

Note: Proposal 207 was accepted by the Board of Game as an Agenda Change Request for consideration at the Southcentral Region meeting scheduled for March 2023.

PROPOSAL 207

5 AAC 85.025(a)(8). Hunting seasons and bag limits for caribou.

Establish a Tier II hunt for Nelchina caribou in Unit 13 as follows:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Unit 13		
<u>X caribou by Tier II subsistence hunting permit only; up to XXX permits may be issued; or</u>	<u>Specify season (Subsistence hunt only)</u>	<u>No open season.</u>
up to 2 caribou per harvest report per regulatory year by community harvest permit only; up to 400 caribou may be taken; or	Aug. 10 - Sept. 20 (Subsistence hunt only) Oct. 21 - March 31 (Subsistence hunt only)	No open season.
up to 2 caribou every regulatory year by Tier I subsistence permit only; or	Aug. 10 - Aug. 31 (Subsistence hunt only) Oct. 21 - March 31 (Subsistence hunt only)	No open season.
up to 2 caribou every regulatory year by Tier I subsistence permit only; or	Sept. 1 - Sept. 20 (Subsistence hunt only) Oct. 21 - March 31 (Subsistence hunt only)	No open season.
1 caribou every regulatory year by youth hunt drawing permit; up to 200 permits may be issued; or	Aug. 1 - Aug. 5	No open season.
1 caribou every regulatory year by drawing permit; up to 5,000 permits may be issued;	Aug. 20 - Sept. 20 Oct. 21 - March 31	No open season.

1 bull every regulatory year by drawing permit; up to 200 permits may be issued when the herd is at or above population objectives;

Aug. 20 - Sept. 20

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?

Establish a Tier II hunt in regulation for Nelchina caribou in Unit 13 as required by statute in case a Tier II hunt is needed to further restrict the take of this game population to meet sustainable yield and subsistence use mandates.

The Nelchina caribou herd has a positive customary and traditional (C&T) subsistence use finding in Game Management Units 12 and 13 with an amount reasonably necessary for subsistence (ANS) of 600-1,000 caribou. It is possible that the harvestable surplus may fall below the low end of the ANS range, which means harvestable surplus may not be enough to provide a reasonable opportunity for all residents to participate in hunts that provide caribou for subsistence uses (Tier I registration and Community Subsistence Harvest). Existing regulations do not include a Tier II hunt which is the next legal step according to state subsistence law at AS 16.05.258 (b)(4), which directs that the Board of Game must limit participation by eliminating all consumptive uses other than subsistence uses and distinguish among subsistence users by applying the criteria in AS 16.05.258.

The low population numbers are an unforeseen, unexpected event that potentially restricts a reasonable opportunity for C&T uses of the Nelchina caribou herd. Existing regulations do not include the tools for the department to limit participation in the Nelchina caribou subsistence hunt as required when the harvestable portion of the population is below the low end of the ANS range, which is 600-1,000 caribou. When the existing regulations were created, the herd was above population objectives and the need for a Tier II hunt in 5 AAC 85.025 was not present; as a result, no such hunt was included in the existing hunt structures. The herd is currently under population objective. It is anticipated that a reasonable opportunity to engage in subsistence uses may not be provided to all eligible residents.

If the problem is not solved, state subsistence opportunity for the Nelchina caribou herd will be compromised. If the harvestable surplus is below the low end of the ANS, the state subsistence law states that opportunity shall be allocated according to Tier II criteria. If there is no Tier II regulation, then the department does not have the authority to distinguish among subsistence users and will be required to close all opportunity (all existing hunts) until the Board of Game can take action. However, unless the population numbers change, even with expedited regulations subsistence users could miss an entire hunting season.

The board will need to determine appropriate seasons, bag limits, and the maximum number of Tier II subsistence permits that can be issued for the Tier II hunt.

PROPOSED BY: Alaska Department of Fish & Game

(HQ-F22-ACR11)
