KODIAK/ALEUTIANS Subsistence Regional Advisory Council

USFWS

Izembek National Wildlife Refuge.

Meeting Materials

September 20–21, 2011

Cold Bay, Alaska

What's Inside

KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL

Cold Bay Community Center, Cold Bay, Alaska
September 20–21, 2011
8:30 a.m.

DRAFT AGENDA

The public is invited to testify throughout the meeting. Please complete and submit a testifier's form to the Coordinator. The Coordinator will give your form to the Chair, and the Chair will call on you.

1. **Call to Order (***Mitch Simeonoff, Chair***)**
2. **Roll Call and Establish Quorum (***Pat Holmes, Secretary***)** 3
3. **Welcome and Introductions (***Mitch Simeonoff, Chair***)**
4. **Review and Adopt Agenda (***add new items under #13***)**
5. **Review and Approve Minutes from March 22–23, 2011 Meeting (***Mitch Simeonoff, Chair***)**
6. **Council Member Reports**
7. **Chair's Report (***Mitch Simeonoff, Chair***)**
   A. Federal Subsistence Board 2010 Annual Report Response
   B. Discussion of 2011 Annual Report Topics
8. **Report on September 13, 2011 Tribal Consultation Teleconference**
9. **Fisheries Resource Monitoring Program** *(Steve Fried)*
   A. Make Recommendations on Draft 2012 Southwest Fisheries Resource Monitoring Plan..... 4
10. **Review and Make Recommendations on Wildlife Proposals**

Presentation Procedure for Proposals
1. Introduction of proposal and analysis
2. Alaska Department of Fish and Game comments
3. Other Federal and State agency comments
4. Tribal comments
5. Interagency Staff Committee comments
6. Fish and Game Advisory Committee comments
7. Summary of Written Comments
8. Public Testimony
9. Regional Council deliberation, recommendation, and justification

A. Statewide Wildlife Proposals

1. **Proposal WP12-01**: Requirements when selling handicrafts incorporating brown bear claws *(Pippa Kenner)* 26
2. **Proposal WP10-02**: (Deferred WP08-05) Bear claw incorporation in handicrafts *(Pippa Kenner)* 40

For further information about this meeting contact Tom Jennings at 907-786-3364, 1800-478-1456, or go to OSM website http://alaska.fws.gov/asm/index.cfml

Teleconferencing is available upon request. You must call the Office of Subsistence Management at 1-800-478-1456, 786-3888 or 786-3364, 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.

The U.S. Fish and Wildlife is committed to providing access to this meeting for all participants. Please direct all requests for sign language interpreting, Computer Aided Real-time Translation (CART) or other accommodation needs to Tom Jennings no later than Friday, September 15, 2011. Call 1-800-478-1456 or 907-786-3676, fax 907-786-3898, email thomas_jennings@fws.gov.

If you need alternative formats or services because of a disability, please contact the Diversity and Civil Rights Manager at (907)786-3328 (Voice), via e-mail at douglas_mills@fws.gov, or via Alaska Relay (dial 7-1-1 from anywhere in Alaska or 1-800-770-8255 from out-of-state) for hearing impaired individuals with your request by close of business Friday, September 15, 2011.

KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL

	Yr Apptd ***Term Expires***	**Member**	**Community**	**Represents**
1	2010 ***2013***	Antone A. Shelikoff	Akutan	Subsistence
2	2001 ***2013***	Patrick B. Holmes	Kodiak	Subsistence
3	2008 ***2013***	Richard R. Koso	Adak	Subsistence
4	2004 ***2013***	Samuel I. Rohrer	Kodiak	Commercial/Sport
5	1995 ***2011***	Alfred B. Cratty Jr.	Old Harbor	Subsistence
6	2010 ***2011***	Rickart J. Rowland	Kodiak	Subsistence
7	2008 ***2011***	Alexander Panamaroff Jr.	Larsen Bay	Subsistence
8	2009 ***2012***	Della Trumble	King Cove	Subsistence
9	2000 ***2012***	Speridon M. Simeonoff Sr., Chair	Akhiok	Subsistence
10	2007 ***2012***	Thomas R. Johnson Jr.	Kodiak	Commercial/Sport

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).

	Investigation Plans			Technical Review Committee		
Geographic Region	**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

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 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.

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
		Bristol Bay Salmon	
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
		Chignik Salmon	
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
		Bristol Bay-Chignik Freshwater Species	
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
		Kodiak-Aleutians	
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 onging 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	Budget 2013
	Bristol Bay Salmon			
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
	Harvest Monitoring and Traditional Ecological Knowledge				
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	

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
		Harvest Monitoring and Traditional Ecological Knowledge		
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
	Harvest Monitoring and Traditional Ecological Knowledge						
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

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.

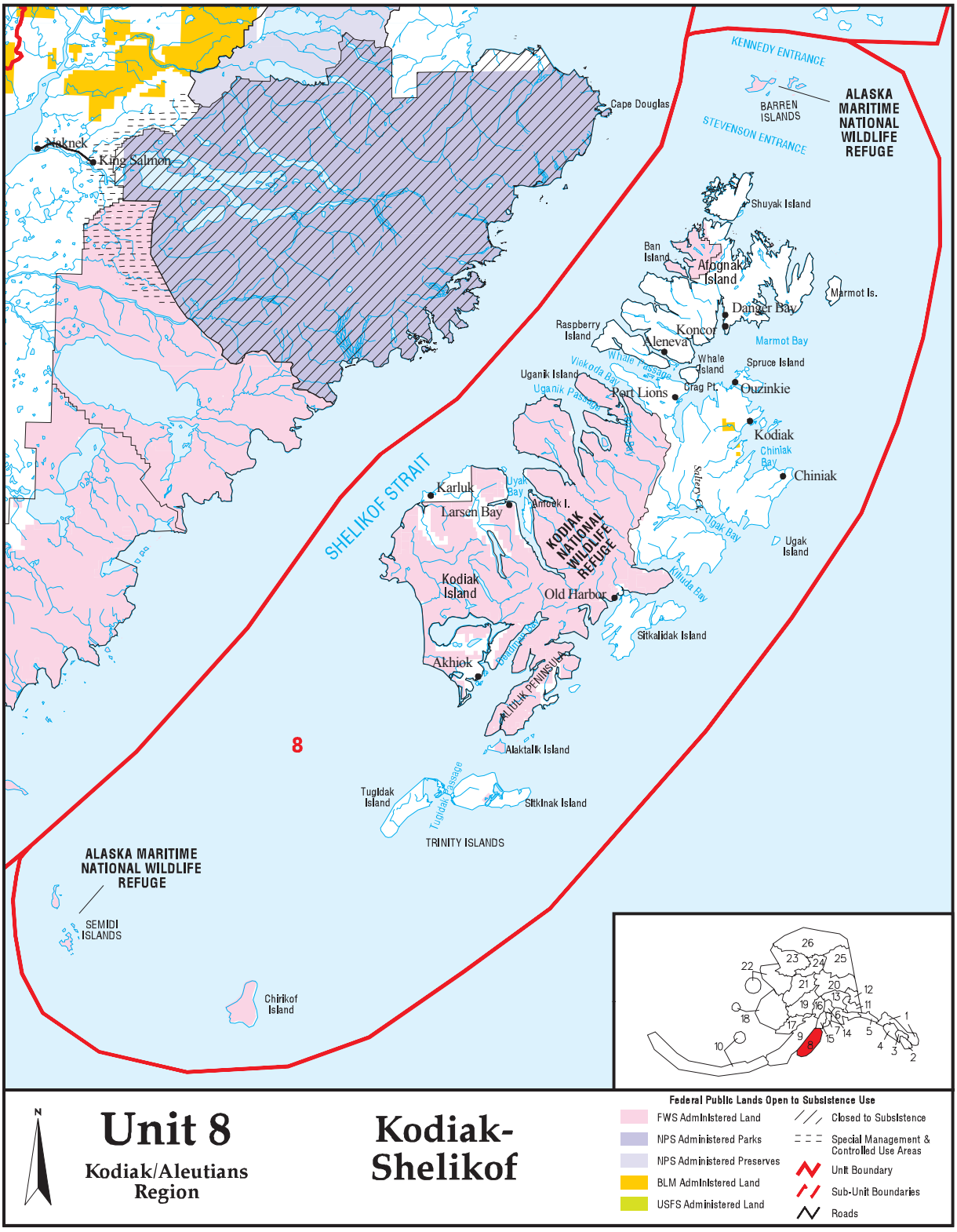
4) Identify factors influencing subsistence salmon fishing. A quantitative analysis of these factors will performed based on the systematic household surveys in Objective 2, which will include an assessment question which will address how fishing activity has changed over time.

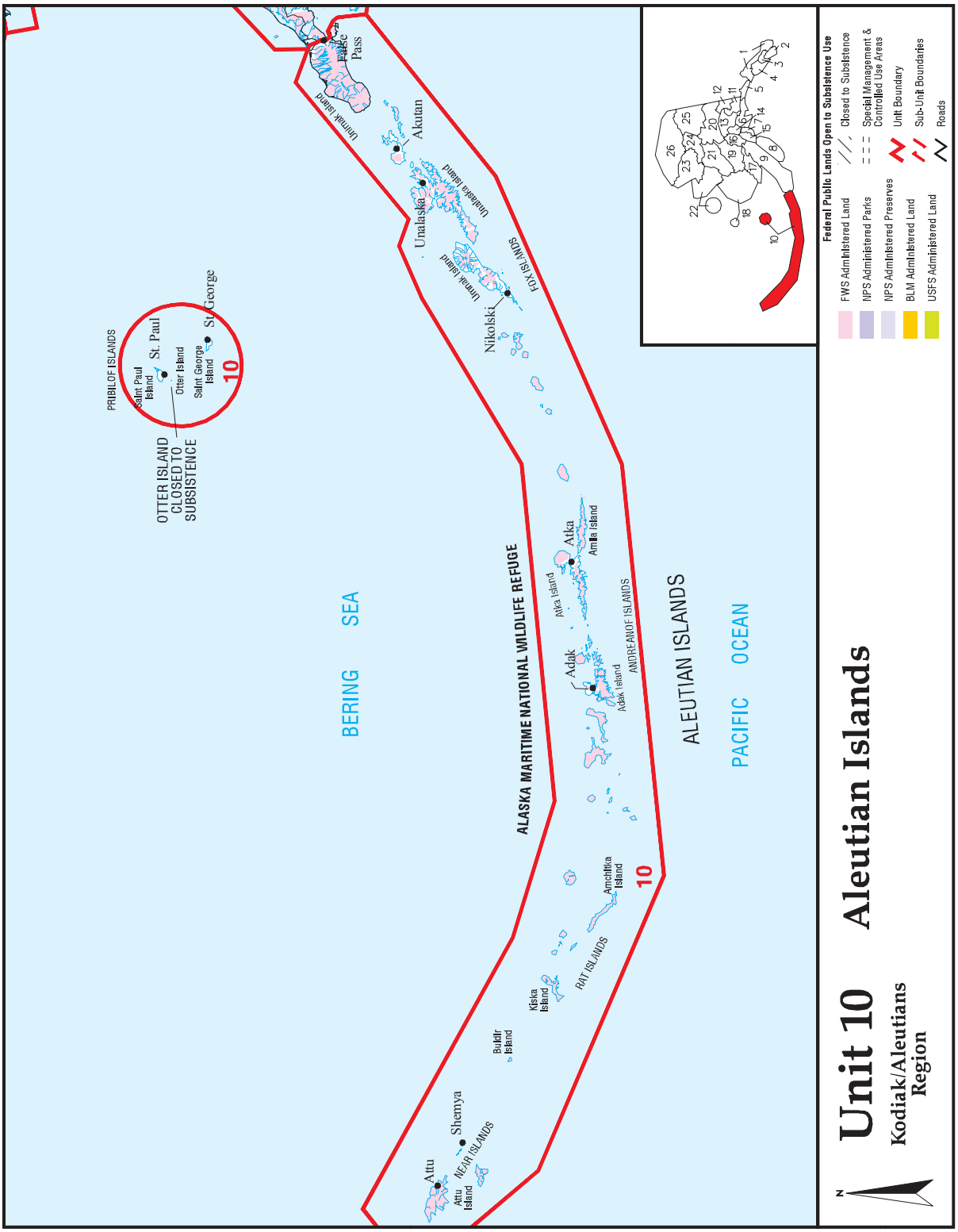
Partnerships/Capacity Building

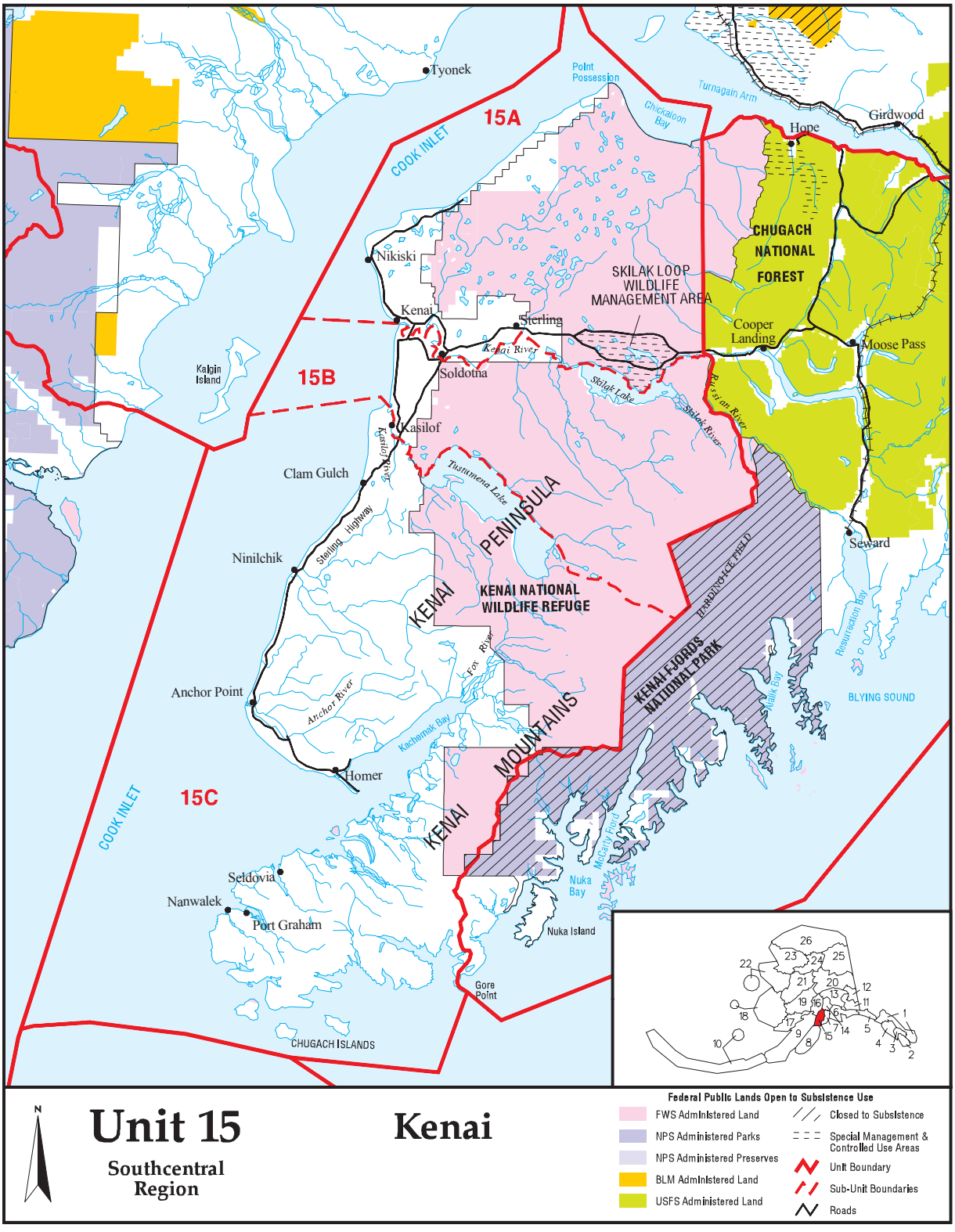
This project will begin with a community scoping meeting in November, 2012. At that time a resolution supporting the project will be sought from Kodiak Alaska Native Association, the Sun'aq Tribe of Kodiak, Larsen Bay Tribal Council, and the Old Harbor Tribal Council. Input will be sought from staff 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 Alutiiq 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.


KENNEDY ENTRANCE
BARREN ISLANDS
ALASKA MARITIME NATIONAL WILDLIFE REFUGE
STEVENSON ENTRANCE
Cape Douglas
Naknek
King Salmon
Shuyak Island
Ban Island
Afognak Island
Marmot Is.
Danger Bay
Raspberry Island
Koncor
Aleneva
Marmot Bay
Whale Passage
Whale Island
Spruce Island
Viekoda Bay
Uganik Island
Uganik Passage
Crag Pt.
Ouzinkie
Port Lions
Kodiak
Chiniak Bay
Chiniak
Karluk
Uyak Bay
Amook I.
Larsen Bay
SHELIKOF STRAIT
KODIAK NATIONAL WILDLIFE REFUGE
Ugak Bay
Ugak Island
Kodiak Island
Old Harbor
Kiliuda Bay
Sitkalidak Island
Akhiok
Alitak Bay
ALITHUK PENINSULA
Alaktalik Island
8
Tugidak Island
Tugidak Passage
Sitkinak Island
TRINITY ISLANDS
ALASKA MARITIME NATIONAL WILDLIFE REFUGE
SEMIDI ISLANDS
Chirikof Island
N
Unit 8
Kodiak/Aleutians Region
Kodiak-Shelikof
Federal Public Lands Open to Subsistence Use
FWS Administered Land
NPS Administered Parks
NPS Administered Preserves
BLM Administered Land
USFS Administered Land
Closed to Subsistence
Special Management & Controlled Use Areas
Unit Boundary
Sub-Unit Boundaries
Roads


Unit 10
Aleutian Islands
Kodiak/Aleutians Region
N
Federal Public Lands Open to Subsistence Use
FWS Administered Land
NPS Administered Parks
NPS Administered Preserves
BLM Administered Land
USFS Administered Land
Closed to Subsistence
Special Management & Controlled Use Areas
Unit Boundary
Sub-Unit Boundaries
Roads
BERING SEA
PACIFIC OCEAN
ALEUTIAN ISLANDS
ALASKA MARITIME NATIONAL WILDLIFE REFUGE
PRIBILOF ISLANDS
Saint Paul Island
St. Paul
Otter Island
Saint George Island
St George
10
OTTER ISLAND CLOSED TO SUBSISTENCE
Unimak Island
False Pass
Akutan
Unalaska
Umnak Island
Umnak Island
FOX ISLANDS
Nikolski
Atka
Amlia Island
Atka Island
Adak
Adak Island
ANDREANOF ISLANDS
Amchitka Island
10
RAT ISLANDS
Kiska Island
Buldir Island
Shemya
NEAR ISLANDS
Attu
Attu Island


Tyonek
Point Possession
Turnagain Arm
Girdwood
Chickaloon Bay
Hope
15A
COOK INLET
CHUGACH NATIONAL FOREST
Nikiski
SKILAK LOOP WILDLIFE MANAGEMENT AREA
Kenai
Sterling
Cooper Landing
Moose Pass
Kenai River
Kalgin Island
15B
Soldotna
Skilak Lake
Russian River
Skilak River
Kasilof
Kasilof River
Clam Gulch
Tustumena Lake
PENINSULA
Seward
Ninilchik
Sterling Highway
KENAI
KENAI NATIONAL WILDLIFE REFUGE
HARDING ICE FIELD
Resurrection Bay
Fox River
KENAI FJORDS NATIONAL PARK
Anchor Point
Anchor River
Kachemak Bay
Aialik Bay
BLYING SOUND
MOUNTAINS
Homer
15C
COOK INLET
McCarty Fjord
Seldovia
Nuka Bay
Nanwalek
Port Graham
Nuka Island
Gore Point
CHUGACH ISLANDS
N
Unit 15
Southcentral Region
Kenai
Federal Public Lands Open to Subsistence Use
FWS Administered Land
NPS Administered Parks
NPS Administered Preserves
BLM Administered Land
USFS Administered Land
Closed to Subsistence
Special Management & Controlled Use Areas
Unit Boundary
Sub-Unit Boundaries
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	**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]~~* ***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.***
OSM Preliminary Conclusion	**Support**
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	

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	
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) ~~*[Reserved]*~~ ***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 **Appendix A**.

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 developed[1]. 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*

	Unit																			
Regulation	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.

LITERATURE CITED

Eide, S., S. Miller, H. Reynolds. Retrieved January 17, 2008. Alaska Wildlife Notebook Series. Internet: http://www.adfg.state.ak.us/pubs/notebook/

FWS. 1982. Brown bear (Ursus arctos). Pages 247–248 in FWS. Initial report baseline study of fish, wildlife and their habitats. Anchorage, AK.

Garshelis, D. 2002. Misconceptions, Ironies, and Uncertainties Regarding Trends in Bear Populations. Ursus 13:321–334.

Miller, S. D. 1993. Brown bears in Alaska: a statewide management overview. Wildlife Tech. Bull. #11. ADF&G, Division of Wildlife Conservation. 40 pages.

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	Unit 1A—Rural residents of Unit 1A, except no Federal subsistence priority for residents of Hyder Unit 1B—Rural residents of Unit 1A, Petersburg and Wrangell, except no Federal subsistence priority for residents of Hyder Unit 1C—Rural residents of Unit 1C, Haines, Hoonah, Kake, Klukwan, Skagway, and Wrangell, except no Federal subsistence priority for residents of Gustavus Unit 1D—Rural residents of Unit 1D	1 bear every four regulatory years by State registration permit only
2		
3		
4	Rural residents of Unit 4 and Kake	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	Rural residents of Yakutat	1 bear by Federal registration permit only
6	No Federal subsistence priority	No Federal open season
7	No Federal subsistence priority	No Federal open season

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
8	Rural residents of Old Harbor, Akhiok, Larsen Bay, Karluk, Ouzinkie, and Port Lions	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	Unit 9A—Residents of Pedro Bay Unit 9B—Rural residents of Unit 9B Unit 9C—Rural residents of Unit 9C Unit 9D—Rural residents of Units 9D and 10 (Unimak Island) Unit 9E—Residents of Chignik, Chignik Lagoon, Chignik Lake, Egegik, Ivanof Bay, Perryville, Pilot Point, Ugashik, and Port Heiden/Meshik	Units 9A, 9C, and 9D: *see Special Provisions* for the communities of False Pass, King Cove, Cold Bay, Sand Point, and Nelson Lagoon. Unit 9B, Lake Clark National Park and Preserve—Residents of Nondalton, Illiamna, 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. Unit 9B remainder—1 bear by State registration permit only Unit 9E—1 bear by Federal registration permit only
10	Unit 10—Rural residents of Units 9D and 10 (Unimak Island)	No Federal open season. *See Special Provisions for the communities of False Pass, King Cove, Cold Bay, Sand Point, and Nelson Lagoon for Unit 10.*
11	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 Unit 11 remainder—Residents of Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Slana, Tazlina, Tonsina, and Unit 11	1 bear
12	Rural residents of Unit 12, Dot Lake, Chistochina, Gakona, Mentasta Lake, and Slana	1 bear

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
13	Rural residents of Unit 13 and Slana	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
14	Unit 14A—All rural residents Units 14B and 14C—No Federal subsistence priority	No Federal open season
15	No Federal Subsistence priority	
16	No Federal subsistence priority	
17	Unit 17A—Rural residents of Unit 17, and rural residents of Akiak, Akiachak, Goodnews Bay and Platinum 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 Unit 17B, that portion draining into Nuyakuk Lake and Tikchik Lake—Rural residents of Akiak and Akiachak Units 17B and 17C—Rural residents of Unit 17	1 bear by State registration permit only *Contact ADF&G for permit details*
18	Residents of Akiachak, Akiak, Eek, Goodnews Bay, Kwethluk, Mountain Village, Napaskiak, Platinum, Quinhagak, St. Marys and Tuluksak	1 bear by State registration permit only
19	Units 19A and 19B—Rural residents of Units 19 and 18 within the Kuskokwim River drainage upstream from and including) the Johnson River Unit 19C—No Federal subsistence priority Unit 19D—Rural residents of Units 19A and 19D, Tuluksak, and Lower Kalskag	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	Unit 20E—Rural residents of Unit 12 and Dot Lake Unit 20F—Rural residents of Unit 20F, Stevens Village and Manley Unit 20 remainder—All rural residents	Unit 20A—1 bear Unit 20E—1 bear Unit 20 remainder—1 bear

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
21	Rural residents of Units 21 and 23	Unit 21D—1 bear by State registration permit only Unit 21 remainder—1 bear
22	Unit 22—Rural residents of Unit 22	Units 22A, 22B, 22D, and 22E—1 bear by State registration permit only Unit 22C—1 bear by State registration permit only
23	Rural residents of Units 21 and 23	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	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 Unit 24 remainder—Rural residents of Unit 24	1 bear by State registration permit
25	Unit 25D—Rural residents of Unit 25D Unit 25 remainder—Residents of Unit 25 and Eagle	Units 25A and 25B—1 bear Unit 25C—1 bear Unit 25D—1 bear
26	Rural residents of Unit 26, except the Prudhoe Bay-Deadhorse Industrial Complex), Anaktuvuk Pass, and Point Hope	Unit 26A—1 bear by State registration permit only Unit 26B—1 bear Unit 26C—1 bear

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. *Submitted by the Alaska Department of Fish and Game*
Proposed Regulation	*§___.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].*
OSM Preliminary Conclusion	**Take no action**
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	
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	
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 developed[1]. 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 A).

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.

APPENDIX A

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.

LITERATURE CITED

Alaska Department of Fish and Game (ADF&G). 2008. ADF&G, Preliminary Comments to the Interagency Staff Committee, WP08-05. January 14, 2008.

Eide, S., S. Miller, H. Reynolds. Retrieved January 17, 2008. Alaska Wildlife Notebook Series. Internet: http://www.adfg.state.ak.us/pubs/notebook/

FWS. 1982. Brown bear (Ursus arctos). Pages 247–248 in FWS. Initial report baseline study of fish, wildlife and their habitats. Anchorage, AK.

Garshelis, D. 2002. Misconceptions, Ironies, and Uncertainties Regarding Trends in Bear Populations. Ursus 13:321–334.

Garshelis, D. and B. McLellan. January 17, 2008. The World Conservation Union and the Species Survival Commission 2004 Quadrennium, IUCN/SSC Bear Specialist Group. Internet: www.carnivorconservation.org/files/iucn_bear_report.pdf

HSUS, Humane Society of the United States. January 17, 2008. The Bear Trade—Questions and Answers. Internet:

www.hsus.org/wildlife issues_facing_wildlife/wildlife_trade/the_unbearable_trade_in_bear_parts_and_bile

HSUS, Humane Society of the United States. January 17, 2008. The Unbearable Trade in Bear Parts and Bile. Internet: www.hsus.org/wildlife issues_facing_wildlife/wildlife_trade/the_unbearable_trade_in_bear_parts_and_bile

Miller, S. D. 1993. Brown bears in Alaska: a statewide management overview. Wildlife Tech. Bull. #11. ADF&G, Division of Wildlife Conservation. 40 pages.

Reynolds, H.V. 1980. North Slope grizzly bear studies. ADF&G, Fed. Aid Wildl. Research Prog. Rep. Proj. W-17–11, Jobs 4.14R –4.15R.

Williamson, D. and M. Phipps, Eds. 2001. Proceedings of the Third International Symposium on the trade in bear parts (1999). TRAFFIC, East Asia.

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	*Unit 1A—Rural residents of Unit 1A, except no Federal subsistence priority for residents of Hyder* *Unit 1B—Rural residents of Unit 1A, Petersburg and Wrangell, except no Federal subsistence priority for residents of Hyder* *Unit 1C—Rural residents of Unit 1C, Haines, Hoonah, Kake, Klukwan, Skagway, and Wrangell, except no Federal subsistence priority for residents of Gustavus* *Unit 1D—Rural residents of Unit 1D*	1 bear every four regulatory years by State registration permit only
2		
3		
4	*Rural residents of Unit 4 and Kake*	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	*Rural residents of Yakutat*	1 bear by Federal registration permit only
6	*No Federal subsistence priority*	No Federal open season
7	*No Federal subsistence priority*	No Federal open season

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
8	*Rural residents of Old Harbor, Akhiok, Larsen Bay, Karluk, Ouzinkie, and Port Lions*	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	*Unit 9A—Residents of Pedro Bay* *Unit 9B—Rural residents of Unit 9B* *Unit 9C—Rural residents of Unit 9C* *Unit 9D—Rural residents of Units 9D and 10 (Unimak Island)* *Unit 9E—Residents of Chignik, Chignik Lagoon, Chignik Lake, Egegik, Ivanof Bay, Perryville, Pilot Point, Ugashik, and Port Heiden/Meshik*	Units 9A, 9C, and 9D: *see Special Provisions* for the communities of False Pass, King Cove, Cold Bay, Sand Point, and Nelson Lagoon. Unit 9B, Lake Clark National Park and Preserve—Residents of Nondalton, Illiamna, 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. Unit 9B remainder—1 bear by State registration permit only Unit 9E—1 bear by Federal registration permit only
10	*Unit 10—Rural residents of Units 9D and 10 (Unimak Island)*	No Federal open season. *See Special Provisions for the communities of False Pass, King Cove, Cold Bay, Sand Point, and Nelson Lagoon for Unit 10.*
11	*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* *Unit 11 remainder—Residents of Chistochina, Chitina, Copper Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake, Slana, Tazlina, Tonsina, and Unit 11*	1 bear
12	*Rural residents of Unit 12, Dot Lake, Chistochina, Gakona, Mentasta Lake, and Slana*	1 bear

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
13	*Rural residents of Unit 13 and Slana*	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
14	*Unit 14A—All rural residents* *Units 14B and 14C—No Federal subsistence priority*	No Federal open season
15	*No Federal Subsistence priority*	
16	*No Federal subsistence priority*	
17	*Unit 17A—Rural residents of Unit 17, and rural residents of Akiak, Akiachak, Goodnews Bay and Platinum* *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* *Unit 17B, that portion draining into Nuyakuk Lake and Tikchik Lake—Rural residents of Akiak and Akiachak* *Units 17B and 17C—Rural residents of Unit 17*	1 bear by State registration permit only *Contact ADF&G for permit details*
18	*Residents of Akiachak, Akiak, Eek, Goodnews Bay, Kwethluk, Mountain Village, Napaskiak, Platinum, Quinhagak, St. Marys and Tuluksak*	1 bear by State registration permit only
19	*Units 19A and 19B—Rural residents of Units 19 and 18 within the Kuskokwim River drainage upstream from and including) the Johnson River* *Unit 19C—No Federal subsistence priority* *Unit 19D—Rural residents of Units 19A and 19D, Tuluksak, and Lower Kalskag*	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	*Unit 20E—Rural residents of Unit 12 and Dot Lake* *Unit 20F—Rural residents of Unit 20F, Stevens Village and Manley* *Unit 20 remainder—All rural residents*	Unit 20A—1 bear Unit 20E—1 bear Unit 20 remainder—1 bear

Unit	C & T determination for Brown Bear	Harvest Limits for Brown Bear
21	*Rural residents of Units 21 and 23*	Unit 21D—1 bear by State registration permit only Unit 21 remainder—1 bear
22	*Unit 22—Rural residents of Unit 22*	Units 22A, 22B, 22D, and 22E—1 bear by State registration permit only Unit 22C—1 bear by State registration permit only
23	*Rural residents of Units 21 and 23*	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	*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* *Unit 24 remainder—Rural residents of Unit 24*	1 bear by State registration permit
25	*Unit 25D—Rural residents of Unit 25D* *Unit 25 remainder—Residents of Unit 25 and Eagle*	Units 25A and 25B—1 bear Unit 25C—1 bear Unit 25D—1 bear
26	*Rural residents of Unit 26, except the Prudhoe Bay-Deadhorse Industrial Complex), Anaktuvuk Pass, and Point Hope*	Unit 26A—1 bear by State registration permit only Unit 26B—1 bear Unit 26C—1 bear

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. *Submitted by Michael Cronk of Tok*
Proposed 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.*
OSM Preliminary Conclusion	**Oppose**
Southeast Regional Council Recommendation	
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	
Northwest Arctic Regional Council Recommendation	
Eastern Interior Regional Council Recommendation	

continued on next page

WP10-01 Executive Summary *(continued)*	
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
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]	
	Number of Permits Used (Hunted)	Number of Animals Harvested	Number of Animals Harvested	Percentage Harvested by Designated Hunters
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).

	Permits issued		Permits used		Animals taken	
Age of designators	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.

Literature Cited

ADF&G. 2011. Sitka black-tailed deer hunting in Alaska: Harvest statistics. http://www.adfg.alaska.gov/index.cfm?adfg=deerhunting.deerharvest, accessed July 18. Juneau, AK.

Andrews, E.F. 1988. The harvest of fish and wildlife for subsistence by residents of Minto, Alaska. ADF&G, Div. of Subsistence, Tech. Paper No. 137. Juneau. AK.

FSB. 1995. Staff Analysis WP95-04. Pages 28–34 in Federal Subsistence Board Meeting Materials April 10–14, 1995. Office of Subsistence Management. Anchorage AK.

FSB. 2003. Staff Analysis WP03-02 and related materials. Pages 53–79 in Federal Subsistence Board Meeting Materials May 20–22, 2003. Office of Subsistence Management. Anchorage AK.

FWS. 2011. Hunter database. On file, Office of Subsistence Management. Anchorage, AK.

Magdanz, J. S., E. Trigg, A. Ahmasuk, P. Nanouk, D. S. Koster, and K. R. Kamletz. 2005. Patterns and trends in subsistence salmon harvests, Norton Sound and Port Clarence, 1994–2003. Kawerak, Inc., Dept. of Natural Resources and the ADF&G Div. of Subsistence Tech. Paper No. 294, Juneau and Nome, AK.

Magdanz, J.S., C.J. Utermohle, and R. J. Wolfe. 2002. The organization of subsistence food production in two Inupiaq communities, Wales and Deering, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 259, Juneau, AK.

Sahlins, M D. 1972. Stone age economics. Aldine Publishing Company, New York.

Sumida, V.A. 1989. Patterns of fish and wildlife harvest and use in Beaver, Alaska. ADF&G, Div. of Subsistence, Tech. Paper No. 140, Juneau, AK.

Sumida, V.A, and D.B. Andersen. 1990. Patterns of fish and wildlife use for subsistence in Fort Yukon, Alaska. ADF&G Div. of Subsistence Tech. Paper No. 179. Juneau, AK.

Wolfe, R.J. 1981. Norton Sound/Yukon Delta Sociocultural Systems Baseline Analysis, Technical Report No. 59, Alaska Department of Fish and Game, Division of Subsistence, Juneau, AK

Wolfe, R.J. 1987. The Super-Household: Specialization in Subsistence Economies, Paper presented at the 14th Annual Meeting of the Alaska Anthropological Association, March 12–13, 1987, Anchorage, AK.

Wolfe, R.J., C.L. Scott, W.E. Simeone, C.J. Utermohle, and M.C. Pete. 2007. The "Super-Household" in Alaska Native subsistence economics. National Science Foundation, ARC 0352677. Washington DC. 31 pages.

Wolfe, R.J., and R.J. Walker. 1987. Subsistence economies in Alaska: Productivity, geography, and development impacts, Arctic Anthropology 24(2): 56–81.

Wolfe, R.J., J.J. Gross, S.J. Langdon, J.M. Wright, G.K. Sherrod, L.J. Ellanna, V.Sumida, and P.J. Usher. 1984. Subsistence-based economies in coastal communities of Southwest Alaska. ADF&G, Div. of Subsistence, Tech. Paper No. 59. Juneau, AK. 270 pages.

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.

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. *Submitted by the Orutsararmiut Native Council*
Proposed 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.***

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	
Bristol Bay Regional Council Recommendation	
Yukon/Kuskokwim Delta Regional Council Recommendation	
Western Interior Regional Council Recommendation	
Seward Peninsula Regional Council Recommendation	
Northwest Arctic Regional Council Recommendation	
Eastern Interior Regional Council Recommendation	
North Slope Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
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.

LITERATURE CITED

ADF&G. 2011. 2010/2011 Alaska trapping regulations. http://www.adfg.alaska.gov/index.cfm?adfg=wildliferegulations.main, accessed June 1. Juneau, AK.

ADF&G. 1998. Alaska Board of Game Proposal 103. On file, Boards Support Section. Juneau. AK.

Ardizzone, C. 2011. Chief, Wildlife Division. Personal communication: in person. FWS, Office of Subsistence Management, Anchorage, AK.

Rearden, S. 2011. Wildlife biologist. Personal communications: by telephone. FWS, Yukon Delta National Wildlife Refuge, Bethel, AK.

Roczicka, G. 2011. Director, Natural Resources Department. Personal communication: by telephone. Orutsararmiut Native Council, Bethel, AK.

Seavoy, R. 2011. Wildlife biologist. Personal communication: by telephone. ADF&G, Division of Wildlife Conservation, McGrath, AK.

WP12-22a Executive Summary	
General Description	Proposal WP12-22a requests that the Federal Subsistence Board recognize Ninilchik's customary and traditional uses of brown bear in Units 8 and 15. A related analysis, WP12-22b, addresses hunting seasons and harvest limits for brown bear. *Submitted by the Ninilchik Traditional Council*
Proposed Regulation	**Unit 8—Brown bear** *Rural residents of Old Harbor, Akhiok, Larsen Bay, Karluk, Ouzinkie, ~~and~~ Port Lions,* ***and Ninilchik*** **Unit 15~~C~~—Brown bear** *Residents of Ninilchik* **~~Unit 15 Remainder—Brown bear~~** *~~No Federal subsistence priority~~*
OSM Preliminary Conclusion	**Support**
Southcentral Regional Council Recommendation	
Kodiak/Aleutians Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
WP12-22a

ISSUES

Proposal WP12-22a, submitted by the Ninilchik Traditional Council, requests that the Federal Subsistence Board recognize Ninilchik's customary and traditional uses of brown bear in Units 8 and 15. A related analysis, WP12-22b, addresses hunting seasons and harvest limits for brown bear.

DISCUSSION

The Federal Subsistence Board previously recognized Ninilchik's customary and traditional uses of brown bear in Unit 15C in 2007. The proponent states that opportunity for residents of Ninilchik to harvest brown bear has been limited due to the small amount of Federal public lands in Unit 15C. The proponent requests that the Federal Subsistence Board recognize Ninilchik's customary and traditional uses of brown bear in Units 15A and 15B, as well as 15C. Further, the proponent requests the Board recognize their customary and traditional uses of brown bear in Unit 8, the Kodiak Archipelago.

Only Ninilchik's customary and traditional uses of brown bear in Units 8 and 15 are described below; when a proposal requests adding a community to an existing customary and traditional use determination, only the customary and traditional uses in the area indicated in the determination by that community are analyzed.

Since the implemention in 2007 of the Federal brown bear hunt, which is limited to the Federal public lands in Unit 15C, the opportunity for residents of Ninilchik to harvest brown bear in Unit 15 has decreased; in 2007, the State replaced a registration permit hunt with several drawing permit hunts in Unit 15. The draw rate for these permits is low, and it is difficult to get one.

The Board has previously recognized Ninilchik's customary and traditional uses of black bear and moose in Units 15A, 15B, and 15C, and all fish in the Kasilof River and Kenai River drainages located in Units 15A, 15B, and 15C.

Existing Federal Regulation

Unit 8—Brown bear

Rural residents of Old Harbor, Akhiok, Larsen Bay, Karluk, Ouzinkie, and Port Lions

Unit 15C—Brown bear

Residents of Ninilchik

Unit 15 Remainder—Brown bear

No Federal subsistence priority

Proposed Federal Regulation

Unit 8—Brown bear

Rural residents of Old Harbor, Akhiok, Larsen Bay, Karluk, Ouzinkie, ~~and~~ Port Lions, ***and Ninilchik***

Unit 15 ~~C~~ —Brown bear

Residents of Ninilchik

~~**Unit 15 Remainder—Brown bear**~~

~~*No Federal subsistence priority*~~

Existing State Regulation

5 AAC 99.025. Customary and traditional uses of game populations

Unit 8—Brown bear

Negative

Unit 15C—Brown bear

Negative

Extent of Federal Public Land

Federal public lands comprise approximately 41% of Unit 8 and consist of U.S. Fish and Wildlife Service lands within the Kodiak National Wildlife Refuge.

In Unit 15, 52% of the lands are managed by the Kenai National Wildlife Refuge. Less than 1% is Kenai Fjords National Park lands, which are not open to subsistence uses, and less than 1% is Forest Service lands. Kenai National Wildlife Refuge manages 67% of the lands in Unit 15A; 88% of the lands in Unit 15B; and 29% of the lands in Unit 15C.

Background

Unit 8

At the inception of the Federal Subsistence Management Program in Alaska in 1990, the Federal Subsistence Board adopted the customary and traditional use determinations from the State. The State did not recognize customary and traditional uses of Unit 8 brown bear. As a consequence, the Federal Subsistence Board adopted a no Federal subsistence priority, customary and traditional use determination for brown bear in Unit 8 (72 FR 22959; May 29, 1992). This meant that no person was eligible to harvest brown bear in Unit 8 under Federal regulations; the harvest of brown bear was allowed under State regulations only.

In 1995, the Kodiak Aleutians Subsistence Regional Advisory Council submitted Proposals WP95-26 and WP95-27 to recognize the customary and traditional uses of brown bear in Unit 8 by residents of the

villages on the island and to adopt hunting seasons and harvest limits. However, the Kodiak Aleutians Council recommended that the Federal Subsistence Board defer Proposal WP95-27, the hunting seasons and harvest limits, allowing the Council time to evaluate the impacts of using a community harvest system versus an individual harvest system. The Federal Subsistence Board, at its meeting in April 1996, adopted Proposal WP95-26 (61 FR 39703; July 30, 1996). Subsequently in April 1997, the Board adopted hunting seasons and community harvest limits for Unit 8 brown bear (62 FR 29040; May 29, 1997).

Unit 15

In 1990, the majority of the Kenai Peninsula was in the Kenai Peninsula nonrural area established by the State. The State did not allow subsistence uses in nonrural areas. Further, the Alaska Board of Game did not recognize customary and traditional uses of brown bear in the areas that were deemed rural (the southern portion of Unit 15C). As a result, the Federal Subsistence Board established a no Federal subsistence priority for brown bear throughout the peninsula (72 FR 22959 (May 29, 1992); see **Appendix A**). This meant that no person was eligible to harvest brown bear in Unit 15 under Federal regulations; the harvest of brown bear was allowed under State regulations only.

In 2006, the Ninilchik Traditional Council submitted Proposal WP07-17a to recognize the customary and traditional uses of brown bear in Unit 15 by residents of Ninilchik, and to adopt hunting seasons and harvest limits (WP07-17b). At its March 2007 meeting, the Southcentral Alaska Subsistence Regional Advisory Council recommended that the Board support Proposal WP07-17a, recognizing Ninilchik's customary and traditional uses of brown bear in Unit 15 (SCRAC 2007).[1]

In April 2007, the Federal Subsistence Board adopted Proposal WP07-17a with modification to provide a customary and traditional use determination for brown bear for Ninilchik in Unit 15C only (72 FR 73433; December 27, 2007). The Board noted that opportunity to harvest brown bear by residents of Ninilchik had been limited by State regulatory restrictions. Ninilchik demonstrated long-term and regular uses of brown bear in Unit 15C in spite of decreased opportunities resulting from restrictive State harvest regulations. However, the Board did not recognize the customary and traditional uses of brown bear by Ninilchik in Units 15A and 15B because the Board viewed these uses as representing a sporadic and inconsistent pattern (FSB 2007:252–255).

About 24 instances of "no Federal subsistence priority" exist in Federal wildlife regulations. No Federal subsistence priority means that the Federal Subsistence Board has not recognized customary and traditional uses of a resource in an area, and therefore, no Federal seasons or harvest limits can be adopted. Hunting may be allowed under State regulations. Currently in Unit 15, the three instances of no Federal subsistence priority are: hunting brown bear in Units 15A and 15B, hunting sheep in Unit 15; and hunting ruffed grouse in Unit 15.

Since adopting State customary and traditional use determinations for wildlife in 1990, the Federal Subsistence Board has adopted or upheld a no Federal subsistence priority, customary and traditional use determinations for black bear in Units 15A and 15B (61 FR 39704; July 30, 1996) and brown bear in Units 15A and 15B (72 FR 73433; December 27, 2007). The Board subsequently adopted a customary and traditional use determination for black bear in Units 15A and 15B for Ninilchik (72 FR 73433; December 27, 2007).

1 The Federal Subsistence Board book indicates that the Council recommended the Board recognize customary and traditional uses of brown bear in Unit 15A only and is in error (FWS 2007). The Council adopted a motion supporting "17A" referring to the proposal WP07-17a. This was erroneously interpreted as Unit 15A in the Council recommendation (SWRAC 2007:547).

Regulatory History

For Units 8 and 15, since 1967 harvest limits have been one brown bear every four regulatory years and the taking of cubs, or females accompanied by cubs, has been prohibited (Miller 1990).

Unit 8

In Unit 8, a subsistence season for brown bear hunting was first established by the Alaska Board of Game in 1985. In 1986, the Alaska Board of Game recognized customary and traditional uses of brown bear in Unit 8. In that year, however, ADF&G received no requests for permits. Subsequently in 1987, the Alaska Board of Game reversed its earlier findings and determined that there were no customary and traditional uses of brown bear in Unit 8 (FWS 1996: 32). Hunting in Unit 8 was conducted using State registration and State drawing permits until 1997 when a Federal hunt was added (**Tables 1 and 2**).

Unit 15

In Unit 15, prior to 1967 the brown bear hunting season was 10 months, September through June. Since then, brown bear hunting seasons in State wildlife regulations have been restricted to a fall, or a fall and a spring, hunting period of varying lengths between approximately 15 and 45 days (**Table 3**). However, for the 1995 and 1996 regulatory years only the spring hunting season opened and the fall season was closed because additional harvest would have exceeded management objectives, described below. In 1997, a registration permit hunt system was implemented. Then, because of high levels of nonhunting human-caused mortality, the fall season was closed for the 1997 regulatory year as well as the spring season for the 1999 and 2000 regulatory years, and no permits were issued for the 1998, 2001, 2002, 2003, 2005, and 2006 regulatory years. The major causes of known nonhunting brown bear deaths were from vehicle collisions, in defense of property at residences, in defense of life by recreationists, and mistaken identity while hunting other game (FWS 2007)

Beginning in 2007, a State drawing permit was required to hunt brown bear in Unit 15 under State regulations. Also in 2007, the Federal Subsistence Board adopted seasons and harvest limits in Unit 15C that copied State seasons and harvest limits, but with the use of a Federal registration permit (**Table 4**). In 2009, the State lengthened its fall regulatory season by 15 days; however, the Federal regulatory season has not changed since its inception in 2007, and therefore, the brown bear season begins 15 days later in Unit 15C for Federally qualified users (Ninilchik residents) using a Federal registration permit.

The Alaska Department of Fish and Game has used a quota system to aid in management of brown bear in Unit 15. For the 2010 regulatory year, the take of brown bear was not to exceed 10 reproductive-age females in the calendar year by all human causes. Hunting for brown bear under State and Federal regulations was allowed only if the number of nonhunting human caused brown bear deaths was below this quota (Selinger 2011, pers. comm.)

It should be noted that Ninilchik residents who harvest brown bear with a Federal registration permit must salvage the hide, skull, and edible meat (§____.25(a) and §____.25 (j)(2)(ii)).

Community Characteristics

The only community under consideration in this proposal is Ninilchik. For the purpose of the customary and traditional use determinations for Ninilchik, the designation “Ninilchik” includes the Ninilchik census designated place (CDP) and the adjacent Happy Valley CDP. According to the U.S. Census, Ninilchik had 883 residents and Happy Valley had 593 residents in 2010 (ADCCEDa 2011).

Table 1. State Unit 8 brown bear regulations.

State of Alaska Regulations, Brown Bear			
Regulatory Year	**Area**	**Season**	**Harvest Limit**
1989–1992	Unit 8, northeastern portion of Kodiak Island	Fall season (Oct. 25–Nov. 30) Spring season (Apr. 1–May 15)	1 brown bear every four regulatory years by State registration permit.
	Unit 8, remainder	Fall season (Oct. 25–Nov. 30) Spring season (Apr. 1–May 15)	1 bear every four regulatory years. Residents may take bear by State drawing permit only; nonresidents guided by a commercial guide may take bear by State registration permit only.
1993	Unit 8, northeastern portion of Kodiak Island	Fall season (Oct. 25–Nov. 30) Spring season (Apr. 1–May 15)	1 brown bear every four regulatory years by State registration permit **available in person in Kodiak beginning Oct. [x]**. 1 brown bear every four regulatory years by State registration permit **available beginning March [x].**
	Unit 8, remainder	Fall season (Oct. 25–Nov. 30) Spring season (Apr. 1–May 15)	1 bear every four regulatory years. Residents may take bear by State drawing permit only; nonresidents guided by a commercial guide may take bear by State registration permit only.
1994–2011	Unit 8, northeastern portion of Kodiak Island	Fall season (Oct. 25–Nov. 30) Spring season (Apr. 1–May 15)	1 brown bear every four regulatory years by State registration permit available in person in Kodiak beginning Oct. [X]. 1 brown bear every four regulatory years by State registration permit available beginning March [X].
	Unit 8, remainder	Fall season (Oct. 25–Nov. 30) Spring season (Apr. 1–May 15)	1 bear every four regulatory years **by State drawing permit**

Note: changes are indicated in bold.
[x]=date varies.

Table 2. Federal Unit 8 brown bear regulations.

Federal Regulations, Brown Bear			
Regulatory Year	**Area**	**Season**	**Harvest Limit**
1990–1996	Unit 8	No season	No harvest limit
1997–2012	Unit 8	**Dec. 1–Dec. 15** **Apr. 1–May 15**	**1 brown bear by Federal registration permit issued by the Kodiak National Wildlife Refuge Manager and per community as follows:** **Akhiok—1 permit** **Karluk—1 permit** **Larsen Bay—Up to 3 permits** **Old Harbor—Up to 2 permits** **Ouzinkie—Up to 2 permits** **Port Lions—Up to 2 permits**

Notes: changes are indicated in bold.

Happy Valley CDP is a census designated place created by the U.S. Census and also is considered a residential extension of Ninilchik. Happy Valley was first noted in 1950 by the U.S. Geological Survey and is simply noted as a "geographic location" (ADCCEDb 2011). There are no facilities, no schools, no post office, and no government. Students who reside in Happy Valley go to school in Ninilchik and Happy Valley residents primarily receive their mail in Ninilchik. The Ninilchik tribal government and the Kenai Peninsula Borough are the only local governments in the Ninilchik area; there is no local municipal government (Wolfe 2006a).

Long-term residents of Ninilchik trace their origins to the descendents of Alaska Natives (predominately Alutiiq from Kodiak Island) who married Russian American Company employees and settled on the Kenai Peninsula in the Ninilchik area in 1847 (Wolfe 2006a, 2006b; Arndt 1993: 40). The children of the marriages between Russians and Alutiiqs were referred to as "Creoles" by the Russians (Arndt 1993:40, 42; Fedorova 1973:33). The original inhabitants of Ninilchik came to the Kenai Peninsula and settled within the traditional territory of two Alaska Native groups: Dena'ina Athabascan and Alutiiq. The traditional territory of the Dena'ina extends from Kachemak Bay on the Kenai Peninsula, west across Cook Inlet to the Stony River and northeast to the Susitna Basin. The traditional territory of the Alutiiq includes the southern portion of the Kenai Peninsula, bridging the Alutiiq territories of Prince William Sound with Kodiak Island and the Alaska Peninsula (De Laguna 1934, Krauss 1982, and Stanek 1980).

The U.S. Census in 1880 enumerated the population at Ninilchik as 53 "Creoles" (Fall et al. 2004:33). The U.S. Census in 1890 described the population of Ninilchik as "inhabited by 50 Russian creoles and a small number of natives of the Tnaina tribe" (Porter 1893: 69). The population of Ninilchik was enumerated in 1890 as "12 White, 53 Mixed, 16 Indian" (Porter 1893: 4). Thereafter, the Ninilchik population increased naturally, through kinship relationships and intermarriage with Alutiiq and Dena'ina, and through the in-migration of people from Outside.

Table 3. State Unit 15 brown bear regulations.

State of Alaska Regulations, Brown Bear			
Regulatory Year	**Area**	**Season**[1]	**Harvest Limit**
1959–1966	Unit 15	Sept.–June	1 brown bear every year
1967–1977	Unit 15	**Fall season only**	1 brown bear **every four regulatory years**
1978–1996	Unit 15	Fall season **Spring season**	1 brown bear every four regulatory years
1997–2003	Unit 15	Fall season Spring season	1 brown bear every four regulatory years **by State registration permit**
2004	Unit 15	Fall season	1 brown bear every four regulatory years by State registration permit **available in person in Homer, Soldotna, or Anchorage, or by mail from Homer, beginning Oct. 10**
2005–2006	Unit 15	Fall season	1 brown bear every four regulatory years by State registration permit **available in person in Homer, Soldotna, or Anchorage beginning Oct. 10**
2007–2008	Unit 15	Fall season (Oct. 1–Nov. 30) **Spring season (Apr. 1–June 15)**	1 brown bear every four regulatory years by **State draw permit**
2009–2010	Unit 15	Fall season (**Sept. 15**–Nov. 30) Spring season (Apr. 1–June 15)	1 brown bear every four regulatory years by State draw permit

[1] Fall seasons were closed for the 1995, 1996, and 1997 regulatory years. Spring seasons were closed for the 1999 and 2000 regulatory years. No permits were issued for the 1998, 2001, 2002, 2003, 2005, and 2006 regulatory years.

Note: changes are indicated in bold.

Non-Native settlement on the Kenai Peninsula began in the 18th century with the Russians and the fur trade and later mining efforts in Kachemak Bay. At the end of the 19th century, commercial fishing, such as the herring saltery at Seldovia in 1896, brought about new settlements. The next major non-Native settlement period began during the Gold Rush era at the end of the 19th century. With the construction of roads and local oil development after 1950, the population of the Kenai Peninsula increased substantially through in-migration of people born outside Alaska. The Ninilchik area population grew through in-migration and became more demographically diverse (Wolfe 2006a).

Table 4. Federal Unit 15 brown bear regulations.

Federal Regulations, Brown Bear			
Regulatory Year	**Area**	**Season**	**Harvest Limit**
1990–2006	Unit 15	No season	No harvest limit
2007–2012	**Unit 15C**	**Oct. 1–Nov. 30 (Season to be announced) Apr. 1–June 15 (Season to be announced)**	**1 bear every four regulatory years by Federal registration permit. The season may be opened or closed by announcement of the Kenai National Wildlife Refuge manager in consultation with ADF&G and the chair of the Southcentral Alaska Subsistence Regional Advisory Council**
	Unit 15 remainder	No season	No harvest limit

Note: changes are indicated in bold.

Eight Factors for Determining Customary and Traditional Uses

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

The Federal Subsistence Board makes customary and traditional use determinations based on a holistic application of these eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR Part 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who meet the eight factors. The Board does not use such determinations for resource management or restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limitations or seasonal restrictions rather than by limiting the customary and traditional use finding.

Ninilchik residents have used a wide array of fish and wildlife resources since the founding of the community in 1847. The site was chosen so that retirees, who included Alutiiqs, Russians, and Creoles, from the Russian-American Company would be able to support themselves by harvesting wild resources and gardening (Arndt 1993:2).

It is important to understand the history of the Ninilchik subsistence economy in the context of the Russian colonial period. The success of the Russian-American Company depended entirely on the subsistence way of life of the indigenous inhabitants of Alaska (Fedorova 1975:10). The primary goal of the company was the harvest of fur, mainly sea otter. The specialized sea otter hunting techniques and capabilities of the Unangan (Aleuts) of the Aleutian Islands and the Alutiiq people, primarily of Kodiak, were exploited for the success of the Company. Beyond furs, however, the subsistence harvest was the primary food supply that sustained Company enterprises (Fedorova 1973). Importing supplies overland through Siberia and by sea was expensive, slow, and often unsuccessful. In addition to harvesting sea otters, the Native inhabitants of Alaska were required to provide the bulk of the food for the Russian colonists in addition to their own. The Russians attempted to supply the colonies with food through agriculture and cattle husbandry. These attempts provided some food but never the amounts the colony needed (Fedorova 1973, 1975; Tikhmenev 1978).

The Russian settlers adapted to the subsistence diet of Alaska. According to one Russian officer in a report on the state of the colonial settlements:

> The location and abundance of the pasturage would let them have any number of cattle, were it not for the difficulty of preparing winter fodder . . . . The ration of the Russian settler on Kodiak included mushrooms and berries . . . . Game and bear meat were of great help for the settlers . . . . The Kodiak promyshlenniks [Russian fur traders] kill many thousands of bears but they do not die out . . . . The most important food is fish (Fedorova 1973: 239).

There is not an abundance of ethnographic information about the "Creole" communities of Alaska because early anthropologists only wanted to study communities they believed had not had contact with other cultures. In writing about the Alutiiq of Kodiak, anthropologist Frederica de Laguna noted in 1964:

> In appraising cultural similarities and dissimilarities . . . we are bound to be subjective in our judgment because we can not help using those cultures with which we are most familiar as standards against which others are to be measured. Thus the northern Alaskan Eskimo are assumed, perhaps unconsciously, to constitute a norm of the typical Alaskan Eskimo from which the less familiar Pacific Eskimo appear divergent, or as intermediate between the "true Eskimo" and the Aleut (De Laguna 1964: 211).

There is not extensive documentation of Ninilchik's subsistence patterns because they were not considered a "norm" by early cultural anthropologists. In the information that is available, it is clear that brown bear is part of the subsistence diet of Ninilchik (cf. Elliot 1887, Fall et al. 2000, FWS 2007, Leman 1993, Ninilchik Parent Teacher Association nd [1951], NTC 1999, Oskolkoff 1992, Tikhmenev 1978) and of the Dena'ina and local Kenaitze (cf. Fall et al. 2000, Osgood 1966).

At the April 1995, meeting of the Federal Subsistence Board, Grassim Oskolkoff, past president of the Ninilchik Traditional Council, described the use of bear by Ninilchik residents:

> Just yesterday I came from my acreage in the woods there, and looking for bear tracks. And they all look at me and say—I know they're talking about me—how come you're looking for bear track? I am looking for bear track because it was traditional. It was what we did. In spring, people

> would look for young black bear especially, that was a delicacy. And we tried to get. And of course, the big brown bear for fur, for—'cause you could sell those things. Even at that time, you could sell those things for 2 or 3 hundred dollars which is a lot of money. . . . My dad did, him and Matsen (ph), another family there, and Marian's dad and whatnot. They used to go up in the hills—Caribou Hills is what we call—what you know about probably—and get that big—brownie and roll up—skin him and roll up the hide and carry that thing all the way from Caribou Hills down to Deep Creek, mouth of Deep Creek. That's where they would—where they're fishing now, what we're talking about. And cross over there with that bear hide and bring it to Ninilchik and hang it up. Of course, all of us kids, we'd go and turn that thing over and play on the fur, just like a bunk (FSB 1995: 594–595).

Most of the Caribou Hills is located within the boundaries of the Kenai National Wildlife Refuge. This story of walking to the Caribou Hills and probably floating back to the mouth of Deep Creek is not unusual for residents of Ninilchik prior to the construction of the highway in 1951. There are at least two references to long walks in Agrafena's Children that recount walks from Ninilchik to Kenai and Ninilchik to Homer (Leman 1993: 359, 362). The book, Agrafena's Children by Wayne Leman, is a "family history" or chronicle of the original inhabitants of Ninilchik.

Ninilchik is a coastal community, and fish are a large part of the local diet, as are moose, but plants, birds and other large land mammals, including brown bear, are part of the diversified subsistence repertoire.

There are at least five sources of data related to Ninilchik subsistence harvests. Sources include two studies completed by the ADF&G Division of Subsistence, and two completed by the Ninilchik Traditional Council. These studies have helped our understanding of the extent of the use of brown bear by residents of Ninilchik and other communities on the Kenai Peninsula. A fifth source is the ADF&G and FWS permit report database.

ADF&G Division of Subsistence Studies: 1982 and 1998

Two studies of Ninilchik subsistence uses are considered in this analysis. These include: 1) ADF&G, Division of Subsistence Technical Paper 106, which includes residents' harvest estimates for the calendar year 1982 (Reed 1985) and 2) ADF&G, Division of Subsistence Technical Paper 253, which includes residents' harvest estimates for the calendar year 1998 (Fall et al. 2000). These two studies differ in sample size and also in sample area. The 1982 study included only the Ninilchik CDP; the 1998 study included the "Ninilchik rural area" which included the Ninilchik CDP, the Happy Valley CDP, and Clam Gulch CDP (Fall et al. 2000: 26).

1982 ADF&G Division of Subsistence Technical Paper 106 "*The Role of Wild Resource Use in Communities of the Central Kenai Peninsula and Kachemak Bay, Alaska*" included subsistence harvest data from the communities of Kenai, Homer, Ninilchik and Seldovia for the calendar year 1982 (Reed 1985). There were an estimated 217 households in Ninilchik (CDP) at the time of the study (Reed 1985:8). Twenty-four households were interviewed as part of this study, 11% of the community (Reed 1985:8). The survey used for this research included most subsistence resources available on the Kenai Peninsula but did not include brown bear. It does not appear that participants were asked about subsistence uses of brown bear for the 1982 survey year (Reed 1985:202–210).

Reed noted that in the study communities, "There appeared to be no stable seasonal round and harvest quantities were relatively low. However, with such a large study population, the representativeness of the findings was difficult to ascertain" (Reed 1985:7). Reed observed that the harvest of large land mammals in Ninilchik was secondary to the harvest of fish and seafood, "Reasons given for this included

a perceived scarcity of game, excessive hunting competition, short seasons and the lack of the necessary skill and equipment" (Reed 1985:82).

1998 ADF&G Division of Subsistence Technical Paper 253 "*Wild Resource Harvests and Uses by Residents of Selected Communities of the Kenai Peninsula Borough*" included subsistence harvest data from Ninilchik, North Fork Road, Fritz Creek East, and Nikolaevsk for the calendar year 1998. Each was considered a separate community. Ninilchik was defined as the Happy Valley CDP, Ninilchik CDP, and almost all of the Clam Gulch CDP; about a 30-mile stretch along the Sterling Highway from Clam Gulch at about Milepost 121 to Stariski Creek at Milepost 151. In Ninilchik, there were an estimated 400 households at the time of the study (Fall et al. 2000:21). The sample size was 25% of the community or 101 households. Results from the sample were expanded to represent the entire community.

This study indicated that in 1998, 2% (8 households within the entire community of 400 households) of Ninilchik households tried to harvest brown bear and that none used, harvested, received or shared it (Fall et al. 2000: 93). In addition to harvest data, residents were asked about the location of their harvests. In table 64 (Fall et al. 2000:133), 1% (4 households of 400) reported hunting (not harvesting) brown bear in Unit 15B within the Kenai National Wildlife Refuge and 1% (4 households of 400) reported hunting brown bear elsewhere. There was no other brown bear hunt location noted in this table by residents of Ninilchik (Fall et al. 2000: 133).

In contrast to the other communities in this study it was noted, "Only in Ninilchik were there any brown bear hunters; this activity occurred within the refuge boundaries in Unit 15B and off the Kenai Peninsula" (Fall et al. 2000: 186).

Ninilchik Traditional Council

Two studies of Ninilchik subsistence uses conducted by the Ninilchik Traditional Council, funded by the Bureau of Indian Affairs, are considered in this analysis. These include a study conducted in 1994 and another conducted in 1999. These studies were not random samples of the community but were targeted specifically at long-term residents of the community. The purpose of these studies was to document the lifetime subsistence use areas of Ninilchik. The 1994 study included participant households' harvest estimates of lifetime use. The 1999 study included participant households' harvest estimates between 1994 and 1999 (NTC 2006). This was intentionally different from most ADF&G Division of Subsistence studies, which rely on a specific year of harvest information.

1994 A 1994 survey of 26 targeted Ninilchik households indicated that 5 households of 26 sampled households used brown bear, 4 of 26 households tried to harvest it, 5 of 26 households received brown bear, and 5 of 26 households shared brown bear. Respondents reported attempting to harvesting brown bear at some point in their lifetimes in Units 15A, 15B, 15C, and in Unit 8, Kodiak (NTC 2006:8).

1999 The targeted survey sample of Ninilchik households for the 1999 study included 21 households. Respondents were asked to describe their subsistence harvest from 1994 to 1999. Ninilchik Traditional Council staff used a baseline subsistence survey questionnaire modeled after, but not the same as, that used by ADF&G Division of Subsistence. This similarity is noted because beyond asking respondents how many of which resource they harvested, they were also asked about harvest effort and sharing.

According to the Ninilchik Traditional Council research in 1999, the 21 households surveyed reported that no Ninilchik households used, tried to harvest, harvested, received or shared brown bear from 1994 to 1999 (NTC 2006:8).

ADF&G and U.S. Fish and Wildlife Service Permit Report Database

In addition to the sources noted above, information exists concerning hunting brown bear by Ninilchik residents based on the combined ADF&G and U.S. Fish and Wildlife Service permit report database (FWS 2011).

Unit 8

Brown bear hunting in Unit 8 has been conducted with State registration permits and State drawing permits since at least 1989 (see **Table 1**). Hunter success rates are one measure of hunting opportunity. **Table 5** shows hunter success rates using State registration and State drawing permits. The number of applications received for drawing permits is not available at this time and therefore the ability of residents of Ninilchik to hunt using a drawing permit in Unit 8 could not be measured. The hunter success rates using a State drawing permit was generally over 50%, and the hunter success rates using State registration permits were lower, generally under 20%.

Residents of Ninilchik have hunted brown bear in Unit 8. **Table 6** shows brown bear hunting and harvest activity in Unit 8 by residents of Ninilchik. Since 1986, 17 permits have been issued to residents of Ninilchik to hunt brown bear in Unit 8, and 9 hunters reported harvesting 4 brown bear.

Unit 15

The ADF&G and U.S. Fish and Wildlife Service permit report database (FWS 2011) contains information describing Ninilchik's brown bear hunting effort ince 1997 only. This is because prior to 1997, brown bear hunting in Unit 15 was conducted through a general hunt. The general hunt provisions did not require hunters to report their hunting effort. Harvested brown bear were required to be sealed.

In 1997, a State registration hunt was implemented in Unit 15. Hunter success rates are one measure of hunting opportunity. **Table 7** shows that hunter success rates ranged from a high of 12% in 1997 to a low of 4% in 2004. In 2007, a State drawing permit hunt was implemented in Unit 15. The number of applications for a drawing permit is another measure of hunting opportunity. **Table 8** shows the percentage of applicants who were awarded a drawing permit has been less than 2% annually.

Concurrently in 2007, a Federal registration permit was implemented in Unit 15C, and **Table 9** shows the hunter success rates. In the three years since implementation the number of permits issued has increased from 3 in 2007 to 16 in 2009, and hunters success rates have varied from 0% in 1997 to 50% in 2008, based on permits that were used.

It should be noted again that during some years, seasons were limited or closed because the ADF&G quota of brown bear was reached (see **Table 3**). The quota represents the number of brown bear that can safely be taken in one year and still provide for future uses. Brown bear also were taken in defense of life and property (DLP), in collisions with motorized vehicles, and through hunting. **Table 10** includes brown bears harvested through hunting only.

Table 10 shows that 1997–2009, 47 permits have been issued to residents of Ninilchik to hunt brown bear in Unit 15, and 25 hunters reported harvesting 2 brown bear. In Unit 15A, one hunter reported harvesting no brown bear; in Unit 15B, 3 hunters reported harvesting no brown bear; and in Unit 15C, 19 hunters reported harvesting 2 brown bear. Both brown bear harvests in Unit 15 were reported in Unit 15C in the Kasilof River drainage.

Table 5. Unit 8 brown bear harvest success rates for all hunters (Federally qualified, non-Federally qualified, and nonresidents of the state) using State registration and drawing permits (FWS 2011).

Unit 8 Brown Bear						
State Registration Permits				State Drawing Permits[a]		
Regulatory Year	Number of Hunters	Number of Brown Bear Harvested	Percentage of Hunters that were Successful	Number of Hunters	Number of Brown Bear Harvested	Percentage of Hunters that were Successful
2009	154	20	13%	350	181	52%
2008	187	33	18%	329	219	67%
2007	149	19	13%	341	165	48%
2006	168	20	12%	309	182	59%
2005	181	13	7%	319	195	61%
2004	166	12	7%	310	157	51%
2003	113	16	14%	303	147	49%
2002	75	14	19%	276	124	45%
2001	162	17	10%	278	140	50%
2000	0	0	0%	287	130	45%
1999	4	0	0%	321	149	46%
1998	3	0	0%	307	130	42%
1997	119	6	5%	342	158	46%
1996	100	12	12%	325	150	46%
1995	95	9	9%	326	142	44%
1994	98	5	5%	324	147	45%
1993	230	90	39%	192	73	38%
1992	285	112	39%	186	67	36%
1991	259	97	37%	193	57	30%
1990	217	94	43%	194	55	28%
1989	213	28	13%	205	18	9%
1988	214	95	44%	205	75	37%
1987	47	30	64%	75	18	24%
1986	275	31	11%	45	14	31%

[a] The number of applications received for drawing permits was not available.

Table 6. Ninilchik's Unit 8 brown bear harvest (FWS 2011).

Ninilchik Unit 8 Brown Bear			
Regulatory Year	**Permit**	**Hunt**	**Harvest**
2009	1	1	
2008			
2007	2	2	1
2006	1	1	
2005			
2004	4		
2003	1	1	
2002			
2001			
2000			
1999	1		
1998			
1997			
1996			
1995	1		
1994			
1993			
1992			
1991			
1990	2	2	2
1989			
1988	3	2	1
1987			
1986	1		
Total	17	9	4

Black cell=0

Table 7. Unit 15 brown bear harvest success rates for all hunters (Federally qualified, non-Federally qualified, and nonresidents of the state) using State registration permits (FWS 2011).

State Registration Permits, Unit 15			
Regulatory Year	**Number of Hunters**	**Number of Brown Bear Harvested**	**Percentage of Hunters that were Succussful**
2006	No permits issued		
2005	No permits issued		
2004	81	3	4%
2003	No permits issued		
2002	No permits issued		
2001	No permits issued		
2000	71	5	7%
1999	86	9	10%
1998	No permits issued		
1997	33	4	12%

Table 8. Unit 15 brown bear State drawing permits awarded to all hunters (Federally qualified, non-Federally qualified, and nonresidents of the state) (Kamletz 2011, pers. comm.).

State Drawing Permits, Unit 15			
Hunt Number	**Number of Applications Received**	**Number of Drawing Permits Awarded**	**Percentage Drawn**
2010	1,430	22	2%
2009	1,040	22	2%
2008	1,078	18	2%
2007	1,681	13	1%

Table 9. Unit 15 brown bear success rates for Federally qualified hunters (residents of Ninilchik only) using Federal registration permits (FWS 2011).

Federal Registration Permits, Unit 15				
Regulatory Year	**Number of Issued Permits**	**Number of Hunters**	**Number of Brown Bear Harvested**	**Percentage of Hunters that were Successful**
2009	16	6	1	17%
2008	8	2	1	50%
2007	3	1	0	0%

Table 10. Ninilchik's Unit 15 brown bear harvest (FWS 2011).

Ninilchik Unit 15 Brown Bear															
Regulatory	**Unit 15A**			**Unit 15B**			**Unit 15C**			**Unit 15 Unknown**			**Unit 15 Total**		
Year	**Permit**	**Hunt**	**Harv**	**Permit**	**Hunt**	**Harv**	**Permit**	**Hunt**	**Harv**	**Permit**	**Hunt**	**Harv**	**Permit**	**Hunt**	**Harv**
State Drawing Permit and Federal Registration Permit															
2009	State drawing permit required						16	6	1				16	6	1
2008	State drawing permit required						8	1	1				8	2	1
2007	State drawing permit required						3	1					3	1	
State Registration Permit															
2006	Season closed														
2005	Season closed														
2004				1	1		5	5		2			8	6	
2003	Season closed														
2002	Season closed														
2001	Season closed														
2000							3	3		1			4	3	
1999	1	1		2	2					1	1		4	4	
1998	Season closed														
1997							3	3		1			4	3	
State General Hunt															
1996	Prior to 1997, hunters were not required to report hunting effort. Harvested brown bears were														
1995	required to be sealed. See **Table 11** for sealing information.														
Total	1	1	0	3	3	0	38	19	2	2	0	0	47	25	2

Blank cell=0

=seasons closed or restricted

Table 11 shows the number of brown bears harvested by residents of Ninilchik prior to 1997. As mentioned above, in 1997 a State registration permit hunt was established in Unit 15 requiring hunters to report their hunting effort as well as harvest. Prior to 1997, brown bear harvests were recorded when harvested brown bears were sealed. **Table 11** shows that 1975–1996, residents of Ninilchik harvested 11 brown bear. Of the 6 brown bear taken in "defense of life and property" (DLP) most were taken during an open hunting season, and the other 5 brown bear were taken while being hunted.

Ninilchik residents have hunted brown bear in other management units. **Table 12** shows the number of brown bears sealed in any management unit since 1962, cumulative. Most (39%) were harvested in Unit 15, then Unit 8 (11%), and Units 9, 13, and 16 (7% each).

Additional Information

Documentation exists describing bear hunting by Ninilchik residents. The letter from Grassim Oskolkoff (1992), above, indicates spears were used. This is consistent with other early ethnographic accounts about the Dena'ina and the Alutiiq, which also noted that in addition to spears, snares, deadfalls, and taking of bear in a den, and dogs to smell out the den were used (Osgood 1966: 32–33, Mishler 2001). Additionally, a successful harvest resulted in a feast in which part of the meat was shared with others (Osgood 1966: 32–33). In Tikhmenev (1978), there is evidence that bears were trapped. The photograph from Leman (1993:416) indicates guns were/are used to harvest bears.

Table 11. Ninilchik's Unit 15 sealed brown bear up to 1996 when a State registration permit hunt was established (FWS 2011).

Ninilchik, Sealed Brown Bear			
Regulatory Year	**Unit 15A**	**Unit 15B**	**Unit 15C**
1996			1
1995			1
1994			2
1993			1
1992			
1991			
1990			
1989			1
1988			
1987			
1986			1
1985			1
1984			
1983			
1982			
1981			
1980			
1979			
1978			1
1977			1
1976			
1975			1
Total			11

Blank cell=0

At the winter 2007 Southcentral Alaska Subsistence Regional Advisory Council meeting, a Council member made the following comments related to harvests of black bear and brown bear on the Kenai Peninsula:

> I have lived in the Kenai for about 60 years, we used to think nothing of shooting a brown bear or a black bear and, of course, you know, in the last 20 years they've literally taken the brown bear hunt away from people. And although right now I think last year's take of black bear was something like 450 or 420-something in 15 and 7, if they were to take that away like they did the brown bear, all of a sudden we would have no bear hunts. And so that's the part I'm kind of thinking about. And that's where the Federal priority would come in, you'd still have a chance to get a black bear . . . . And personal history, back in the early '50s, any black bear that I ever took was usually up behind Tustumena Lake, up on the bench where the blueberries were. I was sheep hunting and we'd take a black bear for camp meat. In more recent years I have not taken a black

Table 12. Ninilchik's statewide brown bear harvest (FWS 2011).

Ninilchik 1986-2009 Cumulative						
Management Unit	**Permits**		**Hunters**		**Brown Bear Harvests**	
Unit 1	4	5%	2	5%	0	0%
Unit 4	4	5%	3	7%	1	13%
Unit 5	1	1%	0	0%	0	0%
Unit 7	1	1%	1	2%	0	0%
Unit 8	17	22%	9	22%	4	50%
Unit 10	1	1%	1	2%	1	13%
Unit 15	47	59%	25	61%	2	25%
Unit 24	1	1%	0	0%	0	0%
Unknown	2	3%	0	0%	0	0%
Total	78		41		8	

> bear. I have never sealed a black bear. So that's just personal history. The black bear that I have seen shot in the lower Kenai, in 15C, normally are shot above timberline in the Caribou Hills, it's a berry crop (SCRAC 2007: 475).

The current subsistence harvest of brown bear and the history of brown bear harvest detailed above indicates this use and the knowledge of this use has been passed from the earliest days of the settlement of Ninilchik to the present.

Like all rural communities, Ninilchik residents rely on a wide diversity of fish and wildlife resources. Ninilchik relies on a wide variety of subsistence foods affected by several factors such as abundance, weather, regulations and competition. The Alaska Department of Fish and Game, Division of Subsistence data collected in 1999 regarding 1998 Ninilchik harvests indicated the community used 86 different fish, wildlife, and plant species for subsistence. In 1998, Ninilchik residents harvested 164 pounds per person of wild resources for home use (Fall et al. 2000:245). Ninilchik residents harvested more wild resources, by pounds usable weight, than were harvested by residents of other rural communities in the area, such as, Hope (111 pounds per person) and Cooper Landing (92 pounds per person) (Fall et al. 2000:242). In 1998, the Ninilchik subsistence harvest was dominated by large land mammals, with a harvest of 70,474 pounds. A large amount of fish was harvested including 45,460 pounds of salmon and 34,100 pounds of halibut. The third highest use category was 11,837 pounds of marine invertebrates. The average number of wild resources used by Ninilchik households was 8.6 in 1998. This is consistent with uses of other communities on the road system in the area such as Cooper Landing (8.3) and Hope (9.1), but is greater than in Kenai in 1991 (6.1) and 1993 (7.1). These uses are reflective of a heterogeneous community that is comprised of long-term residents and newcomers and a community that does not harvest marine mammals.

Brown bear is not the most widely used subsistence resource in Ninilchik, however, it is part of the diversified repertoire of subsistence resources harvested in this community.

Effects of the Proposal

If this proposal is adopted, Ninilchik residents would have their customary and traditional uses of brown bear recognized in Units 15A and 15B on the Kenai Peninsula and in the Kodiak Area, in Unit 8. Conservation concerns are addressed through implementation of seasons and harvest limits and are not part of the consideration in making customary and traditional use determinations.

OSM PRELIMINARY CONCLUSION

Support Proposal WP12-22a.

Justification

Customary and traditional uses of brown bear by residents of Ninilchik exemplify the eight factors used by the Federal Subsistence Management Program to describe customary and traditional uses. The Federal Subsistence Board acknowledged this when it recognized Ninilchik's customary and traditional uses of brown bear in 2007 and adopted hunting seasons and harvest limits for brown bear in Unit 15C.

Ninilchik's pattern of brown bear use in Units 15A and 15B has been affected by interruptions beyond the control of the community, including:

- in 1967 the harvest limit was reduced from one brown bear per year to one brown bear every four years (**Table 3**);
- in 1967 the hunting season was reduced from 10 months to much shorter fall and spring seasons (**Table 3**);
- in 1978 the State's new subsistence law recognized most of Unit 15 as a nonrural area in which subsistence regulations could not be promulgated; and
- in 1995 the quota of allowable brown bear deaths was reached and the fall hunting season was closed, the first of many closures occuring from 1995 to 2006 (see **Table 10**).

Due to interruptions by factors beyond its control, including restrictive hunting seasons and harvest limits, Ninilchik's brown bear pattern of use is not clear. This is demonstrated in **Table 10**. From 1995 to 2006, hunting seasons every year but one, 2004, have either closed early or permits were not distributed, effectively closing the hunting season.

Additionally, since the new Federal hunt in Unit 15C was implemented, the Alaska Board of Game has effectively removed Ninilchik's opportunity to hunt brown bear in Units 15A and 15B by implementing State drawing permit hunts in Unit 15. These hunts have an award rate of 2% or less. Over 1,000 people apply for drawing permits annually (**Table 8**). The Federal hunt occurs on Federal public lands in Unit 15C, an area that is about 29% of Unit 15C. Recognizing Ninilchik's customary and traditional brown bear uses in other units would allow Ninilchik to hunt in Unit 15A, which is 67% Federal public lands, and Unit 15B, which is 88% Federal public lands.

According to subsistence use area maps described in the analysis (NTC 2006), Ninilchik residents have harvested moose and other resources in a wide area surrounding the community including Unit 15A and 15B. Consequently, the Federal Subsistence Board has recognized customary and traditional uses of resources such as moose, black bear, and fish in Units 15A and 15B as well as Unit 15C, the unit in which

the Ninilchik is located. Ninilchik residents have harvested brown bear in many management units of the state (**Table 12**), but it is requesting that the Board recognize its customary and traditional brown bear uses in Units 8 and 15 only. Ninilchik brown bear hunters have harvested more brown bear in Units 8 and 15 than in other management units.

Ninilchik residents have described harvesting brown bear on hunting trips targeting moose. Brown bear have been harvested as camp food, to eat while on extended camping trips to hunt, trap, and fish. Brown bear harvests parallel the harvest of other resources and occur when other resources are procured, in a wide area around the community including Units 15A and 15B.

Kodiak Island is also indicated as an area where a wide variety of resources have been harvested in the lifetime of long-time Ninilchik residents (NTC 2006). Kinship bonds continue to exist with Kodiak area families, and the Kodiak area is easily reached by boat-owning commercial fishers from Ninilchik. Kodiak Island is relatively close to the Kenai Peninsula in contrast to other areas of Alaska.

In conclusion, Ninilchik's brown bear pattern of use is not clear due to interruptions by factors beyond its control, including restrictive hunting seasons and harvest limits. It has been shown that other resources have been customarily and traditionally used in Units 15A and 15B. These resources have been harvested alongside the harvest of brown bear. Additionally, the opportunity for Ninilchik residents to hunt brown bear in their historical use areas under State regulations has diminished. Therefore, the Federal Subsistence Management Program supports the proposal to include Ninilchik in a customary and traditional brown bear use determination in Units 15A and 15B. Additionally, the customary and traditional brown bear uses of Ninilchik should be recognized in Unit 8 with which Ninilchik has kinship ties, is relatively close to Ninilchik, and is indicated in the historical use of Ninilchik for brown bear and other resources that are hunted in parallel to brown bear by Ninilchik residents.

LITERATURE CITED

ADCCEDa. 2011. 2010 Census Demographic Profiles Research and Analysis Section. http://live.laborstats.alaska.gov/cen/dparea.cfm, accessed May 18, 2011.

ADCCEDb. 2011. Alaska Community Database Community Information Summaries. http://www.commerce.state.ak.us/dca/commdb/CIS.cfm, accessed May 18, 2011.

Arndt, K. 1993. Released to reside forever in the colonies: founding of a Russian-American Company retirement settlement at Ninilchik, Alaska. Paper presented at symposium, "The Anthropology of Cook Inlet" at the 20th annual Alaska Anthropological Association meeting, April 10, 1993, in Anchorage, AK.

Blossom, D. 2007. Southcentral Alaska Subsistence Regional Advisory Committee member. Personal communication: by phone. Anchorage, AK.

De Laguna, F. 1934. The archaeology of Cook Inlet, Alaska. University of Pennsylvania Press. Philadelphia. 264 pages.

Elliot, H.W. 1887. Our Arctic Province, Alaska and the Seal Islands. Charles Scribners Sons, New York. 473 pages.

Fall, J., V. Vanek, L. Brown, G. Jennings, R. J. Wolfe and C. Utermohle. 2000. Wild resource harvests and uses by residents of selected communities of the Kenai Peninsula Borough. ADF&G, Div. of Subsistence Tech. Paper No. 253. Juneau, AK. 261 pages.

Fall, J., R. Stanek, B. Davis, L. Williams, and R. Walker. 2004. Cook Inlet customary and traditional subsistence fisheries assessment. ADF&G Division of Subsistence, Technical Paper No. 285. Juneau, AK. 245 pages.

Fedorova, S. G. 1973. The Russian population in Alaska and California: Late 18th century—1867. Materials for the study of Alaska history 4. Limestone Press. Kingston, Ontario.

Fedorova, S.G. 1975. Ethnic processes in Russian America. A. Shalkop, trans. Occasional Paper No. 1. Anchorage Historical and Fine Arts Museum.

FSB. 1995. Transcript of Federal Subsistence Board proceedings, April 12, 1995. Office of Subsistence Management, FWS. Anchorage, AK.

FSB. 1996. Transcript of Federal Subsistence Board proceeding. May 3, 1996. Volume V. Office of Subsistence Management. FWS. Anchorage, AK.

FSB. 2006. Transcripts of Federal Subsistence Board proceedings. November 16 and 17, 2006. Volumes I and II. Office of Subsistence Management, FWS. Anchorage, AK.

FSB. 2007. Transcripts of Federal Subsistence Board proceedings. April 30 to May 2, 2007. Office of Subsistence Management, FWS. Anchorage, AK.

FWS. 1996. Federal Subsistence Board book April 29–May 3, 1996. Office of Subsistence Management, FWS. Anchorage, AK. 784 pages.

FWS. 2007. Staff analysis WP07-17a. Pages 195–209 *in* Federal Subsistence Board Meeting materials April 30–May 2, 2007. Office of Subsistence Management, FWS. Anchorge, AK.

FWS. 2011. Federal subsistence permit system. On file, Office of Subsistence Management, FWS. Anchorage, AK.

Kamletz, K. 2011. Analyst/Programmer. Personal communication: email. ADF&G, Information Management. Anchorage, AK.

Leman, W., editor. 1993. Agrafena's children: the old families of Ninilchik, Alaska. Agrafena Press, Lulu Press. Ninilchik, AK. (Available at http://www.lulu.com/ninilchik)

Miller, S. 1990. Population management of bears in North America. Int. Conf. Bear Res. and Manage. 8:357–373.

Mishler, Craig. 2001. Black ducks and salmon vellies. An ethnography of Old Harbor and Ouzinkie. Report prepared for U.S. Minerals Management Service, Coop. # 14-35-0001-30788. ADF&G Division of Subsistence. Juneau, AK.

Ninilchik Parent-Teacher Organization. Circa 1951. Homesteaders handbook. Ninilchik, AK.

NTC (Ninilchik Traditional Council). 1999. Ninilchik subsistence survey 1999. On file, Nanilchik Traditional Council. Ninilchik, AK.

NTC (Ninilchik Traditional Council). 2006. ANCSA survey results, 1994 vs 1999. An attachment to Fisheries Request for Reconsideration 06-08 submitted to the Federal Subsistence Board by the Ninilchik Traditional Council, May 30, 2005. On file, Office of Subsistence Management, FWS. Anchorage, AK.

Oskolkoff, G. 1992. Letter to Curtis McVee, Chair of Federal Subsistence Board, from G. Oskolkoff, member Ninilchik Tribe. On file, Office of Subsistence Management, FWS. Anchorage, AK.

Osgood, C. 1966. The Ethnography of the Tanaina. Yale University Publications in Anthropology No. 16.: Human Relations Area Files Press. Reprinted from the 1937 Edition. 229 pages.

Porter, R. 1893. Report on population and resources of Alaska at the eleventh census: 1890. Government Printing Office, Washington DC.

Reed, C. 1985. The role of wild resource use in communities of the central Kenai Peninsula and Kachemak Bay, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 106. Juneau, AK. 201 pages.

SCRAC, 2007. Transcripts of Southcentral Alaska Subsistence Regional Advisory Council proceedings, March 16, 2007, in Anchorage, AK. Office of Subsistence Management, FWS, Anchorage, AK.

Selinger, J. 2011. Wildlife biologist. Personal communication: by phone. ADF&G, Division of Wildlife Conservation. Soldotna, AK.

Stanek, R. 1980. Subsistence Fishery Permit Survey. Cook Inlet 1980. ADF&G, Div. of Subsistence Tech. Paper No. 30. Juneau, AK. 21 pages.

Tikhmenev, P. A. 1978 [1861–1863]. A History of the Russian-American Company. University of Washington Press. Seattle and London.

Wolfe, R. 2006a. Mapping use areas of the Ninilchik community: methodological considerations. Unpublished paper submitted to the Office of Subsistence Management, FWS, on June 28, 2006, on behalf of the Ninilchik Traditional Council concerning Fisheries Requests for Reconsideration 06-02, 03, and 08. On file, Office of Subsistence Management FWS. Anchorage, AK. 6 pages

Wolfe, R. 2006b. Affidavit of Robert J. Wolfe presented at the Southcentral Federal Subsistence Regional Advisory Council meeting, August 24, 2006. Anchorage, AK.

APPENDIX A

At the inception of the Federal Subsistence Management Program in Alaska in 1990, the majority of the Kenai Peninsula was in the Kenai Peninsula nonrural area established by the State. The State did not allow subsistence uses in nonrural areas.

At the conclusion of its rural/nonrural determination process, the Federal Subsistence Management Program deemed that large portions of the Kenai Peninsula were rural and many Kenai Peninsula communities went from a nonrural status to a rural status and were newly eligible to fish, hunt, and trap under Federal subsistence regulations (56 FR 238; January 3, 1991).

When the customary and traditional use determinations were adopted from State regulations in 1992 (72 FR 22959; May 29, 1992), in Unit 15 all rural residents of the state were eligible to hunt and fish under Federal subsistence regulations for many species of fish and wildlife. For some species, the Federal Subsistence Board adopted a no Federal subsistence priority ("no subsistence"). The use of the no Federal subsistence priority determination had the effect of avoiding conflicts between Federally qualified and non-Federally qualified users of these resources.

Subsequently, the Federal Subsistence Board implemented a systematic program for review of customary and traditional use determinations:

> As a priority consideration, the Board will focus its determinations on community or area uses of large mammals (ungulates and bears). Nevertheless, the Board recognizes that subsistence is in large part exemplified by reliance upon, and traditional use of, a multitude of fish and wildlife species, and consequently even the Board's initial large mammal assessments will examine information on subsistence uses of varied species. Furthermore, the Board retains the authority to initiate assessments and make eligibility determinations related to the customary and traditional use of any species as recommended by Regional Councils or as necessary for proper administration of the program. The Board will examine uses of species of large mammals by communities or areas rather than focus on individual herds (59 FR 36063–36064; July 15, 1994)

However, in 2005, based on the recommendation of regional council chairs, the Board revised its process for making customary and traditional use determinations. The Board would "entertain proposals to revise the customary and traditional use dominations at the same time as it accepts proposals for changes to the seasons and harvest limits" (60 FR 40460; August 9, 1995).

WP12-37 Executive Summary	
General Description	Proposal WP12-37 requests a harvest season be established in Unit 9D from Aug. 1–March 15 with a harvest limit of 1 bull caribou. Quotas and any needed closures would be announced by the Federal in-season manager after consultation with the Alaska Department of Fish and Game (ADF&G). *Submitted by Kodiak Aleutians Regional Advisory Council*
Proposed Regulation	***1 bull caribou by Federal registration permit only. Quotas and any needed closures will be announced by the Izembek Refuge Manager after consultation with ADF&G.*** ~~*No Federal Open Season*~~ ***Aug. 1 – March 15*** *__.26(n)(9)(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;*
OSM Preliminary Conclusion	**Support** Proposal WP12-37 **with modification** to split the season dates to the last pre-closure season which allows recovery time after the rut. The modified regulation should read: **Units 9D — Caribou** ***1 bull caribou by Federal registration permit only. Quotas and any needed closures will be announced by the Izembek Refuge Manager after consultation with ADF&G.*** ~~*No Federal Open Season*~~ ***Aug. 1 – Sept. 30 Nov. 15 – Mar. 31***
Kodiak/Aleutians Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
WP12-37

ISSUES

Proposal WP12-37, submitted by Kodiak Aleutians Regional Advisory Council, requests a harvest season be established in Unit 9D from Aug. 1–March 15 with a harvest limit of 1 bull caribou. Quotas and any needed closures would be announced by the Federal in-season manager after consultation with the Alaska Department of Fish and Game (ADF&G).

DISCUSSION

The proponent believes that the Southern Alaska Peninsula Caribou Herd (SAPCH) may have a small harvestable surplus that should be made available for harvest to Federally qualified subsistence users. The proponent states only bulls would be available for harvest and the hunt would only be allowed if there were sufficient animals to harvest. The proponent feels adoption of this proposal would have little effect on the overall health of the caribou population.

Existing Federal Regulation

Units 9D — Caribou

Federal public lands are closed to the taking of caribou.	*No Federal Open Season*
__.26(n)(9)(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;	

Proposed Federal Regulation

Units 9D — Caribou

1 bull caribou by Federal registration permit only. Quotas and any needed closures will be announced by the Izembek Refuge Manager after consultation with ADF&G.	~~*No Federal Open Season*~~ ***Aug. 1 – March 15***
__.26(n)(9)(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;	

Existing State Regulation

Units 9D — Caribou	*No open season*

Extent of Federal Public Lands

Federal public lands comprise approximately 40% of Unit 9D, all of which are part of Izembek or Alaska Peninsula National Wildlife Refuges (See Unit 9 Map).

Customary and Traditional Use Determinations

All residents of Unit 9D, False Pass, and Akutan have a positive customary and traditional use determination for caribou in Unit 9D.

Regulatory History

The SAPCH population began to decline during the early 1980s. In 1990, as the population decline continued, State and Federal resource managers agreed that all caribou harvesting should cease when the population fell below 2,500 animals. The threshold level of 2,500 animals included caribou inhabiting both Unit 9D and Unit 10 (Unimak Island). ADF&G now recognizes the SAPCH on the Alaska Peninsula and the Unimak Caribou Herd (UCH) on Unimak Island as two separate herds (Butler 2005a, 2005b; Sellers 2003a, 2003b).

To stem the caribou decline in Unit 9D, Federal public lands were closed to caribou hunting by non-Federally qualified subsistence users in 1991. The Alaska Board of Game closed the State hunt by emergency order in 1993. The Federal Subsistence Board closed Federal public lands in Unit 9D and Unit 10 (Unimak Island) to all caribou hunting in 1993 by Special Action S93-01, and subsequently adopted Proposal 28 in 1994 into closing the Federal caribou season.

In 1996, Proposal 28 requested opening a Unit 9D caribou season for King Cove residents only, but the Federal Subsistence Board deferred it until the next year. Special Action SA96-03, submitted by the Aleutians East Borough, requested opening a caribou season in Units 9D and 10. In their request, local residents noted the disruption of traditional hunting patterns by closures since 1993, and requested limited harvest opportunities. Ultimately, the Federal Subsistence Board rejected the request on September 27, 1996, due to concerns that any harvest of the herd at that time would exacerbate the conditions of low population levels, productivity, and recruitment of the SAPCH, and would not be consistent with sound management principles, nor with the recovery of the herd to a healthy condition.

Based on caribou surveys conducted in 1997, there were enough bulls in the herd to allow a subsistence harvest to resume on Federal public lands in Unit 9D and Unit 10 (Unimak Island). The harvest was opened through Special Action SA97-01. This decision provided an Aug. 10–Mar. 31 hunt for Unit 10 (Unimak Island) and a Nov. 10 – Mar. 31 hunt for Unit 9D. Approval of Special Action SA97-13 extended the 1997 season through April 30 in Unit 9D. Special Action SA98-05 authorized a Federal subsistence hunt in Unit 9D and Unit 10 from Aug. 1–Mar. 31 during the 1998/99 regulatory year.

The Alaska Board of Game reopened the Unit 9D State caribou season in 1999; that allowed hunting by Alaska residents and nonresidents. Area residents were concerned about the influx of nonlocal hunters in the vicinity of the Cold Bay area road system, especially during the waterfowl season. Noting these concerns, Special Action SA99-02, submitted by the False Pass Tribal Council, requested that Federal public lands be closed in Unit 9D and Unit 10 to the taking of caribou by non-Federally qualified

subsistence users. The Federal Subsistence Board rejected this request, pointing out that this was a user conflict issue, and not a conservation issue, since the biological data indicated the caribou herd could support the harvest at that time.

In 2000, Proposal WP00-29, submitted by the Kodiak/Aleutians Subsistence Regional Advisory Council (Council), requested the Unit 9D and Unit 10 (Unimak Island) hunt in the annual regulations. That proposal was modified and adopted by the Federal Subsistence Board to provide a split season (Aug. 1 – Sept. 25 and Nov. 15 – Mar. 31).

In 2002, Proposal WP02-21, submitted by the Council and adopted by the Federal Subsistence Board, extended the fall season by five days for Unit 9D and Unit 10 (Unimak Island) from September 25 to September 30.

Special Action WSA03-08, submitted by the Council and approved by the Office of Subsistence Management via delegated authority, increased the harvest limit from one to two caribou for Unit 9D during the fall season of Aug. 1–Sept. 30, 2003. Special Action WSA03-10, approved by the Federal Subsistence Board, requested that the increased harvest limit of two caribou in Unit 9D also be allowed during the Nov. 15, 2003–Mar. 31, 2004 season. The justification noted the increased caribou population allowed for these increased harvest limits for Federally qualified subsistence users.

In 2004, Proposal WP04-40 was adopted into regulation, increasing the harvest limit to two caribou in Unit 9D for the dates designated in the 2003 Special Actions (FWS 2004). This change allowed Federally qualified subsistence users the opportunity to harvest two caribou throughout the fall and winter seasons.

At the September 2005 meeting of the Kodiak/Aleutians Subsistence Regional Advisory Council (KARAC), members expressed concerns about the SAPCH population decline and harvests by nonresident hunters (KARAC 2005). Council members requested the State to initiate restrictions for nonresident seasons as they felt the subsistence hunts were in jeopardy. In addition, Council members wanted guides to be limited to a certain number of hunters. Discussions focused on the preference of nonlocal hunters for bulls, whereas subsistence users stated a preference for cows and young bulls.

In 2006, Proposal WP06-20 adopted into regulation a two bull harvest limit (instead of two caribou) under Federal subsistence management regulations (FWS 2006). The change allowed the continued harvest of the SAPCH and eliminated the cow hunt, at a time when the population was continuing to decline, yet the bull:cow ratio was still within State management objectives.

Recognizing the continued decline of the SAPCH, the Alaska Board of Game restricted the harvest to bulls only and closed the nonresident season during their March 2007 meeting (ADF&G 2007a). The Board of Game also converted the general season resident hunt to a registration hunt, with a one bull harvest limit. This State regulation for Unit 9D caribou became effective July 1, 2007. Based on July 2007 caribou counts as well as past population declines, poor recruitment, and low bull:cow ratios, ADF&G issued Emergency Order No. 02-02-07 on July 17, 2007 to close resident hunting in Unit 9D for caribou (Butler 2007a). No State registration permits were issued for the 2007/08 regulatory year.

On July 30, 2007, the Office of Subsistence Management, via delegated authority, approved Special Action request WSA07-03 to close the fall season from Aug. 1–Sept. 30 to the taking of caribou in Unit 9D. The intent of this Special Action request was to eliminate additional mortality of this caribou herd caused by human harvest. On November 14, 2007, the Federal Subsistence Board approved Special Action WSA07-04 to close the winter season from Nov. 15–Mar. 31. Both Federal and State regulatory

managers concurred that the SAPCH decline posed a potentially significant conservation concern that warranted these actions.

In 2008, the Federal Subsistence Board adopted WP 08-26 which closed Federal public lands and the caribou season in Unit 9D due to population trend and composition counts for the SAPCH indicating the caribou herd had been in a period of decline for the past several years. Based on a carefully monitored population, using radio telemetry data, the changing age structure of the SAPCH population supported the conclusion that herd productivity was continuing to decline. The July 2007 recruitment survey indicated that no calves were expected to survive and the number of bulls in the population was decreasing.

Management Direction

A cooperative management plan, the Southern Alaska Peninsula Caribou Herd Operational Plan was adopted by ADF&G and FWS in March 2008 (ADF&G and FWS 2008). The previous plan, adopted in April 1994, needed revision to reflect the separation of the SAPCH and the Unimak Caribou Herd (ADF&G and FWS 1994). The draft plan identifies threshold levels for carrying out management objectives, and assists local wildlife managers in making timely recommendations for seasons and harvest limits.

The following are the primary population and management objectives outlined in the 2008 Southern Alaska Peninsula Caribou Herd Operational Plan:

- Sustain a total population of 3,000–4,000 animals.
- Maintain a minimum fall bull:cow ratio of 35:100. There will be no harvest when the bull:cow ratio falls below 20 bulls:100 cows for 3 consecutive years.
- Discontinue harvest when the herd is below 750 animals and the herd is in a period of decline based on 3 independent population estimates.

Biological Background

The SAPCH population began its decline during the early 1980s and continued into the 1990s. The population in Unit 9D rebounded by 2002, to approximately 4,100 caribou. However, the herd declined again in 2004 with the population declining to approximately 1,872 caribou (**Table 1**). In February 2005, an aerial survey of the SAPCH resulted in a count of 1,651 caribou, reflecting similar results to the previous year (Siekaniec 2005, pers. comm.). A January 2006 aerial survey resulted in a count of 1,770 caribou (Sowl 2007).

Caribou herd composition surveys were conducted on October 26, 2005 by State and Refuge biologists (**Table 1**). The 2005 bull:cow ratio observed (30 bulls:100 cows) was within the State management objective of 20 to 40 bulls:100 cows, but was lower than the bull:cow ratio observed in the previous two years (Butler 2005a). During the fall of 2005, the calf:cow ratio (6 calves:100 cows) was the lowest it had been over the previous four years. Calf recruitment was not sufficient to offset adult mortality. Under normal circumstances in a caribou population, approximately 25 calves per 100 cows are necessary to offset adult mortality (Valkenburg et al. 1996).

Refuge biologists observed 770 caribou in Unit 9D in November 2006 (Sowl 2006, pers. comm.). Composition counts completed by ADF&G in October 2006 (Butler 2006) showed a calf:cow ratio of 1 calf:100 cows, which is the lowest recorded to date. The series of low calf:cow ratios observed indicated

Table 1. Southern Alaska Peninsula Caribou Herd – Summary Statistics (FWS 2011).

Year	Population Count	Fall Bulls/ 100 Cow	Fall Calves/ 100 Cow	Fall Composition Sample Size	Summer Post-Calving Count
2004	1872	36	7	966	*
2005	1651	30	6	1040	*
2006	770	16	1	713	*
2007	*	15	1	431	600
2008	*	10	39	570	700
2009	*	21	43	679	800**
2010	*	28	47	532	*
2011	790	***	***	***	***

*Data not collected.
**Count conducted by USFWS and ADF&G.
***Data not yet available.
NOTE: FWS population counts are normally conducted fall through early spring; Alaska Department of Fish and Game (ADF&G) fall composition ratios are taken from an October survey.

that the population decline was still occurring, resulting in an age structure that was skewed towards older age classes. In addition, the bull:cow ratio in the fall 2006 counts dropped to 16 bulls:100 cows; 47% lower than the ratio observed in 2005 (**Table 1**).

During July 2007, a post-calving count of the SAPCH was conducted by ADF&G (Butler 2007a). The post-calving population count resulted in a minimum population estimate of 600 caribou. Only four calves were observed during the population survey (0.8% calves). Calf survival to four weeks of age was estimated to be <1%. Those observations indicated that early calf survival was limiting recruitment.

Again, in October 2007, ADF&G conducted a composition count of the SAPCH (Butler 2007d). The calf:cow ratio of 0.5 calf:100 cows was the lowest recorded to date. Based on 2006 and 2007 counts, there were no calves recruited into the population to offset adult mortality during those years. The 15 bulls:100 cows observed in 2007 showed a decreasing sex ratio that was below management objectives. Increased winter mortality due to icing events may result in malnutrition and starvation for more susceptible bulls with depleted energy reserves following the rut (Dau 2004, Miller and Gunn 2003). Bull caribou die at a higher rate than cows due to greater energy demands during early winter rutting activities which greatly reduce their body reserves (Russell et al. 1993, Miller and Gunn 2003).

During the calving season in spring of 2008, intensive predator management began by culling 28 wolves on SAPCH calving grounds (ADF&G 2010). Calf survival showed a marked increased in October 2008 to 39% and continued to increase to 47% in 2010. Bull:cow ratios also increased from 10 bulls:100 cows in 2008 to 28 bulls:100 cows in 2010 (Butler 2010).

In 2009 and 2010, the bull:cow ratios were 21:100 and 28:100 which are above the minimum 20 bulls:100 cows stipulated in the SAPCH Operational Plan. The caribou population has been approximately 800 animals for both 2009 and 2010 which was an increase from the 2008 post-calving count of 700 caribou. If the 2011 post-calving count and bull:cow ratio are similar or greater than the past two years, the management objectives will have been met (3 consecutive years above 750 and bull:cow ratio is above 20

bulls:100 cows). Once the management objectives have been met, a limited harvest for Federally qualified subsistence users could be opened.

Harvest History

Historically, caribou are the most important land mammal used for subsistence in the lower Alaska Peninsula communities. Most of the reported subsistence harvest in Unit 9D occurred along the Cold Bay road system during November and December when the herd is in the vicinity of Cold Bay.

Harvest of the SAPCH was fairly high from 1980–1986. For example, in 1983, the reported harvest in Unit 9D was 262 caribou (ADF&G 2007b). Beginning in 1986, restrictive regulations reduced harvests as the population declined. By 1993, the SAPCH and UCH dropped below 2,500 and hunting was closed. Based on surveys conducted in 1997, a surplus of bulls allowed a subsistence caribou harvest on Federal public lands in Unit 9D by special action.

Harvest regulations were reestablished for Unit 9D in 2000. **Table 2** lists the total reported caribou harvest (1999–2006) for Federally qualified subsistence users and State hunters in Unit 9D.

Current Events Involving Species

During the Alaska Board of Game meeting in March 2011, Proposal 8 requested a resident registration permit hunt be established for bulls within Unit 9D. The proposal was not adopted since the SAPCH operational plan management objective states that harvest will be discontinued when the herd is below 750 animals and the herd is in a period of decline based on 3 independent population estimates and the probability that any allowed harvest by State users would be a Tier II hunt due to the Amount Needed for Subsistence being 100-150 animals. However, during the KARAC winter meeting in 2011, area biologist Lem Butler stated that the SAPCH was "coming back pretty strong…" and that "we'd be able to propose a hunt in the near future…" once the thresholds in the management plan were achieved (KARAC 2011).

Effects of the Proposal

If this proposal is adopted, it would establish a caribou season in Unit 9D, from August 1 – March 31 with a 1 bull harvest limit. The season would be 8 months long and Federally qualified subsistence users would have an opportunity to harvest a small number of bull caribou. Additionally if this is adopted it would allow the Izembek NWR Manager to determine and announce harvest quotas and any needed closures after consultation with ADF&G, which will give regulatory flexibility to change the allowable harvest with fluctuations of caribou population and to close the hunt based on conservation concerns or once the quota has been met.

OSM PRELIMINARY CONCLUSION

Support Proposal WP12-37 **with modification** to split the season dates to the last pre-closure season which allows recovery time after the rut.

Table 2. Unit 9D Reported Caribou Harvest 1999-2006, Southern Alaska Peninsula Caribou Herd (ADF&G 2007*b,* FWS 2007).

Year	Federal Registration Permits				State Harvest Tickets			Total Reported Harvest
	Permits Issued	Bulls Harvested	Cows Harvested		Permits issued	Bulls Harvested	Cows Harvested	
1999	0	0	0		70	46	7, 1 unk	**54**
2000	21	14	0		67	49	2, 2 unk	**67**
2001	11	7	0		69	45	4	**56**
2002	14	10	1		85	52	5, 2 unk	**70**
2003	28	5	1		64	43	1, 1 unk	**51**
2004	30	5	2		92	63	6, 1 unk	**77**
2005	101	23	1		63	36	2	**62**
2006	113	29	0		65	27	2	**58**

The modified regulation should read:

Units 9D — Caribou

1 bull caribou by Federal registration permit only. Quotas and any needed closures will be announced by the Izembek Refuge Manager after consultation with ADF&G.	~~*No Federal Open Season*~~ ***Aug. 1 – Sept. 30*** ***Nov. 15 – Mar. 31***

Justification

Calf survival has shown a marked increase from 2008 until the present. The recruitment of calves into the SAPCH has reversed the negative population trend. Bull:cow ratios have also increased from 10 bulls:100 cows in 2008 to 28 bulls:100 cows in 2010. If the 2011 post-calving count and bull:cow ratio are similar or are greater than the past two years, the management objectives will have been met (3 consecutive years above 750 and bull:cow ratio is above 20 bulls:100 cows). The Izembek NWR manager has proposed a season from Aug. 1 – Sept. 30 and Dec. 1 – Mar. 31 to allow for more recovery time after the rut. There has been debate on whether harvest of caribou directly after the rut is important to subsistence users, therefore input from the Kodiak Aleutians Regional Advisory Council would be appreciated. As outlined in the SAPCH Operational Plan, when the thresholds to allow a harvest have been met and a small harvestable surplus may exist for Federally qualified subsistence users within Unit 9D to harvest 1 bull caribou by Federal registration permit only. The Izembek NWR Manager will determine and announce harvest quotas and any needed closures after consultation with ADF&G which will give regulatory flexibility to change the allowable harvest with fluctuations of caribou population and to close the hunt based on conservation concerns or once the quota has been met.

LITERATURE CITED

ADF&G 2007a. Alaska Board of Game Proposal book, March 2–12, 2007, Proposal 79. Anchorage, AK.

ADF&G 2007b. Harvest ticket database. Microcomputer database, updated July 17, 2007.

ADF&G 2010. Alaska Department of Fish and Game Predation Management Summary, 2007-2008. Division of Wildlife Conservation, February 2010. Anchorage, AK.

ADF&G and FWS (Izembek NWR). 1994. Southern Alaska Peninsula Caribou Management Plan. 6 pages.

ADF&G and FWS. 2008. Southern Alaska Peninsula Caribou Herd Operational Plan. 7 pages.

Butler, L. 2005a. Area wildlife biologist. Written correspondence. ADF&G, King Salmon, AK.

Butler, L. 2005b. Southern Alaska Peninsula Unit 9D caribou management report. Pages 49–56 in C. Brown, editor. Caribou management report of survey and inventory activities, 1 July 2002–30 June 2004. ADF&G. Juneau, AK.

Butler, L. 2006. Area wildlife biologist. ADF&G. King Salmon, AK. ADF&G memo, November 22, 2006, 4 pages.

Butler, L. 2007a. Area wildlife biologist. Written correspondence. ADF&G, King Salmon, AK.

Butler, L. 2007b. Area wildlife biologist. ADF&G. King Salmon, AK. ADF&G memo, February 28, 2007, 5 pages.

Butler, L. 2007c. Area wildlife biologist. Personal communication. ADF&G, King Salmon, AK

Butler, L. 2010. Area wildlife biologist. ADF&G. King Salmon, AK. ADF&G memo, November 10, 2010, 3 pages.

Dau, J., 2004. Two caribou mortality events in Northwest Alaska: possible causes and management implications. Rangifer, Special Issue 16:37-50.

FWS. 2004. Federal Subsistence Board Book, Region 3, Proposal 40. Office of Subsistence Management, FWS. Anchorage, AK.

FWS. 2006. Federal Subsistence Board Book, Region 3, Proposal 20. Office of Subsistence Management, FWS. Anchorage, AK.

FWS. 2007. Federal registration permit database. Microcomputer database, updated July 17, 2007.

Gunn, A., and F.L. Miller. 1986. Traditional behavior and fidelity to caribou calving grounds by barren-ground caribou. Rangifer 1:151-158.

KARAC. 2005. Transcripts of the Kodiak/Aleutians Subsistence Regional Advisory Council proceedings, September 22, 2005 in Kodiak, Alaska. Office of Subsistence Management, FWS. Anchorage, AK.

KARAC. 2011. Transcripts of the Kodiak/Aleutians Subsistence Regional Advisory Council proceedings, March 11, 2011 in Kodiak, Alaska. Office of Subsistence Management, FWS. Anchorage, AK.

Miller, F.L. and A. Gunn. 2003. Catastrophic Die-off of Peary Caribou on the Western Queen Elizabeth Islands, Canadian High Arctic. Arctic 56:381-390.

Russell, D.E., A.M. Martell, and W.A.C. Nixon. 1993. Range ecology of the porcupine caribou herd in Canada. Rangifer Special Issue 8:1– 167.

Siekaniec, S. 2005. Refuge manager. Personal communication. Izembek National Wildlife Refuge, Cold Bay, AK.

Sellers, R.A. 2003a. Unit 9D caribou management report. Pages 64–72 in C. Healy, editor. Caribou management report of survey and inventory activities, 1 July 2000–30 June 2002. ADF&G. Juneau, AK.

Sellers, R.A. 2003b. Unit 10 caribou management report. Pages 73–75 in C. Healy, editor. Caribou management report of survey and inventory activities, 1 July 2000–30 June 2002. ADF&G. Juneau, AK.

Sowl, K. 2006. Wildlife biologist. Personal communication. Izembek National Wildlife Refuge, Cold Bay, AK.

Sowl, K. 2007. Wildlife biologist. FWS. Cold Bay, AK. SAPCH Population Survey, January 2006. FWS memo, February 9, 2007, 4 pages.

Tews, J., M.A.D. Ferguson, L. Fahrig. 2006. Potential net effects of climate change on High Arctic Peary caribou: Lessons from a spatially explicit simulation model. Ecological Modelling 207:85-98.

USFWS. 2011. Izembek National Wildlife Refuge Agency Report. Cold Bay, AK. Fall 2011. 3 pages.

Valkenburg, P., J.L. Davis, J.M. VerHoef, R.D. Boertje, M.E. McNay, R.M. Eagan, D.J.Reed, C.L. Gardner, and R.W. Tobey. 1996. Population decline in the Delta herd with references to other Alaskan herds. Rangifer Special Issue 9:53-62.

WP12-38 Executive Summary	
General Description	Proposal WP12-38 seeks to extend the Unit 10, wolf hunting and trapping seasons and increase the wolf hunting harvest limit. *Submitted by the Kodiak Aleutians Regional Advisory Council*
Proposed Regulation	**Unit 10 — Wolf Hunting** ~~*5*~~ ***10*** *Wolves****/day*** *Aug. 10–* ~~*April*~~ ***June*** *30* **Unit 10—Wolf Trapping** ***Unit 10*** *No limit* *Nov. 10–* ~~*Mar. 31*~~ ***June 30***
OSM Preliminary Conclusion	**Oppose**
Kodiak/Aleutians Regional Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
WP12-38

ISSUES

Proposal WP12-38, submitted by the Kodiak Aleutians Regional Advisory Council (Council), seeks to extend the Unit 10, wolf hunting and trapping seasons and increase the wolf hunting harvest limit.

DISCUSSION

Proposal WP12-38 requests that the wolf hunting and trapping seasons for Unit 10 be extended through June 30 and that the harvest limit for wolf hunting be increased from 5 per year to 10 per day. These changes would align State and Federal regulations and will provide additional subsistence hunting and trapping opportunities.

Existing Federal Regulations

Unit 10 — Wolf Hunting	
5 Wolves	*Aug. 10–April 30*
Units 10 — Wolf Trapping	
No limit	*Nov. 10–Mar. 31*

Proposed Federal Regulations

Unit 10 — Wolf Hunting	
*~~5~~ **10** Wolves**/day***	*Aug. 10–~~April~~ **June** 30*
Unit 10—Wolf Trapping	
Unit 10	
No limit	*Nov. 10–~~Mar. 31~~ **June 30***

Existing State Regulations

Unit 10— Wolf Hunting	
10 Wolves/day	*Aug. 10–June 30*
Units 10—Wolf Trapping	
No limit	*Nov. 10–June 30*

Extent of Federal Public Lands

Federal public lands comprise approximately 59% of Unit 10, all of which is managed by U.S. Fish and Wildlife Service (USFWS)(see **Unit 10 Map**). All of the USFWS land is part of the Alaska Maritime National Wildlife Refuge.

Customary and Traditional Use Determinations

Rural residents of Units 6, 9, 10 (Unimak Island only), 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and Chickaloon have a positive customary and traditional use determination to harvest wolves in Unit 10.

Regulatory History

Since 1990, the Federal subsistence hunting season for wolves in Unit 10 has been August 10 to April 30. Between 1990 and 1994 the Federal harvest limit in Unit 10 for hunters was two wolves. In regulatory year 1994/95 the harvest limit was raised to 5 wolves based on action taken by the Federal Subsistence Board on a proposal submitted by the Alaska Department of Fish and Game and supported by the Council. Since 1990 the Federal subsistence wolf trapping season in Unit 10 has been November 10 to March 31 with no harvest limit.

The USFWS in cooperation with ADF&G developed an Environmental Assessment (EA) (USFWS 2010) to respond to the declining Unimak Island caribou herd in accordance with the National Environmental Policy Act. The EA was used as a resource guide for the USFWS decision in selecting a management action that addresses the declining Unimak Island caribou herd in a manner that is consistent with, and necessary to achieve, the Refuge mission and purposes under the ANILCA, Wilderness Act, and the National Wildlife Refuge System Improvement Act (USFWS 2010). The preparation of this EA followed the 2010 Alaska Board of Game establishment of the "Unimak Wolf Management Area" (ADF&G 2010) to conduct a predator control management action to increase the Unimak Island Caribou Herd and restore it to sustainable numbers sufficient to allow hunting again by Federally qualified subsistence users (ADF&G 2010). In March the USFWS (USFWS 2011) decided that the No Action alternative from the EA provided the best balance of conservation of fish and wildlife populations and habitats in their natural diversity, providing continued opportunity for subsistence, and protecting the wilderness character Unimak Island.

At its 2011 meeting, the Alaska Board of Game liberalized the wolf hunting and trapping regulations for Unit 10. The State wolf hunting and trapping seasons for Unit 10 were extended to June 30 and the harvest limit for hunters was increased from 5 wolves per year to 10 wolves per day. ADF&G approved an Emergency Order (number 04-01-11) to make these changes for the remainder of the 2010/11 regulatory year and the Alaska Board of Game adopted these changes into regulation beginning July 1, 2011.

Biological Background

Wolves (*Canis lupus)* have probably been part of Alaska fauna since the Pleistocene glaciation (Murie 1944). Wolves occur on Unimak Island of Unit 10, but only occur rarely on other islands that are west of Unimak Island. Peterson (1967) reported that wolves had occasionally immigrated to other islands of Unit 10, by crossing on ice flows. While there is very little biological information about wolves on Unimak Island, general information about the species is available from research in other parts of Alaska. Wolves are opportunistic carnivores; prey species on Unimak Island likely include caribou, small mammals, birds, salmon and various marine species that are available along the coast. Wolves first breed at age two to four and produce pups in dens during the spring (Mech et al. 1998). Litters average five or six pups. Wolves abandon the den after about eight weeks and live at sites above ground until early autumn when the entire pack roams a large territory for the rest of the fall and winter. Wolves live in a structured population of territorial packs (Mech and Boitani 2003). Meier et al. (2006) reported that 28% of the wolves leave their packs each year, and that most offspring eventually leave the pack. Dispersing wolves

form new packs when they locate dispersers of the opposite sex from another pack and a vacant area to establish a territory (Rothman and Mech 1979). Wolf pack territories overlap one another and change over time (Meier et al. 2006). As a pack makes its way around its territory, it may encounter and engage with other wolves within its territory at any time. A fight to the death can occur during such encounters. Predation by other wolves is probably the major cause of natural mortality among adult wolves (Meier et al. 2006, Adams et al. 2008). With high reproductive capacity, good survival of young, and high dispersal rates, wolf populations are able to quickly respond to changes in prey abundance. Based on an analysis of information regarding North American wolf populations, Adams et al. (2008) concluded that wolf populations appeared to be largely unaffected by human take of ≤29% annually. Given the limited effects of moderate levels of human take, Adams et al. concluded that the risks of reducing wolf populations through regulated harvest are quite low.

There is very little information on Unimak wolf numbers as an actual wolf survey has never been conducted. The information that is available for Unimak Island has been derived from infrequent, anecdotal observations or inference. Izembek NWR staff has reported incidental sightings of wolves on Unimak Island during caribou surveys (Hoffman 2011, pers. Comm.; **Table 1**). The population of wolves on Unimak Island depends on emigration of wolves from the mainland to provide genetic diversity (Keller and Waller 2002, Thraill et.al. 2009). In 1994, Izembek National Wildlife Refuge staff provided a rough estimate of 15 wolves present on Unimak Island based on observations over 5 years and anecdotal information from activities at known denning sites (USFWS 1994).

Table 1. Dates and number of wolves observed by Izembek National Wildlife staff during caribou surveys **(**Hoffman 2011, Pers. Comm.)

Date	Number of wolves observed
April 30 - 2 May, 2007	6 (one dead)
March 15-16, 2010	11 (on the north half of the island)
February 1, 2010	3
April 15, 2011	9

Butler (2006) reported that wolves occur at low to moderate densities on Unimak Island. ADF&G estimated that between 20–30 wolves occupy Unimak Island in 2–5 packs, based on an extrapolation from densities on the neighboring Alaska Peninsula and considering ungulate availability on Unimak Island, (USFWS 2010). Both the USFWS and ADF&G have been working to learn more about Unimak Island wolves.

Harvest History

Hunters occasionally take wolves opportunistically on Unimak Island in the fall and early spring when they are hunting other species. A very limited amount of wolf trapping occurs in the False Pass and Unimak Island area (Fall et al. 1996). There is very little information available about subsistence uses of wolves in Unit 10.

Wolves harvested by trapping and hunting in Alaska must be sealed by an ADF&G representative or appointed fur sealer. During the sealing process, information is obtained on the date and location of take, sex, color of pelt, estimated size of the wolf pack, method of take, and access used. From regulatory years 1999/2000 to 2009/10, the reported historic harvest of wolves in Unit 10 ranged from 0 to 4 wolves per year (ADF&G 2011, **Table 2)**. Most were harvested in the months of September and October. The two guides operating on Unimak Island during the fall hunts (Oct. 1–Dec. 31) have reported all of the reported

Table 2. Reported wolf harvest and method of take for Unit 10, regulatory years 1999/00 to 2009/10 (ADF&G 2011).

Regulatory year	Reported total harvest	Method of take for total harvest from Unit 10				
		Trap/snare	(%)	Shot	%	Unknown
1999/2000	0	0	0	0	0	0
2000/01	2	0	0	2	100	0
2001/02	2	0	0	1	50	1
2002/03	2	0	0	2	100	0
2003/04	4	0	0	4	100	0
2004/05	0	0	0	0	100	0
2005/06	4	0	0	4	100	0
2006/07	0	0	0	0	0	0
2007/08	0	0	0	0	0	0
2008/09	0	0	0	0	0	0
2009/10	4	0	0	4	100	0

Unimak Island wolf harvest in some years (Hoffman 2011, Pers. Comm.; ADF&G 2011). Wolves are difficult animals to bring down and it is not unreasonable to assume that some additional mortality is occurring as a result of wounding loss. Butler (2009) observed that most of this area receives very little pressure and historic harvests have had little effect on the wolf population.

Effects of the Proposal

If Proposal WP12-38 is adopted, the Federal wolf hunting and trapping seasons for Unit 10 would be extended to June 30 and the harvest limit for hunters will be increased from 5 wolves per year to 10 per day. The Federal wolf hunting season would be extended by two months and the wolf trapping season would be extended by three months. A season extension into May and June, when pups are in the den and females are lactating does not occur anywhere else in Alaska Federal Regulations. These changes would provide additional subsistence hunting and trapping opportunities under Federal regulations. Currently, Federally qualified subsistence users are able to take wolves on Unimak Island under State regulations which already have the higher harvest limits and longer seasons. If the proposal is adopted, Federal and State regulations would be aligned.

The hides of wolves taken in the spring and early summer would be of little or no commercial value, however, it is possible that the few wolves harvested by subsistence users could be used to make summer clothing and handicrafts. However, there is no available information in the literature regarding the use by Unimak Island subsistence users of wolves, most likely because the use is quite low.

In the spring, female wolves with pups normally stay closer to the den. During the denning period these females would not as susceptible to harvest by hunters and trappers since they usually do not participate in long distance hunting trips with the rest of the pack when the pups are very small. It is possible, however, that a lactating female might be harvested in May or June. If this were to happen, it would most likely also result in the death of the pups.

With the liberalized State wolf hunting and trapping regulations for Unit 10 in 2011, there will likely be some additional harvest of wolves on Unimak Island. Spring brown bear hunters would be able to harvest wolves in May; the State spring brown bear season on Unimak Island is May 10–25. Residents of the village of False Pass may harvest a few wolves in May and June. The added harvest during the spring may exceed a level that can be supported biologically by the Unimak Island wolf population.

The wolf population on Unimak Island should be monitored to assess the biological impact of liberalized State harvest regulations. Targeted wolf surveys should be done to assess the impact of the change in State season and limits on the Unimak Island wolf populations.

OSM PRELIMINARY CONCLUSION

Oppose Proposal WP12-38.

Justification

The wolf population on Unimak Island is estimated between 15–30 animals and reported historic harvest has ranged from 0–4 animals. Given the small size of the wolf population, increasing the hunting harvest limit to 10 per day and extending both the hunting and trapping seasons, would violate recognized principles of fish and wildlife conservation. The proposed regulatory change could: allow more than ½ of the wolf population to be harvested in one day; allow harvest of animals whose pelts are not in prime condition; and allow harvest of lactating females in May or June resulting in the death of pups.

Currently, Federally qualified subsistence users can harvest wolves under changed State hunting and trapping regulations; which are more liberal. The State regulations became affective in spring 2011 and there has not been time to evaluate the impact of these changes.

LITERATURE CITED

Adams, L.G., R.O. Stephenson, B.W. Dale, R. T. Ahgook, and D.J. Demma. 2008. Population dynamics and Harvest characteristics of wolves in the central Brooks Range, Alaska. Wildlife Monographs 170.

ADF&G. 2011. Harvest ticket database. Microcomputer database, query April 18, 2011.

ADF&G. 2010. Proposal 132-5AAC92.125 Predator control area implementation plans. ADF&G. 6 pages.

Butler, L. B. 2006. Units 9 and 10 wolf management report. Pages 66–70 *in* P. Harper, ed. Wolf management report of survey and inventory activities, 1 July 2002–30 June 2005. ADF&G. Project 14.0, Juneau, AK.

Butler L. B. 2009. Units 9 and 10 wolf management report. Pages 65–68 *in* P. Harper, ed. Wolf management report of survey and inventory activities, 1 July 2005–30 June 2008. ADF&G. Project 14.0, Juneau, AK.

Fall, J.A., R.T. Stanek, L. Brown, and C. Utermohle. 1996. The harvest and use of fish and wildlife, and plant resources of False Pass, Unimak Island, Alaska. ADF&G Subsistence Division, Technical Paper Number 183. Juneau, AK. 103 pages.

Hoffman, N. Wildlife Biologist. Personal Communications, e-mail August 15, 2011. Izembek National Wildlife Refuge, Cold Bay, AK.

Keller, L.F. and D.M. Waller. 2002. Inbreeding effects on wild populations. Trends in Ecology and Evolution 17(5):230–241.

Mech, D.L., L.G. Adams, T.J. Meier, J.W. Burch and B.W. Dale. 1998. The wolves of Denali. University of Minnesota Press. Minneapolis, MN. 227 pages.

Mech, L.D. and L. Boitani. 2003. Wolf social ecology. Pages 1–34 *in* L.D. Mech and L. Boitani. eds. Wolves: Behavior, ecology, and conservation. University of Chicago Press.

Meier, T., J. Burch, and L.G. Adams. 2006. Tracking the movements of Denali's wolves. Alaska Park Science. 5(1):30–35.

Murie, A. 1944. The wolves of Mount McKinley. U.S. Government Printing Office. Washington D.C. 238 pages.

Peterson, R.S. 1967. The land mammals of Unalaska Island. J. of Mam. 48(1): 119–129.

Rothman, R.J. and L.D. Mech. 1979. Scent-marking in lone wolves and newly formed pairs. Anim. Behav. 27:750–760.

Traill, L.W., B.W. Brook, R.R. Frankhum, C.J.A. Bradshaw. 2009. Pragmatic population viability targets in a rapidly changing world. Biological Conservation 143:28–34.

U.S. Fish and Wildlife Service. 2010. Environmental Assessment. Management Alternatives for the Unimak Island Caribou Herd. Dated December 2010. Copy of file, Anchorage, AK: U.S. Fish and Wildlife Service. 102 pp.

U.S. Fish and Wildlife Service. 2011. USFS selects "No Action Alternative" and issues "Finding of No Significant Impact," on Unimak Island EA. News release. 2 pages.

U.S. Fish and Wildlife Service. 1994. Memorandum from Refuge Manager, Izembek National Wildlife Refuge, to Associate Manager, Refuges and Wildlife, Region 7. "Wolf and wolverine numbers on refuge lands." Dated January 4, 1994. Copy of file, Anchorage, AK: U.S. Fish and Wildlife Service.

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 corporations[1]. 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

[1]Consultation 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 September16, 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.

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 developed and will be published in the Federal Register following Secretarial Signature. The recommended language from 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."

- Once the Final Rule is published, the Secretaries will begin the application/nomination process. The goal is to have these 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 GULF OF ALASKA CHINOOK SALMON BYCATCH

In 2010, the amount of Chinook salmon bycatch was over 51,000 fish in the Gulf of Alaska groundfish fishery, one of the highest bycatch amounts on record. Most of the bycatch (41,000) was taken during the pollock fishery. The North Pacific Fishery Management Council expedited this issue in order to address it through regulation no later than the start of the 2012 fishing season.

During its April 2011 meeting in Anchorage, the North Pacific Fishery Management Council adopted a preliminary preferred alternative with a hard cap of 22,500 Chinook salmon, an amount higher than the 2003–2010 bycatch average of approximately 19,000 utilized in the staff analysis. In May 2011, the Federal Subsistence Board sent a letter to the North Pacific Fishery Management Council recommending a hard cap of 15,000, the lowest hard cap amount among the range of alternatives under consideration. If the Board's recommendation was adopted it would more likely lead to a "de facto" reduction in Chinook salmon bycatch in the Gulf of Alaska. The Board's recommended this cap because they were very concerned about Chinook salmon runs on Kodiak Island, which have had escapement goal shortfalls and subsistence harvest restrictions in recent years.

At its June 2011 meeting in Nome, the North Pacific Fishery Management Council took final action on this issue and selected a hard cap of 25,000 Chinook salmon for the commercial pollock fishery. The full Council's motion can be read at:
http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/GOAChinookBycatchMotion611.pdf

Federal Subsistence Board
1011 E. Tudor Rd., MS 121
Anchorage, Alaska 99503-6199

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

U.S. FOREST SERVICE

FWS/OSM11057/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) appreciates the opportunity to provide its comments on the initial review draft of the *Environmental Assessment/ Regulatory Impact Review/ Initial Regulatory Flexibility Analysis for Amendment 90 to the Fishery Management Plan for Groundfish of the Gulf of Alaska, Chinook Salmon Bycatch in the Gulf of Alaska pollock Fishery (EA),* dated March 2011, and the North Pacific Fishery Management Council's (NPFMC) preliminary preferred alternative. 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 the Chinook salmon stocks listed in Table 63, page 124 of the EA, are important subsistence resources for Federally-qualified subsistence users in several areas of the state, including Southeast Alaska, Prince William Sound, Cook Inlet and Kodiak Island.

The Board urges the National Marine Fisheries Service and North Pacific Fishery Management Council to significantly reduce the amount of Chinook salmon bycatch in the GOA pollock fishery. Several Chinook salmon runs, most likely impacted by the GOA pollock fishery, were rated as "poor" to "below average" in 2010, as pointed out in Table 63, page 124 of the EA. The Chinook salmon runs on Kodiak Island are of particular concern. In 2010, Chinook salmon escapement in the Karluk River was below the escapement goal range for the fourth consecutive year and the subsistence fishery was closed the entire season. This was the third consecutive year that restrictions to the Chinook salmon subsistence fishery were necessary. In January 2011, the Alaska Board of Fisheries designated Karluk River Chinook salmon a stock of concern. In the nearby Ayakulik River, the lower end of the Chinook salmon escapement goal was achieved in 2010, however escapement goals were not met in 2006-2009.

The Board believes that the proposed hard cap of 22,500 in the Preliminary Preferred Alternative does not represent a meaningful reduction in Chinook salmon bycatch, as it is higher than the 2003-2010 bycatch average of approximately 19,000 Chinook shown in Table 4, page 21. Therefore, **the Board recommends that a hard cap of 15,000 be adopted.** This alternative would provide a better opportunity for increased numbers of Chinook salmon to reach affected rivers to help achieve escapement goals and provide for subsistence uses. In addition, the option of allowing a 25% "overage provision" one out of every three years should be eliminated, as it appears to be incongruent with the Council's stated goal to reduce bycatch. The Board also recommends that the NPFMC recognize the importance of subsistence in the Problem Statement and more fully discuss the status of the Chinook salmon stocks most likely impacted by the GOA pollock fishery.

Thank you for this opportunity to provide our comments and recommendations on this important subsistence issue. 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 issue and looks forward to the results of your efforts to significantly reduce Chinook salmon bycatch in the GOA 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
Speridon Simeonoff, Chair, Kodiak/Aleutians Regional Advisory Council
Ralph Lohse, Chair, Southcentral Alaska Regional Advisory Council
Bert Adams, Chair, Southeast Alaska Regional Advisory Council
Cora J. Campbell, Commissioner, Alaska Department of Fish and Game
James W. Balsiger, Administrator, Alaska Region, National Marine Fisheries Service

IZEMBEK NATIONAL WILDLIFE REFUGE
AGENCY REPORT

Caribou

Unit 9D:

Izembek National Wildlife Refuge (INWR) conducted an aerial population count of the Southern Alaska Peninsula Caribou Herd on Game Management Unit 9D from 16-19 April, 2011. There were 790 caribou (Rangifer tarandus) counted in 64 groups from Herendeen Bay to Bechevin Bay. Most of the caribou (89%) observed were north of the Cathedral River, while the remainder observed were on the southern end of the Peninsula on or adjacent to INWR.

SOUTHERN ALASKA PENINSULA CARIBOU HERD – SUMMARY STATISTICS

Year	Population Count	Fall Bulls/ 100 Cow	Fall Calves/ 100 Cow	Fall Composition Sample Size	Summer Post-Calving Count
2004	1872	36	7	966	*
2005	1651	30	6	1040	*
2006	770	16	1	713	*
2007	*	15	1	431	600
2008	*	10	39	570	700
2009	*	21	43	679	800**
2010	*	28	47	532	*
2011	790	***	***	***	***

*Data not collected.
**Count conducted by USFWS and ADF&G.
***Data not yet available.
NOTE: FWS population counts are normally conducted fall through early spring; Alaska Department of Fish and Game (ADF&G) fall composition ratios are taken from an October survey.

Caribou

Unit 10 (Unimak Island):

Due to a continuing downward trend in caribou numbers on Unimak Island, both recreational and subsistence caribou hunting remain closed.

Fish and Wildlife Service Region 7 aviation manager Kevin Fox, INWR ecologist Trent Liebich, and ADF&G pilot Mark Packila and biologist Meghan Riley conducted an aerial population count of caribou on Unimak Island in Game Management Unit 10 on 15 April 2011. A total of 224 caribou were observed on the island during this count.

In addition, on 15 April, 2011, INWR wildlife biologist Chris Peterson, ADF&G biologist Lem Butler, helicopter pilot Rick Swisher (Quicksilver Air, Inc.), and supercub reconnnaissance pilot Mike Meekins (Meekins Air Service) captured 12 caribou on Unimak Island. Biological samples (blood, hair, teeth) were collected from each animal, and age and weight data was recorded. The caribou were evaluated for body condition, collared with VHF radio collars (5) or Satellite GPS collars (7) and released on-site. All collared animals were observed to recover well and return to the herd. The animals were captured as part

of a cooperative project between INWR, ADF&G, and the University of Alaska, Anchorage, to evaluate caribou nutritional and habitat ecology of Unimak Island. Ultimately, this information will be used to assess the role of habitat and nutrition in the population dynamics of Unimak caribou, and provide a context or background for assessing all regulating factors affecting the welfare of the herd.

UNIMAK CARIBOU HERD – SUMMARY STATISTICS

Year	Population Count	Fall Bulls/ 100 Cow	Fall Calves/ 100 Cow	Fall Composition Sample Size	Harvest Resident Local	Harvest Resident Non-local	Harvest Non-Resident	Harvest Total Estimated
2004	1006	*	*	*	0	2	12	15
2005	1009	45	7	730	0	4	11	15
2006	*	*	*	*				13
2007	806	31	6	433				13
2008	*	9	6	260				9
2009	300	5	3	221				
2010	400***	8	8	284				
2011	224	**	**	**				

*Data not collected.
**Data not yet available.
***Data from a partial count: patchy snow restricted sightability.
NOTE: FWS population counts are normally conducted fall through early spring; ADF&G fall composition ratios are taken from an October survey.

Brown Bear:

State bear hunting season took place May 10-25, 2011, on Unimak Island. Refuge commercial guides reports have not been received for 2011 Units 9D and Unimak Island of Unit 10. One brown bear was sealed at INWR.

Waterfowl, Brant:

The number of brant found in the Izembek area, 47,477 is in line with the average annual increase in overwintering birds in the Izembek area. This increase in overwintering birds is possibly due to increased habitat and other effects of climate change. The last year that the number was over 40,000 was in 2007. Black brant are approaching the Pacific Flyway Management Plan goal of 162,000.

BLACK BRANT MID-WINTER SURVEY RESULTS

Year	Izembek Total	Flyway Total	3-Year Average
2005	17,240	101,391	104,834
2006	19,616	133,861	115,571
2007	40,041	133,936	123,063
2008	28,329	147,363	138,387
2009	21,482	No survey conducted in Mexico	
2010	26,443	143,947	145,655
2011	47,477	147,614	145,781

BLACK BRANT FALL PRODUCTIVITY COUNTS – IZEMBEK NWR

Year	Adults	Juveniles	Total	% Juvenile
2005	16,906	8,455	25,361	33.3
2006	26,684	6,798	33,482	20.3
2007	22,450	8,819	31,269	28.2
2008	39,743	7,166	46,909	15.3
2009	43,517	15,923	59,440	26.8
2010	27,884	7,086	34,970	20.3

Waterfowl, Emperor Goose:

The spring 2011 survey found 74,166 emperor geese, a 14.9% increase from 2010. The 3-year average (2009-2011) increased 4.2% to 76,892. While this is showing an increase of the population, it is still below the required 3-year average of 80,000 which is needed to consider opening a hunting season.

The 2010 population estimate of 59,924 is 24.8% below the 79,647 observed in 2009. The current 3-year population average of 72,591 is 5.9% below the previous 3-year average of 77,127.

EMPEROR GOOSE SURVEY RESULTS

Year	Spring Survey	Spring 3-year Average	Fall Survey	Fall 3-year Average
2005	53,965	57,492	73,212	81,349
2006	76,108	59,142	81,078	82,611
2007	77,541	69,205	73,531	75,940
2008	64,944	72,864	78,201	77,603
2009	91,948	78,144	79,647	77,127
2010	64,562	73,818	59,924	72,591
2011	74,166	76,892	**	**

**Data not yet available.

Fall surveys include new recruitment into the population and are not used to determine a three-year average for hunting management purposes. Population counts are conducted during spring and fall staging along the coasts of western Alaska and Alaska Peninsula and are not specific to the refuge.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kodiak National Wildlife Refuge
1390 Buskin River Road
Kodiak, Alaska 99615-0323
(907) 487-2600

Activity Report
Kodiak National Wildlife Refuge
April – September 2011

Fisheries

Please note that results of salmon counts presented below were provided by the Alaska Department of Fish and Game (ADF&G).

Western Area

Salmon run strength through the Kodiak Management Area (KMA) was rated between poor to medium. The poor run strength was mainly on the west side of the KMA, specifically the Karluk River sockeye salmon run.

The early run sockeye salmon in the Karluk River drainage did not meet its lower escapement goal, 86,642 fish (range 110,000 to 250,000 fish). The 2011 season was the fourth consecutive year that the Karluk River early run sockeye salmon escapement did not meet the lower escapement goal (2008 – 82,071 fish; 2009 – 52,466 fish; and 2010 – 70,544 fish). The Karluk River late run sockeye salmon escapement counts are low also, with counts of 5,131 fish as of August 18, 2011. Although the Karluk River sockeye salmon counts were low in 2011, the villagers of Karluk and Larsen Bay reported medium catch per unit effort, and they were able to meet their subsistence harvest needs.

Northern Area

The northern section of the KMA had very strong run strength throughout the fishing season. On June 19, 2011 the ADF&G projected the Buskin River sockeye salmon to exceed the lower escapement goal (8,000 fish), therefore a emergency order (E.O. #4-FS-K-SUB-02-11)was issued to reduce the closed waters to the stream terminus. As of August 18, 2011, the sockeye salmon escapement count was 11,024 fish.

The sockeye salmon run within the Afognak Bay (Litnik) area was also strong, which enabled ADF&G to issue E.O. #4-FS-K-SUB-01-11. This emergency order was issued on June 3, 2011, which reduced the closed waters to the stream terminus. As of August 18, 2011, the sockeye salmon escapement count was 48,312 fish.

A reflection of the strong sockeye salmon runs at both Buskin and Litnik systems, residents of Kodiak, Ouzinkie, and Port Lions reported a very high catch per unit effort. In addition to the strong numbers the villagers of Port Lions and Ouzinkie reported that the fish were very abundant in and around the villages.

Southern Area

The southern side of the KMA had medium run strength in salmon numbers. The villagers from Ahkiok were experiencing low catch per unit effort for subsistence caught salmon around their village early in the season. As the season progressed the residents moved from areas around their village to areas within Olga Bay. By the end of the fishing season the subsistence users did meet their subsistence needs for sockeye salmon. In the unofficial reports submitted by residents of Ahkiok, they noted that there was a higher percentage of "jack" sockeye salmon being harvested. The smaller sockeye salmon were also noted at the Frazer fish pass by the Kodiak Refuge public use officer and the Kodiak Regional Aquaculture Association weir attendants..

Figure 1. Subsistence crab haul. Gary Wheeler/USFWS

Subsistence Permit Summary

Federal Subsistence regulations allow for customary and traditional harvest of Roosevelt elk, Sitka black-tailed deer, and brown bear on Kodiak Refuge lands. Rural residents qualify for federal elk and deer hunts, and a small number of brown bear permits are issued to village residents (Table 1). Federal designated deer hunter and subsistence elk permits can be obtained at the Kodiak National Wildlife Refuge (Refuge) headquarters. Permittees are required to carry their Federal subsistence permits, and current state licenses and tags, while hunting.

Table 1. Federal subsistence permits issued and animals harvested, Unit 8, 2005–2011.

Species	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
Deer	68 (56)	76(59)	58(37)	81(65)	47(24)	49(36)
Bear	5(3)	5(2)	5(0)	6(1)	6(1)	6(1)
Elk	15(0)	12(0)	6(0)	3(0)	5(0)	6(1)

Brown Bear

Population Assessment

The Refuge, in cooperation with ADF&G, conducts annual surveys to assess trend in population size and composition (e.g., proportion of females with, cubs per maternal female, etc). In May 2011 we successfully concluded a survey of the bear population in a 90,000-acre area between Terror and Kizhuyak Bay. Results revealed that bear population size has not changed significantly since previous surveys (1987, 1997). Surveys of bear composition are conducted between early July and mid-August. Results will be reported to the Council at its September meeting.

Research

We implemented a second year of fieldwork on the bear movement and resource use study in the vicinity of the upper Karluk River Basin. This project, which features cooperation among the Refuge, University of Idaho, and ADF&G, will improve bear management capacity by increasing understanding of how bear movements and cub survival are influenced by variation in environmental conditions and availability of seasonal food resources (salmon, berries). Primary field methods involve routine monitoring of the location of at least 20 GPS-collared adult female bears between May and November; sampling of sites used by collared bears; and assessment of sockeye salmon abundance in lake tributary streams. To maintain the sample size between years, an additional 12 adult females were captured and collared in early June. Preliminary results indicated that single female bears ranged extensively while family groups were more sendentary during the summer.

Sitka Black-Tailed Deer

Harvest

Sitka black-tailed deer harvest results on the Kodiak Archipelago, including subsistence and recreational sport hunter efforts, are assessed annually by the ADF&G via a hunter questionnaire. Since 2006, the Refuge has cooperated with ADF&G on harvest assessments, and added a question regarding harvest on federal land. Results from the 2010 – 2011 harvest report indicate that approximately 41% (1,676 of 4,046) of deer harvested on the Kodiak Archipelago were taken on Refuge lands, which is consistent with the previous 4-year average of 39%. A similar number of deer were harvested in 2010–2011 as the previous year (4,088 deer harvested), but harvests have been increasing since 2007–2008. Over a longer time period, deer harvest levels have declined substantially and are currently only 30% of 1988 – 1989 levels (Figure 2). The observed trends in annual harvests are likely a reflection of deer population sizes, although additional research is needed to accurately quantify deer abundances and distributions.

Winter Mortality Surveys

Refuge personnel, in conjunction with ADF&G, surveyed for deer carcasses in late April and early May. Three sites were surveyed (Chief Cove, Sitkalidak Strait and Olga Bay) following established protocol. The primary objective was to provide an index of overwinter deer mortality, which was accomplished by quantifying the number of deer carcasses per unit distance among regions.

Results suggested that deer mortality was average to low during the winter of 2010–2011. We found 19 carcasses at the Chief Cove sites (1.53 carcasses/km), which is lower than the long-term average of 21 carcasses/year. No carcasses were found at the North Sitkalidak Strait site, where the long-term average is 8 carcasses/year, or the Olga Bay site, where the long-term average is 4 carcasses/year. Overall, we found

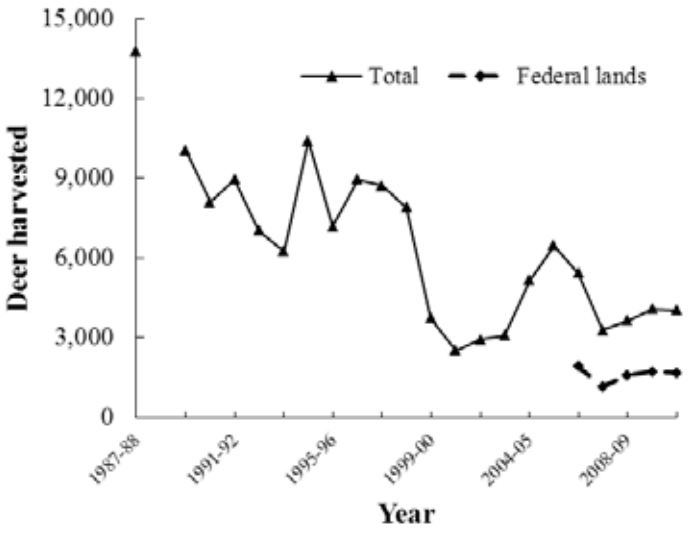


Figure 2. Estimated number of Sitka black-tailed deer harvested by subsistence and recreational sport hunters, Kodiak Archipelago, 1987–2011. The number of deer harvested on federal lands is indicated by the dashed line.

Figure 3. Inspection of marrow sample extracted from a femur of a dead deer fawn indicated that starvation was the probable cause of death. Bill Pyle/USFWS

fewer carcasses than during the 2010 survey (29 carcasses) and 2009 survey (20 carcasses). For the past few years, carcass counts at North Sitkalitak Strait and Olga Bay have been minimal, suggesting either low winter mortality rates in these regions or a small population size.

Roosevelt Elk

In early June, the Refuge and the Afognak Native Corporation assisted ADF&G in capturing and collaring 14 adult female elk with VHF radio telemetry collars. Attempts were made to collar elk from each herd so that they can be located to assess herd locations and assist with population estimations. The recent capture effort increased the total number of elk with functioning collars to 22.

ADF&G plans to quantify 2011 herd composition and population size by the end of September, prior to federal subsistence and recreational sport hunting seasons. The 2010 population estimate was 610 elk.

Feral Reindeer

Concerns over a perceived decline in Kodiak's reindeer abundance prompted the Alaska Board of Game to reinstate a ban on same-day-airborne hunts in 2010. The change further restricted harvest potential by instating a six-month hunting season, and limiting annual take to one reindeer per hunter. The impacts of these regulatory changes to reindeer abundances are unknown, however, there is a concern that they may increase reindeer abundances and lead to associated degradation in fragile tundra habitat. Understanding the relationship between regulatory changes and reindeer abundances requires annual monitoring of population abundance. To attempt to quantify the effect of harvest management on reindeer abundances, the Refuge initiated annual surveys of reindeer abundance.

We counted a total of 315 feral reindeer in the southern portion of Kodiak Island on July 5 and 6, 2011. On July 18, Alan Jones, State Trooper with the Alaska Department of Public Safety (ADPS), counted a total of 335 feral reindeer in the same region. Calf: cow ratios estimated by the Refuge were low, suggesting that low calf recruitment may be responsible for the apparent small and stable population size in recent years. The cause for low calf numbers is unknown, but may be due to brown bear predation or nutritional limitations.

Figure 4. Aerial view of reindeer herd, July 2011. Alan Jones/ADPS

Mountain Goat

Population Assessment

ADF&G, in cooperation with the Refuge, completed a comprehensive survey of the goat population on Kodiak Island between mid-July and mid-August 2011. Results will be presented to the Council at its September meeting.

Research

We prepared a research proposal in response to concerns about the seemingly high, and possibly excessive, goat population and its potential to substantially impact Refuge habitat resources. The proposed research has two primary goals: (1) to evaluate habitat preferences of adult female goats, and (2) to improve the efficiency and accuracy of population estimates. Total accomplishment of these goals would require expansion of cooperative partnerships and funding resources to pay for GPS collars, helicopter-supported capture and collaring, and funding of a graduate student.

Between early June and mid-August we conducted a pilot study of goat food preferences. Over the course of 50 days, we collected terrain and vegetation data at three study sites (Hepburn Peninsula, western Uyak Bay, Crown Mountain vicinity). We sampled a total of 77 sites used by mountain goat groups, which consisted primarily of nursery bands composed of nannies, kids, and yearlings. We also sampled another 198 sites randomly selected from the areas surrounding use sites. Following observation of a mountain goat group, a field crew would approach it and collect fecal samples. In September, the collection of 170 samples will be submitted to Washington State University for analysis of composition.

Figure 5. Technician Heidi Helling observes group of mountain goats prior to collection of fecal samples for use in diet assessment. Adia Sovie/USFWS

Sea Otter

The Service's Marine Mammals Management (MMM) Division is conducting a study of dietary composition (via stable isotope analysis) of archived northern sea otter whiskers collected from beach cast, harvested, and live-captured animals. The Refuge, in cooperation with the National Oceanic and Atmospheric Association (NOAA), assisted by collecting samples of otter prey species. Samples that were collected, including clam and cockle species, were sent to the MMM lab in Anchorage to establish reference data of isotopic levels found in sea otter food prey species. Results from this study are pending.

No surveys of the Kodiak area were conducted in 2011. Presently, biologists affiliated with MMM are revising sea otter aerial survey methods for Kodiak. The revised method entails dividing the Kodiak Archipelago into three survey regions, survey of one region per year, and rotation of annual surveys among regions. In addition to dividing Kodiak into manageable-sized regions to cover each year, an additional advantage is a reduction in flight time and survey cost. The Refuge plans to implement the revised survey method when available from MMM.

Marine Mammal Marking and Tagging

Under the 1972 Marine Mammal Protection Act, qualified Alaskan coastal natives may harvest sea otters and use the pelts for handicrafts and resale. Legally-harvested sea otter hides and skulls must be officially tagged by a Service-approved representative ("tagger"). Currently, there are 15 taggers including seven based in Kodiak and eight in various outlying village communities. During the period between April and July 2011, Refuge staff tagged 27 sea otter hides and skulls and one walrus skull.

Migratory Birds

The Refuge's Ornithologist was in the field when this report was prepared. A report supplement will be delivered to the Council at its September meeting.

Migratory Bird Harvest Surveys

The Service conducts migratory bird subsistence harvest surveys every 2 to 3 years in 11 Alaska harvest management units in conjunction with ADF&G. Harvest survey data help ensure that customary and traditional use of migratory birds and their eggs for subsistence use by indigenous inhabitants of Alaska does not significantly increase the take of species of migratory birds relative to their continental population sizes. Within the Kodiak Archipelago, refuge staff or local residents provided households with bird identification cards and households are asked to identify the quantity and diversity of species harvested. Data from the current survey is being analyzed and a draft report will be available in September. Results from the last subsistence harvest survey (2006) can be accessed and viewed at http://alaska.fws.gov/ambcc/harvest.htm.

Village Outreach

Port Lions

In June, Refuge vessel Ursa Major II traveled to Port Lions to offer a boat-based "traveling visitor center" that included a partnership with Kodiak's Coast Guard Auxiliary Association. Greeted by Refuge staff and the Auxiliary's talking boat "Coastie", 35 residents of Port Lions stopped in to see the attraction. Visitors toured the Ursa Major and experienced the "visitor center" on the stern deck that included furs and seabird mounts, posters describing Refuge research projects, and activities and games.

Figure 6. Portion of display area arrangement inside weatherport mounted on back deck of Ursa Major II. Gina Palmer/USFWS

Old Harbor

In support of Old Harbor's Bear Fence Tribal Wildlife Grant (TWG) project, Refuge staff participated in Old Harbor's 4th of July celebration. The Refuge worked cooperatively with the Old Harbor Tribal Council to decorate a 'bear aware' parade float and create an activity booth and table to increase bear awareness and education in the community. The 4th of July celebrations were followed by 'Bear Day' where Old Harbor youth made bear-aware signs and elders shared Alutiiq songs and stories.

In addition to education support of Old Harbor's TWG, Refuge staff also supported efforts made by ADF&G to install electric fences around homes and smoke houses as well as planning and implementing fencing equipment to the overall landfill project.

Dig Afognak Culture Camp

The Dig Afognak program began in 1993 as part of a community-wide effort to regain, restore and carry forward ancestral Alutiiq culture. In support of this effort, Refuge staff worked cooperatively with the native village of Afognak to provide curriculum covering the dangers of marine debris to Dig Afognak's E.A.R.T.H. (Earth Awareness – Renewing Traditions) camp. In addition to learning about the impacts of marine debris and the problems it brings to wildlife and seabirds, children aged 9 to 14 learned the names of common Kodiak seabirds through engaging and fun activities.

Refuge Newsletter

The Refuge's 5th newsletter will be available this fall. The newsletter provides information and outreach to village and remote residents on or near Refuge lands. Content includes articles about ongoing biological studies, announcements related to subsistence, and stories or photographs that inspire and connect people to wildlife, natural resources and their Refuge. Copies are available by mail or at the Kodiak National Wildlife Refuge Visitor Center in downtown Kodiak. Contact Tonya Lee, Refuge Information Technician, for more information (907-487-0235).

Winter 2012 Regional Advisory Council Meeting Calendar

February–March 2012 current as of 03/28/11

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb. 12	*Feb. 13* *Window Opens*	*Feb. 14*	*Feb. 15*	*Feb. 16*	*Feb. 17*	*Feb. 18*
			NS—Barrow			
		SP—Nome				
Feb. 19	*Feb. 20* ***HOLIDAY***	*Feb. 21*	*Feb. 22*	*Feb. 23*	*Feb. 24*	*Feb. 25*
				YKD—Emmonak		
Feb. 26	*Feb. 27*	*Feb. 28*	*Feb. 29*	*Mar. 1*	*Mar. 2*	*Mar. 3*
		WI—McGrath			**EI—Central**	
Mar. 4	*Mar. 5*	*Mar. 6*	*Mar. 7*	*Mar. 8*	*Mar. 9*	*Mar. 10*
	BB—Naknek		**NWA—Kotzebue**			
Mar. 11	*Mar. 12*	*Mar. 13*	*Mar. 14*	*Mar. 15*	*Mar. 16*	*Mar. 17*
	SE—Sitka					
		SC—Anchorage				
Mar. 18	*Mar. 19*	*Mar. 20*	*Mar. 21*	*Mar. 22*	*Mar. 23* *Window Closes*	*Mar. 24*
			K/A—Old Harbor			

Fall 2012 Regional Advisory Council Meeting Calendar

August 20–October 12, 2012 current as of 07/20/11

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug. 19	*Aug. 20* WINDOW OPENS	*Aug. 21*	*Aug. 22*	*Aug. 23*	*Aug. 24*	*Aug. 25*
Aug. 26	*Aug. 27*	*Aug. 28*	*Aug. 29*	*Aug. 30*	*Aug. 31*	*Sept. 1*
Sept. 2	*Sept. 3* **HOLIDAY**	*Sept. 4*	*Sept. 5*	*Sept. 6*	*Sept. 7*	*Sept. 8*
Sept. 9	*Sept. 10*	*Sept. 11*	*Sept. 12*	*Sept. 13*	*Sept. 14*	*Sept. 15*
Sept. 16	*Sept. 17*	*Sept. 18*	*Sept. 19*	*Sept. 20*	*Sept. 21*	*Sept. 22*
Sept. 23	*Sept. 24*	*Sept. 25*	*Sept. 26*	*Sept. 27*	*Sept. 28*	*Sept. 29*
Sept. 30 END OF FY2012	*Oct. 1*	*Oct. 2*	*Oct. 3*	*Oct. 4*	*Oct. 5*	*Oct. 6*
Oct. 7	*Oct. 8* **HOLIDAY**	*Oct. 9*	*Oct. 10*	*Oct. 11*	*Oct. 12* WINDOW CLOSES	*Oct. 13*