

<b>WP22-55 Executive Summary</b>	
<b>General Description</b>	<b>Wildlife proposal, WP22-55, proposes to establish a hunt for muskox within the western portion of Unit 26A. Submitted by: North Slope Subsistence Regional Advisory Council</b>
<b>Proposed Regulation</b>	<p><b>Unit 26A –Muskox</b></p> <p><i>Unit 26A, west of the Alaktak River following W155 south to the Unit 26A border—1 muskox</i> <span style="float: right;"><i>Aug. 1-Mar. 15</i></span></p> <p><i>Unit 26A, remainder</i> <span style="float: right;"><i>No Federal open season</i></span></p>
<b>OSM Preliminary Conclusion</b>	<p><b>Support Proposal WP22-55 with modification</b> to revise the hunt area descriptor, require a Federal registration permit, and delegate authority to the BLM Arctic District Office manager to close the season, and to determine the harvest quota and the number of permits to be issued via delegation of authority letter only (<b>Appendix 1</b>).</p> <p>The modified regulation should read:</p> <p><b>Unit 26A—Muskox</b></p> <p><i>Unit 26A, that portion west of the eastern shore of Admiralty Bay where the Alaktak River enters, following the Alaktak River to 155 °00' W longitude south to the Unit 26A border —1 muskox by Federal registration permit.</i> <span style="float: right;"><i>Aug. 1-Mar. 15</i></span></p> <p><i>Unit 26A, remainder</i> <span style="float: right;"><i>No Federal open season</i></span></p>
<b>OSM Conclusion</b>	<p><b>Support Proposal WP22-55 with modification</b> to revise the hunt area descriptor, require a Federal drawing permit, and delegate authority to the BLM Arctic District Office manager to close the season, set any needed permit conditions, and to determine the harvest quota and the number of permits to be issued via delegation of authority letter only (<b>Appendix 1</b>).</p> <p>The modified regulation should read:</p> <p><b>Unit 26A—Muskox</b></p> <p><i>Unit 26A, that portion west of the eastern shore of Admiralty Bay where the the Alaktak River enters, following the Alaktak River to 155 °00' west longitude south to the Unit 26A border—1 muskox by Federal drawing permit.</i> <span style="float: right;"><i>Aug. 1-Mar. 15</i></span></p> <p><i>Unit 26A, remainder</i> <span style="float: right;"><i>No Federal open season</i></span></p>

<b>WP22–55 Executive Summary</b>	
<b>North Slope Subsistence Regional Advisory Council Recommendation</b>	<b>Support with OSM modification</b>
<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>Support</b>
<b>Written Public Comments</b>	<b>None</b>

**STAFF ANALYSIS  
WP22-55**

**ISSUES**

Proposal WP22-55, submitted by the North Slope Subsistence Regional Advisory Council (Council), proposes to establish a hunt for muskox within the western portion of Unit 26A.

**DISCUSSION**

The proponent states that the muskox population in Unit 26A has grown to sustainably harvestable levels and fully supports providing hunting opportunity. North Slope communities are seeing the muskox coming close to hunting cabins. Through local and traditional knowledge, it is known that caribou may deflect from areas based on the smell of muskox. Caribou are critically important as a subsistence resource. The opportunity to harvest muskox would help support the reduction in deflection of migrating caribou and provide an addition source of meat for Federally qualified subsistence users. The Council recommended the proposed hunt area boundary based on landscape features easily recognizable to local people and because it is sufficiently distant from Unit 26B to avoid potential harvest from that subunit’s muskox population (**Map 1**). The Council also submitted comments recommending this hunt area boundary to the Alaska Board of Game (BOG) in support of State Proposal 193.

**Existing Federal Regulation**

**Unit 26A—Muskox**

*Unit 26A*

*No Federal open season*

**Proposed Federal Regulation**

**Unit 26A—Muskox**

*Unit 26A, west of the Alaktak River following W155 south to the Unit 26A border—1 muskox*

*Aug. 1-Mar. 15*

*Unit 26A, remainder*

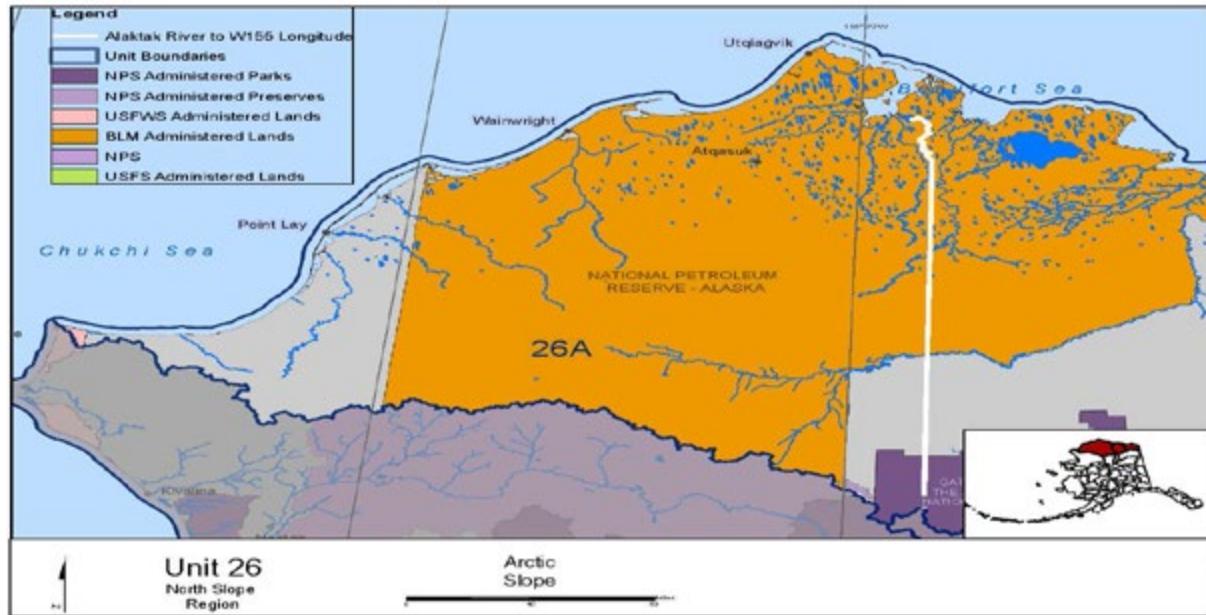
*No Federal open season*

**Existing State Regulation**

**Unit 26—Muskox**

*Residents and Nonresidents*

*No open season*



**Map 1.** Map of proposed harvest area. The shore of Admiralty Bay east of where the Alaktak River enters, following the Alaktak River from Admiralty Bay to 155 W Longitude; it then follows 155 W Longitude south to the Unit 26A border. This is represented by the white line. This represents the eastern border of the proposed hunt area.

### Extent of Federal Public Lands

Unit 26A is comprised of 72% Federal public lands and consist of 65% Bureau of Land Management (BLM) managed lands, 6% National Park Service (NPS) managed lands and 0.1% U.S. Fish and Wildlife Service (USFWS) managed lands.

### Customary and Traditional Use Determinations

Residents of Anaktuvuk Pass, Atqasuk, Utqiagvik, Nuiqsut, Point Hope, Point Lay, and Wainwright have a customary and traditional use determination for muskox in Unit 26A.

### Regulatory History

A muskox hunt has never occurred in Unit 26A under Federal or State regulations. In 1995, Kuukpikmiut Village (Nuiqsut) submitted proposal P95-67, requesting a customary and traditional use determination for residents of Nuiqsut, Barrow (Utqiagvik), Atqasuk, Wainwright, Point Lay, and Point Hope in Unit 26A. The proposal also requested that a year-round Federal registration hunt be established for muskox in Unit 26A, which would be closed to all but Federally qualified subsistence users. The proponent noted that muskox had become locally abundant and were driving caribou away from harvesting locations. The proposal requested similar changes to muskox regulations in 26B, the details and outcome of which are omitted here. The Board adopted P95-67 with modification recommended by the North Slope Subsistence Regional Advisory Council (Council) recognizing the customary and traditional use of muskoxen in Unit 26A by the proposed communities as well as Anaktuvuk Pass, but declining to establish a Federal subsistence hunt due to the small size of the local muskox population.

In 1998, the Board deferred Proposal P98-108, submitted by the Council, which sought to establish a Federal subsistence season for muskox in Unit 26A. The Board deferred in order to allow a similar proposal to be considered by the State. In 1999, the Board again deferred the request as P99-63, and no subsequent action was taken. There have not been any requests to establish a Federal muskox hunt in 26A since this time.

### **Current Events**

The Alaska Department of Fish and Game (ADF&G) submitted Proposal 193 as an agenda change request for consideration at the BOG's statewide regulations meeting in March 2022. Proposal 193 requests establishing a muskox hunt in the western portion of Unit 26A under State regulations with allowing for the harvest of up to six muskoxen, but with a different hunt area boundary than is requested in this proposal. ADF&G states that the Cape Thompson population of muskox in Units 23 and 26A has increased, and a spring 2020 abundance survey indicated the portion of the population in Unit 26A is large enough to allow for the harvest of up to six muskoxen.

The NPS and BLM submitted Wildlife Special Action WSA22-01, which requests clarifying that the muskox hunts in Units 22 and 23 are by Federal drawing permit, rather than Federal registration permit to facilitate hunt administration by the Federal in-season managers.

### **Biological Background**

Muskoxen populations have grown steadily in the region since ADF&G translocated 36 muskoxen to Cape Thompson in 1970, and an additional 34 more in 1977 (Westing 2011). From 1970-1998, the Cape Thompson muskox population grew 8% annually, and then decreased to 2% annual rate of growth between 1998 and 2005. Since 2005, the population within the core count area has declined, although this is likely due to range expansion into other areas (Hughes 2016, NPS 2017). Between 2001 and 2020, the population within the core count area has remained stable, averaging 234 muskoxen. In 2020, the core count population estimate was 226 muskoxen (**Figure 1**). The population-wide population survey was estimated to be 576 muskoxen in 2011, 556 muskoxen in 2016 and 911 muskoxen in 2020 (**Figure 1**).

Muskox occupy habitat from the mouth of the Noatak River north to Cape Lisburne (NPS 2014). Muskox in the Cape Thompson area appear to occupy relatively discrete, "core areas" separate from the muskox population on the Seward Peninsula, although muskoxen are also widely scattered throughout the remainder of Unit 23 in groups of 1-4 individuals (Westing 2011). Groups of >20 muskoxen have been observed in the southwestern portion of Unit 26A, middle Noatak drainage, upper Noatak drainage, and the headwaters of the Colville River. These groups of muskoxen are believed to have emigrated from the Cape Thompson area (Leacock 2015).

ADF&G management objectives for muskoxen within Unit 23 and Unit 26A (Hughes 2016) include:

1. Survey the Cape Thompson population at least once every 3 years.
2. Assess population level range expansion.
3. Monitor the sex and age composition of the Cape Thompson muskoxen population.
4. Minimize the effects of development (e.g., mines and roads), hunting, and tourism on muskoxen and their habitat.

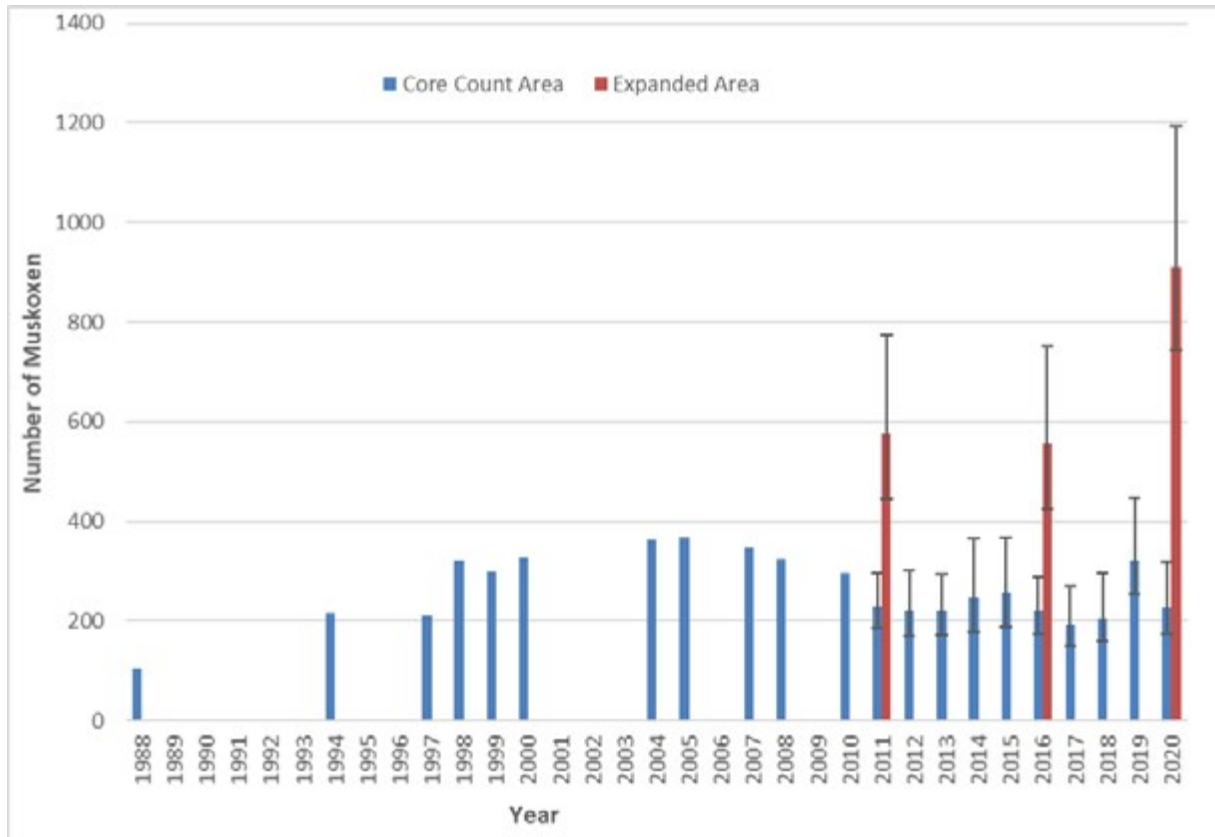
Since 1987, aerial population surveys have occurred in the “core count area” which extends from the mouth of the Noatak River to Cape Lisburne within about 20 miles of the Chukchi Sea coast. However, muskox have expanded their range since reintroduction and have increasingly been observed outside of the core count area. In 2011, 2016, and 2020 ADF&G and NPS completed a population-wide survey that included the core count areas as well as potential habitat in Unit 26A and Unit 23 north of the Kobuk River (extended area) (Hughes 2016, 2020 pers. comm., NPS 2017) (**Figure 1**).

From 1970-1998, the Cape Thompson muskox population grew 8% annually, while between 1998 and 2005, the population grew 2% annually. Since 2005, the population within the core count area has declined, although this is likely due to range expansion into other areas (Hughes 2016, NPS 2017). Between 2011 and 2020, the population within the core count area stabilized, averaging 234 muskoxen. In 2020, the population estimate was 226 muskoxen (**Figure 1**). The population-wide population survey was estimated to be 576 muskoxen in 2011 and 911 muskoxen in 2020. (**Figure 1**).

The proportion of short yearlings in the population) and proportion of mature bulls in the core count area has been stable since 2015 further indicating no population growth within the core area. In spring 2019, short yearlings and mature bulls comprised 13% and 16% of the population, respectively. No spring composition survey occurred in 2020 due to constraints from weather, time, and the COVID-19 pandemic (Hughes 2020, pers. comm.).

Given the gregarious nature of muskox, mature bulls are important for predator defense, foraging, and group cohesion in addition to breeding (Schmidt and Gorn 2013). For example, mature bulls may protect groups of females with calves against predators, effectively increasing calf survival and recruitment. Therefore, muskox may be more sensitive to selective harvest of mature males than other species (Schmidt and Gorn 2013).

Muskox reduce movements during the winter to conserve energy (Nelson 1994). Muskox depend on areas with low snow cover as they cannot forage in deep, hard-packed snow. Therefore, disturbance to muskox groups during the winter by hunters or predators could decrease survival through increased energetic requirements and movement to unsuitable habitat (Nelson 1994).



**Figure 1.** Number of Cape Thompson muskoxen counted in the core count area and expanded survey area (Hughes 2016, 2020 pers. comm., NPS 2017). Prior to 2011, minimum count methods were used. In 2011 minimum counts were replaced with distance sampling method and error bars represent the 95% confidence intervals surrounding those estimates.

### Cultural Knowledge and Traditional Practices

In Iñupiaq, muskoxen are called *umingmak*, “the one with hair like a beard” (Lent 1999). The earliest archaeological evidence for use of muskoxen in arctic Alaska dates to Birnuk culture, beginning in approximately 600 A.D. (Lent 1999). Muskoxen were likely always present at relatively low numbers, and their use was limited but continuous over approximately 1500 years (Lent 1998). Muskoxen provided fat when caribou were lean in late winter and early spring and provided an alternative food source in years when caribou were scarce.

Anaktuvuk Pass oral history includes accounts of muskoxen (Lent 1999). Muskox horn implements, such as ladles, have been uncovered at North Slope archaeological sites and were collected from residents during the contact period. Hides were used for shelter and robes (Lent 1999). Muskoxen were heavily used by whalers, trappers, and traders in the 1800s. They were extirpated from northwestern Alaska by the 1850s and from the eastern Brooks Range by the 1890s, before being reintroduced in the 1970s (Lent 1999).

As muskox populations have grown since reintroduction, residents have started voicing their concerns about the abundance of muskoxen in the area and potential effects on caribou, a theme that has been echoed in other arctic communities where people and muskoxen co-exist (Lent 1999). Caribou are said

to avoid the smell of muskoxen, causing them to disperse or change their movement patterns when muskoxen are around (e.g. NSRAC 2017, NSRAC 2020). For example, in 2019, a Council member from Atqusuk recalled:

*[At the end] of September there was a muskox that had scared all the caribou which slowed our hunting down for caribou. They had to go farther and farther south, maybe like 20, 30 miles past [unknown] Creek to go hunt for caribou. And just a few of them went that far, a few hunters went that far to go hunt caribou (NSRAC 2019).*

Additionally, Council members have stated that muskoxen destroy caribou grazing habitat in such a way that areas may take decades to recover (NSRAC 2017) and pose a risk to dogs and to people gathering berries in fall time (NSRAC 2020).

Council members have testified that muskox meat is a traditional food. Some people have had the opportunity to taste muskox meat provided to them through sharing networks and enjoy eating it. According to one NSRAC Council member from Nuiqsut, skin sewers are interested in using the hides for making masks and other traditional items, calling it a “very special resource” in part because it has not been widely available. Qiviut is spun into yarn, and is currently gathered from bushes, where it becomes stuck as muskoxen move through an area (NSRAC 2018).

### **Harvest History**

Legal harvesting of muskoxen with the eastern portion of Unit 26A has not taken place under State or Federal regulations since the reintroduction of the species in 1970.

### **Other Alternatives Considered**

One alternative considered was to establish a Federal registration permit hunt with a harvest quota of six muskoxen. The muskox population within the core count area of Unit 23 has declined, and muskox have dispersed to other areas, including Unit 26A. Overall, the Cape Thompson muskox population has increased substantially between 2016 and 2020. A limit of 6 muskox would be < 1% of the current population outside the core count area. By limiting the harvest to 6 muskoxen in Unit 26A, there is little likelihood of an effect on the established breeding population. However, a fixed harvest quota does not provide management flexibility in response to changing population or hunt conditions. The requirement of a Federal registration permit would help to ensure sustainable harvests, timely harvest reporting, and effective hunt management. The Council may want to further consider this alternative.

### **Effects**

This proposal would establish a Federal subsistence season and harvest limit for muskox in the portion of Unit 26A west of the Alaktak River following W155 south to the Unit 26A border. The proposed change would allow any Federally qualified subsistence user to harvest one muskox within the new hunt area of Unit 26A. The Cape Thompson muskox population has grown and expanded its range and can withstand some harvest from Unit 26A. However, harvest pressure from Federally qualified subsistence users on muskox in Unit 26A is unknown since this will be a new hunt. A harvest limit of one muskox by all Federally qualified subsistence users has the potential to result in overharvest of muskox and cause conservation concerns. Additionally, the proposal as submitted would only require a registration permit, which would likely result in poor harvest reporting and an unknown number of muskoxen harvested.



Only residents of Anaktuvuk Pass, Atqasuk, Utqiagvik, Nuiqsut, Point Hope, Point Lay, and Wainwright have a customary and traditional use determination for muskox in Unit 26A. Therefore, only these residents would be able to participate in a Federal muskox hunt. The proposed change would allow the opportunity for subsistence use, provided that the muskox population could withstand harvest without causing any conservation concerns.

**OSM PRELIMINARY CONCLUSION**

**Support** Proposal WP22-55 **with modification** to revise the hunt area descriptor, require a Federal registration permit, and delegate authority to the BLM Arctic District Office manager to close the season, and to determine the harvest quota and the number of permits to be issued via delegation of authority letter only (**Appendix 1**).

The modified regulation should read:

**Unit 26A—Muskox**

*Unit 26A, that portion west of the eastern shore of Admiralty Bay where the Alaktak River enters, following the Alaktak River to 155°00' W longitude south to the Unit 26A border —1 muskox by Federal registration permit.*

**Aug. 1-Mar. 15**

*Unit 26A, remainder*

*No Federal open season*

**Justification**

While the muskox population within the core count area of Unit 23 has declined, muskox have dispersed to other areas, including Unit 26A. Overall, the Cape Thompson muskox population increased substantially between 2016 and 2020. This proposal will allow a limited harvest where none currently exists. Adoption of this proposal also increases harvest opportunity for Federally qualified subsistence users, providing for subsistence use of an additional wildlife resource.

Delegation of authority to the BLM Arctic District Office manager (BLM) to announce harvest quotas for muskox in Unit 26A in consultation with ADF&G and the Chair of the North Slope Council would ensure sustainable harvests for a new hunt and allow for hunt management flexibility in the event the Unit 26A muskox population increased or decreased. The modified hunt area descriptor completes the hunt area without leaving any gaps or ambiguous areas. The requirement of a Federal registration permit will help to ensure sustainable harvests, timely harvest reporting, and effective hunt management.

## ANALYSIS ADDENDUM

### OSM CONCLUSION

**Support** Proposal WP22-55 **with modification** to revise the hunt area descriptor, require a Federal drawing permit, and delegate authority to the BLM Arctic District Office manager to close the season, set any needed permit conditions, and to determine the harvest quota and the number of permits to be issued via delegation of authority letter only (**Appendix 1**).

The modified regulation should read:

#### **Unit 26A—Muskox**

*Unit 26A, that portion west of the eastern shore of Admiralty Bay where the Alaktak River enters, following the Alaktak River to 155°00' W longitude south to the Unit 26A border —1 muskox by Federal drawing permit.*

*Unit 26A, remainder*

*No Federal open season*

### **Justification**

Establishing a Federal drawing permit hunt (rather than registration permit hunt) for muskoxen in Unit 26A ensures the harvest remains within sustainable levels and responds to both changing hunt and herd conditions. A drawing permit would also randomize the selection of who receives a permit, making permit distribution more equitable among Federally qualified subsistence users. This alternative provides flexibility in administering the hunt, and would allow a limited harvest where none currently exists. Harvest opportunity for Federally qualified subsistence users would also increase, providing for subsistence use of an additional wildlife resource.

Delegating authority to the BLM Arctic District Office manager to close the season, set any needed permit conditions, administer the drawing, and to announce the harvest quota and the number of permits issued is recommended for the same reasons as in the justification for the OSM preliminary conclusion (**Appendix 1**). The Board may want to consider also delegating the authority to determine the method of permit allocation between State and Federal permits depending on the State BOG's action on Proposal 193.

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## **SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS**

### **North Slope Subsistence Regional Advisory Council**

**Support with OSM modification.** The Council believes it is important to provide hunting opportunity where it hasn't existed previously and that this hunt will benefit Federally qualified subsistence users. Muskox are good eating and would be an important addition to subsistence food resources available for North Slope communities in Unit 26A. Muskox have been increasingly seen across the region and can be problematic if they settle down near a community and deflect caribou.

The Council stressed that Federally qualified subsistence users should have priority since muskox population numbers in Unit 26A are still low, and supported the BLM Arctic District Office Manager receiving delegated authority to administer this hunt. At the winter 2022 meeting, the Council agreed that a draw permit system is the most equitable way for the in season manager to distribute the permits.

The hunt boundary is intended to distinguish between muskox herds. Similar to Proposal WP22-54, the Council supported the clarification to the hunt area boundary as recommended by OSM.

## **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 WP22-55**

This proposal would establish a muskox hunt for federally qualified users (FQU) on federal public land in the western portion of Game Management Unit (GMU) 26A.

#### **Background**

The muskoxen in GMU 26A are found primarily in two areas. One is the eastern portion near the Colville River and some of its tributaries. This population spends time in GMUs 26A and 26B and has been a relatively low number for over a decade.

The hunt area that the proponent is asking to establish would not include animals from this population but from the population that has slowly become established and increased in the western portion of GMU 26A. The Alaska Department of Fish & Game (ADF&G) had established a minimum number of 250 animals for this area before considering a hunt and predicted that we would reach that goal in 2020. When muskoxen were counted in the spring of 2020 there were almost 450 muskoxen in the western portion of GMU 26A.

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

This proposal would increase the opportunity for FQUs to harvest muskox by establishing a hunt on federal public land in the western portion of GMU 26A.

### **Impact on Other Users**

Any impact on other users is unknown at this time as this proposal and the Alaska Board of Game's (BOG) Proposal 193 will establish brand new hunts for muskox in this area.

### **Opportunity Provided by State**

State customary and traditional use findings: The BOG has made positive customary and traditional use findings for muskox in GMU 26A and 26B with a harvestable population.

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 ADF&G 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.

The ANS for muskox in all GMU 26A and B west of the Dalton Highway corridor is 20.

Existing State Regulation: There is currently no hunt open for muskox in GMU 26A. There is a Tier 2 hunt in GMU 26B and in the eastern portion of GMU 26A that has not been open because that population is below the threshold of 250. Last fall, ADF&G submitted an Agenda Charge Request (ACR) to the Board of Game (BOG) to open a hunt in the western of GMU 26A to take advantage of the increase in the population in GMUs 23 and 26A. The BOG accepted that ACR and is identified as Proposal 193 which will be acted upon at the upcoming March 2022 meeting.

### **Conservation Issues**

With the increase in the muskoxen population in western GMU 26A to approximately 450 animals ADF&G recommends a total of 6 bull muskox be available for harvest. This population is a portion of the Cape Thompson population that started in northwestern GMU 23 and has slowly grown and expanded into western GMU 26A.

### **Position**

ADF&G **SUPPORTS** the proposal to allow taking of muskox in the western portion of GMU 26A. ADF&G requests that the Federal Subsistence Board align the boundaries and season dates with the state proposal to read "that portion of GMU 26A west of the Topagoruk River following W 156 south to the GMU 26A border. The season dates would be August 1 to March 15.

## APPENDIX 1

Bureau of Land Management Arctic District Office  
222 University Ave  
Fairbanks, AK 99709

Dear Arctic District Office Manager:

This letter delegates specific regulatory authority from the Federal Subsistence Board (Board) to the manager of the Bureau of Land Management Arctic District Office (BLM) to issue emergency or temporary special actions if necessary to ensure the conservation of a healthy wildlife population, to continue subsistence uses of wildlife, for reasons of public safety, or to assure the continued viability of a wildlife population. This delegation only applies to the Federal public lands subject to Alaska National Interest Lands Conservation Act (ANILCA) Title VIII jurisdiction within Unit 26A, that portion west of the eastern shore of Admiralty Bay where the Alaktak River enters, following the Alaktak River to 155°00' W longitude south to the Unit 26A border for the management of muskoxen on these lands.

It is the intent of the Board that actions related to management of muskoxen by Federal officials be coordinated, prior to implementation, with the Alaska Department of Fish and Game (ADF&G), representatives of the Office of Subsistence Management (OSM), and the Chair of the affected Council(s) to the extent possible. The Office of Subsistence Management will be used by managers to facilitate communication of actions and to ensure proposed actions are technically and administratively aligned with legal mandates and policies. Federal managers are expected to work with managers from the State and other Federal agencies, the Council Chair or alternate, local tribes, and Alaska Native Corporations to minimize disruption to subsistence resource users and existing agency programs, consistent with the need for special action.

### DELEGATION OF AUTHORITY

**1. Delegation:** The Bureau of Land Management Arctic District Office manager is hereby delegated authority to issue emergency or temporary special actions affecting muskoxen on Federal lands as outlined under the **Scope of Delegation**. Any action greater than 60 days in length (temporary special action) requires a public hearing before implementation. Special actions are governed by Federal regulation at 36 CFR 242.19 and 50 CFR 100.19.

**2. Authority:** This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6), which state: “The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board.”

**3. Scope of Delegation:** The regulatory authority hereby delegated is limited to the following authorities within the limits set by regulation at 36 CFR 242.26 and 50 CFR 100.26:

- To establish annual harvest quotas and number of permits to be issued.
- To close the Federal hunt early if the harvest quota is reached before the regular season closing date.

- To set any needed permit conditions

This delegation also permits you to close and reopen Federal public lands to nonsubsistence hunting, but does not permit you to specify permit requirements or harvest and possession limits for State-managed hunts.

This delegation may be exercised only when it is necessary to conserve muskoxen populations, to continue subsistence uses, for reasons of public safety, or to assure the continued viability of the populations. All other proposed changes to codified regulations, such as customary and traditional use determinations, shall be directed to the Board.

The Federal public lands subject to this delegated authority are those within Unit 26A, that portion west of the eastern shore of Admiralty Bay where the Alaktak River enters, following the Alaktak River to 155°00' W longitude south to the Unit 26A border.

**4. Effective Period:** This delegation of authority is effective from the date of this letter and continues until superseded or rescinded.

**5. Guidelines for Delegation:** You will become familiar with the management history of the wildlife species relevant to this delegation in the region, with current State and Federal regulations and management plans, and be up-to-date on population and harvest status information. You will provide subsistence users in the region a local point of contact about Federal subsistence issues and regulations and facilitate a local liaison with State managers and other user groups.

You will review special action requests or situations that may require a special action and all supporting information to determine (1) consistency with 50 CFR 100.19 and 36 CFR 242.19, (2) if the request/situation falls within the scope of authority, (3) if significant conservation problems or subsistence harvest concerns are indicated, and (4) what the consequences of taking an action or no action may be on potentially affected Federally qualified subsistence users and non-Federally qualified users. Requests not within your delegated authority will be forwarded to the Board for consideration. You will maintain a record of all special action requests and rationale for your decision. A copy of this record will be provided to the Administrative Records Specialist in OSM no later than sixty days after development of the document.

For management decisions on special actions, consultation is not always possible, but to the extent practicable, two-way communication will take place before decisions are implemented. You will also establish meaningful and timely opportunities for government-to-government consultation related to pre-season and post-season management actions as established in the Board's Government-to-Government Tribal Consultation Policy (Federal Subsistence Board Government-to-Government Tribal Consultation Policy 2012 and Federal Subsistence Board Policy on Consultation with Alaska Native Claim Settlement Act Corporations 2015).

You will immediately notify the Board through the Assistant Regional Director for OSM, and coordinate with the Chair(s) or alternate of the affected Council(s), local ADF&G managers, and other affected Federal conservation unit managers concerning emergency and temporary special actions being considered. You will ensure that you have communicated with OSM to ensure the special action is aligned with ANILCA Title VIII, Federal Subsistence regulations and policy, and that the perspectives of the

Chair(s) or alternate of the affected Council(s), OSM, and affected State and Federal managers have been fully considered in the review of the proposed special action.

If the timing of a regularly scheduled meeting of the affected Council(s) permits without incurring undue delay, you will seek Council recommendations on the proposed temporary special action(s). If the affected Council(s) provided a recommendation, and your action differs from that recommendation, you will provide an explanation in writing in accordance with 50 CFR 100.10(e)(1) and 36 CFR 242.10(e)(1).

You will issue decisions in a timely manner. Before the effective date of any decision, reasonable efforts will be made to notify the public, OSM, affected State and Federal managers, law enforcement personnel, and Council members. If an action is to supersede a State action not yet in effect, the decision will be communicated to the public, OSM, affected State and Federal managers, and the local Council members at least 24 hours before the State action would be effective. If a decision to take no action is made, you will notify the proponent of the request immediately. A summary of special action requests and your resultant actions must be provided to the coordinator of the appropriate Council(s) at the end of each calendar year for presentation to the Council(s).

You may defer a special action request, otherwise covered by this delegation of authority, to the Board in instances when the proposed management action will have a significant impact on a large number of Federal subsistence users or is particularly controversial. This option should be exercised judiciously and may be initiated only when sufficient time allows for it. Such deferrals should not be considered when immediate management actions are necessary for conservation purposes. The Board may determine that a special action request may best be handled by the Board, subsequently rescinding the delegated regulatory authority for the specific action only.

**6. Support Services:** Administrative support for regulatory actions will be provided by the Office of Subsistence Management.

Sincerely,

Anthony Christianson  
Chair

Enclosures

cc: Federal Subsistence Board

Assistant Regional Director, Office of Subsistence Management  
Deputy Assistant Regional Director, Office of Subsistence Management  
Subsistence Policy Coordinator, Office of Subsistence Management  
Wildlife Division Supervisor, Office of Subsistence Management  
North Slope Subsistence Council Coordinator, Office of Subsistence Management  
Chair, North Slope Alaska Subsistence Regional Advisory Council  
Deputy Commissioner, Alaska Department of Fish and Game  
Special Projects Coordinator, Alaska Department of Fish and Game  
Interagency Staff Committee  
Administrative Record