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Federal Subsistence Board

1011 East Tudor Road, MS121
Anchorage, Alaska 99503



FOREST SERVICE

JUL 08 2015

FWS/OSM 15039.PM

Eric Wald
Arctic National Wildlife Refuge
U.S. Fish and Wildlife Service
101 12th Avenue, Room 236
Fairbanks, Alaska 99701

Dear Mr. Wald:

This letter responds to your Temporary Special Action Request (WSA15-08) to close the Federal moose season in Units 26B remainder and 26C for the Regulatory 2015/2016 Year.

Based on information showing an approximately 50 percent decline in moose populations in the affected area since 2011, along with low recruitment, it is likely that any harvest could be detrimental to population recovery. The Federal Subsistence Board has approved this request in order to assure the continued viability of the moose population as required under Alaska National Interest Lands Conservation Act.

The enclosed copies of the staff analysis and Interagency Staff Committee recommendation provide further information and justification for this action. If you have any questions, please contact Chris McKee, Wildlife Division Chief, Office of Subsistence Management (OSM) at (907) 786-3572.

Sincerely,

Tim Towarak
Chair

Mr. Wald

2

Enclosures

cc: Federal Subsistence Board
Eugene R. Peltola, Jr., Assistant Regional Director, Office of Subsistence Management
Chuck Ardizzone, Deputy Assistant Regional Director
Office of Subsistence Management
Chris McKee, Wildlife Division Chief, Office of Subsistence Management
Eva Patton, Subsistence Council Coordinator, Office of Subsistence Management
Harry Brower, Chair, North Slope Subsistence Regional Advisory Council
Brian Glaspell, Refuge Manager, National Wildlife Refuge
Jennifer Yuhas, Federal Subsistence Liaison Team Leader
Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record

STAFF ANALYSIS
TEMPORARY SPECIAL ACTION
WSA15-08

ISSUE

Temporary Special Action WSA15-08, submitted by the Arctic National Wildlife Refuge, requests the moose season in Unit 26B remainder and Unit 26C (FM2606) be closed for the 2015/2016 regulatory year.

DISCUSSION

The proponent states that the moose surveys conducted in April 2014 by the U.S. Fish and Wildlife Service (USFWS) and the Alaska Department of Fish and Game (ADF&G) indicated a 50% reduction in the moose population since 2011 on the coastal plain of Unit 26C and poor recruitment in Units 26B remainder and 26C. In response to declines in population and recruitment, the moose season in Units 26B remainder and 26C was closed under Federal regulations for the 2014/2015 regulatory year. Surveys conducted in April 2015 continued to show low moose numbers. The proponent states that the moose population is no longer able to support the harvest of 5 moose and that it is necessary to close the 2015/2016 season due to conservation concerns.

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

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

Existing Federal Regulation

Units 26B remainder and 26C—Moose

Units 26B, remainder and 26C—1 moose by Federal registration permit by residents of Kaktovik only. The harvest quota is 5 moose. You may not take a cow accompanied by a calf in Unit 26B. Only 5 Federal registration permits will be issued.

July 1–June 30

Federal public lands are closed to the taking of moose except by a Kaktovik resident holding a Federal registration permit and hunting under these regulations

Proposed Federal Regulation

Unit 26B remainder and 26C—Moose

Units 26B, remainder and 26C—1 moose by Federal registration permit (FM2606) by residents of Kaktovik only. The harvest quota is 5 moose. You may not take a cow accompanied by a calf in Unit 26B. Only 5 Federal registration permits will be issued.

*July 1 – June 30
No Federal open season*

Federal public lands are closed to the taking of moose except by a Kaktovik resident holding a Federal registration permit and hunting under these regulations

Note: These regulations would take effect July 1, 2015.

Existing State Regulation

Unit 26B—Moose

Unit 26B

No open season

Unit 26C—Moose

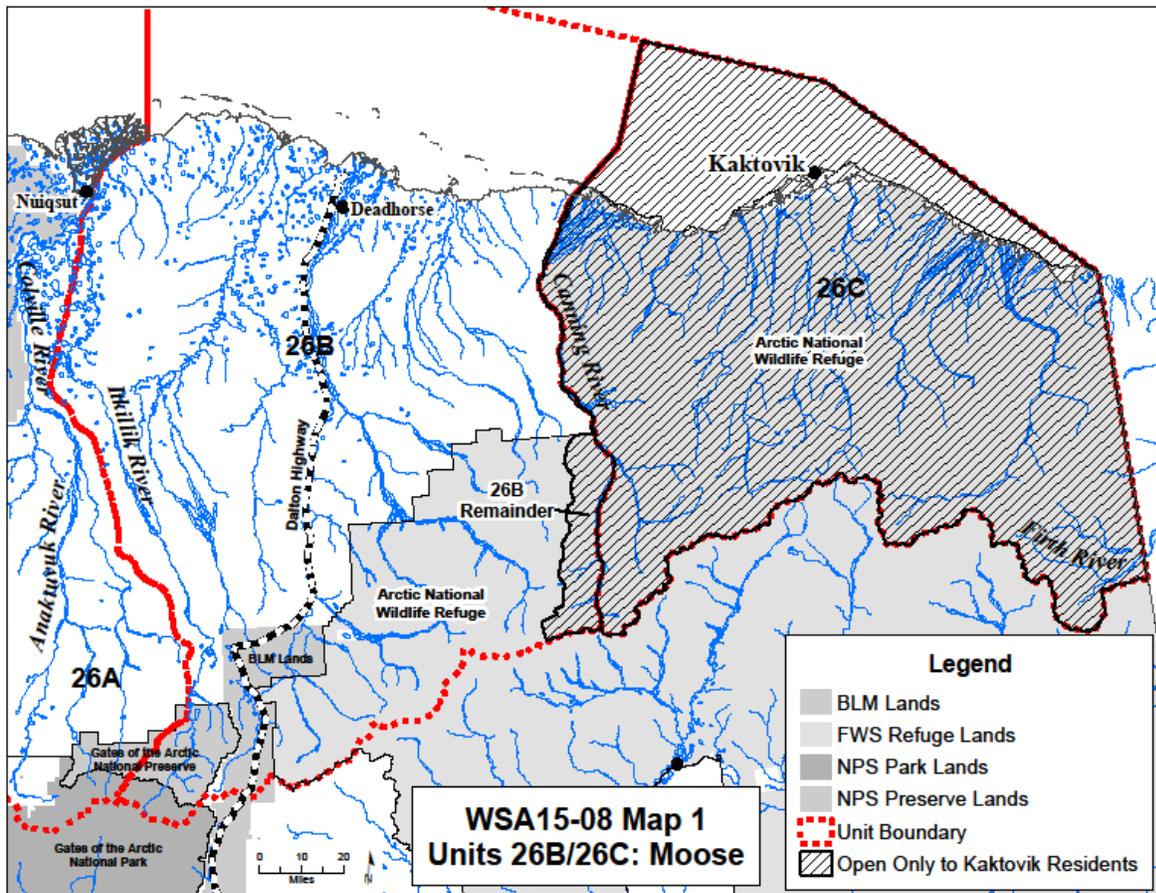
Unit 26C

No open season

Extent of Federal Public Lands

Federal public lands comprise approximately 98% of the lands in Unit 26C and consist of 100% U.S. Fish and Wildlife (FWS) managed lands.

Federal public lands comprise approximately 29% of the lands in Unit 26B and consist of 23% FWS managed lands, 4% Bureau of Land Management (BLM) managed lands, and 3% National Park Service (NPS) managed lands (See **Unit 26 Map and Map 1**).



Customary and Traditional Use Determinations

Residents of Unit 26 (except the Prudhoe Bay–Deadhorse Industrial Complex), Anaktuvuk Pass, and Point Hope have a positive customary and traditional use determination for moose in Unit 26. Federal public lands in Unit 26B remainder and Unit 26C are closed to non-Federally qualified users and those with recognized customary and traditional uses except the residents of Kaktovik. The prioritization of Kaktovik residents over other users was established through an ANILCA Section 804 analysis in Proposal WP04-86.

Regulatory History

Federal and State moose seasons in Units 26B and 26C were closed in 1996 due to a low population of moose following declines in the early 1990s (Mauer 1997, Lenart 2010). The declines were probably due to a combination of factors including limited habitat at the northern limits of their range, weather, predation by wolves and brown bears, disease, and possibly insect harassment (Lenart 2008).

The Federal closure was temporarily lifted in 2003, when the Federal Subsistence Board

(Board) approved a modification of Special Action WSA03-04 to allow residents of Kaktovik to harvest one moose in the combined Units 26B and 26C for their Thanksgiving feast and one moose for their Christmas feast; however, only one moose could be harvested in Unit 26C (OSM 2003).

In 2004, the Board adopted Proposal WP04-86b with modification to allow a total harvest quota of 3 moose (2 bulls and 1 moose of either sex) in Units 26B and 26C with the restrictions that no more than 2 bulls and no cows could be harvested in Unit 26C. Proposal WP04-86 included an ANILCA Section 804 analysis (WP04-86a) which the Board used to give priority to residents of Kaktovik to harvest moose in Units 26B and 26C.

Proposals WP06-67a and WP06-67b requested that residents of Unit 25A be added to the customary and traditional use determination for the Firth and Kongakut river drainages of Unit 26C (WP06-67a) and set a harvest limit of two moose per drainage (WP06-67b). Proposal WP06-67a was rejected by the Board because the residents of Arctic Village and the surrounding area did not have a demonstrated pattern of moose harvest in Unit 26C. Proposal WP06-67b was rejected by the Board based on conservation concerns (FSB 2006).

In 2007, the Board adopted Proposal WP07-63 with modification to lift the closure of Federal public lands to non-Federally qualified subsistence users in the portion of Unit 26B outside of the Canning River drainage based on increasing moose numbers (FSB 2007). The Board retained the closure of Federal public lands in Unit 26C and areas within the Canning River drainage in Unit 26B (now called Unit 26B remainder), except for residents of Kaktovik (FWS 2007).

Proposal WP08-54 requested a modification of the moose harvest quota in Unit 26C to 5 moose (4 bulls and 1 of either sex) with a shorter harvest season from Jul. 1 to Dec. 31 versus July 1 to Mar. 31 for Kaktovik residents. The proposal also requested lifting the closure of Federal public lands in Unit 26B remainder (FWS 2008). The Board adopted the proposal with modification to keep the closure in place, except for residents of Kaktovik, but changed the harvest quota from 3 moose (2 bulls and 1 of either sex) to 3 moose (2 antlered bulls and 1 of either sex) (FSB 2008). Changing the harvest limit to antlered bulls was done to protect cows from being harvested later in the season when bulls had shed their antlers. The restriction of harvesting a cow accompanied by a calf was retained for Units 26B remainder and 26C and no more than two antlered bulls could be taken from Unit 26C.

In March 2012, the Alaska Board of Game adopted Proposal 174A to establish a moose season in a portion of Unit 26C which includes the Firth River, Mancha Creek and the Upper Kongakut River drainages; however, there has been no State hunt because the area consists of Federal public lands that are currently closed to the harvest of moose, except by Federally qualified subsistence users who are residents of Kaktovik.

In 2013, ADF&G submitted proposal WP14-55 which requested the closure to non-Federally qualified subsistence users be lifted in the Firth, Mancha, and upper Kongakut

river drainages (upstream from and including Drain Creek) for the harvest of moose in Unit 26C (FWS 2014a). The remaining Federal public lands in Unit 26C and Unit 26B remainder would remain closed to the harvest of moose, except by residents of Kaktovik. At its April 2014 meeting, the Board rejected Proposal WP14-55 (FWS 2014a).

In March 2013, the Alaska Board of Game, by Emergency Order 03-03-13, authorized a general moose season in Unit 26B, excluding the Canning River drainage, when hunting conditions are favorable for up to 14 days during the period February 15–April 15. It was thought that the population of approximately 500 moose in Unit 26B could sustain a harvest quota of 15 bull moose, including the additional 4 that might be harvested under State regulations during the general hunt through the Emergency Order (ADF&G 2013). In Unit 26B State lands are closer to the village of Kaktovik than Federal public lands in Unit 26B remainder, thus making it easier for Kaktovik residents to harvest additional moose.

On April 3, 2013, the Board approved Emergency Special Action WSA12-12 with modification to allow Kaktovik residents to harvest one additional moose in Unit 26B remainder and to extend the season through April 14, 2013.

In April 2014 the Board adopted Proposal WP14-54, which requested an increase in the harvest quota from 3 to 5 moose, to allow for the harvest of cows and cows with calves in Unit 26C, and to lengthen the season in Units 26B remainder and 26C from July 1–Mar. 31 to a year-round season (July 1–June 30) (FWS 2014b).

In May 2014, the Alaska Board of Game reduced bag limits and season dates for resident moose hunts in Unit 26A and 26B in response to low population numbers and poor recruitment. An Emergency Order (05-05-14) closed drawing permits for moose by residents and nonresidents in Unit 26A for the 2014/2015 regulatory year (ADF&G 2014b). The seasons were closed to allow for population recovery.

Due to the population decline on the North Slope, the moose season in Units 26B remainder and 26C were closed by temporary special action WSA14-02 in 2014/2015 (FWS 2014c).

Current Events

A public hearing was held in Kaktovik on June 17, 2015 to provide members of the public an opportunity to comment on Temporary Special Action request WSA15-08. Three individuals provided comments and two others attended the Kaktovik public meeting.

Opportunities to take big game species by Kaktovik residents are limited because they have to rely on the Central Arctic caribou herd to come far to the east and sheep populations are down. Even though only a few moose are harvested they continue to be an important subsistence resource. Several commenters expressed the need for flexibility to open a limited moose hunt if the population increases.

Several comments were received on the need to document the movements and habitat use of the moose population that occurs on the North Slope coastal plain and foothills of the Brooks Range. One suggestion was to document local knowledge from local hunters to get a more accurate picture of how moose use Refuge lands. One commenter suggested that surveys be conducted on both the north and south side of the Brooks Range.

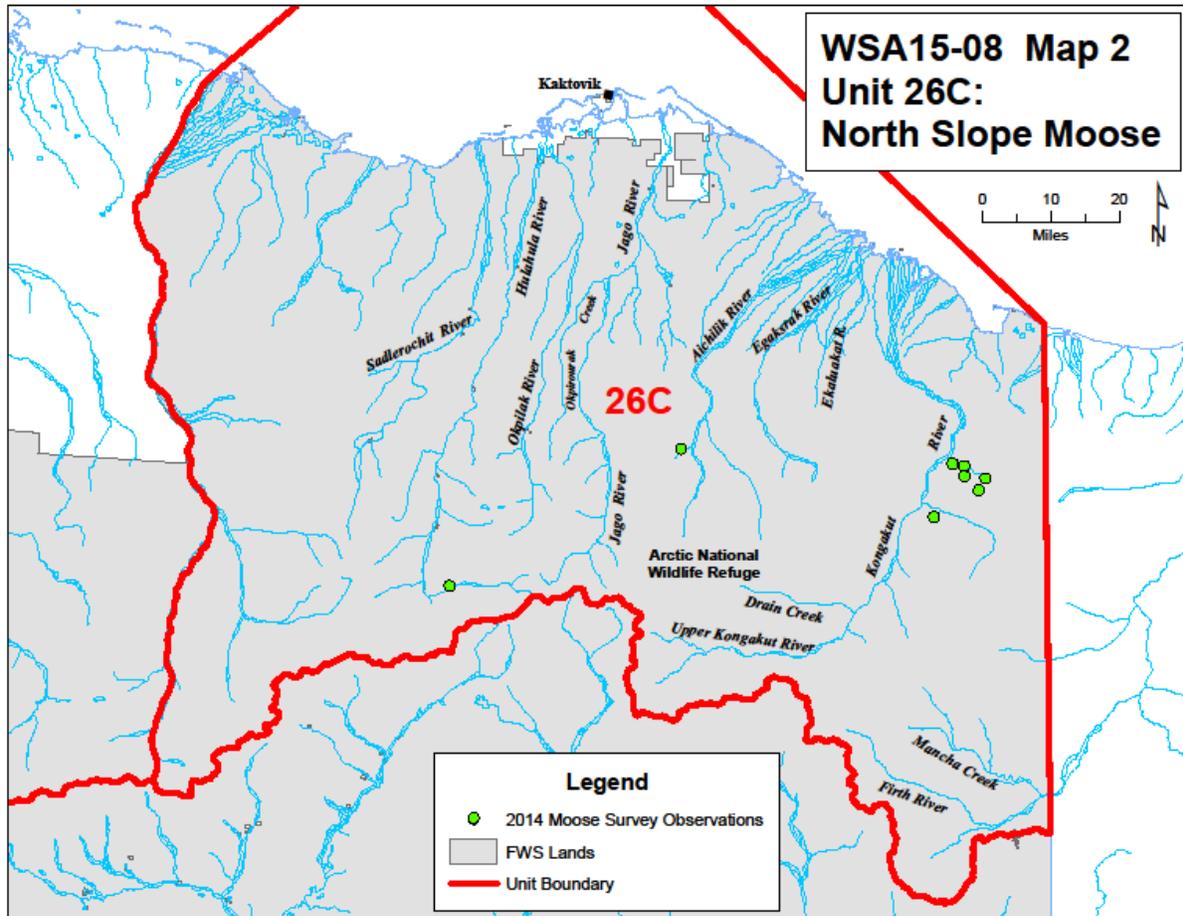
Biological Background

Unit 26C contains at least two distinct moose populations: the first occurring on the coastal plain and foothills in the North Slope portion of Unit 26C (North Slope population), and the other in the Firth, Mancha, and Upper Kongakut river drainages (Old Crow Flats population) (Mauer 1998). A majority of the moose population in the eastern portion of Unit 26C in the Brooks Range, calve and spend the summer in Old Crow Flats in the Yukon and migrate to the Firth, Mancha, and Upper Kongakut river drainages in Unit 26C, and the Sheenjek, and Coleen river drainages in Unit 25A during the fall and winter. Some moose in the Old Crow Flats population move between drainages during the fall or spring migration (Mauer 1998, Cooley 2013, pers. comm.). The focus of this analysis is on the North Slope population in Unit 26C.

Moose in Unit 26B remainder and Unit 26C are at the northern limits of their range in Alaska. The lack of quality habitat severely limits the potential size of moose populations. Moose are generally associated with the narrow strips of shrub communities along drainages, except during calving and summer when some seasonal movement occurs away from riparian habitat (Lenart 2010). In winter, moose are limited almost entirely to the riparian shrub habitat. During surveys in the 1970s and 1980s, small numbers of moose were observed in the Sadlerochit, Hulahula, Okpilak, Okerokovik, Jago, Aichilik and Egaksrak river drainages and larger concentrations of moose were found on the Canning River and between the Sagavanirktok and Kavik rivers, west of the Canning River. The moose population in Units 26B and 26C peaked during the late 1980s at approximately 1,400 moose (Mauer and Akaran 1991; Lenart 2004, 2008), then declined in the early 1990s, and remained at approximately 700 animals throughout the remainder of the 1990s (Mauer 1998, Lenart 2008).

Data from surveys conducted by ADF&G and the USFWS suggest that a significant decline in the moose populations north of the Brooks Range occurred during 2012–2014. The survey results indicated that there has been approximately a 50% reduction of moose since 2011 in Unit 26A and in Unit 26B, the number of moose declined from approximately 400 moose in 2013 to 104 in 2015 (ADF&G 2014a, (Lenart 2015, pers. comm.). Although Unit 26A is west of the area affected by this special action request, it documents widespread declines in moose populations throughout the North Slope. In Unit 26B remainder the number of moose counted declined from 176 moose in 2013 to 57 in 2014 (no short yearlings) (Lenart 2014, pers. comm.).

In April 2014, the USFWS conducted moose surveys in Unit 26C (**Map 2**) and found 23 adult moose (no short yearlings – 11 month olds), which is approximately 50% of the 10 year average of moose counted since 2003 (Wald 2014).



State management goals for moose in Units 26B and 26C are to maintain viable populations throughout their historic range in the region, to provide sustained moose harvest opportunity, and provide an opportunity for moose photography and viewing (Lenart 2010). Specific State management objectives for Unit 26B and Unit 26C are as follows (Lenart 2010):

- Unit 26B – maintain a population of at least 300 moose with short yearlings (10 to 11 month old calves) comprising at least 15% (3-year average) of the population.
- Unit 26C – maintain a population of at least 150 moose with short yearlings comprising at least 15% (3-year average) of the population.
- Maintain bull:cow ratios of at least 35 bulls:100 cows when hunting seasons are open for Unit 26B and Unit 26C.

A comprehensive moose survey has not been conducted for Units 26B and 26C. However, smaller scale minimum counts have been conducted in areas where moose concentrate to assess population trends. These trend counts account for a large percentage of the moose in the units as habitat is limited in the region (Lenart 2010).

The moose population in the eastern portion of Unit 26B, including the Canning River, rebounded from low levels of approximately 150 moose in 1998–2000 to 335 moose in 2005 (**Figure 1**). During that period, harvest was limited in Unit 26B due to State and Federal harvest closures enacted in 1996. A limited season for Kaktovik residents was opened under Federal regulations in 2004. The harvest closure on Federal public lands in Unit 26B was lifted in 2007, except for the Canning River drainage which remained open only to Kaktovik residents. The moose population in eastern Unit 26B has subsequently declined following peak counts in 2005–2008 (**Figure 1**). The estimated total population observed in 2014 and 2015 was 109 and 104 moose respectively (Lenart 2014, pers. comm., Lenart 2015, pers. comm.). The composition of short yearlings in the population, which represents a measure of recruitment, averaged 16% from 2005–2008, 9% from 2009 to 2012, 0% in 2014, and 4% in 2015 (Lenart 2015, pers. comm.).

The North Slope population in Unit 26C was surveyed every two years between 2003 and 2014 by Arctic National Wildlife Refuge staff (Wald 2014). This population occurs on the Coastal Plain from the Canadian border to the Canning River and from the Beaufort Sea coast to the foothills of the Brooks Range. Moose are usually concentrated in the drainages of the Sadlerochit, Hulahula, Okpilak, Okpirourak, Jago, Aichilik, Egaksrak, Ekaluakat, and the lower part of the Kongakut rivers (Wald 2014) (**Map 2**). Twenty three adults and no short-yearlings were observed during surveys conducted in April, 2014. In 2015, 36 moose were observed; 28 moose in the Kongakut drainage, 3 moose in the Egaksrak drainage, 3 moose in the Sadlerochit drainage, and 2 moose in the Hulahula drainage (Wald 2015, pers. comm.). The number of calves increased from 0 in 2014 to 5 in 2015. Based on trend counts between 2003 and 2015 the North Slope population was at low, but the numbers were relatively stable until 2011, declined from 2011–2014, and increased slightly in 2015 (**Figure 2**).

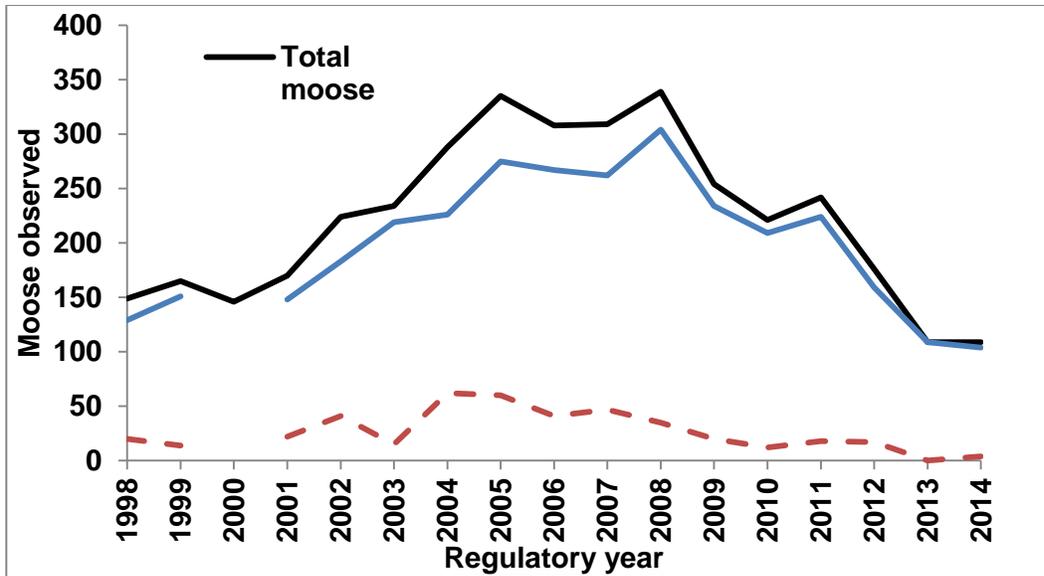


Figure 1. Aerial composition survey counts of adult and short-yearling (11-month old) moose in Unit 26B, east of the Sagavanirktok River and including the Canning River 1998 to 2014 (Lenart 2014 pers. com.).

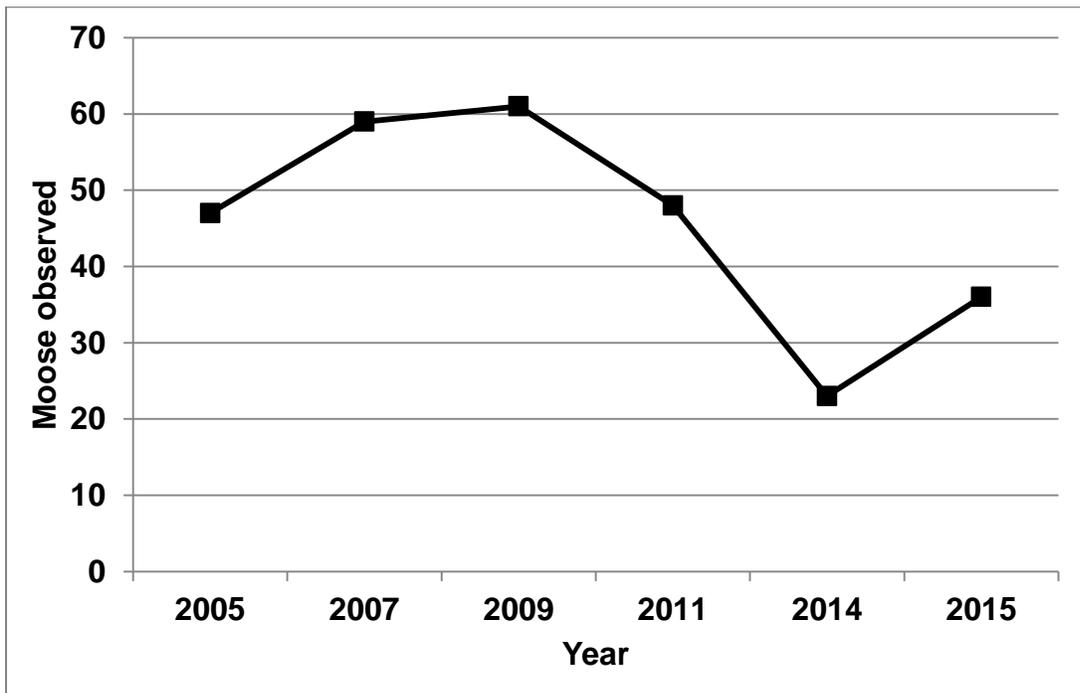


Figure 2. Moose observed during aerial surveys of trend count areas, conducted every other year by the U.S. Fish and Wildlife Service, for the North Slope Population of Unit 26C, 2003–2014 (Wald 2011, 2014).

Harvest History

Harvest quotas for North Slope moose populations are currently determined using a 3% harvest rate (preferably bulls only) (Lenart 2013, pers comm., Wald 2013, pers. comm.). Moose harvest on the affected Federal public lands in Units 26B remainder and 26C has been limited to residents of Kaktovik since 2004, with up to three permits issued annually and a combined harvest quota for Units 26B remainder and 26C of 3 moose. Since 2004, 9 bull moose have been reported harvested, with an average of 1 moose harvested per year (Table 2). No additional moose were taken by Kaktovik hunters in Unit 26B remainder during the two week extension under Emergency Special Action WSA12-12.

Table 2. Federal registration permits issued and used by residents of Kaktovik to harvest moose in Units 26B and 26C (OSM 2015, Twitchell 2013, pers. comm.). Federal public lands in Unit 26B remainder and 26C are currently closed to the harvest of moose, except by residents of Kaktovik. Up to three permits are issued annually.

Year	Permits issued	Permits used	Harvest
2004/2005	3	1	1
2005/2006	3	2	2
2006/2007	3	2	2
2007/2008	3	- ^a	- ^a
2008/2009	3	2	1
2009/2010	3	2	- ^a
2010/2011	2	1	1
2011/2012	3	2	0
2012/2013	2	2	2
2013/2014	2	0	0
2014/2015	- ^a	- ^a	- ^a

^a Data not available for the report.

Effects of the Special Action

If this Special Action is approved, it would close the moose season in Units 26B remainder and 26C during the 2015/2016 regulatory year. The season is only open to rural residents of Kaktovik and the closure would eliminate their limited opportunity to harvest moose in the affected area.

However, continued harvest of the moose population could jeopardize future subsistence uses of the population. The current Federal regulations allow for a harvest quota of 5 moose, which would represent up to 14% of the population, and would exceed harvest recommendations of 3% (preferably bulls) for moose populations which occur at low densities at the northern part of their range. Assuming an equal sex ratio and a population of 31 adults, the harvest of 5 adult cows, which would be legal under the current Federal regulations, would represent a drastic decline in the reproductive potential of this small

struggling population. The moose population has declined in recent years and the closure should help the North Slope population to recover.

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INTERAGENCY STAFF COMMITTEE RECOMMENDATION

WSA15-08

Support Special Action request WSA15-08.

Justification

The North Slope moose populations in the affected area have declined by approximately 50% since 2011. While harvest opportunities have been very limited with quotas of 3 to 5 moose, the overall decline and low recruitment of moose in Unit 26B remainder and Unit 26C suggest that any harvest could be detrimental to population recovery. Thus, the temporary closure to subsistence uses of this moose population is consistent with Section 816(b) of ANILCA because it will help assure the continued viability of the moose population.