



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

## Federal Subsistence Board

1011 East Tudor Road, MS121  
Anchorage, Alaska 99503



FOREST SERVICE

**JUL 08 2015**

FWS/OSM 15038.PM

Mr. Ken Adkisson  
Subsistence Program Manager  
National Park Service  
P.O. Box 220  
Nome, Alaska 99762

Dear Mr. Adkisson:

This letter responds to your Temporary Special Action Request (WSA15-07) to close the seasons for sheep hunting on Federal public lands in Unit 23, except for those lands within Gates of the Arctic National Park and Preserve, and Unit 26A, west of Howard Pass and the Etivluk River (DeLong Mountains) for the 2015-2016 regulatory year.

Based on the overall population, low numbers of rams and the very low lamb recruitment, any continued harvest could worsen the decline and hurt recovery. The Federal Subsistence Board has approved this request in order to assure the continued viability of the sheep 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 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 Chief, Office of Subsistence Management  
Eva Patton, Subsistence Council Coordinator, Office of Subsistence Management  
Harry Brower, Chair, North Slope Subsistence Regional Advisory Council  
Enoch Shiedt, Sr. Chair, Northwest Arctic Subsistence Regional Advisory Council  
Melinda Burke, Subsistence Council Coordinator, Office of Subsistence Management  
Jack Reakoff, Chair, Western Interior Subsistence Regional Advisory Council  
Greg Dudgeon, Superintendent, Gates of the Arctic National Park and Preserve  
Frank Hays, Superintendent, Western Arctic National Parklands  
Jennifer Yuhas, Federal Subsistence Liaison Team Leader  
Alaska Department of Fish and Game  
Interagency Staff Committee  
Administrative Record

**DRAFT STAFF ANALYSIS**  
**TEMPORARY SPECIAL ACTION**  
**WSA15-07**

**ISSUE**

Temporary Special Action WSA15-07, submitted by the National Park Service, requests that the 2015/2016 season for sheep be closed in Unit 23 except for that portion within Gates of the Arctic National Park and Preserve (GAAR) and Unit 26A – that portion west of Howard Pass and the Etivluk River (DeLong Mountains).

**DISCUSSION**

The proponent states that preliminary results from the most recent sheep surveys by the National Park Service (NPS), in coordination with the Alaska Department of Fish and Game (ADF&G), indicate that the sheep population in the Western Arctic National Parklands (WEAR) has declined approximately 50 -80 % since 2011 and that all age classes have been affected, with lamb recruitment at a record low level. This overall decline is likely greater than when a full State and Federal closure was implemented from 1991-1997 in the DeLong and Baird Mountains following a 50% decline in adult sheep.

The proponent believes that the large decline in the overall population, the low numbers of rams in the population, and the very low recruitment rate of lambs all suggest that any harvest could be detrimental to the overall population; prolong or worsen the current decline, and hamper recovery. The proponent states that action is needed to close these hunts prior to the Federal sheep season opening on August 10<sup>th</sup>, 2015. The State of Alaska has already closed all sheep hunting in Units 23 and 26A – the DeLong Mountains area as of March 2015.

The proponent asks that hunt area descriptors for Unit 23 remainder (Schwatka Mountains) be divided between those lands within and those outside of Gates of the Arctic National Park and Preserve. This distinction is being requested in order to clarify management responsibility and reflect differences in hunter access and potential hunting pressure on sheep populations within and outside GAAR lands. The proponent states that residents of Ambler, Kobuk and Shungnak, which comprise a total population of about 670 people, are eligible to hunt sheep in the Unit 23 remainder portion inside GAAR, but without the use of aircraft or ATVs. This contrasts with approximately 7800 Federally qualified residents who are eligible to hunt in the Noatak National Preserve and on BLM lands in the Unit 23 remainder and are allowed to use aircraft for access. The proponent maintains that the pool of eligible hunters using the portion of Unit 23 remainder inside GAAR, without the use of aircraft or ATVs, has a much lower potential for adversely affecting sheep populations than

the much larger pool of eligible hunters in the Unit 23 remainder outside GAAR who can use aircraft to access sheep hunting areas.

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 23— Sheep \***

*Units 23 south of Rabbit Creek, Kiyak Creek and the Noatak River, and west of the Cutler and Redstone Rivers (Baird Mountains) —1 sheep by Federal registration permit (FS2301). The total allowable harvest of sheep is 21, of which 15 may be rams and 6 may be ewes.*

*Federal public lands are closed to the taking of sheep except by Federally qualified subsistence users.*

*Aug. 10 – Apr. 30*

*If the allowable harvest levels are reached before the regular season closing date, the Superintendent of the Western Arctic National Parklands will announce early closure.*

*Units 23 north of Rabbit Creek, Kiyak Creek and the Noatak River, and west of the Aniuk River (DeLong Mountains) —1 sheep by Federal registration permit (FS2304). The total allowable harvest of sheep for the DeLong Mountains is 8, of which 5 may be rams and 3 may be ewes.*

*Aug. 10 – Apr. 30*

*If the allowable harvest levels are reached before the regular season closing date, the Superintendent of the Western Arctic National Parklands will announce early closure.*

*Unit 23 remainder (Schwatka Mountains) – 1 ram with 7/8 curl horn or larger*

*Aug. 10 – Sept. 20*

*Unit 23 remainder (Schwatka Mountains) – 1 sheep*

*Oct. 1 – Apr. 30*

**Unit 26— Sheep\***

*Unit 26A – that portion west of Howard Pass and the Etivluk River (DeLong Mountains) – 1 sheep by Federal registration permit (FS2607). The total allowable harvest of sheep for the DeLong Mountains is 8, of which 5 may be rams and 3 may be ewes.*

*Aug. 10 – Apr. 30*

*If the allowable harvest levels are reached before the regular season closing date, the Superintendent of the Western Arctic National Parklands will announce early closure.*

**\*The Federal Subsistence Board closed all sheep hunting in Unit 23 and Unit 26A for the 2014/2015 season.**

**Proposed Federal Regulation**

**Unit 23— Sheep**

*Units 23 south of Rabbit Creek, Kiyak Creek and the Noatak River, and west of the Cutler and Redstone Rivers (Baird Mountains) —1 sheep by Federal registration permit (FS2301). The total allowable harvest of sheep is 21, of which 15 may be rams and 6 may be ewes.*

*Federal public lands are closed to the taking of sheep except by Federally qualified subsistence users.*

**No Federal open season**~~*Aug. 10 – Apr. 30*~~

~~*If the allowable harvest levels are reached before the regular season closing date, the Superintendent of the Western Arctic National Parklands will announce early closure.*~~

*Units 23 north of Rabbit Creek, Kiyak Creek and the Noatak River, and west of the Aniuk River (DeLong Mountains) —1 sheep by Federal registration permit (FS2304). The total allowable harvest of sheep for the DeLong Mountains is 8, of which 5 may be rams and 3 may be ewes.*

**No Federal open season**~~*Aug. 10 – Apr. 30*~~

~~*If the allowable harvest levels are reached before the regular season closing date, the Superintendent of the Western Arctic National Parklands will*~~

~~announce early closure.~~

*Unit 23 remainder (Schwotka Mountains) except for those lands within Gates of the Arctic National Park and Preserve – 1 ram with 7/8 curl horn or larger*

*No Federal open season Aug. 10 – Sept. 20*

*Unit 23 remainder (Schwotka Mountains) – those lands within Gates of the Arctic National Park and Preserve – 1 ram with 7/8 curl horn or larger*

*Aug. 10 – Sept. 20*

*Unit 23 remainder (Schwotka Mountains) – those lands within Gates of the Arctic National Park and Preserve – 1 sheep*

*Oct. 1 – Apr. 30*

**Unit 26— Sheep**

*Unit 26A – that portion west of Howard Pass and the Etivluk River (DeLong Mountains) – 1 sheep by Federal registration permit (FS2607). The total allowable harvest of sheep for the DeLong Mountains is 8, of which 5 may be rams and 3 may be ewes.*

*No Federal open season Aug. 10 – Apr. 30*

*If the allowable harvest levels are reached before the regular season closing date, the Superintendent of the Western Arctic National Parklands will announce early closure.*

**Existing State Regulation\***

**Unit 23 – Sheep**

*Unit 23 – north of Rabbit Creek, Kiyak Creek and the Noatak River, and west of Aniuk River (DeLong Mountains)*

*Resident Hunters: One sheep by permit, available in person at license vendors within Unit 23 or ADF&G in Barrow. No aircraft use allowed*

*RS388*

*No open season*

*Nonresident Hunters*

*No open season*

<i>Unit 23 – south of Rabbit Creek, Kiyak Creek and Noatak River, and west of Cutler and Redstone Rivers (Baird Mountains)</i>	<i>Resident and Nonresident Hunters</i>	<i>No open season</i>
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<i>Unit 23 – remainder (Schwatka Mountains)</i>	<i>Resident Hunters: Three sheep by permit, available in person at license vendors in Unit 23 or ADF&amp;G in Barrow. No aircraft use allowed.</i>	<i>RS389</i>	<i>No open season</i>
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*Or*

<i>One ram with full-curl horn or larger</i>	<i>Harvest Ticket</i>	<i>No open season</i>
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<i><b>Nonresident Hunters:</b> One ram with full-curl horn or larger</i>	<i>Harvest Ticket</i>	<i>No open season</i>
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**Unit 26 - Sheep**

<i>Unit 26A – west of Etivluk River drainage (DeLong Mountains)</i>	<i><b>Resident Hunters:</b> One sheep by registration permit only</i>	<i>RS388</i>	<i>No open season</i>
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<i><b>Nonresident Hunters:</b></i>	<i>No open season</i>
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**\*All hunts under State regulations have been closed as of March 2015.**

**Extent of Federal Public Lands**

Federal public lands comprise approximately 69% of Unit 23 and consists of 42% National Park Service managed lands, 18% Bureau of Land Management managed lands, and 9% US Fish and Wildlife Service managed lands (**Map 1**).

Federal public lands comprise approximately 73% of Unit 26A and consists of 66% Bureau of Land Management managed lands, 7% National Park Service managed lands, and 0.1% US Fish and Wildlife Service managed lands (**Map 1**).

## **Customary and Traditional Use Determinations**

All residents of Unit 23 north of the Arctic Circle and Point Lay have a positive customary and traditional use determination for sheep in Unit 23.

All residents of Unit 26, Anaktuvuk Pass, and Point Hope have a positive customary and traditional use determination for sheep in Unit 26A.

## **Regulatory History**

The use of State registration permits for sheep hunting in the Baird and DeLong Mountains was established in 1982. Declining sheep populations during the late 1980s prompted a series of State harvest closures. The initial Federal subsistence hunting regulations in 1991 were established by adopting the existing State regulations of one ram with 7/8 curl in the fall hunt and one sheep with a harvest quota of 30 animals in the winter hunt. However, in 1991, low sheep numbers in the Baird Mountains prompted State emergency hunt closures, which continued through 1997. In 1993, season restrictions (full curl rams only) were enacted by the ADF&G in the DeLong Mountains, with emergency closures following in 1995-1997. In 1991 and 1992, special actions adopted by the Federal Subsistence Board (Board) closed the sheep harvest south and east of the Noatak River (Baird Mountains), which was repeated by special actions through 1997/98 (FWS 1991, 1992, 1993, 1994). In 1993, the Board shortened the subsistence harvest season in the DeLong Mountains by special action, and subsequently closed the season by special action in 1994, and repeated the closures through 1997/98 (FWS 1993, 1994).

The Alaska Board of Game (BOG) met in November 1997, revisiting the sheep issue in Unit 23. The western portion was re-described dividing it into the Baird and DeLong Mountain ranges. Subsistence needs were investigated by the State and determined to be 1-9 sheep for the DeLong Mountains and 18-47 sheep for the Baird Mountains. Based on that information and the fact that the surveys showed the first increase in sheep numbers in several years, the BOG preliminarily decided to not close the 1998/99 State season by Emergency Order and proceeded with a Tier I harvest of 20 sheep in the Baird Mountains and a combination hunt (9 Tier I and 11 drawing permits) in the DeLong Mountains, with the final decision based on the results of the 1998 sheep surveys. Both State seasons were scheduled to run August 10-April 30.

In July 1998, the Board approved a special action adopting the State's sheep harvest zones in Unit 23 (Baird, DeLong, and Schwatka Mountains), closing Federal lands to non-Federally qualified sheep hunters in the Baird and DeLong Mountains, and setting up an August-April season for one full-curl ram (maximum of 20 for each mountain range). The DeLong Mountain harvest quota was divided with ADF&G, providing half for State use through registration permits. In May 1999, the Board adopted the special action changes into the permanent regulations with the addition of allowing the Superintendent of the Western Arctic National Parklands to annually announce the harvest quota and divide the harvest into

two seasons (fall and winter).

In May 2002, the Board adopted Proposal WP02-39, which implemented regulations for sheep harvest in Units 23 and 26A, including the requirement for trophy destruction of the harvested sheep horns. This proposal for trophy destruction was made at the request of the Northwest Arctic Subsistence Regional Advisory Council in response to two individuals taking three of the five permits allotted. It was stated that one hunter was only interested in the trophy horns.

In 2004, the Board adopted Proposals WP04-72/73 with modification to eliminate the trophy destruction requirement, and adopt a mixed-sex hunt with fixed quotas.

On August 8, 2014, the State of Alaska issued an Emergency Order closing sheep seasons in Units 23 and 26A for all resident and nonresident hunters. This was done in response to severe declines in sheep numbers in the DeLong and Schwatka Mountains. The State initially issued no permits for its drawing hunt (DS384) in 2014 and the hunt was closed by emergency order later that year (Saito 2014, pers. comm.).

On August 25, 2014, the Federal Subsistence Board approved Temporary Special Action WSA14-03, which closed the sheep season on Federal public lands in Unit 23 and Unit 26A, that portion west of Howard Pass and the Etivluk River for the 2014/2015 season. This was done due to the same conservation concerns detailed in the State's Emergency Order.

In March of 2015, the BOG adopted Proposal 203, which closed all sheep seasons in Unit 23 and Unit 26A west of Howard Pass and the Etivluk River in response to the drastic population declines in the area. Hunt areas and hunt types were retained so that similar hunt regimes could be restored once the population recovered.

The National Park Service submitted three wildlife proposals (WP16-52, WP16-53, and WP16-66) that request the sheep seasons to be permanently closed in the areas affected by this special action. These proposals are currently being analyzed and will be acted upon by the Board at its April, 2016 meeting.

#### *Designated Hunter Permit System*

The Board adopted Proposal 48, which instituted a designated hunter permit system in 1995. The Board adopted the designated hunter provision for sheep in the Baird and DeLong Mountains in Unit 23 in May 1999. In 2002, Proposal WP02-38, submitted by the Northwest Arctic Council, requested that the designated hunter permit system be discontinued. The Board denied this request and chose instead to implement the destruction of the horns for trophy value as a way to address the problems of one hunter taking too many of the sheep. The Board felt that removing the designated hunter permit system would have a detrimental effect on subsistence users.

Designated hunter permits are distributed by the NPS in their Kotzebue office to anyone who qualifies. To qualify, the person must be a rural resident of Unit 23 from any of the communities north of the Arctic Circle (all communities in Unit 23 except Deering and Buckland). In addition, the person must have a hunting license and a permit to hunt sheep. There is no limit to the number of sheep permits distributed. The hunt is closed once the quota has been reached.

### **Current Events**

A public hearing was held in Kotzebue on May 28<sup>th</sup>, 2015 to discuss this special action request and elicit public comments. No public comments were received on this special action during the meeting.

### **Biological Background**

The Dall's sheep in Units 23 and 26A are at the northwestern margin of their range in Alaska and because of this, they are more prone to stochastic weather events affecting their populations than sheep in areas with more abundant habitat and stable range conditions (Shults 2004, Westing 2011). In addition, predation by wolves and the presence of caribou from the large Western Arctic herd and their influence on food availability may also be playing a role in the affected area.

Sheep densities in Units 23 and 26A are low compared to other areas of the state (Singer 1984). Severe winters in the 1990s resulted in high natural mortality, dramatically reduced sheep numbers in the area, and caused the closure of the general and subsistence hunt between 1991 and 1995 (Shults 2004). Federal subsistence sheep hunting in the Baird Mountains has been administered by the NPS since 1995.

ADF&G management objectives for sheep in Units 23 and 26A have been to monitor sheep with the NPS within each area at least once every 3 years to detect changes in population status. In addition, monitoring of harvest through harvest tickets, permits, and community-based harvest surveys and other methods are also used (Westing 2011).

The NPS Arctic Network Inventory and Monitoring Program objectives for Dall's sheep include monitoring Dall's sheep abundance and sex-age composition across WEAR and Gates of the Arctic National Park and Preserve (GAAR) by conducting surveys every five years across these parklands, every other year in the western Baird Mountains subarea of WEAR, and every other year in the Itkilik subarea of GAAR (Lawler et al. 2009). WEAR now intends to try and monitor sheep on an annual basis in the Baird Mountains hunt area and expand into adjacent hunt areas more frequently, when funding and weather conditions allow.

The NPS, in coordination with ADF&G, completed surveys of the sheep population in the affected area (the larger part of WEAR) in July of 2014. Preliminary estimates indicate a

70% population decline across WEAR from the previous survey (2011). Specifically, there has been an estimated 80% decline in the DeLong Mountains (southern WEAR) between 2011 and 2014. In 2011, the estimated sheep population in WEAR as a whole was 2,809 total sheep (95% CI 2,361-3,379) with an estimated 1946 sheep (95% CI 1,593-2,397) in the DeLong Mountains and 587 sheep (95% CI 457-762) in the western Baird Mountains (Schmidt and Rattenbury 2013). Sheep abundance in the western Baird Mountains was already in decline in 2011, dropping 30% between 2009 and 2011. This overall decline is likely greater than when a full State and Federal closure was implemented from 1991-1997 in the DeLong and Baird Mountains following a 50% decline in adult sheep (Shults 2004). Surveys in Gates of the Arctic National Park and Preserve, and on BLM and State lands in the eastern Brooks Range also show significantly declining numbers in 2014.

Preliminary survey results also indicate very low lamb to ewe-like ratios and very low recruitment rates in 2014. The point estimates for lambs per 100 ewe-like sheep are down 90% from 2011 to 2014 (estimates are 3:100 in WEAR as a whole, 4:100 in the DeLong Mountains and 2:100 in the western Baird Mountains) (National Park Service 2014, unpublished data.). This is consistent with low lamb productivity indicated in surveys in Gates of the Arctic National Park and Preserve, and on BLM land and State lands in the eastern Brooks Range, which show low lamb productivity for at least the second year in a row; where low lamb productivity in 2013 was attributed in part to the long and cold 2012-2013 winter and record cold temperatures in May 2013, among other factors (National Park Service 2014, unpublished data.).

Large rams (full-curl or greater and double-broomed) have also declined in WEAR between 2011 and 2014 with large ram to ewe-like ratios down 75% across WEAR, 60% in the DeLong Mountains and 65% in the western Baird Mountains. While the ratios of less than full-curl rams to ewe-like sheep appear to be stable or increasing, that inflation is actually due to the loss of ewes. The number of full-curl rams in the population in WEAR was on the low end compared with other populations in Alaska's NPS units in 2011, and this decline indicates there are very few to no large rams available for harvest in WEAR (National Park Service 2014, unpublished data.).

## **Harvest History**

Currently, the sheep harvest in Unit 23 is divided into a drawing hunt (DS384 – DeLong Mountains), two subsistence registration hunts (RS388 – DeLong Mountains and RS389 – Schwatka Mountains) under State regulations and registration hunts (FS2301 – Baird Mountains and FS2304 – DeLong Mountains) under Federal regulations. There is no State hunt in the Baird Mountains. For Unit 26A, there is a State subsistence registration hunt (RS388) and a Federal subsistence registration hunt (FS2607). Between 2004 and 2014, the average annual sheep harvest was 23 animals in Units 23 and 26A (**Table 1**) under both State and Federal regulations. Harvest ranged from a low of 17 sheep in 2012/2013, to a high of 31 sheep in 2010. The majority of the harvest came from Federal registration hunts

FS2301 and FS2304 in Unit 23.

**Table 1.** State and Federal sheep harvest in Unit 23 and Unit 26A, 2004-2014 (ADF&G 2014, OSM 2014, Johnson 2014, pers. comm.).

Year	State General Harvest	DS384*	RS388*	RS389*	FS2301** and FS2304	Total Harvest
2004	4	8	1	0	15	28
2005	1	3	0	2	14	20
2006	6	4	1	0	8	19
2007	4	8	0	0	8	20
2008	2	10	2	0	8	22
2009	4	6	3	0	12	25
2010	5	5	5	0	16	31
2011	5	3	1		17	26
2012	4	3			10	17
2013	0	2			15	17
2014	-	-	-	-	-	-
2015***	-	-	-	-	-	-

\*Closed by emergency order in 2014 and in regulation by the State Board of Game in March of 2015.

\*\*Federal hunt RS2607 has not been utilized since soon after its inception, therefore it is not included in this table (Adkisson 2014, pers. comm.).

\*\*\* All State and Federal hunts were closed in August of 2014 for the 2014/2015 season.

### Effects of the Special Action

If this special action is approved, all sheep hunting under Federal regulations will be closed in Units 23 and 26A, except for those portions within Gates of the Arctic National Park and Preserve, limiting harvest opportunities for Federally qualified subsistence users. Currently, the State resident and nonresident seasons are closed. If this special action is approved, sheep hunting in the two units will be closed to all users until sheep populations recover to levels that can support a harvest. Large declines in the overall population, the low numbers of rams available for harvest and an apparent low recruitment of lambs would make any harvest detrimental to the population.

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**ISC RECOMMENDATION**  
**TEMPORARY SPECIAL ACTION**  
**WSA15-07**

**Support** Special Action request WSA15-07.

**Justification**

Since 2011, sheep populations have declined between 50-80% in the area affected by this special action. In addition to the decline in the overall population, low numbers of rams, and the apparent very low recruitment rate suggest that any harvest could be detrimental to the population, could prolong or worsen the current decline, and hamper recovery. The State responded to this population concern by closing all resident and nonresident hunting under their regulations for the 2015/2016 season. Closing the Federal sheep seasons in Unit 23, except for those lands within Gates of the Arctic National Park and Preserve (GAAR), and closing the Federal sheep season in Unit 26A west of Howard Pass and the Etivluk River (DeLong Mountains) is necessary to assure the continued viability of the population as mandated under Section 816 of the Alaska National Interest Lands Conservation Act.

Establishing new hunt area descriptors within the current Unit 23 remainder (Schwatka Mountains) will separate those lands within Gates of the Arctic National Park and Preserve (GAAR) from those outside to help clarify management responsibility. The hunt areas also reflect differences in hunter access and potential hunting pressure on sheep populations within and outside GAAR lands. People residing in the GAAR resident zone communities of Ambler, Kobuk and Shungnak are the only people eligible to hunt sheep in the park under Federal subsistence regulations. This small pool of prospective hunters and the difficulty of accessing sheep hunting areas in the park greatly reduces potential hunting pressure on sheep inside GAAR.