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Federal Subsistence Board

1011 East Tudor Road, MS121
Anchorage, Alaska 99503



FOREST SERVICE

AUG 3 1 2015

FWS/OSM 15055.AH

Bruce Dale, Acting Director
Division of Wildlife Conservation
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518

Dear Mr. Dale:

This letter responds to your Temporary Special Action Request, WSA15-10, to change the Federal black bear season in Unit 6D from September 1 – June 30 to September 10 – June 10 for the 2015/2016 regulatory year, and to have black bears added to the letter of delegated authority for the Cordova District Ranger.

The Federal Subsistence Board has approved this request with modification to maintain the current black bear season dates from September 1 to June 30, to require the use of a Federal registration permit for black bears in Unit 6D during the entire season, and to defer modification of the delegation of authority letter until the fall Southcentral Alaska Subsistence Regional Advisory Council (Council) meeting in October of 2015.

Use of a Federal registration permit will allow for better tracking of harvest of black bears by Federally qualified subsistence users in the unit at a time when there are concerns about the population. Data indicates that black bear harvest in Unit 6D should be reduced; however, to date, harvest by Federally qualified subsistence users is minimal in this unit. Federally qualified subsistence users will need to obtain a State registration permit to hunt black bear on non-Federal public lands.

Mr. Dale

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Modification of the current delegation of authority letter for the Cordova Ranger District is not recommended at this time. It is important that the Council has the opportunity to provide comments on such a modification so that any concerns can be expressed on the record in a public forum. The special action process does not allow for input and comment by the Council, unless a Council meeting coincides with timing of a request. The Council will have the opportunity to consider changes to the current delegation of authority letter when they meet in October to discuss Proposal WP16-13.

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 Supervisor, Office of Subsistence Management at (907) 786-3572.

Sincerely,



Tim Towarak
Chair

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 Supervisor, Office of Subsistence Management
Carl Johnson, Council Coordination Supervisor, Office of Subsistence Management
Drew Crawford, Federal Subsistence Liaison, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record

STAFF ANALYSIS
TEMPORARY SPECIAL ACTION
WSA15-10

ISSUES

Temporary Special Action WSA15-10, submitted by the State of Alaska, requests the Federal subsistence black bear season in Unit 6D be changed from Sept. 1 – June 30 to Sept. 10 – June 10 for the 2015/2016 regulatory year. In addition, the proponent has requested that black bears be added to the letter of delegated authority for the Cordova District Ranger of the U.S. Forest Service.

DISCUSSION

The proponent requests the Federal subsistence black bear season be aligned with the State black bear season because of conservation concerns for the species. The proponent states that black bear harvest in Unit 6D tripled between the late 1990s and 2007, followed by sharp declines in harvest in regulatory years 2012/2014 and 2013/2014. In addition, sows have made up an increasing proportion of the harvest, increasing to over 40 percent in the last three regulatory years and exceeding State management objectives every year since 2006/2007.

In February 2015, the Alaska Board of Game changed the black bear hunt in Unit 6D to a registration hunt, beginning with the fall 2015 season. Alignment of the Federal subsistence and State black bear hunting seasons would eliminate the need for a Federal registration permit.

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

Unit 6 – Black Bear

Unit 6 – 1 bear. In Unit 6D a Federal registration permit is required to Sept. 1 – June 30 harvest black bear from June 11 to June 30.

Proposed Federal Regulation

Unit 6 – Black Bear

Unit 6 - 1 bear. In Unit 6D a Federal registration permit is required to harvest black bear from June 11 to June 30 ~~Sept. 1~~ *Sept. 10 – June 30* ~~June 10~~

Unit 6 remainder – 1 bear

Sept. 1 – June 30

Existing State Regulation

Unit 6D – Black Bear

Residents and Nonresidents: one bear every regulatory year, by permit available online at [Http://hunt.alaska.gov](http://hunt.alaska.gov) or in person in Anchorage, Cordova, Fairbanks, Glennallen, Palmer, or Soldotna beginning Aug 10. RL065 Sept. 10 – June 10

Extent of Federal Public Lands

Federal public lands comprise approximately 66% of the lands in Unit 6D and consist of approximately 64% U.S. Forest Service (USFS) managed lands and 2% Bureau of Land Management managed lands.

Customary and Traditional Use Determinations

Rural residents of Yakutat and Units 6C and 6D (except residents of Whittier) have a positive customary and traditional use determination for black bear in Unit 6A. Rural residents of Units 6C and 6D (except residents of Whittier) have a positive customary and traditional use determination for black bear in Unit 6 remainder.

Regulatory History

In 1990, the Federal Subsistence Board (Board) adopted temporary subsistence regulations, which became permanent during the 1992/1993 regulatory year, for black bear hunting at bait stations that paralleled the State regulations. The Federal and State bear baiting season in Units 6A, 6B, and 6C has been from Apr. 15 – June 15 since 1990, and Apr. 15– June 10 in Unit 6D since 2005.

The Alaska Board of Game has taken several incremental measures to reduce black bear harvest in Unit 6D over the past 15 years. In 2003, Unit 6D was closed to the shooting of black bears from a boat to help reduce the hunting pressure. In 2005, the season for Unit 6D was shortened from Sept. 1 – June 30 to Sept. 1 – June 10 to reduce harvest of black bears. Beginning in regulatory year 2009/2010, the start of the Unit 6D black bear season was changed from Sept. 1 to Sept. 10 to further reduce harvest. The intent of delaying the start of the season 10 days was to reduce the harvest of black bears as they move from salmon streams to the high country during the fall. Also

in 2009, the Alaska Board of Game approved the use of a harvest reporting system for Unit 6 in an effort to obtain more accurate and complete harvest information for black bears.

In 2014, the Board adopted Proposal WP14-09 with modification to require the use of a Federal subsistence registration permit for hunting black bears in Unit 6D from June 11 – June 30, and setting a quota of 20 black bears to be taken over bait during the extended Federal subsistence baiting season. Requiring the use of a Federal registration permit was seen as a way to better track harvest of black bears at a time when there was a growing conservation concern for the species.

In February 2015, the Alaska Board of Game adopted Proposal 210 to change the permit requirements for the black bear hunt in Unit 6D to a registration hunt. The Alaska Board of Game determined that bears in the area were being overharvested and that a better management tool was needed to assess and control harvest. This new regulation became effective July 1, 2015.

On February 27, 2015, the Alaska Department of Fish and Game (ADF&G) issued an Emergency Order closing the State black bear season in Unit 6D, effective May 27, 2015. This action was in response to a steady decline in the black bear population, a tripling of the harvest between the 1990s and 2007, and a marked decrease in harvest in 2012 and 2013. In addition, the percentage of females in the harvest has exceeded State management goals since 2006.

On May 19, 2015, ADF&G submitted Wildlife Special Action Request WSA15-09, requesting that the Federal subsistence black bear season close on May 27, the same effective date as the Emergency Order issued by the State. ADF&G also requested that the Federal Unit 6D black bear permit required from June 11–June 30 be extended to begin on May 27 so that Federal subsistence users would be in compliance with both State and Federal permit requirements. This Special Action Request was unanimously approved by the Board with modification not to close the black bear season on May 27, 2015 and temporarily extending the dates of the Unit 6D Federal subsistence black bear permit from May 27, 2015–June 30, 2015.

Current Events Involving the Species

In March 2015, Proposal WP16-13 was submitted requesting that Federally qualified users be required to obtain a Federal registration permit to harvest black bears in Unit 6D from Sept. 10 – June 30. This proposal, if adopted by the Board, would take effect July 1, 2016.

A public hearing was held in Cordova on August 4, 2015 to provide members of the public an opportunity to comment on Temporary Special Action Request WSA15-10. No individuals testified or provided comments in person or via teleconference at the meeting.

One individual provided comments at the Tribal Consultation Meeting also held on August 4, 2015. The individual noted that many hunters from areas outside of Prince William Sound hunt black bear in Unit 6D in many of the same areas that local residents from Tatitlek and Chenega Bay hunt. It was also noted that the number of black bears in Unit 6D seems to be declining.

Biological Background

Black bears are common throughout Unit 6 with the exception of Kayak and Middleton Islands along the North Gulf Coast of Alaska and Montague, Hinchinbrook, Hawkins, and several smaller islands in Prince William Sound (Crowley 2011). The State management goal for black bear in Unit 6 is to maintain a black bear population that will sustain a 3-year average annual harvest of 200 bears composed of at least 75% males with a minimum average skull size of 17 inches (Crowley 2011). The proportion of females taken has exceeded the recommended management objective in Unit 6 of 25% in 2006, 2007, 2009, 2010, 2011, 2012, and 2013 (Crowley 2011, Westing 2015).

Black bear densities tend to be highest in western Prince William Sound (Unit 6D) and lowest along the North Gulf Coast and eastern Prince William Sound (Units 6A, 6B, and 6C) (McIlroy 1970; Modafferi 1978, 1982). Density estimates in good habitat in Prince William Sound typically range between 0.4 to 10 bears/km² (McIlroy 1970; Modafferi 1978, 1982). The overall density in Unit 6D, which has the most productive black bear habitat in Unit 6, averaged 0.59 bears/km² (range 0.33– 0.85 bears/km²) from 2004-2006 (Crowley 2008). Modafferi (1982) found that male black bears in Unit 6D tended to move to the beaches after emerging from winter dens to feed on new grasses and sedges whereas females concentrated on south facing slopes and avalanche chutes. Black bear populations in Unit 6 fluctuate due to the severity of winter weather, food abundance, hunting pressure and in some areas competition with and predation by grizzly bears (McIlroy 1970, Schwartz et al. 1986).

Harvest monitoring and assessment has been the primary method used to assess the recent status of the black bear population in Unit 6. In 2009, the Alaska Board of Game approved the use of a harvest reporting system that incorporated an assessment of effort in addition to the harvest (Crowley 2011). Since the late 1980s, ADF&G has been using the skull size as an index because it is thought that changes in size may indicate changes in population, harvest composition, and the sustainability of harvest levels. For example, a decreasing mean skull size may indicate a decline in older bears in the population which may be indicative of an overall population decline (Lowell 2011). To assess the population age structure the mean skull size and harvest densities are compared between 8 geographic areas which correspond to well-defined watersheds within Unit 6 (Crowley 2011). When compared to the previous two 5-year periods, the decline in mean skull size of male black bears, in years with high annual harvest between 2005 and 2009, suggests that harvest may be impacting the age structure of the black bear population. However, a similar trend in the mean skull size was not found for female harvested bears.

Harvest History

Historical and ethnographic accounts of the Alutiiq of Prince William Sound and the Eyak Indians of the Copper River Delta, the traditional inhabitants of the region, indicate that black bears were an important subsistence food source (Simeone 2008). Although black bears were once a major subsistence staple for residents in Prince William Sound communities, Sitka Black-tailed deer,

which were introduced to the region in the early 20th century, have replaced black bears in importance according to local residents (Simeone 2008).

Between 1986 and 2006, residents of Unit 6, resident hunters living outside of Unit 6, and non-residents accounted for 11%, 58%, and 31% of the black bear harvest in Unit 6, respectively. Over the last 20 years, harvest of black bears by Federally qualified subsistence users in Unit 6D has been low. Between 1994 and 2013, the average annual percentage of the black bear harvest by Federally qualified subsistence users is 0.81% and the percentage of the harvest by rural users has yet to exceed 2% in any given year during the same time period (Burcham 2015, pers. comm.). A majority of the Unit 6 harvest (85%) between 2004/2005 and 2013/2014 occurred in Unit 6D (Simeone 2008) (**Table 1**). From 2005 – 2010, the hunting pressure and harvest of black bears in Unit 6 was greatest in Unit 6D (83– 86%), which coincides with greatest densities of black bears and ease of access by Anchorage hunters through the Anton Anderson Memorial Tunnel (Whittier Tunnel) (Simeone 2008, Crowley 2011). An average of 680 black bears were taken per regulatory year between 2005 and 2012 (**Table 2**), which far exceeds the management objective of the 3-year annual harvest of 200 black bears. Although it is difficult to determine the status of black bear populations using harvest data (Garshelis 1993), the decrease in age of harvested bears during the high harvest from 2005 – 2009 suggests that the harvest may be having population-level effect (reducing the overall size of the population). Many hunters target the larger bears so the assumption is that the number of older bears may be declining due to hunting pressure. The sharp decline in the total Unit 6D harvest during 2012/2013 and 2013/2014 provides more compelling evidence that recent harvest levels have not been sustainable.

Table 1. Black Bear harvest in Unit 6D by residents of local communities with customary and traditional use determinations and total harvest, 2004-2013 (Westing 2015).

Year	Chenega Bay	Cordova	Tatitlek	Total by Rural Residents	Total 6D Harvest	% Harvest by Rural Residents
2004/2005					318	0.00%
2005/2006		3	1	4	417	0.96%
2006/2007		5	1	6	481	1.25%
2007/2008	1	1		2	570	0.35%
2008/2009	1	1		2	538	0.37%
2009/2010	1	2		3	481	0.62%
2010/2011	1			1	453	0.22%
2011/2012	3	3	1	7	467	1.50%
2012/2013	2			2	358	0.56%
2013/2014	1	1	1	3	185	1.62%

Table 2. Sex composition and total black bear harvest in Unit 6 from 2005-2011 (Westing 2015). The annual unreported harvest was estimated at 12% of the reported harvest.

Year	Male (%)	Female (%)	Estimate of Unreported Kill	Total
2005/2006	417 (82)	90 (18)	61	568
2006/2007	434 (74)	153 (26)	71	661
2007/2008	460 (68)	214 (32)	81	758
2008/2009	476 (76)	149 (24)	75	701
2009/2010	419 (73)	156 (27)	69	648
2010/2011	386 (70)	164 (30)	66	617
2011/2012	304 (60)	205 (40)	62	575
2012/2013	230 (56)	178 (44)	49	408
2013/2014	131 (59)	91 (41)	27	222

The percentage of females in the harvested annually for Unit 6D has been increasing since 2008 (**Table 2**). Between 2011 and 2013, the percentage of females in the harvest exceeded 40%, overall success rates declined, and the overall harvest has decreased since 2012 (Westing 2015). The majority of black bears harvested in Unit 6D (84%) are taken during “spot and stalk” hunts while only 16% are taken over bait (Westing 2013).

Black bears may also be taken over bait under State and Federal regulations. The number of black bears taken over bait in Unit 6 by Federally qualified subsistence users from 2005 to 2011 was 10 (OSM 2015). The total number of bears harvested over bait by all users almost doubled during the 5 year period between 2005 and 2011 (50 to 96) (**Table 3**) (Crowley 2011). The total harvest of black bears over bait declined in regulatory year 2011/2012, due in part to heavy snowfall and late spring melt during 2012, and has remained at approximately 40 through 2013/2014. The percent of black bears harvested over bait from 2005–2013 in Unit 6 ranged between 6.9% to 19.0% of the total harvest. The highest percentage taken over bait (19%) occurred during 2013/2014 which was also the year with the lowest recorded harvest since 2005. Any harvest over bait in Unit 6D beyond the State season under the Federal subsistence regulations is limited by a harvest quota of 20. In addition, there has been no harvest under the Federal registration hunt for black bears in Unit 6 since it was instituted in 2014.

Table3. Black Bear harvest over bait in Units 6A, 6B, 6C, and 6D from 2005-2013 (Westing 2015).

Regulatory Year	Unit 6A	Unit 6B	Unit 6C	Unit 6D	Total
2005/2006	12	0	4	34	50
2006/2007	8	0	4	54	66
2007/2008	11	0	4	61	76
2008/2009	13	0	4	54	71
2009/2010	21	0	9	67	97
2010/2011	17	0	8	67	92
2011/2012	0	0	7	33	40
2012/2013	0	0	7	27	34
2013/2014	0	0	13	30	43

Effects of the Proposal

If this Special Action is approved, it will shorten the Federal subsistence black bear season to correspond with the State black bear hunting season in Unit 6D. This request would also eliminate the need for a Federal registration permit. However, because of recent action by the Alaska Board of Game, all users, including Federally qualified subsistence users, are now required to obtain a State registration permit for hunting black bears on Federal and State lands within Unit 6D. The requirement for a State registration permit will allow for increased monitoring of the harvest. Although the intent of shortening the black bear harvest season is to reduce the overall hunting pressure on black bear population in Prince William Sound, any reduction in the harvest by Federally qualified users, which currently is minimal, is likely to have little impact on the overall black bear population.

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**INTERAGENCY STAFF COMMITTEE RECOMMENDATION
WSA15-10**

Support Wildlife Special Action Request WSA 15-10 **with modification** to maintain the current black bear season dates from Sep. 1 to June 30, to require the use of a Federal registration permit for black bears in Unit 6D during the entire season, and to defer modification of the delegation of authority letter until the fall Southcentral Alaska Subsistence Regional Advisory Council (Council) meeting in October of 2015.

The modified language would read as follows:

Unit 6 – Black Bear

*Unit 6–1 bear. In Unit 6D a Federal registration permit is required to harvest black bear from **Sept. 1–June 30** ~~June 11~~ to June 30. (FR0608)*

Justification

Requiring the use of a Federal registration permit for the entire Federal season in Unit 6D would help to simplify and consolidate reporting requirements for Federally qualified subsistence users so that they would not have to report hunting effort or harvest to different management agencies for different portions of the open season. Use of a Federal registration permit will also allow for better tracking of harvest of black bears by Federally qualified subsistence users in the unit at a time when there are concerns about the population. Data indicates that black bear harvest in Unit 6D should be reduced; however, to date, harvest by Federally qualified subsistence users is minimal in this unit. Federally qualified subsistence users would still need to obtain a State registration permit to hunt black bear on non-Federal public lands.

Modification of the current delegation of authority letter for the Cordova Ranger District is not recommended at this time. It is important that the Council have the opportunity to provide comments on such a modification so that any concerns can be expressed on the record in a public forum. The special action process does not allow for input and comment by the Council, unless a Council meeting coincides with timing of a request. The Council will have the opportunity to consider changes to the current delegation of authority letter when they meet in October to discuss Proposal WP16-13.



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs



Forest Service

Federal Subsistence Board News Release

For Immediate Release:
August 24, 2015

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Federal Subsistence Board changes subsistence black bear season in Unit 6D

The Federal Subsistence Board recently approved temporary wildlife special action request (WSA 15-10) to change the Federal black bear season in Unit 6D from Sept. 1 – June 30 to Sept. 10 – June 10 for the 2015/2016 regulatory year. This temporary change is effective from Sept. 1, 2015 through June 30, 2016.

Temporary Special Action WSA15-10, submitted by the State of Alaska, requests the Federal black bear season be aligned with the State black bear season due to conservation concerns for the species. The proponent states that black bear harvest in Unit 6D tripled between the late 1990s and 2007, followed by sharp declines in harvest in regulatory years 2012/2014 and 2013/2014. In addition, sows have made up an increasing proportion of the harvest, increasing to over 40 percent in the last three regulatory years and exceeding State management objectives every year since 2006/2007. The temporary regulatory change for the Federal subsistence black bear season is necessary to assure the continued viability of the population as mandated under the Alaska National Interest Lands Conservation Act.

For more information on this action, contact Chris McKee at (907) 786-3572 or (800) 478-1456 paul_mckee@fws.gov.

Additional information on the Federal Subsistence Management Program may be found on the web at www.doi.gov/subsistence or by visiting www.facebook.com/subsistencealaska.

Missing out on the latest Federal subsistence issues? If you'd like to receive emails and notifications on the Federal Subsistence Management Program you may subscribe for regular updates by emailing fws-fsb-subsistence-request@lists.fws.gov.

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