



**United States Department of the Interior**  
**NATIONAL PARK SERVICE**

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

RC 014

IN REPLY REFER TO

I.A.2. (AKRO-RNR)

NOV 25 2014


Mr. Karl Johnstone, Chairman  
ATTN: Alaska Board of Fisheries, Board Supports Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Chairman Johnstone:

Please accept the enclosed document as a Record Copy for use by the Board of Fisheries (BOF) in the December 3-8, 2014, meeting in Cordova when addressing proposals suggesting the use of bait for the taking of fish in the State's Upper Copper River/Upper Susitna River Management Area. Such proposals may affect or have the potential to affect National Park System lands and resident zone communities in Southcentral Alaska. The National Park Service (NPS) is the land managing agency for Wrangell-Saint Elias National Park and Preserve, which contains part of the headwater area of the Copper River drainage. This conservation system unit is partially within the State's Upper Copper River/Upper Susitna River Management Area. We share with you the desire to implement a sound management strategy for the fishery resources of this management area.

The NPS proposed regulations in the Federal Register on September 4, 2014, which are out for public review and comment until December 3, 2014. One part of the proposed regulations addresses the use of native species as bait for the taking of fish (see enclosed). Comments on this regulation may be mailed to the regional director at the address above or submitted online at: <http://www.regulations.gov> and using Regulation Identifier Number (RIN) 1024-AE21. If you have any questions about the proposed regulation, please contact Bud Rice, Management Biologist (907-644-3597), Molly McCormick, Fisheries Biologist (907-822-7280), or Andee Sears, Regional Law Enforcement Specialist (907-644-3410).

Sincerely,

  
Debora Cooper  
Associate Regional Director

Enclosure

cc's:

See attached list

cc:

Cora Campbell, Commissioner, ADF&G  
Pat Pourchot, Special Assistant to the Secretary for Alaska  
Tim Towarak, Chair, Federal Subsistence Board  
Glen Haight, Executive Director, Boards of Fish and Game  
Jeff Regnart, Director, Commercial Fisheries Division, ADF&G  
Charles Swanton, Director, Division of Sport Fish, ADF&G  
Hazel Nelson, Director, Division of Subsistence, ADF&G  
Jennifer Yuhas, Federal Subsistence Liaison Team, ADF&G  
Rick Obernesser, Superintendent, Wrangell-Saint Elias National Park and Preserve  
Molly McCormick, Fisheries Biologist, Wrangell-Saint Elias National Park and Preserve  
Guy Adema, Natural Resources Program Manager, NPS  
Mary McBurney, Subsistence Program Manager, NPS  
George Pappas, State Subsistence Liaison, Office of Subsistence Management  
Bud Rice, Management Biologist, NPS  
Andee Sears, Regional Law Enforcement Specialist, NPS  
Joel Hard, Deputy Regional Director, NPS  
Bert Frost, Regional Director, NPS

**DEPARTMENT OF THE INTERIOR**  
**National Park Service Proposed Rule for 36 CFR Part 13**  
**Taking of Fish**

**State of Alaska**  
**Board of Fisheries Meeting**  
**December 3-8, 2014**  
**Cordova, Alaska**

In the Federal Register, Vol. 79, No. 171, page 52597 the preamble to the Proposed Rule states in paragraph (6) of that section:

Allow the use of native species to be used as bait, commonly salmon eggs, for fishing in accordance with non-conflicting state law. This would supersede for park areas in Alaska the Service-wide prohibition on using certain types of bait in 36 CFR 2.3(d)(2). (See below).

On page 52601 the proposed rule proposes:

§13.40 Taking of fish.  
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(d) *Use of native species as bait.* Use of species native to Alaska as bait for fishing is allowed in accordance with applicable Federal law and non-conflicting State law and regulations.

36 CFR 2.3(d)(2) states:

(d) The following are prohibited:  
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(2) Possessing or using bait for fishing in fresh waters, live or dead minnows or other bait fish, amphibians, non-preserved fish eggs or fish roe, except in designated waters. Waters which may be so designated shall be limited to those where non-native species are already established, scientific data indicate that introduction of additional numbers or types of non-native species would not impact populations of native species adversely, and park management plans do not call for elimination of non-native species.