

<b>WP22-36 Executive Summary</b>	
<b>General Description</b>	Proposal WP22-36 requests to codify temporary regulations that expire June 30, 2022, regarding the community harvest system for moose and caribou in Units 11, 12, and 13. <i>Submitted by the Ahtna Intertribal Resource Commission</i>
<b>Proposed Regulation</b>	See pages 3-5
<b>OSM Preliminary Conclusion</b>	<b>Support Proposal WP22-36 with modification to clarify regulatory language.</b>
<b>OSM Conclusion</b>	<b>Support</b> Proposal WP22-36 <b>with modification</b> to clarify regulatory language and to make changes specifying that the community harvest system in Unit 12 will be implemented only on Ahtna traditional use territory instead of all Federal public lands in Unit 12 (see <b>Figure 2</b> ), combining caribou and moose in one paragraph under Unit 12, adding a provision under Unit 12 that participants must abide by customary and traditional use determinations, and modifying a provision under Units 11, 12, and 13 so that participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they have registered within the community harvest system but may serve as designated hunters.
<b>Southcentral Alaska Subsistence Regional Advisory Council Recommendation</b>	<b>Support</b> Proposal WP22-36 with <b>modification</b> that the community harvest system in Unit 12 will be implemented only on Ahtna traditional use territory instead of all Federal public lands in Unit 12.
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	<b>Support</b> WP22-36 as <b>modified by the OSM Addendum</b> with <b>further modification</b> to revise the community harvest system hunt area in Unit 12.
<b>Interagency Staff Committee Comments</b>	The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.
<b>ADF&amp;G Comments</b>	<b>see position on pages 25-27</b>
<b>Written Public Comments</b>	<b>None</b>

## STAFF ANALYSIS WP22-36

### ISSUE

Wildlife Proposal WP22-36, submitted by the Ahtna Intertribal Resource Commission (AITRC), requests modifications to community harvest systems for moose and caribou in Units 11, 12, and 13. These modifications are the following: (1) allow community members to opt out of a community harvest system thereby retaining their individual harvest limits; (2) define the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau; (3) specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management (OSM), rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; (4) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system; and (5) codify the community harvest systems for moose and caribou in Unit 12.

### DISCUSSION

AITRC seeks to codify temporary Federal regulations approved by the Board in July 2020 (WSA20-02) and January 2021 (WSA21-07) concerning a Federal community harvest framework for moose and caribou in Units 11, 12, and 13, stating that these proposed changes are necessary to fully implement the AITRC-administered community harvest system. The proponent states that this community harvest system is a management partnership between the Federal government and the Federally recognized tribes of the Ahtna traditional use territory.

Note: The analyses for Proposals WP22-01 and WP22-02 contain information used in evaluating this proposal.

The Board approved a community harvest system framework (see Appendix 1) in January 2021 as part of Special Action WSA21-07 (see Regulatory History section, below). This framework answers questions concerning how the community harvest system will affect hunters under State and Federal seasons and harvest limits, Federal and State permits, and State harvest tickets.

### Existing Federal Regulation

*36 CFR 242 and 50 CFR 100.26(n)(11)(i) Unit 11 specific regulations*

*(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework to be established by the Federal Subsistence Board.*

*§\_\_\_\_.26(n)(12)(i) Unit 12 specific regulations*

*No regulation*

§ \_\_\_\_\_.26(n)(13)(iii) *Unit 13 specific regulations*

(C) *For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board.*

**Proposed Federal Regulation**

§ \_\_\_\_\_.26(n)(11)(i) *Unit 11 specific regulations*

(C) *For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework to be established by the Federal Subsistence Board. **Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.***

- (1) *the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *designated hunters are authorized in this community harvest system*
- (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

§ \_\_\_\_\_.26(n)(12)(i) *Unit 12 specific regulations*

(D) *For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for caribou is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, subject to a framework established by the Federal Subsistence Board. **Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.***

- (1) *the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *designated hunters are authorized in this community harvest system*

- (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

**(E) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 remainder, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.**

- (1) *the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *designated hunters are authorized in this community harvest system*
- (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

**(F) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake and Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian Border, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.**

- (1) *the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *designated hunters are authorized in this community harvest system*

- (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

§ \_\_\_\_ .26(n)(13)(iii) *Unit 13 specific regulations*

(C) *For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board. **Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.***

- (1) *the boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *designated hunters are authorized in this community harvest system;*
- (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

**State of Alaska Regulation**

The following are State community harvest system currently in use in Units 11, 12, and 13, the geographic area of focus in this analysis.

**Unit 11—Moose**

<i>Unit 11 that portion east of the east bank of the Copper River upstream from and including the Slana River drainage [east of the east bank of the Slana River IN REGULATION BOOKLET]—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken by Tier II permit in the entire community harvest area during the Aug. 10–Sept. 20 season, up to 350 Tier II permits may be issued.</i>	<i>Community Moose (CM) 300 Permit</i>	<i>Aug. 10–Sept. 20</i>
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<i>Unit 11 remainder—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken by Tier II permit in the entire community harvest area during the Aug. 10–Sept. 20 season, up to 350 Tier II permits may be issued.</i>	<i>Community Moose (CM) 300 Permit</i>	<i>Aug. 10–Sept. 20</i>
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**Unit 12—Moose**

<i>Unit 12 that portion including all drainages into the west bank of the Little Tok River, from its headwaters in Bear Valley at the intersection of the unit boundaries of Units 12 and 13 to its junction with the Tok River, and all drainages into the south bank of the Tok River from its junction with the Little Tok River to the Tok Glacier—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken in the entire community harvest area during the Aug. 24–28 and Sept. 8–17 seasons.</i>	<i>CM300 Permit</i>	<i>Aug. 24–28 Sept. 8–17</i>
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**Unit 13—Moose**

*Unit 13—One bull per community harvest permit; however, no more than 100 bulls that do not meet antler restrictions for other resident hunts in the same area may be taken by Tier II permit in the entire community harvest area during the Aug. 20 - Sept. 20 season, up to 350 Tier II permits may be issued;*

	<i>CM300 Permit</i>	<i>Aug. 10–Sept. 20 Dec. 1–31</i>
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**Unit 13—Caribou**

*Unit 13—Two caribou by community harvest permit only; up to 400 caribou may be taken;*

	<i>Community Caribou (CC) 001 Permit</i>	<i>Aug. 10–Sept. 20 Oct. 21–Mar. 31</i>
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**Federal Public Lands**

Unit 11 is comprised of 87% Federal public lands and consists of 96% National Park Service managed lands and 4% U.S. Fish and Wildlife Service managed lands.

Unit 12 is comprised of 60% Federal public lands and consists of 80% National Park Service managed lands, 18% U.S. Fish and Wildlife Service managed lands, and 2% Bureau of Land Management managed lands.

Unit 13 is comprised of 12% Federal public lands that consist of 49% National Park Service managed lands, 36% Bureau of Land Management managed land and 15% U.S. Fish and Wildlife Service managed lands.

**Customary and Traditional Use Determination**

**Unit 11 Moose**

Rural residents of Units 11, 12, 13A–D and Chickaloon, Healy Lake, and Dot Lake have a customary and traditional use determination for moose in Unit 11 north of the Sanford River.

Rural residents of Units 11 and 13A–D and Chickaloon have a customary and traditional use determination for moose in Unit 11 remainder.

**Unit 12 Caribou**

Rural residents of Unit 12, Chistochina, Dot Lake, Healy Lake, and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12.

**Unit 12 Moose**

Rural residents of Units 12 and 13C and Dot Lake and Healy Lake have a customary and traditional use determination for moose in Unit 12 that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake.

Rural residents of Units 12 and 13C and Healy Lake have a customary and traditional use determination for moose in Unit 12 that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border.

Rural residents of Unit 11 north of 62nd parallel, 12, and 13A-D and Chickaloon, Dot Lake, and Healy Lake have a customary and traditional use determination for moose in Unit 12 remainder.

### **Unit 13 Caribou**

Rural residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), 13, and 20D (excluding residents of Fort Greely) and Chickaloon have a customary and traditional use determination for caribou in Unit 13B.

Rural residents of Units 11, 12 (along the Nabesna Road and Tok Cutoff Road, mileposts 79-110), and 13 and Chickaloon, Dot Lake, and Healy Lake have a customary and traditional use determination for caribou in Unit 13C.

Rural residents of Units 11, 12 (along the Nabesna Road), and 13 and Chickaloon have a customary and traditional use determination for caribou in Units 13A and 13D.

Rural residents of Units 11, 12 (along the Nabesna Road), and 13 and Chickaloon, McKinley Village, and the area along the Parks Highway between mileposts 216 and 239 (excluding residents of Denali National Park headquarters) have a customary and traditional use determination for caribou in Units 13E.

### **Unit 13 Moose**

Rural residents of Unit 13, Chickaloon, and Slana have a customary and traditional use determination for moose in Units 13A and 13D.

Rural residents of Units 13 and 20D (excluding residents of Fort Greely) and Chickaloon and Slana have a customary and traditional use determination for moose in Unit 13B.

Rural residents of Units 12 and 13 and Chickaloon, Healy Lake, Dot Lake, and Slana have a customary and traditional use determination for moose in Unit 13C.

Rural residents of Unit 13, Chickaloon, McKinley Village, Slana, and the area along the Parks Highway between mileposts 216 and 239 (excluding residents of Denali National Park headquarters) have a customary and traditional use determination for moose in Unit 13E.

### **National Parks and Monuments**

Under the guidelines of Alaska National Interest Lands Conservation Act (ANILCA), National Park Service regulations identify qualified local rural subsistence users in National Parks and National Monuments by: (1) identifying Resident Zone Communities that include a significant concentration of people who have customarily and traditionally used subsistence resources on park lands; and (2) identifying and issuing subsistence use (13.440) permits to individuals residing outside of the Resident Zone Communities who have a personal or family history of subsistence use within the park or monument.



## **Regulatory History**

During the 2018/20 regulatory cycle, AITRC submitted three proposals aimed at both creating more opportunities for hunting moose and caribou and providing AITRC with more authority in management of moose and caribou in Units 11, 12, and 13. Proposal WP18-17 requested an extension of the moose season in Unit 11 and delegation of authority to AITRC to issue Federal registration permits to its Tribal members. Proposal WP18-18 requested that the moose season on Federal public lands in Unit 13E and Unit 13 remainder be changed from Aug. 1-Sept. 20 to Aug. 1-Mar. 31. In addition, AITRC requested authorization to distribute Federal registration permits (FM1301) to Federally qualified Tribal members only and that the BLM and Denali National Park and Preserve distribute (FM1301) permits to other Federally qualified subsistence users. AITRC later withdrew Proposal WP18-18.

Proposal WP18-19 led directly into greater discussions about community harvests. It requested that AITRC be allowed to distribute Federal registration permits to Ahtna Tribal members for the Federal caribou season in Units 13A, 13B, and 13 remainder. In addition, the proponent requested that the Ahtna Advisory Committee be added to the list of agencies and organizations consulted by the Bureau of Land Management Glennallen Field Office Manager when announcing the sex of caribou taken in Units 13A and 13B each year.

During its November 6–7, 2017, meeting, the Southcentral Alaska Subsistence Regional Advisory Council (Southcentral Council) discussed issues related to AITRC's proposals requesting authority to issue Federal registration permits for caribou and moose hunts in Units 11 and 13. In order to alleviate legal concerns about non-Federal entities issuing Federal permits, the Council adopted a modification of Proposal WP18-19 to establish a community harvest system on Federal public lands for caribou and moose in Units 11 and 13 that would be administered by AITRC and open to Federally qualified subsistence users living within the Ahtna traditional use territory (see Figure 1).

The Council, along with representatives of AITRC and staff from OSM, discussed possible alternatives to what was originally requested in WP18-19 to alleviate legal concerns associated with AITRC issuing Federal registration permits. During this discussion, a modification was drafted to allow for a hunt via a community harvest system for caribou and moose in Units 11 and 13. In an effort to consolidate the three proposals submitted by AITRC (WP18-17, WP18-18, and WP18-19), hunts for moose in Unit 11 and for caribou and moose in Unit 13 were added to the community harvest system under consideration in Proposal WP18-19.

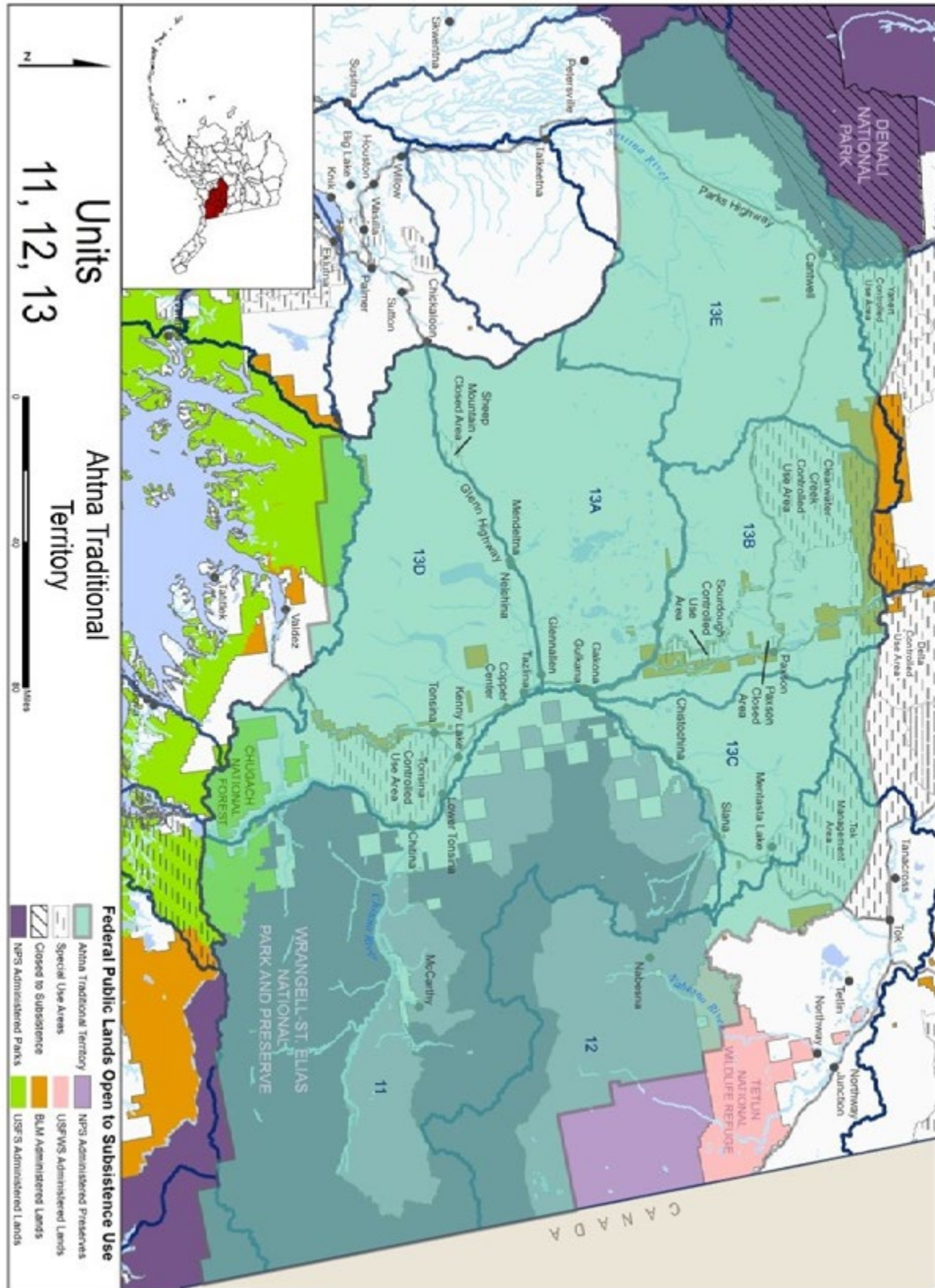


Figure 1. Map showing Ahtna traditional territory (Linnell 2020, pers. comm.).

At its April 2018 meeting, the Board voted to reject Proposal WP18-17 and to defer WP18-19 to its August 2018 work session, pending development of a framework for a community harvest system. In May 2018, AITRC submitted a special action request with a community harvest framework, which after clarification included only Federally qualified subsistence users who were Tribal members living in Ahtna traditional use territory. This request was rejected due to its invalid eligibility requirements.

At its August 2018 work session, the Board agreed to meet with AITRC and to present a community harvest framework for discussion purposes. This framework was developed and presented to the Board at its April 2020 meeting.

In April 2020, the Board adopted deferred Proposal WP18-19 with modification. The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest caribou and moose in Unit 13 and moose in Unit 11 as part of a community harvest system, subject to a framework established by the Board under unit specific regulations.

The Board and AITRC have since been working on refining the community harvest system. In July 2020, the Board approved Wildlife Special Action WSA20-02 with modification. Special Action WSA20-02 requested the development of an AITRC-administered community harvest system for moose and caribou in Units 11, 12, and 13 for eight Ahtna traditional communities for the 2020/21 regulatory year. The modification was to (1) name individual communities authorized to participate in the community harvest system on Federal public lands in Units 11, 12, and 13, specifically eight Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina; (2) define geographic boundaries of eligible communities as the most recent Census Designated Places (CDPs) established by the United States Census Bureau; (3) extend this action through the end of the wildlife regulatory cycle, June 30, 2022; (4) specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to land managers and OSM, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; and (5) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system. The Board authorized designated hunters in this community harvest system so that residents of communities operating under a community harvest system may serve as a Federal designated hunter for a Federally qualified subsistence hunter who lives in a community that is not operating under a community harvest system.

In January 2021, the Board approved Special Action WSA20-07, which requested an exception to § \_\_\_\_\_.26(e)(2) for the AITRC-administered community harvest system for moose and caribou in Units 11, 12, and 13 for the 2020–2022 regulatory cycle. § \_\_\_\_\_.26(e)(2) states, “. . . Except . . . as otherwise proved for by this part, an animal taken as part of a community harvest limit counts toward every community member’s harvest limit for that species taken under Federal or State of Alaska regulations.” This meant that the harvest limits of all residents of a community are affected whether or not they choose to participate in the community harvest system. The Office of Subsistence Management has been working with AITRC, the National Park Service, and the Bureau of Land Management to develop a framework for a community harvest system for moose and caribou in Units 11, 12, and 13 for the 2020/21 regulatory year as directed by the Board. In developing this framework, OSM realized the conflict with § \_\_\_\_\_.26(e)(2) and the need to provide an exception under unit-specific regulations. The Board approved Special Action WSA20-07 to allow AITRC to effectively administer the recently approved community hunts in accordance with existing Federal regulations and to prevent unintentional and unnecessary restrictions

from being placed on any community members who choose not to participate in the community harvest system.

In January 2021, the Board also approved the community harvest system framework for the AITRC-administered community harvest system in Units 11, 12 and 13.

AITRC is comprised of representatives of eight Ahtna tribal communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake and Tazlina. All are located in Unit 13. Cantwell residents do not have a customary and traditional use determination for either moose or caribou in Unit 12 and are therefore not eligible to participate in any Unit 12 moose or caribou hunts. The remaining seven communities have a customary and traditional use determination for moose in Unit 12, although five have a determination for only portions of Unit 12. Only Chistochina and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12, so they are the only Ahtna tribal communities eligible to participate in Unit 12 caribou hunts.

### **Current Events Involving the Species**

Wildlife Proposal WP22-01, submitted by the Office of Subsistence Management (OSM), requests clarification of who is and who is not a participant in a community harvest system and how that affects community and individual harvest limits.

Wildlife Proposal WP22-02, submitted by OSM, requests removing language from general and unit specific wildlife regulations prohibiting the use of a designated hunter if the recipient is a member of a community operating under a community harvest system.

### **Cultural Knowledge and Traditional Practices**

See the Cultural Knowledge and Traditional Practices section in the Proposal WP22-01 analysis.

### **Other Alternatives Considered**

If the Board adopts Proposals WP22-01 and WP22-02 or adopts Proposal WP22-36 as submitted, then the Board should also approve the following modification to framework item 16 associated with this community harvest system (see framework in **Appendix 1**). The modification is to clarify that participants and non-participants in a community harvest system may designate someone else to harvest moose or caribou on their behalf under a Federal subsistence designated hunter permit. The Council may want to further consider this alternative.

The modification to framework item 16 could read:

#### **16. Are designated hunters authorized within the community harvest system?**

- ~~No~~ **Yes**. Residents of communities operating under a community harvest system – whether or not they register for the community harvest system – may ~~not~~ designate someone else to harvest moose or caribou on their behalf under a Federal subsistence designated hunter permit. ~~If a Federally-qualified subsistence user who resides in a community operating under a community harvest system would like someone else to hunt on their behalf, they have the option of registering for the community harvest system.~~

- Residents of communities operating under a community harvest system may serve as a Federal designated hunter for a Federally qualified subsistence hunter who lives in a community that is not operating under a community harvest system, subject to applicable regulatory requirements.

### **Effects of the Proposal**

If this proposal is adopted, then the community harvest system in codified regulations for moose and caribou in Units 11 and 13 will be modified. These modifications (1) allow community members to opt out of a community harvest system thereby retaining their individual harvest limits; (2) define the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau; (3) specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets; and (4) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system. Designated hunters will be allowed by participants in this community harvest system.

Additionally, Unit 12 moose and caribou will be added to codified regulations for the community harvest system. These changes will enable AITRC to fully and effectually implement the community harvest system for moose and caribou in these units. Effects to nonsubsistence uses, and moose and caribou in Units 11, 12, and 13 are not anticipated.

If this proposal is not adopted, then temporary regulations describing the community harvest system in Units 11 and 13 for moose and caribou will expire June 30, 2022. These provisions that clarify the intent of the Board will not be added to codified regulations leading to confusion when AITRC and Federal managers try to use these community harvest systems. Additionally, community harvest systems for moose and caribou in Unit 12 will not be added to codified regulations.

Most importantly, this will negatively affect community members who do not opt into the community harvest system for one or both species and who will not be able to designate another Federally qualified subsistence user to harvest moose or caribou on their behalf. Effects to nonsubsistence uses, moose, and caribou in Units 11, 12, and 13 are not anticipated.

### **OSM Preliminary Conclusion**

Support Proposal WP22-36 with modification to clarify regulatory language.

The modified regulations should read:

#### **§ \_\_\_\_ .26(n)(11)(i) Unit 11 specific regulations**

*(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework ~~to be~~ established by the Federal Subsistence Board.*

- (1) *The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau***

- (2) *The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (3) *Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

§ \_\_\_\_ .26(n)(12)(i) Unit 12 specific regulations

*(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for caribou is authorized on Federal public lands within the customary and traditional use determination area of Unit 12, subject to a framework established by the Federal Subsistence Board.*

- (1) *The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (3) *Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

*(E) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 remainder, subject to a framework established by the Federal Subsistence Board.*

- (1) *The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau*
- (2) *The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (3) *Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

*(F) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for moose is authorized on*

***Federal public lands within the customary and traditional use determination area of Unit 12, that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake and Unit 12, that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian Border, subject to a framework established by the Federal Subsistence Board.***

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau***
- (2) The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system***
- (3) Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets***

**§\_\_\_\_.26(n)(13)(iii) Unit 13 specific regulations**

***(C) For Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board.-***

- (1) The boundaries of the communities are the most recent Census Designated Places (CDPs) as defined by the U.S. Census Bureau***
- (2) The community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system***
- (3) Harvest reporting will take the form of reports collected from hunters by AITRC and will be submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets***

**Justification**

These regulation changes are necessary to enable AITRC and Federal managers to fully and effectually implement this community harvest system on a long-term basis. These proposed regulations have already been approved by the Board in temporary regulations through June 30, 2022, when they will sunset. The Board should acknowledge these efforts by adopting these changes into codified regulations.

As the framework has already been established and approved by the Board, the term “to be” can be deleted from codified regulations in Units 11 and 13. The exception to 50 CFR 100.26(e)(2) addressed on a statewide basis through Proposal WP22-01. Therefore, the provision, “Animals taken by those opting

to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system” is not necessary. Similarly, the provision, “Designated hunters are authorized in this community harvest system” is being addressed on a statewide basis through Proposal WP22-02.

## ADDENDUM

### OSM CONCLUSION

**Support Proposal WP22-36 with modification** to clarify regulatory language and to make changes specifying that the community harvest system in Unit 12 will be implemented only on Ahtna traditional use territory instead of all Federal public lands in Unit 12 (see **Figure 2**), combining caribou and moose in one paragraph under Unit 12, adding a provision under Unit 12 that participants must abide by customary and traditional use determinations, and modifying a provision under Units 11, 12, and 13 so that participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they have registered within the community harvest system but may serve as designated hunters.

The modified regulations should read:

#### **§ \_\_\_\_ .26(n)(11)(i) Unit 11 specific regulations**

*(C) A community harvest system for moose is authorized on Federal public lands within Unit 11, subject to a framework to be established by the Federal Subsistence Board, for Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina.*

- (1) the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
- (2) Participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they register within the community harvest system, but may serve as a designated hunter, pursuant to 50 CFR 100.25(e)*
- (3) community harvest limit for the species authorized in the community harvest system is the sum of individual harvest limits of the participants in the system*
- (4) harvest reporting will take the form of reports collected from hunters by Ahtna Intertribal Resource Commission and submitted directly to land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

#### **§ \_\_\_\_ .26(n)(12)(i) Unit 12 specific regulations\***

*(D) A community harvest system for caribou and moose is authorized on Federal public lands in Unit 12 from the western Unit 12 border, south of and including the Robertson River and Tok River drainages, then south of and excluding the Tetlin Lake and Tetlin River drainages,*



*then south of and including the Cheslina River drainage, then south along the Nabesna River to Pickerel Lake, then south of the Winter Trail running southeast from Pickerel Lake to the Canadian border, subject to a framework established by the Federal Subsistence Board, for Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina.*

- (1) the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
- (2) participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they register within the community harvest system, but may serve as a designated hunter, pursuant to 50 CFR 100.25)*
- (3) community harvest limit for the species authorized in the community harvest system is the sum of individual harvest limits of the participants in the system*
- (4) harvest reporting will take the form of reports collected from hunters by Ahtna Intertribal Resource Commission and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*
- (5) participants must abide by customary and traditional use determinations*

**§ \_\_\_\_ .26(n)(13)(iii) Unit 13 specific regulations**

*(C) A community harvest system for caribou and moose is authorized on Federal public lands within Unit 13, subject to a framework to be established by the Federal Subsistence Board, for Federally qualified subsistence users living within the Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina.*

- (1) the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
- (2) participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they register within the community harvest system, but may serve as a designated hunter, pursuant to 50 CFR 100.25(e)*
- (3) community harvest limit for the species authorized in the community harvest system is the sum of individual harvest limits of the participants in the system*
- (4) harvest reporting will take the form of reports collected from hunters by Ahtna Intertribal Resource Commission and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

**\*Note:** Only residents of Chistochina and Mentasta Lake have a customary and traditional use determination for caribou in Unit 12 and for moose in a portion of Unit 12 that includes (1) Unit 12 that portion within the Tetlin National Wildlife Refuge and those lands within the Wrangell-

St. Elias National Preserve north and east of a line formed by the Pickerel Lake Winter Trail from the Canadian border to Pickerel Lake and (2) Unit 12 that portion east of the Nabesna River and Nabesna Glacier, and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border (see Figure 2).

### **Justification**

These regulation changes are necessary to enable AITRC and Federal managers to effectually implement this community harvest system on a long-term basis. These proposed regulations have already been approved by the Board in temporary regulations through June 30, 2022, when they will sunset. The Board should acknowledge these efforts by adopting these changes into codified regulations.

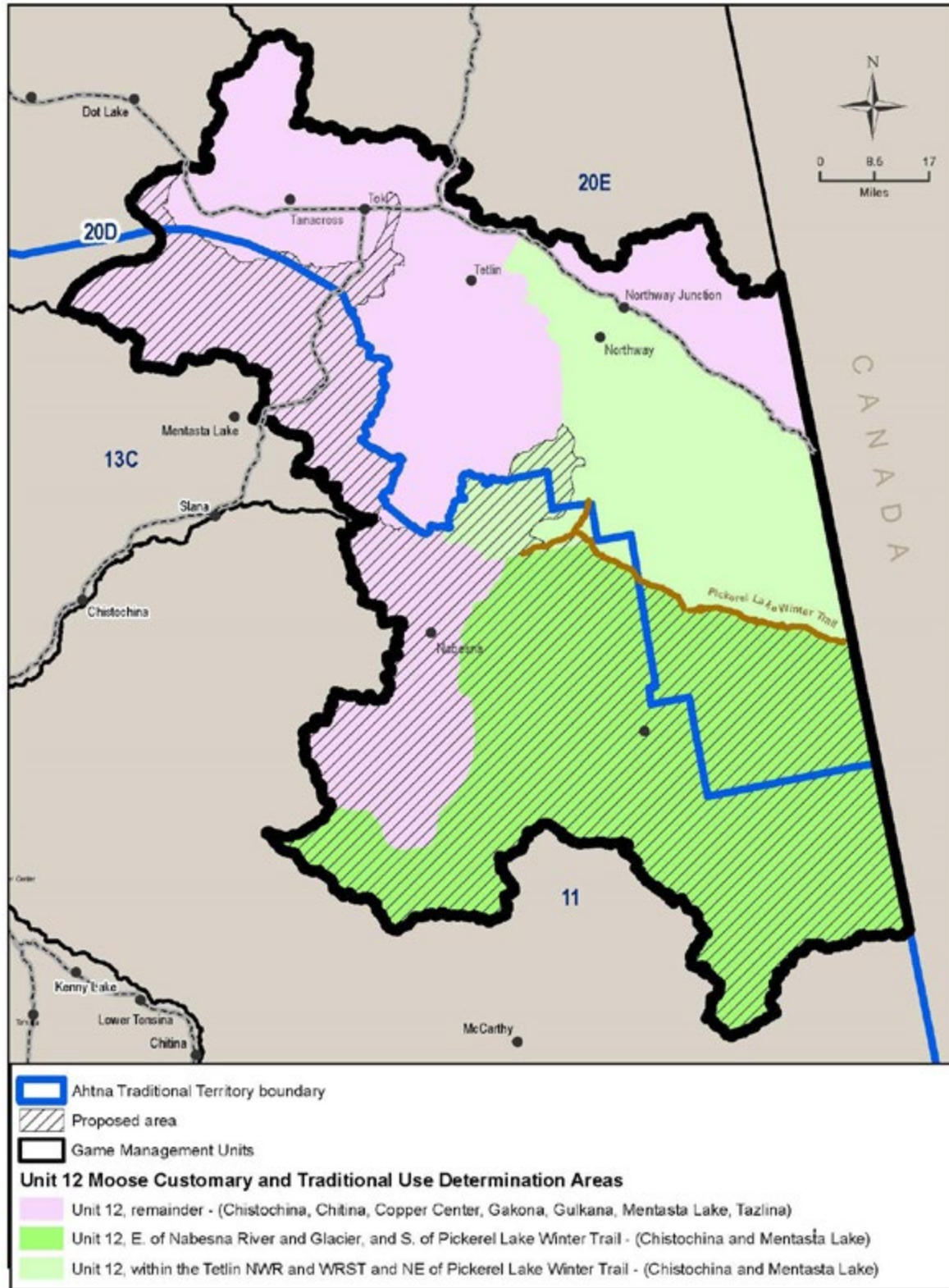
As the framework has already been established and approved by the Board, the term “to be” can be deleted from Units 11 and 13 codified regulations. Additionally, the exception to 50 CFR 100.26(e)(2) in Units 11, 12, and 13 temporary regulations has been addressed on a statewide basis through Proposal WP22-01. Therefore, the provision, “Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system” is not necessary in these unit-specific regulations.

Additionally, the provision in Units 11, 12, and 13 temporary regulations, “Designated hunters are authorized in this community harvest system” will be modified in codified regulations to be, “Participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they register within the community harvest system, but may serve as a designated hunter,” as the proponent, AITRC, clarified was their intent at the fall 2021 Eastern Interior Alaska Subsistence Regional Advisory Council meeting.

The Southcentral Council recommended restricting this community harvest system in Unit 12 to only Ahtna traditional use territory in response to AITRC’s request at the fall 2021 Southcentral Council meeting. However, area descriptors in codified Federal regulations need to be geographic features identifiable on the landscape; thus, the language in this Addendum is OSM’s reflection of AITRC’s intent. Caribou and moose have been combined in one paragraph under Unit 12 for simplicity and a provision added under Unit 12 clarifying that participants must abide by customary and traditional use determinations. AITRC staff reviewed this Addendum with OSM staff after the fall 2021 Regional Advisory Council meeting cycle concluded and indicated they concur with these modifications but thought the Ahtna traditional use territory could be better described.

**LITERATURE CITED**

Linnell, K. 2020. Executive Director Ahtna Intertribal Resource Commission. Personal communication: by email  
July 18, 2020.



**Figure 2.** Map showing the boundaries of the Ahtna traditional use territory in Unit 12, the community harvest system hunt area in Unit 12 described in regulation proposed in this Addendum, and the customary and traditional use determination for moose in Unit 12.

## SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS

### Southcentral Alaska Subsistence Regional Advisory Council

Support WP22-36 with modification that the community harvest system in Unit 12 will be implemented only on Ahtna traditional use territory, instead of all Federal public lands in Unit 12 (See modified Unit 12 regulations below).

The Council supported the proponent's requested modification. The precise description of Ahtna traditional use territory in Unit 12 will be based on the map in the analysis, and a description will be written in conversation with the proponent. Any necessary changes to the community harvest system framework will be worked out by the proponent in conversation with Federal staff.

The modified Unit 12 regulation should read:

#### § \_\_\_\_ .26(n)(12)(i) Unit 12 specific regulations

*(D) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for caribou is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 within the Ahtna traditional use territory, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.*

- (1) the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
- (2) designated hunters are authorized in this community harvest system*
- (3) community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

*(E) For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 within the Ahtna traditional use territory, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.*

- (1) *the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
  - (2) *designated hunters are authorized in this community harvest system*
  - (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
  - (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*
- (F) *For Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina and Mentasta Lake, a community harvest system for moose is authorized on Federal public lands within the customary and traditional use determination area of Unit 12 within the Ahtna traditional use territory, subject to a framework established by the Federal Subsistence Board. Animals taken by those opting to participate in this community harvest system do not count toward the harvest limits of any individuals who do not opt to participate in this community harvest system.*

- (1) *the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
- (2) *designated hunters are authorized in this community harvest system*
- (3) *community harvest quota for the species and units authorized in the community harvest system is the sum of individual harvest limits for those opting to participate in the system*
- (4) *harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*

### **Eastern Interior Alaska Subsistence Regional Advisory Council**

**Support WP22-36 as modified by the OSM Addendum with further modification** to revise the community harvest system hunt area in Unit 12 (see **Figure 3** and modified Unit 12 regulations, below).

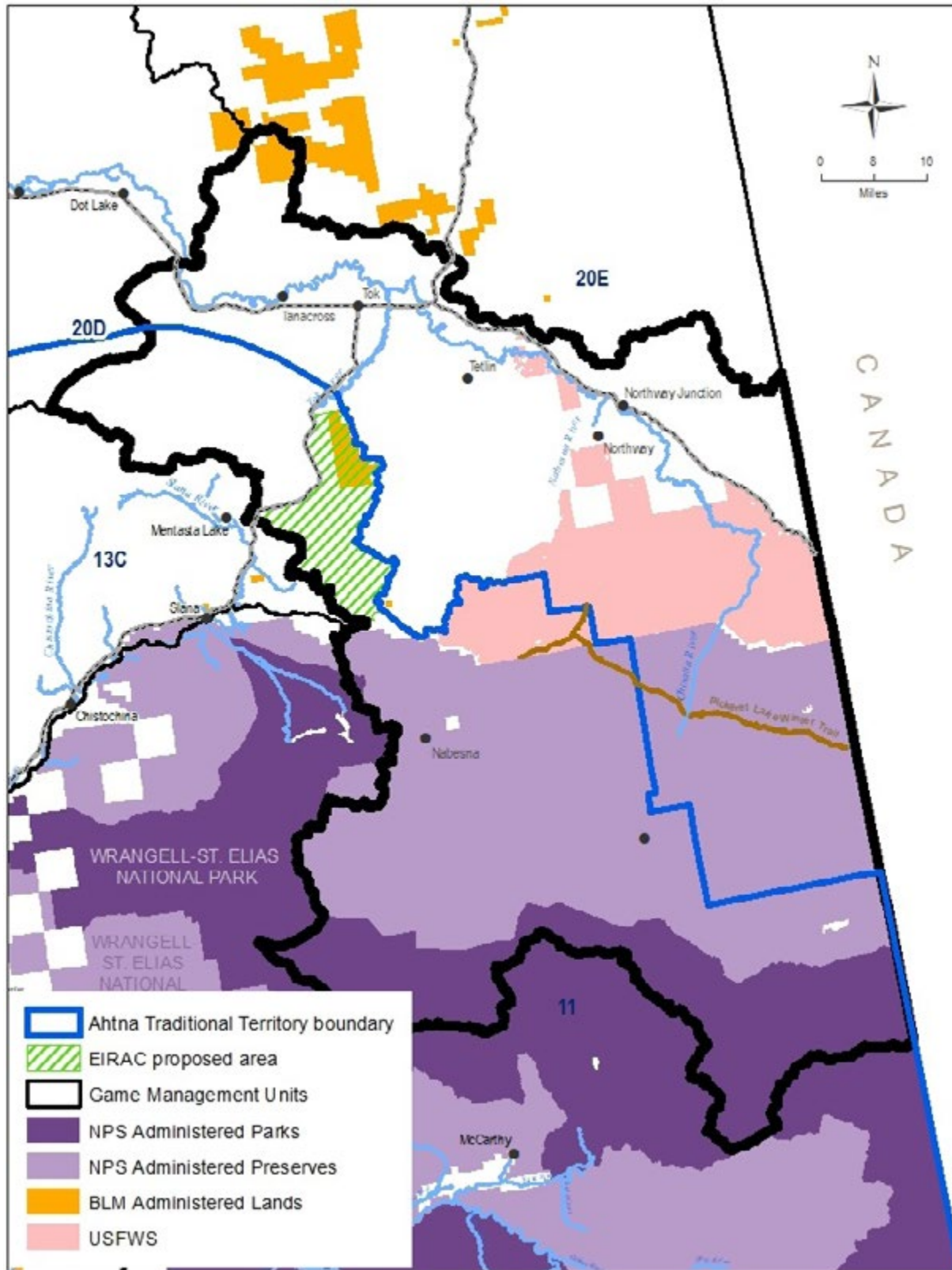
The Council mostly agreed with the OSM conclusion but thought including the Tetlin National Wildlife Refuge and Wrangell-St. Elias National Park and Preserve lands within the Ahtna traditional use territory as unnecessary because those lands are very remote, only accessible by airplane, and would not be utilized by anyone participating in the community harvest system. Additionally, Upper Tanana communities were concerned about the community harvest system coming into their hunt areas. Finally, using the Tok River bridge on the Tok Cutoff Road as the northern boundary of the area better reflects the Ahtna traditional use territory than what OSM proposed.

The modified Unit 12 regulation should read:

**§\_\_\_\_.26(n)(12)(i) Unit 12 specific regulations**

*(D) A community harvest system for caribou and moose is authorized on Federal public lands in Unit 12 within the Tok and Little Tok River drainages south of the Tok River bridge and east of the Tok Cutoff Road, subject to a framework established by the Federal Subsistence Board, for Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina., subject to a framework established by the Federal Subsistence Board, for Federally qualified subsistence users living within the Ahtna traditional communities of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina.*

- (1) the boundaries of the communities are the most recent Census Designated Places as defined by the U.S. Census Bureau*
- (2) participants in the community harvest system may not designate another individual to harvest on their behalf any species for which they register within the community harvest system, but may serve as a designated hunter, pursuant to 50 CFR 100.25)*
- (3) community harvest limit for the species authorized in the community harvest system is the sum of individual harvest limits of the participants in the system*
- (4) harvest reporting will take the form of reports collected from hunters by Ahtna Intertribal Resource Commission and submitted directly to the land managers and the Office of Subsistence Management, rather than through Federal registration permits, joint State/Federal registration permits, or State harvest tickets*
- (5) participants must abide by customary and traditional use determinations*



**Figure 3.** Map showing the revised community harvest system hunt area in Unit 12, based on the Eastern Interior Alaska Subsistence Regional Advisory Council recommendation.



## INTERAGENCY STAFF COMMITTEE COMMENTS

The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.

## ALASKA DEPARTMENT OF FISH AND GAME COMMENTS

### **Wildlife Proposal WP22-36**

This proposal seeks to modify community harvest systems for moose and caribou in Game management Units (GMU) 11, 12, and 13 to (1) allow community members to opt out of a community harvest system thereby retaining their individual harvest limits; (2) define the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau; (3) specify that harvest reporting will take the form of reports collected from hunters by The Ahtna Intertribal Resource Commission (AITRC) and submitted directly to the land managers and the Office of Subsistence Management (OSM), rather than through federal registration permits, joint state/federal registration permits, or state harvest tickets; (4) set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limits for those opting to participate in the system; and (5) codify the community harvest systems for moose and caribou in GMU 12.

#### **Background**

The federal community harvest system was implemented during the 2021/22 hunting season by AITRC and from that implementation OSM has identified clean up measures like WP22-36 to provide clarification and further guidance for the system.

#### **Impact on Subsistence Users**

Federally qualified users (FQU) will have to choose between the traditional federal subsistence permitting system and the new community harvest permitting system administered by AITRC. As it stands, FQUs in designated communities that choose not to use the community harvest system will not be able to have a designated hunter harvest for them. This discrepancy could change if the Federal Subsistence Board (FSB) chose to act on WP22-02 which would enable those who live in a designated community to then take advantage of the designated hunter program.

#### **Impact on Other Users**

If harvest is substantially changed through the combined quota system, state hunters may be impacted as bull-to-cow ratios decrease in certain subunits of GMU 13.

#### **Opportunity Provided by the State**

**State customary and traditional use findings:** The Alaska Board of Game (BOG) has made positive customary and traditional use findings for caribou in GMUs 11, and for GMUs 12 & 13 combined (NCH). There is a negative customary and traditional use finding for the Chisana caribou herd in GMU 12.

The BOG has made positive customary and traditional use findings for moose in GMUs 11, 12, and 13.

**Amounts Reasonably Necessary for Subsistence:** Alaska state law requires the BOG to determine the amount of the harvestable portion of a game population that is reasonably necessary for customary and traditional uses. This is an ANS. The BOG does this by reviewing extensive harvest data from all Alaskans, collected either by the Alaska Department of Fish & Game or from other sources.

ANS provides the BOG with guidelines on typical numbers of animals harvested for customary and traditional uses under normal conditions. Hunting regulations can be re-examined if harvests for customary and traditional uses consistently fall below ANS. This may be for many reasons: hunting regulations, changes in animal abundance or distribution, or changes in human use patterns, just to name a few.

There is no ANS for caribou in GMU 11. The ANS for the Nelchina herd is 600–1,000 caribou in GMUs 12 & 13 combined. The season and bag limit for NCH caribou in GMU 13 varies based on the size of the herd and the hunt opportunity that a state hunter may choose. Tier I hunters have a bag limit of up to 2 caribou per household, with season dates of August 10–31 or September 1–20, as well as October 21–March 31. Community Subsistence Harvest hunters have a bag limit of up to 2 caribou per household with season dates of August 10–September 20 and October 21–March 31. Youth draw hunters have a bag limit of one caribou and season dates of August 1–5. Resident draw hunters have a bag limit of one caribou and season dates of August 20–September 20 and October 21–March 31. Nonresident draw hunters have a bag limit of one bull and season dates of August 20–September 20.

The ANS for moose in GMUs 11, 12 and 13 is 30–40, 60–70, and 300–600 animals respectively. Seasons and bag limits vary in GMU 13 according to hunt opportunity. Community Subsistence Harvest hunters may have a bag limit of any bull if they receive an any bull locking tag, and otherwise may harvest a bull with spike or fork or 50” antlers or 4 or more brow tines on at least one side with season dates of August 20–September 20. General season hunters may harvest a bull with spike or fork or 50” antlers or 4 or more brow tines on at least one side with season dates of September 1–20. Nonresident draw hunters may harvest a bull with 50” antlers or 4 or more brow tines on at least one side with season dates of September 1–20. Limited draw permits are available to residents for any bull moose and for antlerless moose.

### **Conservation Issues**

This proposal will create conservation issues if harvest increases, and additional bulls (especially any bulls) are harvested by federal hunters with the combined community bag limit.

### **Enforcement Issues**

Law enforcement will have an additional burden placed on them ensuring that hunters under the federal community harvest system do not exceed the combined community bag limit. Furthermore, law enforcement officers currently work closely with wildlife managers to obtain real-time harvest information pertinent to violations in the field in order to inform investigations. AITRC would need to be as forthcoming with harvest information during investigations or would have to submit harvest data to the federal land managers in real time in order to facilitate law enforcement investigations of potential violations on and near federal lands

### **Position**

This proposal effectively serves as a cleanup proposal for the community harvest permitting system that was implemented by WSA18-19 for the 2021/22 hunting season. ADF&G still contends that the FSB did not have the authority under ANILCA to approve this system. Congress never authorized the FSB the

ability to delegate administration of a federal subsistence hunt to any non-governmental organization, or to delegate the authority to determine who is authorized to hunt to that non-governmental organization.

Of the particular aspects of this proposal, ADF&G takes the following positions:

- 1) ADF&G **SUPPORTS** allowing community members to opt out of a community harvest system and retaining their individual harvest limits. Forcing hunters into a community harvest system seems unnecessary and discriminatory against individuals who may wish to retain their individual hunting status. Also, it is not recommended that quotas or bag limits be set based on number of participating hunters in any federal or state harvest. Rather, quotas and bag limits should be based upon the status of the available resource and the harvestable surplus based on biological metrics.
- 2) ADF&G takes **NO POSITION** on defining the geographic boundaries of eligible communities as the most recent Census Designated Places established by the U.S. Census Bureau. As ADF&G has formerly commented, all FQU communities should be included and not just one's recognized within the Ahtna territory.
- 3) ADF&G is concerned over the language that delegates the harvest reporting to The Ahtna Intertribal Resource Commission (AITRC) and then be submitted to the land managers and the Office of Subsistence Management, rather than through federal registration permits, joint state/federal registration permits, or state harvest tickets. If the proposal still passes it will be necessary for consistent updates given to the federal agencies or else have a repeat of the issue with the data request ADF&G area biologists made to the federal agencies in the fall of 2021, and multiple contacts having to be made at BLM and OSM in order to receive an answer. Any harvest reports should include antler data for bull moose (spread, brow tines, spike or fork, etc.) in order for wildlife managers to accurately ascertain harvest levels of bulls from otherwise protected age classes. This is necessary to properly manage harvest levels to maintain bull-to-cow ratios at appropriate levels.

**APPENDIX 1**

**UNITS 11, 12, AND 13 COMMUNITY HARVEST SYSTEM FRAMEWORK APPROVED  
BY THE BOARD IN JANUARY 2021**

## **AITRC COMMUNITY HARVEST SYSTEM FRAMEWORK**

This document describes the framework for the community harvest system administered by the Ahtna Intertribal Resource Commission (AITRC), identifies Federal agency points of contact, and describes AITRC's responsibilities as the community harvest system administrator.

### **1. Who is eligible to register in the AITRC-administered community harvest system?**

All Federally qualified individuals whose primary permanent residence is within any of the eight named communities – Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina – are eligible to register in the community harvest system. The only criteria for determining eligibility to register in the community harvest system are Federal qualification and the location of the applicant's primary permanent residence.

### **2. How is community residency determined?**

Eligibility to participate in Federal subsistence harvest opportunities is based on the physical location of one's primary permanent residence. The most recent census designated place (CDP) boundaries drawn by the US Department of Commerce, Bureau of the Census, will be used to determine community boundaries. Maps showing the location of these boundaries are available online ([www.ahtnatribal.org/harvest](http://www.ahtnatribal.org/harvest)) and from AITRC.

### **3. How do I register for the community harvest system?**

Contact the community harvest system administrator, the Ahtna Intertribal Resource Commission, at (907) 822-4466 or [harvest@ahtnatribal.org](mailto:harvest@ahtnatribal.org), or visit their office at Mile 187 Glenn Highway to register.

### **4. Am I required to register for the community harvest system if I live in one of the eligible communities?**

No. Registration in the community harvest system is optional for Federally qualified residents of the eligible communities. You may register in the community harvest system for moose and/or caribou. You may choose either to register in the community harvest system or to participate in hunts under the regular Federal subsistence regulations applicable to those areas (see question 6).

### **5. If I register for the community harvest system, may I participate in other Federal subsistence hunts?**

Yes. You may participate in Federal subsistence hunts that do not overlap with the species and units governed by the community harvest system for which you have registered.

### **6. What lands are included in the community harvest system?**

The community harvest system applies to all Federal public lands open for subsistence uses in Units 11, 12 and 13, subject to restrictions in question 9. (The lands included in the community harvest system are the same lands that are included in a regular Federal subsistence hunt.)

### **7. What seasons apply to registrants in the community harvest system?**

The seasons for the community harvest system are the same as those that apply to people hunting under the existing Federal regulations for those areas. Refer to the Federal subsistence regulations booklet for more details.

**8. What is the community harvest quota for the AITRC-administered community harvest system?**

The community harvest quota for the AITRC-administered community harvest system is the sum of individual harvest limits for the included species and hunt areas that otherwise would have been available to community harvest system registrants had they chosen to hunt under the regular Federal Subsistence hunting regulations.

**9. If I register in the community harvest system, where am I allowed to hunt?**

Community harvest system registrants may only hunt on Federal public lands within Units 11, 12, and 13 where their community or area of permanent residence has a customary and traditional use determination established by the Federal Subsistence Board for the species to be harvested. Refer to the Federal subsistence regulations booklet for more details.

Additionally, National Park Service regulations limit hunting on lands designated as National Parks (but not National Preserves) to people who live in resident zone communities, live within the National Park, or hold a subsistence eligibility permit issued pursuant to 36 Code of Federal Regulations (CFR) 13.440. This means that only residents of Cantwell may hunt in that portion of Unit 13E that falls within Denali National Park and only residents of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake, and Tazlina may hunt within Wrangell-St. Elias National Park.

**10. Is a hunting license required to register in the community harvest system?**

Persons 18 years of age or older must hold a current State of Alaska resident hunting license in order to register for the community harvest system. A hunting license is not required for those less than 18 years old. Registrants 60 years of age and older or disabled veterans may have a permanent ID card issued by the Alaska Department of Fish and Game instead of an annual hunting license.

**11. Are any other Federal or State registration permits or harvest tickets required?**

No. Registrants in the community harvest system will receive a hunt registration and, if they choose to hunt, a harvest report from AITRC. Only the community harvest system registration and harvest report are required.

**12. Can registrants in the community harvest system hunt for moose or caribou under State of Alaska regulations? And if so, do any special rules apply?**

Registration in the community harvest system does not preclude someone from hunting moose or caribou under State of Alaska regulations; however, any moose or caribou harvested by community harvest system registrants under State regulations would count against the community harvest system quota. Community harvest system registrants who harvest a moose or caribou under State regulations must submit the required State harvest report to the State and also must submit their AITRC-issued community harvest report to AITRC about the harvest under State regulations for inclusion in the harvest quota calculation within 5 days of harvest.<sup>1</sup>

**13. What are the responsibilities of registrants in the community harvest system?**

Registrants must carry their individual hunt registration while hunting. A separate AITRC-issued harvest report form is required and must be in the hunter's possession for each animal harvested.

<sup>1</sup> Moose and caribou harvests by community harvest system registrants under State of Alaska regulations count towards the community harvest quota because the community harvest quota is the sum of the individual harvest limits of community harvest system registrants and under 50 CFR 100.25(c)(1) Federal subsistence and State of Alaska harvest limits can't be accumulated.

When an animal is harvested, the date of harvest should be marked on the form before leaving the field. Registrants are required to submit harvest reports to AITRC on the form provided within 5 days of a successful harvest or within 15 days of the end of the season if unsuccessful.

Upon registration, registrants will receive harvest reports for moose and caribou equal to the individual limits that would have applied under Federal subsistence regulations. Registrants may hunt for themselves or may transfer the harvest report forms issued to them to another registrant.

#### **14. How are eligibility questions and law enforcement concerns to be addressed?**

If AITRC has questions about the eligibility of an applicant who provides the requested residency documentation or other concerns of a law enforcement nature, those questions and concerns shall immediately be forwarded to the Federal agency points of contact.

#### **15. Can I register for the community harvest system if I have already been issued a Federal subsistence moose or caribou permit for lands within the community harvest system area?**

Eligible hunters must choose each year between either (1) registering in the community harvest system for moose and/or caribou or (2) hunting for those species under the regular Federal subsistence regulations applicable to those areas.

The Board recognizes that permits have already been issued for the 2020/21 season. Users who have already received permits for the regular 2020/21 Federal subsistence hunts and have not yet harvested any animals under these permits but wish to register in the community harvest system, may turn the Federal permits in to the issuing agency or AITRC within two weeks after authorization of the community harvest system. Once the Federal permits have been turned in, the individual will then be eligible to register in the community harvest system.

#### **16. Are designated hunters authorized within the community harvest system?\***

No. Residents of communities operating under a community harvest system – whether or not they register for the community harvest system – may not designate someone else to harvest moose or caribou on their behalf under a Federal subsistence designated hunter permit.<sup>2</sup> If a Federally qualified subsistence user who resides in a community operating under a community harvest system would like someone else to hunt on their behalf, they have the option of registering for the community harvest system.

Residents of communities operating under a community harvest system may serve as a Federal designated hunter for a Federally qualified subsistence hunter who lives in a community that is not operating under a community harvest system, subject to applicable regulatory requirements.

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<sup>2</sup> 50 CFR 100.25(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, and in Units 1-5, goats, on your behalf **unless you are a member of a community operating under a community harvest system** or unless unit-specific regulations in §100.26 preclude or modify the use of the designated hunter system or allow the harvest of additional species by a designated hunter...." (emphasis added).

**17. Are there any rules that I need to know about access when participating in the community harvest system?**

Agency specific access rules apply to community harvest system registrants. Hunters planning to use off-road vehicles (ORVs) including all-terrain vehicles (ATVs), tracked vehicles, and “side-by-sides” as well as aircraft should contact the appropriate land manager for information about allowed means of subsistence access.

**18. Who are the Federal land management agency points of contact?**

**Bureau of Land Management – Glennallen Field Office:**

Marnie Graham, Field Manager  
mgraham@blm.gov  
(907) 822-3217 (main office)  
(907) 822-7318 (desk)  
(907) 795-5761 (cell)

**National Park Service – Denali National Park and Preserve**

Amy Craver, Subsistence Manager/Cultural Anthropologist  
amy\_craver@nps.gov  
(907) 644-3604 (desk)

**National Park Service – Wrangell-St. Elias National Park and Preserve**

Barbara Cellarius, Cultural Anthropologist/Subsistence Coordinator  
barbara\_cellarius@nps.gov  
(907) 822-5234 (main office)  
(907) 822-7236 (desk)  
(907) 205-0157 (cell)

**U.S. Fish and Wildlife Service – Tetlin National Wildlife Refuge**

Tim Lorenzini, Supervisory Park Ranger  
timothy\_lorenzini@fws.gov  
(907) 883-9409 (desk)  
(907) 505-0858 (cell)

**Office of Subsistence Management**

Lisa Maas, Acting Policy Coordinator/Wildlife Biologist  
Lisa\_Maas@fws.gov  
subsistence@fws.gov  
(907) 786-3888 (main office)  
(907) 786-3357 (desk)



**AITRC’s responsibilities as the community harvest system administrator:**

- Register all eligible Federally qualified residents of the eligible communities who apply to register in the community harvest system.
- Collect sufficient information about registrants that they can be contacted if there are changes to the hunt conditions or to ensure that harvest reporting takes place.
- Verify residency in an eligible community as part of the registration process, and record how residency was verified (for example, vouched for by a community official (including the name of the official), Alaska driver’s license, recent utility bill, voter registration card, or rental or mortgage receipt).
- Verify that registrants 18 years of age or older hold a current State of Alaska resident hunting license or permanent ID card (those 60 years of age or older or disabled veterans) and record the license number as part of the registration process.
- Provide registrants with a document, which identifies the hunter by name or with a unique number that is keyed to name in AITRC’s records, to be carried while hunting that verifies their registration in the community harvest system.
- Provide a list of newly registered community harvest system registrants to the Federal agency points of contact on a weekly basis.
- Provide registrants with general information regarding eligible Federal public lands and hunt areas, customary and traditional use determinations, seasons, and harvest limits.
- Inform the registrants that they are required to submit harvest reports to AITRC within 5 days of a successful harvest or within 15 days of the end of the season if unsuccessful. Harvest reports must include the following information for each animal harvested:
  - Species:     Moose           Caribou
  - How many days did you hunt?
  - How did you get to hunt area? (primary method of getting to where you started walking)
 

Airplane	Horse/Dog Sled	Boat
Airboat	Snow Machine	3-4 Wheeler
Other off road vehicle	Highway vehicle	No vehicle used
  - Unit Hunted
  - Subunit Hunted
  - Hunt Area Hunted
  - Specific Harvest Location (for example road or trail and mile marker or a geographic feature or waterbody name)
  - Did you Harvest an animal? Yes     No

- If yes, Date of Harvest
- Sex of animal: Male          Female
- Following applies to Moose harvest only:
  - A. Was animal Spike/Fork? Yes          No
  - B. Antler Spread(inches):
  - C. Number of brow tines: L          R
- Track harvest success, including any harvests by registrants under State of Alaska regulations, to ensure that total harvests by community harvest system registrants do not exceed the cumulative harvest limits of the individuals registered in the community harvest system (i.e., the community harvest system quota).
- Administer the community harvest quota and individual harvest reports.
- Provide harvest report information to Federal agency points of contact on a weekly basis unless otherwise specified in these conditions.
- For hunt areas where the Federal Subsistence Board had delegated authority to a local Federal land manager to manage harvest using a quota, provide harvest information to the Federal agency points of contact no later than the next business day after it is submitted to AITRC. As of the 2020-2022 regulatory cycle, these hunt areas are as follows:
  - Chisana caribou herd hunt in Unit 12, that portion east of the Nabesna River and the Nabesna Glacier and south of the Winter Trail running southeast from Pickerel Lake to the Canadian border. Delegated Federal manager is the Superintendent of Wrangell-St. Elias National Park and Preserve.
  - Winter moose hunt (Nov. 20 to Jan 20) in Unit 11, that portion south and east of a line running along the north bank of the Chitina River, the north and west banks of the Nizina River, and the west bank of West Fork of the Nizina River, continuing along the western edge of the West Fork Glacier to the summit of Regal Mountain. Delegated Federal manager is the Superintendent of Wrangell-St. Elias National Park and Preserve.
- Follow up with hunters regarding more specific harvest locations if requested to do so by the Federal manager in cases where the harvest locations are not sufficiently detailed for the Federal manager’s needs.
- Follow up with registrants who have not submitted harvest reports within 15 days of the close of the season, including those individuals that registered but were unsuccessful or did not hunt. These data should be provided to the Federal agency points of contact within 30 days of the close of the season.
- Participate in an annual review of the community harvest system as required in 50 CFR 100.6(e).