportunity than non-Federally qualified users.

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ADF&G Comments on WP12-42
August 31, 2011; Page 1 of 1

Alaska Department of Fish and Game
Comments to Regional Advisory Council

Wildlife Proposal WP12-42: This proposal changes the federal subsistence season and bag limit for the federal subsistence caribou hunt in Unit 18.

Introduction: This proposal seeks to reduce the federal subsistence caribou hunting season from August 1 through March 15 to August 1 through September 1 and December 20 through February 29. Additionally, the proposal requests reducing the annual bag limit of the federal subsistence caribou hunt from two to one.

Impacts on Subsistence Users: If adopted, the federal subsistence caribou hunting season in Unit 18 would be reduced by approximately 90 days and the federal subsistence caribou harvest limit would be reduced by 50% to one caribou per year.

Opportunity Provided by State: State regulations for caribou in Unit 18 follows:

The season is August 1 through March 15 with a limit of two caribou, of which no more than 1 bull may be taken, and only one caribou may be taken from August 1 through January 31. This hunt is closed to non-residents.

Conservation Issues: Reduced harvest in the Mulchatna Caribou Herd is needed to promote herd growth. Limiting take of both bulls and cows is needed for herd growth. Limiting take to 1 caribou per year is needed for conservation. The proposed reduced season dates eliminate harvest between September 2 through December 19 preventing harvest of specific segments of the herd during fall migration period.

Enforcement Issues: Uniform federal subsistence and state bag limits would decrease the potential for enforcement problems across the mixed land ownership patterns in the area. In Unit 18, the proposed federal subsistence bag limit would be different than the state bag limit, creating confusion among hunters.

Recommendation: Support with modification.

The department supports the proposed hunting season dates but recommends modifying the proposal to retain the current federal subsistence bag limit of two caribou per year.

WP12-53 Executive Summary	
General Description	Proposal WP12-53 would prohibit a hunter in Unit 18 from pursuing with a motorized vehicle a caribou, moose, or muskox (an ungulate) that is fleeing. <i>Submitted by the Yukon Delta National Wildlife Refuge</i>
Proposed Regulation	<p>General Provisions</p> <p>§ __.4 Definitions</p> <p><i>Take or taking as used with respect to fish or wildlife, means to pursue, hunt, shoot, trap, net, capture, collect, kill, harm, or attempt to engage in any such conduct.</i></p> <p>Subsistence taking of wildlife</p> <p>§ __.26 (b) <i>Except for special provisions found at paragraphs (n) (1) through (26) of this section, the following methods and means of taking wildlife for subsistence uses are prohibited:</i></p> <p>(4) <i>Taking wildlife from a motorized land or air vehicle when that vehicle is in motion, or from a motor-driven boat when the boat's progress from the motor's power has not ceased;</i></p> <p>(5) <i>Using a motorized vehicle to drive, herd, or molest wildlife.</i></p> <p>Unit 18 (Special Provisions)</p> <p>§ __.26 (n)(18)(iii)(F) <i>You may not pursue with a motorized vehicle an ungulate that is fleeing.</i></p>
OSM Preliminary Conclusion	Oppose
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	Oppose
Written Public Comments	None

DRAFT STAFF ANALYSIS WP12-53

ISSUES

Proposal WP12-53, submitted by the Yukon Delta National Wildlife Refuge, would prohibit a hunter in Unit 18 from pursuing with a motorized vehicle a caribou, moose, or muskox (an ungulate) that is fleeing.

DISCUSSION

The proposal concerns caribou, moose, and muskox in Unit 18; however, the Federal Subsistence Board has determined no Federal subsistence priority for muskox in Unit 18 because it has not recognized customary and traditional uses of muskox in Unit 18. Thus, muskox are left out of the analysis. Further, the focus of the analysis is caribou. The proponent states that caribou are more susceptible than moose to the detrimental effects of chasing. While caribou often flee rapidly when chased, moose generally walk away when approached by a motorized vehicle.

The proponent states that law enforcement has found it necessary to cite more than one hunter during the 2010/2011 hunting season for chasing caribou that were moving at full gallop (having all four hooves off the ground in one stride) (Sundown 2011, pers. comm.; Doolittle 2011, pers. comm.). The proponent states that adoption of this proposal would protect the declining Mulchatna caribou herd by reducing wounding of animals that are chased. Chasing is biologically hard on a caribou herd, especially when animals are already weak near the end of the hunting season. The proponent's concern is not the hunter who repeatedly moves forward and stops while caribou trot off. The concern is motorized vehicles chasing caribou at a constant, high speed.

Existing Federal Regulation

General Provisions

§__.4 Definitions

Take or taking as used with respect to fish or wildlife, means to pursue, hunt, shoot, trap, net, capture, collect, kill, harm, or attempt to engage in any such conduct.

Subsistence taking of wildlife

§__.26 (b) Except for special provisions found at paragraphs (n)(1) through (26) of this section, the following methods and means of taking wildlife for subsistence uses are prohibited:

(4) Taking wildlife from a motorized land or air vehicle when that vehicle is in motion, or from a motor-driven boat when the boat's progress from the motor's power has not ceased;

(5) Using a motorized vehicle to drive, herd, or molest wildlife.

“Drive,” “herd,” “molest,” and “harass” have not been defined in the Code of Federal Regulations for Subsistence Management (36 CFR 242 and 50 CFR 100).

The Federal Subsistence Management Program has added a definition of “harass” to the Federal subsistence regulations booklet distributed to the public (“*Subsistence Management Regulations for the Harvest of Wildlife on Federal Public Lands in America*”). It states:

“Harass means to disturb, worry, molest, rally, concentrate, harry, chase, drive, herd or torment”
(FWS 2010:132).

Proposed Federal Regulation

General Provisions

§__.4 Definitions

Take or taking as used with respect to fish or wildlife, means to pursue, hunt, shoot, trap, net, capture, collect, kill, harm, or attempt to engage in any such conduct.

Subsistence taking of wildlife

§__.26 (b) Except for special provisions found at paragraphs (n)(1) through (26) of this section, the following methods and means of taking wildlife for subsistence uses are prohibited:

(4) Taking wildlife from a motorized land or air vehicle when that vehicle is in motion, or from a motor-driven boat when the boat’s progress from the motor’s power has not ceased;

(5) Using a motorized vehicle to drive, herd, or molest wildlife.

Unit 18 (Special Provisions)

§__.26 (n)(18)(iii)(F) You may not pursue with a motorized vehicle an ungulate that is fleeing.

Existing State Regulation

5 AAC 92.080. Unlawful methods of taking game; exceptions

The following methods of taking game are prohibited:

(4) unless otherwise provided in this chapter, from a motor-driven boat or a motorized land vehicle, unless the motor has been completely shut off and the progress from the motor's power has ceased

(5) except as otherwise specified, with the use of a motorized vehicle to harass game or for the purpose of driving, herding, or molesting game.

5 AAC 92.990. Definitions

(a) In addition to the definitions in AS 16.05.940 , in 5 AAC 84 – 5 AAC 92, unless the context requires otherwise,

(70) "harass" means to repeatedly approach an animal in a manner which results in the animal altering its behavior;

The State booklet distributed to the public (“2010/2011 Alaska Hunting Regulations”), clarifies State wildlife regulations (5 AAC 92.080) for the public by stating:

“You may not take game by pursuing with a vehicle an animal that is fleeing” (ADF&G 2010:18).

Extent of Federal Public Land

Federal public lands comprise 64% of Unit 18, of which 96% is managed by the Fish and Wildlife Service and 4% is managed by the Bureau of Land Management. The Fish and Wildlife Service lands are located within the Yukon Delta National Wildlife Refuge.

Customary and Traditional Use Determination

The customary and traditional use determination for caribou in Unit 18 is residents of Unit 18, Saint Michael, Stebbins, Togiak, Twin Hills, Upper Kalskag, and Manokotak.

The customary and traditional use determination for moose in Unit 18 is: in that portion of the Yukon River drainage upstream of Russian Mission and that portion of the Kuskokwim River drainage upstream of (but excluding) the Tuluksak River drainage—residents of Unit 18, Upper Kalskag, Aniak, and Chuathbaluk; in that portion north of a line from Cape Romanzof to Kuzilvak Mountain to Mountain Village, and all drainages north of the Yukon River downstream from Marshall—residents of Unit 18, Saint Michael, Stebbins, and Upper Kalskag; and in the remainder area of Unit 18—residents of Unit 18 and Upper Kalskag.

There is no Federal subsistence priority for muskox in Unit 18.

Biological Background

Woolington (2009) noted that in western Alaska in the 1800s:

Skoog (1968) hypothesized that the caribou population extended from Bristol Bay to Norton Sound, including the lower Yukon and Kuskokwim drainages as far inland as the Innoko River and the Taylor Mountains. This herd apparently reached peak numbers in the 1860s and began decline in the 1870s. By the 1880s, the large migrations of caribou across the Lower Kuskokwim and Yukon Rivers had ceased (Woolington 2009: 11).

Perry (2009) continues:

By the early 1900s, there were few caribou in the lowlands of the Delta. From the 1920s to the 1930s, reindeer herds ranged throughout much of the area but declined sharply in the 1940s (Calista Professional Services and Orutsararmuit Native Council 1984). Since the decline of the reindeer herds, the abundant caribou habitat throughout Unit 18 was only lightly used until 1994, when large numbers of Mulchatna caribou herd animals began regular, seasonal use of the Kilbuck Mountains. In the more recent years, a large portion of the Mulchatna herd has spent most of the year in Unit 18 and harvest in Unit 18 has become a larger proportion of the overall harvest (Perry 2009: 99–100).

Caribou from the Western Arctic herd, the largest herd in Alaska, occasionally venture into the northern part of Unit 18. Until this reporting period [2006], hunting regulations north of

the Yukon River were liberal to allow hunters to take advantage of these infrequent hunting opportunities. However, now Mulchatna Herd caribou are as likely as Western Arctic Herd caribou to use the area north of the Yukon River, caribou management throughout Unit 18 is based on Mulchatna caribou herd considerations (Perry 2009: 99–100).

The minimum population estimates for the Mulchatna caribou herd increased from 18,599 in 1981 to 200,000 in 1996 and declined to a minimum of 30,000 by summer 2008. Distribution of the herd is widespread in areas of Units 9B, 17, 18, 19A, and 19B (Woolington 2009)

Populations of moose are increasing in many areas of Unit 18, and in the lower Yukon River drainage subsistence hunters may legally harvest up to two moose per year.

Harvest

Door to door household harvest surveys have been conducted with residents of some communities situated in Unit 18. The results regarding the harvest of caribou are located in **Table 1**.

Method and Means

The customary and traditional use determination for caribou in Unit 18 encompasses about 26,000 people living in 47 communities of which about 6,000 live in Bethel (ADLWD 2011).

Methods and means used to harvest caribou have gradually evolved since the beginning of the 20th century when accurate firearms were introduced and since snowmachines became common in the 1970s. Before the introduction of accurate firearms, caribou were harvested using an array of techniques. Single hunters stalked caribou until within bow shot. Some methods were more elaborate involving several hunters ducking, hiding, and emerging to confuse the herd into coming into bow shot (Nelson (1983[1899])). Although larger herds roamed the region, their movements were not entirely predictable. When discovered, hunts were launched quickly and caribou were sometimes corralled cooperatively by a group of hunters. Caribou most often were taken late in the fall when their meat was prime and skins best for garments and bedding and the thick layer of fat was rendered into oil (Oswalt 1990).

The introduction of firearms with firing accuracy resulted in modifications to hunting methods. Firearms were a more efficient method than bow and arrow, for example, and while harvesting caribou still required specialized skills, firearms could make harvesting easier. Caribou herds in the area of Unit 18 diminished in part due to the increased efficiency of firearms to harvest caribou and miners' reliance on caribou as food (Oswalt 1990). From 1900 to the 1930s, introduced reindeer were herded, an event with its own complicated history. Caribou were shot on sight to prevent them luring reindeer from the herd. However, after 1940, reindeer and caribou herds had mostly integrated with some notable exceptions (e.g., the herd owned by the Stebbins tribal council) (cf. Wolfe and Pete 1984).

Snowmachines were generally considered less reliable than sleds pulled by dogs, but by the early 1970s, with improvements in reliability, the snowmachine had largely replaced the dog team (Andersen et al. 2011).

Contemporary hunting methods and means have been described by hunters in the region. Hunters from some lower Yukon River villages described hunting in the Andreafsky Mountains in the 1980s. It was unclear if the group was hunting caribou or reindeer from the nearby herd at Stebbins. Caribou/reindeer roamed in small groups, difficult to approach by snowmachine. Several hunters attempted to herd a group to locations where shots could be taken, such as, up a cul-de-sac or toward a heavy brush line. In

Table 1. Levels of participation in the harvest and use of caribou in selected communities (Sources: ADF&G 2011; Krauthofer and Koster 2007; Weekley et al. 2011).

Community	Study Year	Percentage of Households						Estimated Harvest Levels			
		Attempting to harvest			Giving			Estimated Harvest	95% Confidence Limit of Estimated Total Harvest		Per Household capita
		Using (%)	Harvesting (%)	Receiving (%)	Giving (%)	Low	High				
Lower Yukon Area											
Alakanuk	2009-2010	5	0	0	5	0	0	0	0	0	0
Chevak	2009-2010	2	3	3	19	8	8	3	23	0.05	0.01
Kotlik	2009-2010	10	2	2	10	4	2	1	18	0.02	0
Marshall	2009-2010	16	6	4	12	6	6	4	16	0.08	0.02
Mountain Village	2009-2010	8	2	2	8	2	9	4	28	0.06	0.01
Nunam Iqua	2009-2010	0	0	0	0	0	0	0	0	0	0
Russian Mission	2009-2010	28	5	0	23	9	0	0	0	0	0
Saint Marys	2009-2010	0	0	0	0	0	0	0	0	0	0
Scammon Bay	2009-2010	13	0	0	13	11	0	0	0	0	0
Lower Kuskokwim Area											
Akiachak	1998	95	83	83	53	65	374	332	417	3.17	
Kwethluk	1986		5	2	28	0	2				
Nunapitchuk	1986	0	0	0	0	0	0	0	0	0	0
Middle Kuskokwim Area											
Lower Kalskag	2003-2004	35	38	29	18	21	47	22	78	0.60	0.15
	2004-2005	10	7	5	5	2	7	6	12	0.10	0.03
	2005-2006	13	7	0	13	0	0	0	0	0	0
Upper Kalskag	2003-2004	53	47	35	29	29	42	24	62	0.70	0.17
	2004-2005	53	47	35	29	29	4	4	5	0.10	0.02
	2005-2006	27	32	15	15	9	16	8	32	2.00	0.06

Note: In the Lower Yukon Area, harvest locations were not reported. In the Middle Kuskokwim Area, the only Unit 18 caribou harvest was 15 caribou harvested in 2003-2004 by Lower Kalskag, and other caribou were harvested in Units 19A, 19B. Kwethluk harvest occurred primarily up the Kwethluk River in Units 17 and 18, and Akiachak harvests occurred primarily up the Kisaralik River in Unit 18

Blank cell=not available.

this description, the high speed chase was considered “a relatively risky, dare-devil technique” (Wolfe and Pete 1984:9). Kwethluk hunters in the 1980s hunting with snowmachines reported hunting in upper Kwethluk and Kisaralik River valleys. “The high hills and low mountains scattered throughout the area provided lookouts where hunters can watch for caribou” (Coffing 1991: 157).

While there may be some instances of hunters herding caribou to position them so they can be more easily shot, instances of outright chasing of caribou are probably rare. Taking into account the numerous, recently-arrived residents of Bethel, it is likely that at least a few lack the specialized skills necessary to harvest a caribou using methods commonly practiced, and resort to chasing fleeing caribou (Sundown 2011, pers. comm.). Moreover, some experienced hunters lack the resources to travel long distances to harvest caribou, and their harvest must occur when caribou are first sighted nearby, before hunting pressure causes the herd to move on. If unsuccessful, hunters may feel pressure to pursue fleeing caribou or otherwise not harvest (Nick 2011, pers. comm.).

Effects of the Proposal

If this proposal is adopted, there would be no effect on Federal subsistence users in Unit 18. The prohibition against chasing ungulates that are fleeing is encompassed in Federal subsistence general provisions and other wildlife regulations (§__.4; §__.26(b)(4) and (5)), thus there would be no effect from the proposed regulation. Similarly, if this proposal is not adopted there would be no effect on Federal subsistence users in Unit 18.

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP12-53.

Justification

Federal wildlife regulations already prohibit chasing wildlife with a motorized vehicle. The intent of the proponent is to make explicit that using a motorized vehicle to pursue an ungulate that is fleeing at or near full gallop is prohibited. To this end, staff recommend that the language included in the State booklet distributed to the public (ADF&G 2010:18), mentioned above, be added to the Federal booklet distributed to the public, with modification: “You may not take ungulates by pursuing with a motorized vehicle an animal that is fleeing at or near full gallop.”

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Alaska Department of Fish and Game
Comments to Regional Advisory Council

Wildlife Proposal WP12-53: This proposal requests the federal subsistence hunting regulations be changed to clearly define how a snowmachine may be used to pursue ungulates in the Unit 18 federal subsistence hunts.

Introduction: The proponent requests the Federal Subsistence Board further define the use of motorized snowmachines in the Unit 18 federal subsistence hunts targeting ungulates to better position them for harvesting in Unit 18. The proponent indicates adoption of this proposal will strengthen the existing regulations protection of ungulates. The proponent also indicates this proposal was submitted in response to federal subsistence hunters illegally pursuing game on snowmachines.

Impact on Subsistence Users: Adoption of these proposals would have an unknown impact as the department is unaware if federal subsistence caribou hunters are illegally using snowmachines to pursue ungulates in Unit 18. If this proposal is adopted, federal subsistence users would be prohibited from pursuing ungulates with snowmachines d.... Need input here on BENEFITS – or Detracts from fed sub users.

Opportunity Provided by State: State methods and means prohibit use of snowmachine to position caribou hunters in Unit 18.

General state methods and means regulations addressing off road vehicles:

5AAC 92.004. Policy for off-road vehicle use for hunting and transporting game.

(a) Off-road vehicles are a legitimate method of transporting hunters and game in the state, subject to requirements of federal, state, and local landowners. If the Board of Game, through its public process, finds that off-road vehicle use attributed to hunting activities in a specific area has resulted or is likely to result in one or more of the following conditions, it will, in its discretion, take action to avoid or minimize the conditions:

(1) soil erosion or compaction, or vegetative changes, significantly affecting important wildlife habitat, including wildlife food sources such as fish and fish streams, or wildlife distribution or abundance;

(2) harvest of a population, sex, or age class significantly affecting condition, abundance, or trophy size relative to area management goals;

(3) wildlife disturbance significantly affecting reproductive success, abundance, or condition; movement patterns, distribution, or behavior; or avoidance of important habitats such as mineral licks, birthing sites, wintering habitat, or fish spawning, incubation, and rearing sites, and other wildlife feeding sites and food sources;

ADF&G Comments on WP12-53
August 29, 2011; Page 1 of 2

(4) chronic conflicts with other user groups leading to a decline in the quality of the outdoor experience.

(b) The provisions of (a) of this section do not prevent the board from taking other action that it considers necessary or advisable to adopt or modify off-road vehicle regulations that might affect hunting or the transportation of hunters, hunting gear, or game.

(c) In this section, "off-road vehicle" includes four-wheel drive trucks and automobiles, motorcycles, three- to eight-wheeled all-terrain recreation and utility vehicles, vehicles with two tracks, air-cushioned vehicles, and airboats operated outside of a navigable waterway.

5AAC 92.080 Unlawful methods of taking game; exceptions. The following methods of taking game are prohibited:

(4) unless otherwise provided in this chapter, from a motor-driven boat or a motorized land vehicle, unless the motor has been completely shut off and progress from the motor's power has ceased, except that a,,,

(4)(B)(i.): in Units 22 and 23, a snowmachine may be used to position a hunter to select an individual caribou for harvest, and caribou may be shot from a stationary snowmachine.

Other Comments: Harassment of game, or herding of game with a motorized vehicle including a snow machine is already illegal.

Enforcement Issues: "Full Gallop" may prove difficult to determine leaving enforcement of this measure to subjective and inconsistent determinations. Differences in federal and state regulations resulting from adoption of this proposal create enforcement difficulties in areas with mixed land ownership. The boundaries between federal and state lands are not marked and often difficult to locate on the ground.

Recommendation: Oppose

DRAFT 2012 FISHERIES RESOURCE MONITORING PLAN INTRODUCTION

BACKGROUND

Since 1999, under the authority of Title VIII of ANILCA, the Federal government has assumed expanded management responsibility for subsistence fisheries on Federal public lands in Alaska. Expanded subsistence fisheries management has imposed substantial new informational needs for the Federal system. Section 812 of ANILCA directs the Departments of the Interior and Agriculture, cooperating with the State of Alaska and other Federal agencies, to undertake research on fish and wildlife and subsistence uses on Federal public lands, and to seek data from, consult with, and make use of the special knowledge of local residents engaged in subsistence uses. To increase the quantity and quality of information available for management of subsistence fisheries, the Fisheries Resource Monitoring Program (Monitoring Program) was established within the Office of Subsistence Management. The Monitoring Program was envisioned as a collaborative interagency, interdisciplinary approach to enhance existing fisheries research, and effectively communicate information needed for subsistence fisheries management on Federal public lands.

Although all proposals addressing subsistence fisheries on Federal lands will be considered, the 2012 Request for Proposals was focused on priority information needs developed either by strategic planning efforts or by expert opinion, followed by review and comment by the Subsistence Regional Advisory Councils. The Monitoring Program is administered by region, and strategic plans sponsored by this program were developed by workgroups of fisheries managers, researchers, Federal Subsistence Regional Advisory Council members and other stakeholders for three of the six regions: Southeast, Southcentral (excluding Cook Inlet Area), and Southwest Alaska. These plans identify prioritized information needs for each major subsistence fishery and can be viewed on or downloaded from the Office of Subsistence Management's website: <http://alaska.fws.gov/asm/index.cfml>. Independent strategic plans were completed for the Yukon and Kuskokwim regions for salmon in 2005. For the Northern Region and the Cook Inlet Area, assessments of priority information needs were developed from the expert opinions of the Regional Advisory Councils, the Technical Review Committee, Federal and State managers and staff from the Office of Subsistence Management. Additionally, a strategic plan for research on whitefish species in the Yukon and Kuskokwim river drainages was completed in spring 2011 as a result of efforts supported through Monitoring Program project 08-206.

Cumulative effects of climate change will likely fundamentally affect subsistence fishery resources, their uses, and how they are managed. Therefore, all investigators were asked to consider examining or discussing climate change effects as part of their project. Investigators conducting long-term projects were encouraged to participate in a standardized air and water temperature monitoring program for which the Office of Subsistence Management will provide calibrated temperature loggers and associated equipment, analysis and reporting services, and access to a temperature database. The Office of Subsistence Management has also specifically requested research proposals that would focus on effects of climate change on subsistence fishery resources and uses, and that would describe management implications.

The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands, for rural Alaskans, through a multidisciplinary, collaborative program.

To implement the Monitoring Program, a collaborative approach is utilized in which five Federal agencies (Fish and Wildlife Service, Bureau of Land Management, National Park Service, Bureau of Indian Affairs, and U.S. Forest Service) work with the Alaska Department of Fish and Game, Regional Advisory Councils, Alaska Native organizations, and other organizations. An interagency Technical Review Committee provides scientific evaluation of proposals and investigation plans. The Regional Advisory Councils provide review and recommendations, and public comment is invited. The Interagency Staff Committee also provides recommendations. The Federal Subsistence Board takes into consideration recommendations and comments from the process, and approves the final monitoring plan.

PROJECT EVALUATION PROCESS

The Technical Review Committee evaluates proposals, and subsequently full investigation plans, and makes recommendations for funding. The committee is chaired by the Fisheries Division Chief of the Office of Subsistence Management and is composed of representatives from each of the five Federal agencies and three representatives from the Alaska Department of Fish and Game. Fisheries and Anthropology staff from the Office of Subsistence Management provide support for the committee.

Four factors are used to evaluate studies:

1. Strategic Priority

Proposed projects should address the following and must meet the first criteria to be eligible for Federal subsistence funding.

Federal Jurisdiction—Issue or information needs addressed in projects must have a direct association to a subsistence fishery within a Federal conservation unit as defined in legislation, regulation and plans.

Conservation Mandate—Risk to the conservation of species and populations that support subsistence fisheries, and risk to conservation unit purposes as defined in legislation, regulation and plans.

Allocation Priority—Risk of failure to provide a priority to subsistence uses.

Data Gaps—Amount of information available to support subsistence management (higher priority given where a lack of information exists).

Role of Resource—Contribution of a species to a subsistence harvest (e.g., number of villages affected, pounds of fish harvested, miles of river) and qualitative significance (e.g., cultural value, unique seasonal role).

Local Concern—Level of user concerns over subsistence harvests (e.g., upstream vs. downstream allocation, effects of recreational use, changes in fish abundance and population characteristics).

2. Technical-Scientific Merit

The project must meet accepted standards for design, information collection, compilation, analysis, and reporting. Projects should have clear study objectives, an appropriate sampling design, correct statistical analysis, a realistic schedule and budget, and appropriate products, including written reports. Projects must not duplicate work already being done.

3. Investigator Ability and Resources

Investigators must have the ability and resources to successfully complete the proposed study. This will be evaluated considering ability in terms of education and training, related work experience, publications, reports, presentations, and past or ongoing work on Monitoring Program studies; and considering resources in terms of office and laboratory (if relevant) facilities, technical and logistic support, and personnel and budget administration.

4. Partnership-Capacity Building

Partnerships and capacity building are priorities of the Monitoring Program. ANILCA mandates that the Federal government provide rural residents a meaningful role in the management of subsistence fisheries, and the Monitoring Program offers tremendous opportunities for partnerships and participation of local residents in monitoring and research. Investigators are requested to include a strategy for integrating local capacity development in their investigation plans. Investigators must complete appropriate consultations with local villages and communities in the area where the project is to be conducted. Letters of support from local organizations add to the strength of a proposal. Investigators and their organizations should demonstrate their ability to maintain effective local relationships and commitment to capacity building.

POLICY AND FUNDING GUIDELINES

Several policies have been developed to aid in implementing funding.

- Proposals of up to four years duration may be considered in any year's monitoring plan.
- Studies must be non-duplicative with existing projects. Most Monitoring Program funding is dedicated to non-Federal sources.
- Activities not eligible for funding under the Monitoring Program include: a) habitat protection, restoration, and enhancement; b) hatchery propagation, restoration, enhancement, and supplementation; c) contaminant assessment, evaluation, and monitoring; and d) projects where the primary objective is capacity building (e.g., science camps, technician training, intern programs). These activities would most appropriately be addressed by the land management agencies.
- When long-term projects can no longer be funded by agencies, and the project provides direct information for Federal subsistence fisheries management, the Monitoring Program may fund up to 50% of the project cost.

Finances and Guideline Model for Funding

The Monitoring Program was first implemented in 2000, with an initial allocation of \$5 million. Since 2001, a total of \$6.25 million has been annually allocated for the Monitoring Program. In 2010, the total funding was reduced to \$6.05 million. The Department of the Interior, through the U.S. Fish and Wildlife Service, has provided \$4.25 million. The Department of Agriculture, through the U.S. Forest Service, provided \$1.8 million annually. But the level of funding for 2012 is uncertain. If Department of Agriculture funding is not provided, none of the project investigation plans submitted for the Southeast Region would be funded.

The Monitoring Program budget funds continuations of existing projects (year-2, 3 or 4 of multi-year projects), and new projects in the biennial year. The Office of Subsistence Management issued requests for proposals on an annual basis until 2008, and then shifted to a biennial basis. Therefore, the

next request for proposals after 2012 will be for 2014 proposals. Budget guidelines are established by geographic region and data type, and for 2012, \$2 million is projected to be available for new starts. Proposals are solicited according to the following two data types:

5. Stock Status and Trends Studies (SST).

These projects address abundance, composition, timing, behavior, or status of fish populations that sustain subsistence fisheries with linkage to Federal public lands. The budget guideline for this category is two-thirds of available funding.

6. Harvest Monitoring and Traditional Ecological Knowledge (HM-TEK).

These projects address assessment of subsistence fisheries including quantification of harvest and effort, and description and assessment of fishing and use patterns. The budget guideline for this category is one-third of available funding.

2012 FISHERIES RESOURCE MONITORING PLAN

For 2012, a total of 32 investigation plans are under consideration for funding (**Table 1**). Of these, 22 are SST projects and 10 are HM-TEK projects. The Technical Review Committee recommends funding 29 of these investigation plans.

Table 1. Number of investigation plans received for funding consideration in 2012, and number recommended for funding by the Technical Review Committee. Data types are stock status and trends (SST), and harvest monitoring and traditional ecological knowledge (HM-TEK).

Geographic Region	Investigation Plans			Technical Review Committee		
	SST	HM-TEK	Total	SST	HM-TEK	Total
Northern Alaska	4	3	7	3	3	6
Yukon	6	1	7	5	1	6
Kuskokwim	7	1	8	6	1	7
Southwest Alaska	0	3	3	0	3	3
Southcentral Alaska	1	1	2	1	1	2
Southeast Alaska	3	1	4	3	1	4
Multi-Regional	1	0	1	1	0	1
Total	22	10	32	19	10	29

Total funding available for new projects in 2012 is \$2.70 million, while the proposed cost of funding all 32 projects submitted would be \$2.74 million. The 29 projects recommended for funding by the Technical Review Committee have a total cost of \$2.18 million. In making their recommendations, the committee weighed the importance of funding new projects in 2012 with the knowledge that the next request for proposals will be issued in 2014. As has been done in past years, any unallocated Monitoring Program funds from the current year will be used to increase the amount of funding available for subsequent years.

The 2012 draft Monitoring Plan recommended by the Technical Review Committee would provide 28% of the funding to Alaska Native organizations, 47% to State agencies, 14% to Federal agencies, and 11% to other non-government organizations.

SOUTHWEST ALASKA OVERVIEW

Issues and Information Needs

For the Southwest Region, the 2012 Request for Proposals was focused on four priority information needs:

- Obtain reliable estimates of Chinook salmon escapements.
- Patterns in whitefish harvest and use from Lake Clark communities.
- Environmental, demographic, regulatory, cultural, and socioeconomic factors affecting harvest levels of salmon for subsistence use in the Kodiak Area. Researchers should consider evaluating factors influencing use patterns and describing the socioeconomic impacts of other fisheries.
- Harvest of salmon for subsistence use by residents of the Aleutian Islands Area, including current and traditional harvest methods and means by species, and current and traditional uses and distribution practices.

Projects Funded Under the Fisheries Resource Monitoring Program

Since the inception of the Monitoring Program in 2000, 45 projects have been funded in the Southwest Region, and three will still be operating during 2012 (**Tables 1 and 2**). The ongoing projects address sockeye salmon assessment in the Buskin and Afognak river systems and Chinook salmon assessment in the Togiak River system.

Projects Forwarded for Investigation Plan Development

Seven proposals for research in the Southwest Region were submitted to the Office of Subsistence Management for funding consideration in 2012. In March 2011, the Technical Review Committee reviewed these proposals and recommended four projects for development of investigation plans. One project was withdrawn by the investigators prior to submission of an investigation plan. Investigators for the remaining three projects used comments from the Technical Review Committee review of proposals to develop investigation plans. Detailed budgets submitted with each investigation plan allowed identification of funds requested by Alaska Native, State, Federal, and other organizations; funds that would be used to hire local residents; and matching funds from investigating agencies and organizations (**Tables 3 and 4**).

Available Funds

Federal Subsistence Board guidelines direct initial distribution of funds among regions and data types. While regional budget guidelines provide an initial target for planning, they are not rigid allocations. Upon review and evaluation, the Technical Review Committee, Regional Advisory Councils, Interagency Staff Committee and Federal Subsistence Board have the opportunity to address the highest priority projects across regions. For 2012, approximately \$405,000 is available for funding new projects in the Southwest Alaska Region.

Recommendations for Funding

The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands for rural Alaskans through a multidisciplinary, collaborative program. It is the responsibility of the Technical Review Committee to develop the strongest possible

Table 1. Summary of Fisheries Resource Monitoring Program projects completed in Southwest Alaska since 2000. Abbreviations used for investigators are: ADFG=Alaska Department of Fish and Game, APIA= Aleutian-Pribilof Islands Association, BBNA=Bristol Bay Native Association, ISU= Idaho State University, KANA=Kodiak Area Native Association, NTC= Nondalton Tribal Council, NPS=National Park Service, QT=Qawalangin Tribe, USFWS=U.S. Fish and Wildlife Service, USGS=U.S. Geological Survey, USS&E=US Science and Education, and UW=University of Washington.

Project Number	Project Title	Investigators
<u><i>Bristol Bay Salmon</i></u>		
00-010	Togiak River Salmon Weir	USFWS
00-031	Alagnak River Sockeye Salmon Escapement	ADFG, NPS, BBNA
00-033	Alagnak River Angler Effort Index	ADFG
00-042	Lake Clark Sockeye Salmon Assessment	USGS
01-047	Togiak River Subsistence Harvest Monitoring	BBNA, ADFG, USFWS
01-075	Nondalton Sockeye Salmon and Freshwater Fish TEK	NPS, NTC
01-095	Lake Clark Sockeye Salmon Escapement	USGS, UW
01-109	Traditional Ecological Knowledge of AkPeninsula/Becharolf NWR	ADFG, BBNA
01-173	Alagnak River Harvest Salmon Assessment of Recreational Fishery	ADFG
01-204	Ugashik Lakes Coho Salmon Escapement Estimation	USFWS, ADFG, BBNA
03-046	Fisheries Biotechnician Training Program	NPS
04-411 ^a	Lake Clark Sockeye Salmon Run Timing	ADFG
04-454	Bristol Bay Sharing, Bartering, and Trade of Subsistence Resources	ADFG, BBNA
05-402	Lake Clark Sockeye Salmon Escapement	NPS, USGS
08-402	Togiak River Chinook Salmon Radio Telemetry	USFWS, BBNA
08-405 ^a	Lake Clark Sockeye Salmon Assessment	NPS, USS&E, BBNA
<u><i>Chignik Salmon</i></u>		
02-098	Kametalook River Coho Salmon Escapement & Carrying Capacity	USFWS, BBNA
02-099	Clark River Estimation of Sockeye and Coho Salmon Escapement	USFWS, BBNA
03-043	Perryville Coho Salmon Escapement	USFWS
05-405	Perryville-Chignik Coho and Sockeye Salmon Aerial Surveys	USFWS
07-404	Perryville-Clark River Coho and Sockeye Salmon Aerial Surveys	USFWS
<u><i>Bristol Bay-Chignik Freshwater Species</i></u>		
00-011	Togiak River Dolly Varden Genetic Baseline Development	USFWS
00-012	Bristol Bay Traditional Knowledge of Fish	ADFG
02-034	Kvichak River Resident Species Subsistence Fisheries Assessment	ADFG, BBNA
04-401	Ungalikthlik and Negukthlik Rivers Rainbow Trout Assessment	USFWS
04-415	Tazimina Rainbow Trout Assessment	ADFG
05-403 ^a	Lake Clark Whitefish Assessment	ADFG, BBNA
07-408 ^a	Togiak River Rainbow Smelt Assessment	USFWS, BBNA
07-452	Kvichak Watershed Subsistence Fishing Ethnography	ADFG, BBNA, NPS
<u><i>Kodiak-Aleutians</i></u>		
00-032	Buskin River Sockeye Salmon Stock Assessment	ADFG
01-059	McLees Lake Sockeye Salmon Escapement	USFWS
01-206	Mortenson Creek Sockeye and Coho Salmon Escapement	USFWS
02-032	Lower AK Peninsula/Aleutians Subsistence Fish Harvest Assessment	ADFG, APIA, ISU
03-047	Afognak Lake Sockeye Salmon - Smolt Enumeration Feasibility	ADFG
04-402	Mortenson Creek Sockeye and Coho Salmon Escapement	USFWS
04-403	McLees Lake Sockeye Salmon Escapement	USFWS
04-412	Afognak Lake Sockeye Salmon Stock Assessment	ADFG
04-414	Buskin River Sockeye Salmon Stock Assessment	ADFG
04-457	Kodiak Subsistence Fisheries Harvest Assessment and TEK	ADFG, KANA
07-401	Afognak Lake Sockeye Salmon Smolt Assessment	ADFG
07-402	Buskin River Sockeye Salmon Weir	ADFG
07-405	McLees Lake Sockeye Salmon Weir	USFWS, ADFG, QT
10-404 ^a	Buskin River Sockeye Salmon Smolt Assessment Feasibility	ADFG
10-406 ^a	McLees Lake Sockeye Salmon Weir	USFWS, ADFG, QT

^a Final Report in preparation.

Table 2. Summary of ongoing 2012 projects funded under the Fisheries Resource Monitoring Program in Southwest Alaska. Abbreviations used for investigators are: ADFG=Alaska Department of Fish and Game, BBNA=Bristol Bay Native Association, and USFWS=US Fish and Wildlife Service.

Project Number	Project Title	Investigators	Budget	
			2012	2013
<i>Bristol Bay Salmon</i>				
10-401	Afognak Lake Sockeye Salmon Smolt and Adult Assessment	ADFG	\$147.0	\$150.9
10-402	Togiak River Chinook Salmon Adult Assessment	USFWS, BBNA, ADFG	\$210.1	\$0.0
10-403	Buskin River Sockeye Salmon Adult Assessment	ADFG	\$95.0	\$96.8
Total Southwest Alaska Monitoring Program			\$147.0	\$150.9

Table 3. Southwest Alaska project costs, by organization (Alaska Native, State, Federal, other), for investigation plans submitted to the Fisheries Resource Monitoring Program for funding consideration in 2012.

Project Number	Title	Budget (\$000s)			
		Alaska Native	State	Federal	Other
<i>Harvest Monitoring and Traditional Ecological Knowledge</i>					
12-450	Aleutian Islands Salmon and Other Subsistence Harvests				\$44.2
12-452	Lake Clark Whitefish Climate Change Trends	\$55.9	\$80.2	\$2.0	
12-453	Kodiak Salmon Fishery Changing Patterns		\$77.3	\$9.0	

monitoring plan for each region and across the entire state. After reviewing the three investigation plans, the Technical Review Committee recommended funding all of the proposed projects (**Table 5**):

12-450	Aleutian Islands Salmon and Other Subsistence Harvests	\$	44,241
12-452	Whitefish Trends, in Lake Clark and Iliamna Lake, Alaska	\$	138,169
12-453	Kodiak Salmon Fishery Changing Patterns	\$	86,334
Total		\$	268,744

The three projects recommended for funding by the Technical Review Committee comprise a strong Monitoring Plan for the region by addressing strategically important information needs based on sound science and by promoting cooperative partnerships. Each project recommended for funding in the Southwest Alaska region in 2012 is summarized below (see Executive Summaries for more details on all projects).

12-450 Aleutian Islands Salmon and Other Subsistence Harvests. This three-year project would provide data on harvests and subsistence uses of salmon and other fish species in the Aleutian communities of Unalaska, Nikolski, Atka, and Adak. The investigator would combine data from this project with data from a concurrent project and provide the Monitoring Program with information on a total of eight communities. The study would explore recent changes to subsistence harvests so that “managers can better understand factors that have shaped current practices” including, but not limited to, changing access, changing regulations, climactic influences, and socioeconomic influences. The study would explore household and community economics in order to place subsistence salmon practices into

Table 4. Southwest Alaska local hire and matching funds for investigation plans submitted to the Fisheries Resource Monitoring Program for funding consideration in 2012. Abbreviations used are: ADFG=Alaska Department of Fish and Game and ISU=Idaho State University.

Project Number	Lead Organization	Title	Funding (\$000s)	
			Local Hire	Matching
<i>Harvest Monitoring and Traditional Ecological Knowledge</i>				
12-450	ISU	Aleutian Islands Salmon and Other Subsistence Harvests	\$0.0	\$0.0
12-452	ADFG	Lake Clark Whitefish Climate Change Trends	\$0.0	\$0.0
12-453	ADFG	Kodiak Salmon Fishery Changing Patterns	\$0.0	\$0.0

Table 5. Southwest Alaska funding recommendations by the Technical Review Committee (TRC) for the 2012 Fisheries Resource Monitoring Program.

Project Number	Title	TRC	Requested Budget (\$000)			
			2012	2013	2014	2015
<i>Harvest Monitoring and Traditional Ecological Knowledge</i>						
12-450	Aleutian Islands Salmon and Other Subsistence Harvests	Yes *	\$44.2	\$160.1	\$100.0	\$0.0
12-452	Lake Clark Whitefish Climate Change Trends	Yes	\$138.2	\$93.3	\$53.4	\$0.0
12-453	Kodiak Salmon Fishery Changing Patterns	Yes *	\$86.3	\$86.3	\$0.0	\$0.0
Total			\$268.7	\$339.7	\$153.4	\$0.0
Guidelines			\$405.0			
TRC Recommended			\$268.7	\$339.7	\$153.4	\$0.0

* = Yes with modification

broader socioeconomic contexts of the region. This project would address a priority information need identified in the 2012 Request for Proposals.

12-452 Whitefish Trends, in Lake Clark and Iliamna Lake, Alaska. This two-year project would investigate declining whitefish harvests and whitefish harvests more generally in the context of non-salmon fisheries in a portion of the Bristol Bay region. The investigators would focus on whitefish harvests that primarily occur in spring and fall through the ice or in nets during salmon harvests. These harvests have often been misidentified and underreported. To understand contemporary harvests and reasons for change, the investigators propose three research questions to be answered through ethnographic fieldwork in the communities of Igiugig, Iliamna, Newhalen, Nondalton, and Port Alsworth. Igiugig was added after the proposal review and Pedro Bay was deleted. The research questions are: 1) What are the contemporary harvest and use patterns of each whitefish species used by residents of the Lake Clark communities?; 2) What factors have shaped the harvest efforts of each whitefish species over time?; and 3) What factors are influencing the ability of residents to harvest the varied species of whitefish? This project would address a priority information need identified in the 2012 Request for Proposals and in the Whitefish Strategic Plan.

12-453 Kodiak Salmon Fishery Changing Patterns. This two-year project would investigate changes in subsistence fisheries on Kodiak Island, with particular emphasis on the communities of Larsen Bay and Old Harbor. This research would update and expand prior research in the area that showed harvests were

underrepresented when based on estimates obtained from permits. The investigators would evaluate the reporting system for subsistence harvests, compare communities along the Kodiak road system with more remote communities, and elucidate factors that influence current harvests. The goal of this work would be to reveal information about factors affecting salmon harvests within broader environmental, demographic, regulatory, cultural and socioeconomic contexts. Three main research questions would be explored: 1) What are the historic use patterns of subsistence salmon fisheries that can be accessed by the Kodiak archipelago road system and by more isolated communities?; 2) What local knowledge do subsistence salmon harvesters hold regarding the social-ecological system of the Kodiak archipelago of which the subsistence salmon fishery is a part?; and 3) How have cultural, social, and economic factors shaped the Kodiak subsistence salmon fishery over time? This project would address a priority information need identified in the 2012 Request for Proposals.

Project Number: 12-450
Project Title: Aleutian Islands Salmon and other Subsistence Harvests
Geographic Region: Southwest Alaska
Information Type: Harvest Monitoring and Traditional Ecological Knowledge
Principal Investigator: Dr. Katherine Reedy-Maschner, Idaho State University

Project Cost: **2012:** \$44,241 **2013:** \$160,113 **2014:** 99,984

Recommendation: Fund with modification

Issue

This proposal addresses the priority information need for harvest data of salmon for subsistence use by Aleutian Islands Area residents, methods and means by species, and traditional use and distribution practices. Current detailed information on all subsistence harvests is needed for management of these species. This study will contextualize salmon in the broader subsistence and socioeconomic conditions of Adak, Atka, Nikolski, and Unalaska, and will include findings from a previous study involving the collection of similar data from Akutan, False Pass, Nelson Lagoon, and Port Heiden. The Office of Subsistence Management will receive comprehensive data on eight Bering Sea communities. Using household and community level data, the study will document subsistence harvests, distribution practices and levels, social dynamics that contribute to those practices, map harvest areas using GIS, and describe household and community economics in order to meet the priority need of the Office of Subsistence Management for information on salmon for subsistence use in the Aleutian Islands. This study will provide data on salmon availability and importance relative to other subsistence foods. The study will also investigate the role of salmon and other foods and products in household distribution networks, access to subsistence foods (regulatory, obtainability, socioeconomic and logistical), costs incurred, and resources (e.g. equipment, crews) needed in order to harvest. Surveys will also gather ecological observation data in conjunction with species observations to potentially evaluate climate change impacts on subsistence fish and other species

Objectives

The overarching research questions are, what is the current role of subsistence fisheries to Aleutian Islands Area residents?; and what is the social map of food harvesting and distribution, and how is it shaped by other socioeconomic circumstances? The objectives are:

1. Estimate the harvest levels and methods of all subsistence species in the study communities for calendar year 2012, especially salmon. Determine proportion of salmon relative to other subsistence harvests.
2. Estimate sharing and distribution patterns of species and products between individuals, households, and communities.
3. Link and compare household harvests and uses by communities to four other Bering Sea study communities. Eight total villages will be included.
4. Determine, using all available qualitative and quantitative data, changes in subsistence species, access, and uses over time.
5. Contextualize subsistence fisheries in the broader regional economy.

6. Compare household survey data with harvests reported in the State's permit system and identify reporting issues.
7. Discover community subsistence concerns, observed changes in species abundances and locations, and observed environmental changes.

Methods

Methods, in order of implementation, are 1. Connect with Aleutian communities, give presentations on the goals and methods of the project, and set out opportunities for local involvement. 2. Conduct key informant interviews to determine harvest access, methods, frequency and use, village socioeconomics, local politics, demographics, and cultural factors. Perform a literature review. 3. Conduct household surveys for the four study communities (aiming for 100%) that capture genealogical relationships; harvest numbers of salmon, other marine fish, freshwater fish, land mammals, birds and eggs, and plant species for all household members; sharing and distribution of whole species and products between individuals; household economics; harvest locations; and species health/abundance observations. Participants shall be remunerated at a reasonable rate for their time and effort. 4. Integrate these data into a database from a recent ongoing study contract under the U.S. Bureau of Ocean Energy Management, Regulation and Enforcement in which similar data (in the context of anticipated oil and gas development) were collected for Port Heiden, Nelson Lagoon, False Pass and Akutan. Preliminary data from Akutan demonstrate limited salmon trading with people in the Pribilofs, thus data from those communities will be gathered indirectly. 5. Compare survey data with harvest numbers reported to the State to address data gaps. 6. Analyze survey field data, perform social network analysis, and use qualitative data to guide interpretation. 7. Prepare reports to the OSM and to the communities.

Partnerships and Capacity Building

This project actively solicits local research assistants who will be trained in administering the surveys. Assistants and survey respondents will be compensated for their time and efforts. The project also actively seeks analytical input from local communities in interpreting survey results.

Justification

This project offers to provide data as requested in the 2012 priority information needs for the Aleutian Islands Area, namely harvest data of salmon and other subsistence resources. The investigator will collect comprehensive data on subsistence harvests in four Aleutian communities, Unalaska, Nikolski, Atka, and Adak. The study will explore recent changes in subsistence harvests affected by issues ranging from changing access, changing regulations, climactic influences, and socioeconomic influences. The study will explore household and community economics in order to place subsistence salmon practices into broader socioeconomic contexts of the region. Additionally, the project will provide an opportunity to document local concerns and observations about changing subsistence and socio-environmental issues. The investigator presents this research plan clearly and comprehensively. The investigator will align research findings to concurrent and past research in the region, which could link the Monitoring Program to broader subsistence research and a comprehensive data set of eight total Bering Sea communities. The research will also link a range of managers, Federal and State agencies, and management issues through exploring changing subsistence patterns and processes and by linking concurrent studies. The investigator addresses several concerns of the Technical Review Committee including sampling methods and questions about previous studies. The Technical Review Committee requests modification to address several issues. The investigator should offer further discussion, detail, and justification of the sampling method, including a justification of the sample size and structure. The Technical Review Committee also requests contribution of data to the Community Subsistence Information System database as a condition

for funding. Finally the investigator should address concerns of the Technical Review Committee regarding payment to respondents. Overall, the outline of the research questions, study sites, relevant background, research objectives, and methods are cogent and clear. The investigator offers a clear socio-cultural study which integrates valuable harvest information and knowledge about Aleutian fisheries with contemporary community, household, and management changes. The overall framework, questions, and objectives, the research methods, and researcher ability lead to a recommendation to fund this project. If this project is funded, it is suggested that letters of support be provided by local entities.

Project Number: 12-452
Project Title: Whitefish trends in Lake Clark and Iliamna Lake, Alaska
Geographic Region: Southwest Alaska
Information Type: Harvest Monitoring/Traditional Ecological Knowledge
Principal Investigator: Davin Holen, Alaska Department of Fish and Game,
Co-Investigator(s): Courtenay Gomez, Bristol Bay Native Association,
Robbin La Vine, Alaska Department of Fish and Game,
Karen Evanoff, Lake Clark National Park and Preserve,
Valerie Engebretsen, Nondalton Tribal Council

Project Cost: **2012:** \$138,169 **2013:** \$93,323 **2014:** \$53,359

Recommendation: Fund

Issue

This project responds to two information needs identified in the “Priority Information Needs” document by the Office of Subsistence Management and the Bristol Bay Regional Advisory Council. These are “patterns in whitefish harvest and use from Lake Clark communities,” and the multi-regional priority information need to document “changes in subsistence fishery resources and uses, in the context of climate change where relevant including but not limited to fishing season, species target, fishing locations, fish quality, harvest methods and means, and methods of preservation. Include management implications.” Whitefish species are among the most important non-salmon fish in local subsistence harvests, but harvest of whitefish by local residents of Lake Clark have declined over the last several decades, for unknown reasons. Whitefish migration patterns are also little understood in the Iliamna area and genetic studies of whitefish species are incomplete. A more complete understanding of whitefish migration patterns through local knowledge could inform fisheries managers and biologists in Lake Clark National Park and Preserve and Katmai National Park who could potentially be managing the same whitefish stock. This project seeks to understand whitefish harvests within broader non-salmon fish harvest efforts. These efforts mainly take place in the spring and fall and include jigging for fish through holes in the ice in the spring, or by using nets in the fall. In addition, whitefish in Sixmile Lake and Lark Clark are caught in nets during the salmon harvest and are often incorrectly identified and harvests are underreported. In order to understand contemporary harvests and reasons for change over time researchers have focused on three research questions: 1) What are the contemporary harvest and use patterns of each whitefish species used by residents of the Lake Clark communities of Igiugig, Iliamna, Newhalen, Nondalton, and Port Alsworth?; 2) What factors have shaped the harvest efforts of each whitefish species over time?; 3) What factors are influencing the ability of residents to harvest the varied species of whitefish?

Objectives

1. Estimate the harvest of nonsalmon by residents of Igiugig (pop. 50 in 2010), Iliamna (pop. 109), Newhalen (pop. 190), Nondalton (pop. 164), and Port Alsworth (pop. 159) in 2012 and 2013.
2. Describe the harvest of nonsalmon fish in terms of species, gear, location, and timing of harvests
3. Document local knowledge (TEK) of each whitefish species, including life history, ecology, environmental and climate-related observations, seasonal movement, spawning areas, interactions

with other fish and wildlife, local taxonomies, trends in abundance, and traditional management systems.

4. Describe the characteristics and trends of the whitefish fishery by species.
5. Identify what factors may be influencing the ability of residents to harvest various whitefish species through the ice in the spring.

Methods

1) Harvest survey. The harvest survey is useful to meet Objective 1; to estimate the harvest of nonsalmon by residents of Igiugig, Iliamna, Newhalen, Nondalton, and Port Alsworth in 2012 and 2013 and Objective 2; to evaluate the harvest of nonsalmon fish in terms of species, gear, location, and timing of harvests. A harvest survey for all non-salmon species will occur for study year 2012 between February and March of 2013 and for study year 2013 in February 2014. The survey itself will also document household demographics, harvest of non-salmon fish, and location of harvests. The study communities are experiencing demographic changes and this survey could lead to a greater understanding of the link between demographic changes and harvest patterns.

2) Key Respondent Interviews. Key respondent interviews will collect local traditional knowledge related to trends in whitefish stocks and subsistence uses of these stocks to add to the information already available from previous research. A minimum of four key respondent interviews will be conducted in each of the main study community of Igiugig, Nondalton, and Port Alsworth and an additional 4 key respondent interviews will be conducted in the other study communities for a total of 16 key respondent interviews. The topics will focus on those identified in Objective 3: to document local knowledge of each whitefish species, including life history, ecology, environmental and climate-related observations, seasonal movement, spawning areas, interactions with other fish and wildlife, local taxonomies, trends in abundance, and traditional management systems.

3) Participant observation. Participant observation will be utilized during this project to add an ethnographic context to whitefish harvest patterns and use. It is also important for researchers to have firsthand experience in participating in spring ice fishing to better understand the skills and knowledge involved in this important activity. Participant observation will be useful in meeting Objectives 3 and 4. This participation will mainly occur during spring whitefish harvest activities in Nondalton and Port Alsworth. In addition researchers will attempt to understand if whitefish are a target species, whether certain species of whitefish are targeted, or whether whitefish are simply part of the overall harvest of non-salmon fish. There will be an education element to the participant observation component. Spring fishing on the ice in Nondalton, for example, often occurs during culture week at the school.

Partnerships/Capacity Building

The project would be a collaborative effort among the Bristol Bay Native Association, the Division of Subsistence, Alaska Department of Fish and Game, the Nondalton Tribal Council, Lake Clark National Park and Preserve, and the tribal governments of Igiugig, Iliamna, and Newhalen. Local researchers will be trained to conduct interviews and surveys. The Nondalton Tribal Council is very interested in this study as it would complement their Integrated Resource Management Plan currently underway. The Nondalton Tribal Council will be a full partner on this project. The Nondalton Tribal Council researcher will coordinate the key respondent interviews and the participant observation. In addition they will be involved in Port Alsworth as well as this community has close ties to Nondalton. In all of the study communities the local research assistant will be responsible for arranging and conducting interviews in their communities.

Justification

The proposed project addresses a priority information need in the 2012 Request for Proposals that has been a high priority for a few years. The investigators followed the suggestions of the Technical Review Committee, rewriting their objectives and research questions so that they are clearer and potentially achievable. The project goals have the potential of being met within the suggested time frame. Ratings of high were given to the ability of the researchers, the partnership and capacity building, the need for this research, and the Federal linkage is clear. The investigators note that they are offering a broader exploration of factors affecting change; however, it is suggested that to be successful in meeting this goal the investigators need to address the framework for identifying these factors prior to collecting data so that it can be understood in the appropriate broader socio-environmental, political or economic context. While answering the research questions and objectives relating to change may be possible, without a clear discussion of how this study fits into existing data or without clearly defined and presented parameters surrounding ‘factors’ of influence, this study may only provide more data relating to description of the harvest and use patterns dealing with the first four objectives of the study. It would better serve the Monitoring Program to have the data collected by the project placed into a clearly defined context which will help the investigators to make a more reliable identification of the factors influencing the harvest levels by residents of these communities by species and through time. If the investigators address the concerns of the Technical Review Committee, it is recommended that this project be funded.

Project Number: 12-453
Project Title: Changing Patterns in the Kodiak Area Subsistence Salmon Fishery
Geographic Region: Southwest Alaska
Information Type: Harvest Monitoring/Traditional Ecological Knowledge
Principal Investigator: Davin Holen, Alaska Department of Fish and Game
Co-Investigator(s): Malla Kukkonen, Alaska Department of Fish and Game
Meredith Marchioni, Alaska Department of Fish and Game
Tonya Lee, U.S. Fish and Wildlife Service

Project Cost: **2012:** \$86,334 **2013:** \$86,323

Recommendation: Fund with Modification

Issue

This project responds to an information need identified in the “Priority Information Needs” document prepared by the Office of Subsistence Management and the Kodiak Aleutians Regional Advisory Council by investigating the “environmental, demographic, regulatory, cultural and socioeconomic factors affecting harvest levels of salmon for subsistence use in the Kodiak Area.” This project was devised, and study communities chosen, after consultation with staff from the Kodiak National Wildlife Refuge, Alaska Department of fish and Game area fisheries managers, the Alutiiq Museum, the Kodiak Area Native Association, and the Sun’aq Tribe of Kodiak. In the Kodiak area, Alaska Department of fish and Game sends subsistence fishery permits to every permit holder who returned a permit in the previous year. Subsistence fishers are required to return their permits to Alaska Department of fish and Game after the salmon season. Every year, the U.S Postal Service returns many permits to Alaska Department of fish and Game marked “undeliverable.” Therefore, harvest reports are not expanded for this area to produce an estimated harvest. Surveying a sample of subsistence salmon permit holders on the Kodiak road system, a sample of the general population of the Kodiak road system, and the case study communities of Larsen Bay and Old Harbor could assist fishery managers and regulatory boards in evaluating subsistence salmon fishing opportunities in the Kodiak area. Information would also be collected for Kodiak road system resident important harvesting locations including the Buskin River, which the Federal Subsistence Board has identified as important for the customary and traditional use by residents of Kodiak. This project would update and expand on research previously conducted in Akhiok, Larsen Bay, Old Harbor, Ouzinkie, and Port Lions in 2005 which found data from returned permits underrepresented subsistence harvests. Conducting follow-up research in Larsen Bay and Old Harbor could inform managers on the outcome of educational efforts undertaken during the 2005 study to encourage residents to obtain permits and return them to Alaska Department of fish and Game. During deliberations at the 2010 Board of Fisheries meeting in Kodiak, Board Chairman Vince Webster encouraged the Subsistence Program Manager for the Division of Subsistence, Davin Holen, to conduct research to provide better harvest data for Kodiak Island communities. In addition to harvest data, this research project would also help managers understand the broader socioeconomic and regulatory factors influencing the harvest of salmon for subsistence by Kodiak Island residents. Subsistence fisheries on Kodiak Island have been influenced by changes in demography, transportation technology, ecology, environmental disasters, and other cultural, social, and economic factors. This project will seek to understand the effects of these changes on the cultural, social, and economic characteristics of salmon fishing. This research will be guided by three research questions based on an evaluation of existing data and the literature summarizing social-ecological studies about subsistence fishing economies and fisheries management. The three research

questions are: 1) What are the historic use patterns of subsistence salmon fisheries that can be accessed by the Kodiak archipelago road system and by more isolated communities?; 2) What local knowledge do subsistence salmon harvesters hold regarding the social-ecological system of the Kodiak archipelago of which the subsistence salmon fishery is a part?; 3) How have cultural, social, and economic factors shaped the Kodiak subsistence salmon fishery over time?

Objectives

1. To compile and update data on the harvest of salmon in the Kodiak archipelago road system and the case study communities of Larsen Bay and Old Harbor and to compare and contrast the road system fishery and the fishery of the more isolated communities.
2. To describe current (2012 study year) subsistence harvest and use patterns of salmon on the Kodiak archipelago including harvest locations. Evaluate whether education efforts in Larsen Bay and Old Harbor increased the accuracy of permits over time.
3. To collect and discuss local knowledge about patterns and trends of salmon harvests and salmon stock diversity, including changes in location over time.
4. To identify factors of the social-ecological system of the Kodiak archipelago that shape contemporary subsistence harvesting patterns and uses of salmon by residents of Kodiak City and the nearby road system, and the study communities of Larsen Bay and Old Harbor.

Methods

1) Compile and update harvest data. This objective has two parts. The first task is to compile existing harvest data including spatial data. The second part of Objective 1 is to evaluate harvest and use patterns for salmon. The second data gathering method will be a systematic household survey administered in Kodiak City and the surrounding road system and the study communities of Larsen Bay and Old Harbor. Kodiak City will include Kodiak City, Kodiak Station, and Womens Bay; all of which are grouped together in findings prepared by Alaska Department of fish and Game.

2) Describe current subsistence harvest and use patterns. The data gathering methods for this objective will consist of key respondent interviews in the form of “map biographies” guided by an open interview protocol. Knowledgeable retired fishers will also be interviewed to understand historic harvest locations that could be compared to contemporary fishers.

3) Collect traditional ecological knowledge about salmon. Traditional ecological knowledge topics will be explored during the map biographies described under Objective 3. During the discussion, fishers will be asked to describe their observations regarding changes in salmon stocks at fishing locations they are familiar with and will be asked to provide information to help explain these trends. Topics will be focused on answering the research questions including what cultural, social, economic, and environmental factors have shaped salmon harvest efforts over time, as well as what environmental and climate related factors influence their ability to harvest salmon.

4) Identify factors influencing subsistence salmon fishing. A quantitative analysis of these factors will be performed based on the systematic household surveys in Objective 2, which will include an assessment question which will address how fishing activity has changed over time.

Partnerships/Capacity Building

This project will begin with a community scoping meeting in November, 2012. At that time a resolution supporting the project will be sought from Kodiak Alaska Native Association, the Sun’aq Tribe of Kodiak, Larsen Bay Tribal Council, and the Old Harbor Tribal Council. Input will be sought from staff of the divisions of Commercial Fisheries and Sport Fish of Alaska Department of fish and Game, as well as the U.S. Fish and Wildlife Service, regarding survey instruments and interview protocols. The project will be a collaborative effort among the Division of Subsistence, Alaska Department of fish and Game, and the Kodiak National Wildlife Refuge. The Sun’aq Tribe of Kodiak has been consulted and will participate through hiring local researchers. Local researchers will be trained to conduct interviews and surveys. Letters and/or resolutions of support from Larsen Bay and Old Harbor will be sought. Ethnographic material will be archived at the Alutiq Museum.

Justification

This project should be funded with modification and a new investigation plan and revised budget should be submitted. This project addresses a priority information need in the 2012 Request for Proposals on factors affecting salmon harvests in the Kodiak Area. Overall, this investigation plan has significantly improved from the proposal and offers valuable data, as requested in the 2012 priority information need; however, the project could improve in overall presentation and research goals. The investigators are qualified to conduct research and the partnership and capacity building component of the research is rated high. If this project is funded, it is suggested that letters of support be provided by local entities and the budget and justification should include the Sun’aq Tribe of Kodiak as official partners in this project. The investigators could better demonstrate their capability to put collectible data into broader socio-environmental/political/ economic contexts. The second research question, “what local knowledge do subsistence salmon harvesters hold regarding the social-ecological system” should be dropped unless clear parameters for measurement and discussion are presented. The investigators should present a modified investigation plan which lists at least one key factor to explore and/or evaluate in each category mentioned in the third research question. This should be done so that the investigators can clearly demonstrate what types of questions they will be asking and what types of data they will be looking for, e.g. “economic factors” could refer to household income, participation in commercial fisheries or wage labor, business ownership etc. The investigators need to explain what kinds of factors they will explore before they will be able to determine whether or not or how they have shaped subsistence fisheries over time. If the above modifications are addressed, it is recommended that this project be funded.

**STATUS REPORT
ON THE
SECRETARIAL RECOMMENDATIONS
TO THE
FEDERAL SUBSISTENCE MANAGEMENT PROGRAM**

“Subsistence is of critical cultural as well as nutritional importance to rural Alaskans, and I take seriously the responsibility for carrying out the mandate of Title VIII of ANILCA to provide opportunities and priority for subsistence uses on Federal lands and waters.”

Secretary Salazar, December 2010

Implementation of a subsistence program that fulfills the obligations of the U.S. Government to rural families is important to me. The Federal Subsistence Management Program in Alaska aligns closely with the mission of the U.S. Department of Agriculture’s (USDA) mission and embodies key priorities that include sustaining the livelihood of rural families, ensuring access to healthy and affordable food, providing jobs in rural communities, sustaining cultural and traditional ways of life, and strengthening relationships with Alaska Native tribes.

Secretary Vilsack, April 2011

In 2009, the Secretaries of Interior and Agriculture announced a review of the Federal Subsistence Management Program, acknowledging that it was no longer temporary, and stating that there was value in examining the program. Their stated goals were to look ahead to plan for the future of the program to ensure that it is best serving rural Alaskans and that the letter and spirit of Title VIII of ANILCA are being met. The review began in November 2009, and preliminary recommendations were released in August 2010.

In December 2010 the Secretary of Interior with concurrence from the Secretary of Agriculture announced the results of their review and provided several recommendations to the Federal Subsistence Board towards the purpose of providing a more responsive, effective program.

All of these recommendations can be implemented by the Secretary of the Interior or by the Secretary with concurrence of the Secretary of Agriculture, or by the Federal Subsistence Board. Most can be accomplished as a matter of Secretarial directive or policy. However, some would be regulatory changes requiring a formal rule-making process. The Federal Board prioritized the recommendations and began working on a subset in December 2010. Work is proceeding as follows:

1. Develop a proposed regulation to increase the membership on the Federal Subsistence Board to include two additional public members representing subsistence users.

- **Status:** A Final Rule has been published in the Federal Register. The language adopted by the Secretaries is as follows:

“(1) The voting members of the Board are: ... two public members representing rural Alaskan subsistence users who possess personal knowledge of and direct experience with subsistence uses in rural Alaska to be appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.”

- The Secretaries will be seeking applications/nominations for the two seats and are hoping to have the two positions seated by January 2012.

2. As a matter of policy, expand deference to appropriate RAC recommendations in addition to the “takings” decisions of the Board provided for under Section 805(c) of ANILCA, subject to the three exceptions found in that Section.
 - **Status:** The Board is still in the process of considering expanding its deference to Regional Advisory Council recommendations to matters beyond take. The Board is generally supportive of expanding deference to Councils on C&T and has yet to determine whether or not it is sufficient to reflect this perspective in policy or if rulemaking needs to be pursued. With regard to deference on rural determinations, the Board is continuing to learn the intricacies of the regulations and the process, and is exploring whether or not deference regarding rural determinations is appropriate given Court findings. Finally, with regard to deference on in-season management decisions, the Board understands that because in-season management decisions often must be made quickly in response to newly obtained information, deference to Council recommendations will occur only when time and conservation allow.
3. Review, with RAC input, the December 2008 Memorandum of Understanding (MOU) with the State to determine either the need for the MOU or the need for potential changes to clarify federal authorities in regard to the subsistence program.
 - **Status:** The MOU was provided to all ten Regional Advisory Councils for comment during winter 2011 meeting cycle. Council comments were summarized and reviewed by the Board in summer 2011. The Board has directed that the changes recommended by the Councils be examined by a work group comprised of both state and federal members, with a report back to the Board and final action on proposed changes by December 2011.
4. Review, with RAC input, the customary and traditional use determination process and present recommendations for regulatory changes.
 - **Status:** All ten Regional Advisory Councils were asked for their perspectives on the existing process during the Winter 2011 meeting cycle. These comments were summarized and reviewed by the Board in May 2011. Because most comments were generally supportive of the existing process, the Board is focusing its energies on other action items at this point in time.
5. Review, with RAC input, rural/nonrural determination process and present recommendations for regulatory changes.
 - **Status:** The Board held a work session in April to learn about rural process, and is continuing to learn the intricacies of the regulations and the process. In response to the Secretarial Review, the Board is exploring whether or not it can delay the implementation date for the communities or areas which were rural and were determined to be nonrural during the 2000 review process. The Board is evaluating how best to proceed in conducting the 2010 rural determination process.
6. Review the Board’s written policy on executive sessions and minimize the use of executive sessions to those cases specifically prescribed.

- **Status:** The Board has revised its Executive Session policy to reflect that it intends to keep its business transparent, and will provide a summary of Executive Sessions as and when they occur. The Board adopted its revised policy at its May 2011 meeting.
7. At the request of the Director of the US Fish and Wildlife Service and under Departmental procedures, review and submit recommendations for Departmental consideration of the annual budget for the Federal subsistence program. Under this directive, the following elements (gleaned from the Secretarial Review comments) are recommended as a focus:
- a. Hold Federal Subsistence Board meetings in rural areas
 - **Status:** Pending Additional funding
 - b. Increase Training and support to Regional Advisory Councils
 - **Status:** Implement when funding and staffing allow.
 - c. Implement Wildlife Monitoring Studies
 - **Status:** Pending additional funding
 - d. Increase Tribal Consultation
 - **Status:** In Progress (see written briefing)
 - e. Increase capacity within Office of Subsistence Management for research and implementation
 - **Status:** Pending additional funding
 - f. Reinstate the annual regulatory cycle
 - **Status:** The Board sees the value of every other year cycle, but may be open to reinstating the annual cycle should funding allow.

The Federal Board has not yet begun work on the following directives:

- 8. Review, with RAC input, and present recommendations for changes to Federal subsistence procedural and structural regulations (Parts A&B of the CFRs) adopted from the State in order to ensure Federal authorities are fully reflected and in accord with subsistence priorities provided for in Title VIII.
- 9. Ensure the Secretaries are informed when non-Department rule-making entities develop regulations that may adversely affect subsistence users.
- 10. To the extent practicable, utilize contracting and use of ANILCA Section 809 cooperative agreements with local tribes and other entities in the Board's review and approval of proposals for fulfilling subsistence program elements.

BUDGET IMPLICATIONS

The Secretary's 2010 Report recognizes that the Federal program will be in place for the foreseeable future and as such, it must fulfill the commitments made in ANILCA relative to providing for the rural subsistence priority. In light of the Secretary's emphasis on the Federal Subsistence Management Program and resultant heightened expectations of rural Alaskans, additional funding is needed for the Federal Subsistence Management Program to implement many of the Secretarial Recommendations. Unfortunately, funding in 2012 and beyond is likely to be flat or reduced; this will affect the ability of both the Board and the Program to deliver on certain of these recommendations.

BRIEFING ON TRIBAL CONSULTATION

As discussed with the Regional Advisory Councils at the Winter 2011 meetings, the Federal Subsistence Board has been taking steps to formally incorporate tribal consultation into the Federal Subsistence Management Program, while maintaining the established role of the Councils. This action is consistent with the Secretaries of the Interior and Agriculture's renewed emphasis on respectful relationships with tribes.

Towards this end, Tribes were invited to participate in the January 18–21, 2011 Federal Board meeting. Invitations were sent to all Federally recognized Tribes in Alaska, as well as ANCSA corporations¹. The invitations were twofold: Tribes and ANCSA Corporations were invited to provide comments on the fisheries proposals and they were also invited to a meeting on the 21st to discuss development of a consultation protocol for the overall Federal Subsistence Management Program. The meeting on the 21st was generally a listening session, and the Board recognized that development of specific consultation mechanisms would require further meetings between the Federal Subsistence Board and Tribes and ANCSA Corporations. The Board's goal is to work with Tribes and ANCSA Corporations to develop a consultation policy for the subsistence management program, consistent with Departmental policies.

At its May 4–5, 2011 meeting, the Federal Subsistence Board reviewed the summary of comments from the January 21st meeting, and directed that a workgroup comprised of a small number of Federal and tribal representatives be formed to develop a draft protocol(s) on consultation for the Board's review. The workgroup held an initial meeting in June 2011 to begin developing interim protocols to guide consultation between the Federal Subsistence Board and Tribes and ANCSA corporations.

In July 2012, the Board approved two interim protocols, one for Tribes and one for ANCSA Corporations; these will guide consultation efforts through the wildlife cycle. The interim protocols (included in the Council books), and an accompanying letter, were sent out to all Tribes and ANCSA Corporations in July. The Workgroup is continuing to work on drafting the final protocols, and multiple opportunities will be provided for Tribal and ANCSA Corporation involvement and review of the draft documents. It is hoped that the final protocols will be ready in time for the Board to adopt at its May 2012 meeting. A few key dates and events in the development of final protocols are as follows:

- October 20, 2011—Consultation with ANCSA Corporations at AFN
- December 1, 2011—Consultation with Federally recognized Tribes at the BIA Tribal Service Providers Conference
- January 17–19, 2012—Federal Subsistence Board meeting in Anchorage, discussion of draft protocols on the agenda

¹Consultation with Alaska Native corporations is based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108–447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides that: "The Director of the Office of Management and Budget and all Federal agencies shall hereafter consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order No. 13175." See also 25 USC Section 450, note.

Final as adopted by Federal Subsistence Board: July 12, 2011

U. S. Department of Interior
& U.S. Department of Agriculture
FEDERAL SUBSISTENCE BOARD

INTERIM PROTOCOL

FOR

GOVERNMENT-TO-GOVERNMENT CONSULTATION

The United States Government has a unique relationship with American Indian governments as set forth in the Constitution of the United States, treaties, statutes, court decisions, executive orders and policies. In recognition of that special relationship, on November 6, 2000, the President issued Executive Order 13175 (Consultation & Coordination with Indian Tribal Governments), which provided guidelines to all Federal agencies for establishing regular and meaningful consultation with Tribal officials in decision-making processes that may have Tribal implications. On November 5, 2009, a Presidential Memorandum was issued pursuant to Executive Order 13175, reaffirming the Federal government's commitment to operate within a government-to-government relationship with federally recognized tribes. Pursuant to the direction provided by the Secretaries of Interior and Agriculture, this document lays out an interim protocol for consultation between the Federal Government and Federally recognized Tribal Governments located in Alaska for the Federal Subsistence Board process.

The following **interim** protocol sets out a framework for consultation during the 2011 cycle of the Federal Subsistence Management Program with respect to: 1) the 2012-2014 wildlife regulatory proposals and 2) the Government-to-Government Subsistence Consultation Protocol.

1. Each federally recognized Tribe will be sent a letter from the Federal Subsistence Board inviting consultation on all 2012-2014 wildlife regulatory proposals. The letter will:
 - a. Explain the interim consultation process and the need for this interim consultation effort regarding the 2012-2014 wildlife regulatory proposals.
 - b. Explain that the final consultation protocol is expected to be in place by May 2012 in time to be implemented for the fisheries regulatory cycle process.
 - c. Inform the Tribes of the face-to-face consultation opportunity focusing on the consultation protocol during the Tribal Service Providers Conference on the afternoon of December 1, 2011 in Anchorage.
2. Government-to-government consultation will take place regarding the 2012-2014 wildlife regulatory proposals during the August 15 through September 16, 2011, timeframe.
 - a. Conduct a consultation via teleconference for each Federal Subsistence Regional Advisory Council area prior to the Regional Advisory Council meeting.
 - i. At least four Federal Subsistence Board members or their designees will participate in each teleconference.

Final as adopted by Federal Subsistence Board: July 12, 2011

- ii. Federal officials will receive training on principles and practices of government-to-government consultation prior to participating in the teleconferences.
 - iii. A Tribal official and Federal official will be selected during the consultation to jointly report the results of the consultation to the Federal Subsistence Regional Advisory Council.
3. An in-person government-to-government consultation will be held the day prior to the January Federal Subsistence Board meeting regarding wildlife regulatory proposals and the May Board meeting regarding the consultation protocol.

Final as adopted by Federal Subsistence Board: July 12, 2011

FEDERAL SUBSISTENCE BOARD

INTERIM PROTOCOL

FOR

GOVERNMENT-TO-ANCSA-CORPORATIONS CONSULTATION

Pursuant to the direction provided by the Secretaries of Interior and Agriculture, this document lays out an interim protocol for consultation between the Federal Government and Alaska Native Claims Settlement Act (ANCSA) Corporations.

ANCSA Corporations, by mandate of the 25 USC §450 note (Consultation with Alaska Native corporations), must be consulted with by the Federal Subsistence Board with respect to: 1) the 2012-2014 wildlife regulatory proposals and 2) the Government-to-ANCSA-Corporations Subsistence Consultation Protocol.

Interim Consultation Protocol:

1. Each ANCSA corporation will be sent a letter from the Federal Subsistence Board inviting consultation on all 2012-2014 wildlife regulatory proposals.
The letter will:
 - a. Explain the interim consultation process and the need for this interim consultation effort regarding the 2012-2014 wildlife regulatory proposals.
 - b. Explain that a final protocol is expected to be in place by May 2012, in time to be implemented for the fisheries regulatory cycle process.
 - c. Mention the Board's interest in having a presentation made about the consultation protocol at the AFN convention.
2. Two dates will be scheduled for a government-to-ANCSA-corporations consultation teleconference opportunity prior to August 22, 2011.
 - a. ANCSA corporations can choose to consult at either or both teleconferences.
 - b. At least four Federal Subsistence Board members or their designees will participate at each consultation.
 - c. ANCSA corporations and Federal agencies will each appoint a representative to report the results of consultation to each of the 10 Federal Subsistence Regional Advisory Councils during the fall 2011 Regional Advisory Council meetings.

UPDATE ON BERING SEA/ALEUTIAN ISLANDS CHUM SALMON BYCATCH

In May 2011, the Federal Subsistence Board sent a letter to the North Pacific Fishery Management Council recommending that a hard cap of 50,000 (the lowest hard cap amount among the range of alternatives under consideration), with a trigger cap of 25,000 be adopted.

During its June 2011 meeting in Nome, the North Pacific Fishery Management Council (Council) held its initial review of the analysis of proposed management measures to minimize chum salmon bycatch in the Bering Sea pollock fishery. Representatives from the Seward Peninsula, Yukon-Kuskokwim Delta, Western Interior and Eastern Interior Regional Advisory Councils attended, and provided testimony. The proposed measures included hard caps on the pollock fishery; triggered time and area closures; and participation in the Rolling Hotspot Program, a fleet-managed program for real-time bycatch area closures on 4–7 day time frames. The Council revised and restructured the suite of alternatives and options, and requested new information. Some of the changes include the following:

- An additional option for a separate hard cap for June and July when western Alaskan chum stocks are more prevalent in the bycatch. If reached, this cap would close all fishing for Bering Sea Pollock until August 1.
- Removal from consideration complicated monthly area management options and triggers (formerly Alternative 3).
- Additional provisions to the Rolling Hotspot program for area closures based on historical bycatch proportions (80% and 60%) to which the fleet would be subject regardless of Rolling Hot Spot program participation.
- Analysis of additional parameters of the Rolling Hotspot program that could be adjusted by the Council to improve program performance.

The full Council motion is posted on the website (see http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/ChumBycatchMotion611.pdf).

A revised set of alternatives based upon the Council's motion will be posted in the near future.

The Council further requested that the analysis be revised per its requests and be brought back to the Council for review in early 2012. The decision to schedule a review for 2012 was made, at least in part, since the October 2011 meeting is in Dutch Harbor, which is difficult place for rural western Alaska residents to access, and the December 2011 meeting is focused on groundfish stock assessments, so staff are focused on preparing assessments for several months prior to this meeting. Once the Council reviews the chum salmon bycatch analysis in early 2012, it will need to provide time for the public to comment on the analysis and proposed alternatives. It is unlikely the Council will make a final decision until its April 2012 meeting.



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

Federal Subsistence Board
1011 E. Tudor Rd., MS 121
Anchorage, Alaska 99503-6199



U.S. FOREST SERVICE

FWS/OSM11056/TT

Eric Olson, Chair
North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

MAY 20 2011

Dear Mr. Olson:

The Federal Subsistence Board (Board) is taking this opportunity to provide its comments and recommendation on chum salmon bycatch in the Bering Sea/Aleutian Islands (BSAI) commercial pollock fishery as the North Pacific Fishery Management Council (NPFMC) prepares to select a preliminary preferred alternative at its June 2011 meeting in Nome, Alaska. The Board, comprised of the Regional Directors of the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, the National Park Service, the Bureau of Land Management and the USDA Forest Service, and a Chair appointed by the Secretaries of the Interior and Agriculture, provides subsistence fishing opportunities in Federal public waters in Alaska under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA).

Bycatch is of concern to the Board and the affected Regional Advisory Councils because Western Alaska chum salmon stocks are important subsistence resources for Federally-qualified subsistence users in the Norton Sound, Yukon, Kuskokwim, and Bristol Bay areas. Along the Yukon and Kuskokwim rivers alone, there are 6,800 households in 80 villages. Chum salmon make a significant contribution to the way of life of western and interior Alaska's subsistence users, families and communities. The recent fall chum salmon runs in the Yukon River are of particular concern. In both 2009 and 2010, subsistence harvest was restricted due to poor, lower than average size runs and/or to ensure passage into Canada to meet escapement goals.

At its May 2011 public meeting the Board reviewed, discussed and heard public testimony on the various alternatives under consideration in the NPFMC's revised *Bering Sea non-Chinook (Chum) Salmon Bycatch Management Measures*, dated February 2011. **The Board recommends that a hard cap of 50,000, with a trigger cap of 25,000 chum salmon be adopted.** Once the trigger cap is reached, conservation measures would be implemented to assist the pollock fishery fleet to avoid reaching the hard cap. This alternative would provide a better opportunity for increased numbers of chum salmon to reach Western and Interior Alaska rivers to meet spawning escapement and provide for subsistence uses.

Eric Olson

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It also comes closest to the stipulation in the U.S./Canada Yukon River Salmon Agreement, signed in 2002, which requires the United States to increase in-river returns of Yukon River origin salmon by reducing marine catches and bycatches of Yukon River salmon. The 50,000 level represents a meaningful reduction in the 1997-2001 average of 58,000 chum salmon bycatch, just prior to the signing of the U.S./Canada Yukon River Salmon Agreement. This five-year period is also the same period utilized by the Board for its recommendation to the NPFMC on BSAI Chinook salmon bycatch in April 2009.

The Board appreciates the outreach efforts that NPFMC members and staff conducted on this issue by attending the February/March 2011 meetings of the Yukon-Kuskokwim Delta, Western Interior, Eastern Interior and Bristol Bay Subsistence Regional Advisory Councils. If the Board can be of further assistance, please contact Peter J. Probasco, Assistant Regional Director, Office of Subsistence Management, at (907) 786-3888. The Board will continue to monitor developments on this important issue and looks forward to the results of your efforts to significantly reduce chum salmon bycatch in the BSAI pollock fishery.

Sincerely,

/S/

Tim Towarak
Chair, Federal Subsistence Board

cc: Federal Subsistence Board members

Gene Virden, Acting Regional Director - Bureau of Indian Affairs
Bud Cribley, State Director - Bureau of Land Management
Sue Masica, Regional Director - National Park Service
Geoff Haskett, Regional Director - U.S. Fish and Wildlife Service
Beth Pendleton, Regional Forester - USDA Forest Service
Pat Pourchot, Department of the Interior, Alaska
Peter J. Probasco, Office of Subsistence Management
Lester Wilde, Chair, Yukon-Kuskokwim Delta Regional Advisory Council
Jack Reakoff, Chair, Western Interior Alaska Regional Advisory Council
Sue Entsminger, Chair, Eastern Interior Alaska Regional Advisory Council
Molly Chythlook, Chair, Bristol Bay Regional Advisory Council
Weaver Ivanoff, Chair, Seward Peninsula Regional Advisory Council
Cora J. Campbell, Commissioner, Alaska Department of Fish and Game
James W. Balsiger, Administrator, Alaska Region, National Marine Fisheries Service
David Balton, Deputy Assistant Secretary, Oceans and Fisheries, U.S. Department of State



IN REPLY REFER TO:

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Togiak National Wildlife Refuge
P.O. Box 270
Dillingham, Alaska 99576
Phone 907-842-1063
Fax 907-842-5402

INFORMATION BULLETIN - August 2011

The Roles of Alder and Salmon in Driving Aquatic Productivity Contact: Pat Walsh

In 2010, Togiak Refuge, the University of Illinois, the University of Washington, and ADF&G began a project to determine the relative role of salmon and alder in controlling productivity in lakes. Both salmon and alder contribute nutrients to lakes: salmon do so via decomposition of carcasses after spawning, and alder does so through nitrifying the soil, and by mobilizing soil nutrients which would otherwise be biologically inaccessible. This project will measure the contribution of nutrients from both sources by analyzing water samples from thirteen Refuge lakes over a four year period. The information that will come from this project will help salmon managers better understand the ecological consequences of harvest. In 2010, we installed water quality and quantity monitoring equipment at 13 lakes on Togiak Refuge. We collected and processed over 150 water samples in summer and fall 2010 and again in summer 2011 to be analyzed for a battery of biological and chemical attributes. We monitored stream discharge in summer and fall at 26 streams entering the study lakes in order to estimate lake water budgets. We performed aerial salmon surveys at all study lakes and estimated run size in each. We have begun updating an existing landcover map to refine our estimate of alder cover in the study area. A progress report is available.

Cooperative Salmon Escapement Monitoring Projects Contact: Mark Lisac

Togiak Refuge will again provide support to the Native Village of Kwinhagak (NVK) and ADF&G to operate salmon escapement monitoring projects (weirs) on the Kanektok (KRW) and Middle Fork Goodnews Rivers (MFGRW).

On the Middle Fork Goodnews River, ADF&G has monitored Chinook, chum and sockeye salmon escapement since 1980. Escapement goals and management of the commercial fishery are based on salmon escapement at the weir. Togiak Refuge has worked with ADF&G since 1992 to include the coho salmon and Dolly Varden runs in the project operation. ADF&G, Togiak Refuge and the Office of Subsistence Management (OSM) fund the project operation. This weir project also uses an underwater video system which allows the weir to be opened to salmon passage more hours a day. Use of motion sensors and digital recording video can improve fish counting accuracy, especially during periods of high water and poor visibility. The MFGRW was fish tight on 24 June and will continue operation until late September 2011.

On the Kanektok River, ADFG, NVK and Togiak Refuge worked cooperatively to monitor salmon and Dolly Varden runs since 2001. This project is currently funded by OSM and Coastal Villages Region Fund. Escapement goal ranges have not been established for the Kanektok River because the weir has not been operational for enough years. This weir has operated from 27 June.

Preliminary escapement counts for up to 11 August 2011 for these two projects are:

	Chinook	Sockeye	Chum	Coho	Pink	Dolly V.
MFGRW	1,812	17,282	18,997	835	1,102	3,490
KRW	4,922	84,379	49,839	2,850	490	28,085

Rainbow Trout Population Identification Contact: Pat Walsh

Togiak Refuge, ADF&G Sport Fish, and the Conservation Genetics Laboratory are working together to inventory populations and determine the genetic relationships between populations of rainbow trout throughout Togiak Refuge. Archived genetic material collected from previous investigations were inventoried and assessed for suitability in the current study. A collection plan for unsampled populations was completed and new tissue collections began in the Goodnews, Kanektok, Igushik, Snake, and Wood River watersheds in summer 2009. A collection trip occurred in the Indian River in summer 2010, but no rainbow trout were encountered. Collections continued in the North Fork Goodnews River in 2011. It is anticipated that this project will occur through 2014. A progress report is available.

Kanektok River Rainbow Trout Population Identification Contact: Mark Lisac

In 2009 the Refuge, Kenai Fish and Wildlife Field Office and ADFG Sport Fish Division implanted radio transmitters in 200 rainbow trout in the Kanektok River. The purpose of this study is to identify the geographic extent of the population and specifically to document these fishes' overwintering locations, seasonal movements, and to locate potential spawning areas. Thirty-six aerial tracking flights have been conducted between August 2009 and August 2011. Fishers are asked to contact the Refuge office if they recover any radio tags.

Chinook Salmon Escapement In The Togiak River Watershed Using Radio Telemetry Contact: Theresa Tanner (Anchorage Fish & Wildlife Field Office)

In 2011 the Anchorage Fish and Wildlife Field Office is completing the fourth year of a five year study to determine Chinook salmon run timing, distribution and abundance in the Togiak River watershed. Over 170 Chinook salmon were captured and implanted with esophageal radio transmitters. Movements and final spawning destinations of radio-tagged Chinook salmon has been documented using a combination of fixed data-logging receiver stations and aerial or boat tracking surveys. A weir was placed on the Gechiak River tributary and has counted 160 Chinook, 4 of which had radio tags by 9 August 2011. The known number of Chinook salmon past the Gechiak River weir will be used to extrapolate an escapement estimate for the entire Togiak drainage. This project is currently funded by OSM through 2012. Fishers are asked to contact the Refuge office if they recover any radio tags.

Determining Aquatic Habitat Quantity and Quality Contact: Mark Lisac

The Refuge is currently working with the UAF School of Fisheries and Ocean Science, and the U.S. Geological Survey developing a project to estimate the quantity and quality of aquatic habitat in two study areas in the Kulukak River watershed. Multispectral digital imagery and field collected data are being used to assess habitat quality and estimate the habitat quantity for juvenile salmon in the watershed. Habitat is being classified by in-stream physical habitat features, water chemistry, and juvenile salmon abundance and distribution. Over 10,000 images and over 5,000 juvenile coho and sockeye salmon were captured during 2010. A juvenile salmon and habitat relationships model is being developed to estimate habitat carrying capacity for salmon and serve as a baseline for monitoring aquatic habitat in the future to determine if changes have occurred. Preliminary results have provided estimates of the surface area of pool, riffles, runs and eddy drop zones in the East and West Fork study areas. Based on this estimate there are approximately 121,000 and 102,000 juvenile coho salmon in the West and East Fork study areas, respectively. There are approximately 22,000 sockeye salmon juveniles in each study area. This project will result in the completion of MS Fisheries degrees for two UAF graduate students.

Mulchatna Caribou Contact: Andy Aderman

Togiak Refuge assisted ADF&G with telemetry monitoring flights, radiocollar deployment, satellite data acquisition, data entry and database management. Primary calving areas in 2011 were near Lime Village (Unit 19A) and the mid-Nushagak River area (Unit 17C) similar to the past several years. Caribou were also observed calving in the southern Kilbuck Mountains (Unit 18). Caribou did not group up sufficiently after calving to conduct a photocensus. A composition survey is planned for early October 2011.

Nushagak Peninsula Caribou Contact: Andy Aderman

Fifty Federal subsistence caribou permits (1 caribou per permit) were issued for the February 1 – March 31, 2011 hunt. Forty-five caribou were reported harvested. During late May 2011, 23 of 27 (85.2%) radiocollared caribou produced a calf. A photocensus conducted on July 5, 2011 found a minimum of 859 caribou. A similar effort in 2010 found a minimum of 708 caribou. A composition survey is planned for early October 2011. The Nushagak Peninsula Caribou Planning Committee will meet in November and/or January.

Wolf Predation on Nushagak Peninsula Caribou Contact: Pat Walsh

Using radio telemetry, Togiak Refuge and ADF&G are investigating the seasonality and duration of wolf use of the Nushagak Peninsula, in order to assess whether predation is a likely factor in driving population dynamics of Nushagak Peninsula caribou. From 2007 through 2011, we placed conventional and GPS radio transmitters on wolves from two packs located within 30 km of the Nushagak Peninsula. Tracking flights have been flown monthly to locate wolves and to download location data from the GPS collars. Preliminary data indicates that one of the two packs used the Nushagak Peninsula approximately 40% of the time during the period March--January, with the majority of time spent there in the fall. Summers were spent primarily off the Nushagak Peninsula, and diet appeared to focus on salmon. Winter and spring was also spent primarily off the Peninsula, and diet appeared to be focused on moose. Little wolf activity occurred on the Peninsula during or soon after caribou calving, which is a time when caribou are more susceptible to wolf predation. We will continue to assess the use of the Nushagak Peninsula by wolves through spring 2012.

Moose Contact: Andy Aderman

Population counts during March 2011 found a minimum of 1,166 moose in Game Management Unit 17A, an increase from the 1,070 moose counted in 2008. In the neighboring southern portion of Game Management Unit 18 (Goodnews River drainage), population counts found a minimum of 196 moose, up from the 142 counted in 2009. In May 2011, 20 of 33 radiocollared cows produced a minimum of 34 calves, or 103 calves per 100 cows. Production in 2010 was 127.8 calves per 100 cows.

Walrus Contact: Michael Winfree

Refuge staff monitors the numbers of walrus that haul out on land at various locations on Togiak Refuge. Peak haulout counts over the past three decades have varied greatly, from less than 100 to over 12,000 walrus. Cameras installed at Cape Peirce on the cliff edges overlooking the beaches recorded 9 haulout events from November 2010 through May 2011. The number of walrus present during the haulouts ranged from 1 to 842. The longest haulout event at Cape Peirce lasted for 336 hours. Additional cameras were installed at other major haulouts on Hagemeister Island, Round Island, and Cape Seniavin in June and August 2011. No walrus were documented at Hagemeister Island or Cape Newenham during aerial surveys.

In fall 2010, an electric fence was installed at Cape Peirce in efforts to prevent mortality events caused when walrus travel up the bluff and fall off cliffs. Walrus broke through the fence on two occasions. However, only one walrus mortality was documented from November 2010 through August 2011. The cause of death was by trampling.

Seabirds Contact: Michael Swaim

Togiak National Wildlife Refuge has monitored seabird populations at Cape Peirce from 1980 through 2011, making this one of the longest continuously studied seabird colonies in Alaska. During this time, pelagic cormorant populations have remained relatively constant, while black-legged kittiwake and common murre populations declined by 1.5% and 1.7% per year respectively. The data provided by this study are not only useful for tracking changes in populations at the local and regional level, but this information is also useful for monitoring climate-driven changes within the Bering Sea.

Eelgrass Monitoring Contact: Michael Swaim

Togiak Refuge has partnered with the USGS Alaska Science Center to map and conduct biological inventories of 23 eelgrass beds on the refuge since 2007. In 2010, a series of boat-based surveys were completed in Goodnews Bay, Chagvan Bay, and Nanvak Bay to characterize the distribution and abundance of eelgrass. Water temperature sensors were also deployed in Nanvak Bay to assess the rate of seawater exchange within the site. Future work will focus on re-acquiring aerial photographs for Goodnews Bay, Hagemeister Spit, and portions of Togiak Bay and developing better maps of eelgrass distribution.

Water Temperature Monitoring Contact: Michael Swaim

Togiak Refuge staff have continuously monitored water temperature at eighteen locations on the refuge since 1990. To date, no statistically significant trends have been detected on any of these rivers. The refuge plans to continue monitoring in the future, since this study provides important baseline information that is useful for a variety of other fisheries and climate-related studies.

Quantifying River Discharge Contact: Michael Winfree

Togiak Refuge and the USFWS Water Resources Branch have worked cooperatively since 1999 to acquire baseline hydrologic data of the flow regime (magnitude, duration, timing, frequency, and rate of change) and water quality. A network of stream discharge gauges collected stream flow data from 1999-2005 at 20 locations. A subset of five of these stations continued to collect data through fall 2009, after which three of the five stations were removed. We will continue indefinitely to monitor discharge in the Togiak and Kulukak Rivers. Each gauge is instrumented with pressure sensors that measure water level every 15 minutes.

Salmon River Water Quality Contact: Michael Winfree

The Salmon River drainage, just south of Platinum, has been the site of a placer mine since the 1930's. Major production by the Goodnews Bay Mining Company stopped in 1976. The mine was sold to Hanson Industries in 1980, who in turn sold it to XS Platinum in 2007. In the summer of 2009, re-mining of the old tailings began. In September 2009, Togiak Refuge installed a continuous water-quality gauge on the Salmon River. The gage monitors pH, turbidity, specific conductivity, dissolved oxygen, temperature, and depth. The gage runs continuously, taking a reading every 15 minutes. Baseline value estimates from April 1 through November 17, 2010 were: temperature = 5.0°C, specific conductivity = 83 µS/cm at 25°C, pH=7.3, turbidity=8.9 NTU, dissolved oxygen= 12.2mg/L. Baseline values will be further refined with the collection of more data.

Education and Outreach Contact: Terry Fuller

Togiak Refuge has an active education and outreach program including the Migratory Bird Calendar and Junior Duck Stamp contests; National Wildlife Refuge Week; career fairs; production of Bristol Bay Field Notes (aired three times weekly @ 10 minutes per episode on KDLG); and numerous classroom presentations in 12 villages in the Southwest Region, Lower Kuskokwim, and Dillingham City school districts. Field trips with area students for the 2010-2011 school year included bird walks, animal tracks and ID, archery, salmon life cycles, aquatic resources and bear safety. The refuge website is also a

valuable education tool and is available at <http://togiak.fws.gov> . Also, the refuge partners with others to conduct three environmental education camps described below:

Southwest Alaska Science Academy Contact: Terry Fuller

This past July, Togiak Refuge helped with the 10th year of a summer camp aimed at teaching middle and high school students about fisheries science and the importance of salmon to our ecosystem. Students were selected from the Bristol Bay region. During the camp students worked in the field alongside fisheries professionals. Cooperators with the refuge on this project included the Bristol Bay Economic Development Corporation, Bristol Bay Science and Research Institute, University of Alaska, University of Washington School of Fisheries, the Dillingham City and Southwest Region school districts, and the Alaska Department of Fish and Game.

Cape Peirce Marine Science and Yup'ik Culture Camp Contact: Terry Fuller

July 2011 saw a return of the junior high Science camp to the Cape Peirce site, after a three year hiatus due to high bear numbers. (an alternate camp was held at Togiak Lake for each of those three years) Students at this camp were able to observe seabirds, marine mammals and learn how field studies are conducted, as well as learning about food webs and ecological relationships. Students and agency staff also learned- through the instruction of a local village elder- about traditional Yup'ik uses of animals and plants and about Native survival skills. This camp is designed to help students gain a better understanding of the biological diversity of a marine ecosystem. It also strengthens their sense of stewardship for local natural resources. Other topics at this camp included tide pools, wilderness survival skills and careers with USFWS. Traditional councils and school districts from throughout western Bristol Bay are cooperators with this camp.

Summer Outdoor Skills and River Ecology Float Camp Contact: Terry Fuller

The 2011 Float Camp took place on the Togiak River. Students learned about river ecosystems and how to enjoy them safely and responsibly while taking part in a float trip. Students observed and learned about the many fish, wildlife and plant species found on refuge rivers and streams. Rafting skills, water safety, different angling methods (Catch and Release), Leave No Trace camping practices and bear safety were topics during the trip. Students also participated in other outdoor activities such as outdoor survival skills, archery and careers in natural resource fields. This camp helped students understand the biological diversity of riparian ecosystems and the importance of salmon as a nutrient source, while developing a deeper sense of stewardship for local natural resources. Traditional councils and school districts from throughout western Bristol Bay are cooperators with this camp.

River Ranger Program Contact: Allen Miller

The Refuge River Ranger Program was conceived during the public use management planning process and was first implemented in 1991. The program serves many purposes. River Rangers are the main contact source for sport fishermen and local residents. Information distributed to the public includes Service policies, regulations, resource management practices, State sport fish regulations, bear safety, wilderness ethics, Leave-No-Trace camping, and information about private lands to prevent trespass. Rangers document public use occurring on the river along with the location and timing of activities, conflicts between users, and sport fish catch/harvest per unit effort. Rangers also assist Refuge and ADF&G staff at the Kanektok River and Middle Fork Goodnews River weirs, and assist Refuge staff with biological studies. In addition, Rangers patrol campsites for litter, monitor compliance of sport fishing guides, and offer assistance as needed.

Two River Rangers were stationed in the village of Togiak during summer 2011 and patrolled the Togiak River several times each week. One River Ranger was also stationed in Quinhagak and patrolled the Kanektok River. All three rangers were residents of the villages where they were assigned. Two River Rangers stationed out of Dillingham patrolled the north and middle forks of the Goodnews River.

Rangers on the Kanektok and Goodnews rivers used inflatable kayaks in addition to motorboats (which have been used since the program started). Use of kayaks allowed rangers to access the entire length of the Kanektok and Goodnews rivers, which are inaccessible to power boats during most water levels.

Winter 2012 Regional Advisory Council Meeting Calendar

February–March 2012 current as of 09/26/11

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Feb. 12</i>	<i>Feb. 13</i> <i>Window Opens</i>	<i>Feb. 14</i>	<i>Feb. 15</i> NS—Barrow	<i>Feb. 16</i>	<i>Feb. 17</i>	<i>Feb. 18</i>
<i>Feb. 19</i>	<i>Feb. 20</i> HOLIDAY	<i>Feb. 21</i>	<i>Feb. 22</i>	<i>Feb. 23</i> YKD—Emmonak	<i>Feb. 24</i>	<i>Feb. 25</i>
<i>Feb. 26</i>	<i>Feb. 27</i>	<i>Feb. 28</i> SP—Nome WI—McGrath	<i>Feb. 29</i>	<i>Mar. 1</i>	<i>Mar. 2</i> EI—Central	<i>Mar. 3</i>
<i>Mar. 4</i>	<i>Mar. 5</i> BB—Naknek	<i>Mar. 6</i>	<i>Mar. 7</i> NWA—Kotzebue	<i>Mar. 8</i>	<i>Mar. 9</i>	<i>Mar. 10</i>
<i>Mar. 11</i>	<i>Mar. 12</i>	<i>Mar. 13</i>	<i>Mar. 14</i>	<i>Mar. 15</i>	<i>Mar. 16</i>	<i>Mar. 17</i>
	SE—Sitka					
		SC—Anchorage				
<i>Mar. 18</i>	<i>Mar. 19</i>	<i>Mar. 20</i>	<i>Mar. 21</i>	<i>Mar. 22</i>	<i>Mar. 23</i> <i>Window Closes</i>	<i>Mar. 24</i>
			K/A—Old Harbor			

Fall 2012 Regional Advisory Council Meeting Calendar

August 20–October 12, 2012 current as of 09/26/11

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Aug. 19</i>	<i>Aug. 20</i> WINDOW OPENS	<i>Aug. 21</i>	<i>Aug. 22</i>	<i>Aug. 23</i>	<i>Aug. 24</i>	<i>Aug. 25</i>
<i>Aug. 26</i>	<i>Aug. 27</i>	<i>Aug. 28</i>	<i>Aug. 29</i>	<i>Aug. 30</i>	<i>Aug. 31</i>	<i>Sept. 1</i>
<i>Sept. 2</i>	<i>Sept. 3</i> HOLIDAY	<i>Sept. 4</i>	<i>Sept. 5</i>	<i>Sept. 6</i>	<i>Sept. 7</i>	<i>Sept. 8</i>
		KA—Sand Point				
<i>Sept. 9</i>	<i>Sept. 10</i>	<i>Sept. 11</i>	<i>Sept. 12</i>	<i>Sept. 13</i>	<i>Sept. 14</i>	<i>Sept. 15</i>
<i>Sept. 16</i>	<i>Sept. 17</i>	<i>Sept. 18</i>	<i>Sept. 19</i>	<i>Sept. 20</i>	<i>Sept. 21</i>	<i>Sept. 22</i>
<i>Sept. 23</i>	<i>Sept. 24</i>	<i>Sept. 25</i>	<i>Sept. 26</i>	<i>Sept. 27</i>	<i>Sept. 28</i>	<i>Sept. 29</i>
<i>Sept. 30</i> END OF FY2012	<i>Oct. 1</i>	<i>Oct. 2</i>	<i>Oct. 3</i>	<i>Oct. 4</i>	<i>Oct. 5</i>	<i>Oct. 6</i>
			SP—Nome			
<i>Oct. 7</i>	<i>Oct. 8</i> HOLIDAY	<i>Oct. 9</i>	<i>Oct. 10</i>	<i>Oct. 11</i>	<i>Oct. 12</i> WINDOW CLOSES	<i>Oct. 13</i>