

Proposal Form
The Alaska Migratory Bird Co-Management Council
***Proposed Change for 2022 Alaska Subsistence Spring/Summer
Migratory Bird Harvest Regulations***

All proposals received by the AMBCC office will be sent to the affected regional management body for their consideration and recommendation. Recommendations will be forwarded to the statewide body for consideration and action. To ensure success of your proposal, please plan on attending your local regional management body meeting to present data or information on your proposal. Proposals received without adequate information may be deferred or rejected.

Proposed by: Migratory Bird Management, Alaska Region, U.S. Fish and Wildlife Service

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What problem or issue are you trying to address? (Clearly state the problem to be solved or a situation that should be corrected.)

This proposal modifies the Code of Federal Regulations (CFR) to clarify boundary definitions for the harvest areas designated for the communities of Port Graham and Nanwalek (Gulf of Alaska region), and for the community of Tyonek (Cook Inlet region). Current harvest area definitions in the CFRs for these communities are incomplete (i.e., do not describe a complete polygon), and the partially defined boundaries of the harvest areas are difficult for hunters and law enforcement officers to interpret.

How should the new regulation read? (Indicate if it is a change to season dates, species of bird/eggs open to hunting, area open to hunting, methods and means, or harvest limits)

This proposal addresses harvest area boundaries designated for communities in the Gulf of Alaska and Cook Inlet regions as specified in 50 CFR 92.31(j) and (k) Bold text is proposed to be added, crossed out text is proposed to be stricken.

50 CFR 92.31 Region-specific regulations.

(j) *Gulf of Alaska region.*

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(3) Kachemak Bay Area (Harvest area: **That portion of Game Management Unit 15[C] West and South of a line beginning at the northern boundary of Unit 15[C] and mouth of the Kasilof River at 60° 23' 19" N; 151° 18' 37" W, extending South along the coastline of Cook**

Inlet to Bluff Point [59° 40' 00" N], then South along longitude line 151° 41' 48" W to latitude 59° 35' 56" N, then East to South of a line connecting the tip of Homer Spit [excluding any land of the Homer Spit], then northeast to the mouth of north bank of Fox River [59° 48' 57" N; 150° 58' 44" W], and then East to the eastern boundary of Unit 15[C] at 150° 19' 59" W) (Eligible Chugach Communities: Port Graham, Nanwalek):

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(k) *Cook Inlet* (Harvest area: portions of Game Management Unit 16[B] as specified below) (Eligible communities: Tyonek only):

(1) Season: April 2-May 31—That portion of Game Management Unit 16(B) ~~south of the Skwentna River and west of the Yentna River, and August 1-31—That portion of Game Management Unit 16(B) south of the Beluga River, Beluga Lake, and the Triumvirate Glacier.~~ **west of the east bank of the Yentna River, south of the north bank of the Skwentna River, and south of the north bank of Portage Creek to the boundary of Game Management Unit 16(B) at Portage Pass; and August 1-31— That portion of Game Management Unit 16(B) west of longitude line 150° 56' W, south of the north banks of the Beluga River and Beluga Lake, then south of latitude line 61° 26' 08" N.**

To what geographic area does this regulation apply? (Is it a statewide, regional, or local regulation? If it pertains to a local area, please describe where it applies.)

This proposal applies to the Gulf of Alaska (Kachemak Bay Area) and Cook Inlet regions. The communities affected are Port Graham and Nanwalek in the Gulf of Alaska region, and Tyonek in the Cook Inlet Region.

What impact will this regulation have on migratory bird populations?

This change in regulation would have no impact on migratory bird populations.

How will this regulation affect subsistence users?

This change in regulation would benefit subsistence users by creating a complete polygon surrounding the harvest areas designated for their communities and clarifying the precise boundaries.

Why should this regulation be adopted?

The proposed changes would allow publication of maps that are accurate and reproducible into the future, and provide a clear definition of the harvest areas designated for the communities that hunters and law enforcement officers can interpret and follow in the field.

Please attach any additional information that supports your proposal.

The current legal boundary descriptions and accompanying maps of harvest areas in the Kachemak Bay Area of the Gulf of Alaska region, and in the Cook Inlet region are vague and incomplete. The current boundary descriptions do not form complete polygons that surround a harvest area, and instead only define partial borders for the areas requiring hunters and agency

personnel to infer borders, but not know them with certainty. For example, in the Kachemak Bay Area, the harvest area is described as a portion of Game Management Unit 15(C), but the description is inadequate to determine the northern boundary of the harvest area within the western portion of the GMU. Similarly, in the Cook Inlet region, the harvest area is portions of GMU 16(B), but the boundaries of these portions refer to landforms that do not extend through the entirety of GMU 16(B) resulting in incomplete descriptions of areas open to harvest.

Attached are maps reflecting the current and proposed boundaries of harvest areas designated for communities in the Kachemak Bay Area of the Gulf of Alaska region, and in the Cook Inlet region.

Attachments:

1. Map of the current and proposed harvest area boundary for the communities of Port Graham and Nanwalek in the Kachemak Bay area of the Gulf of Alaska region.
2. Map of the current and proposed harvest area boundary for the communities in the Cook Inlet region.
3. 50 CFR 92.31 Region-specific regulations.

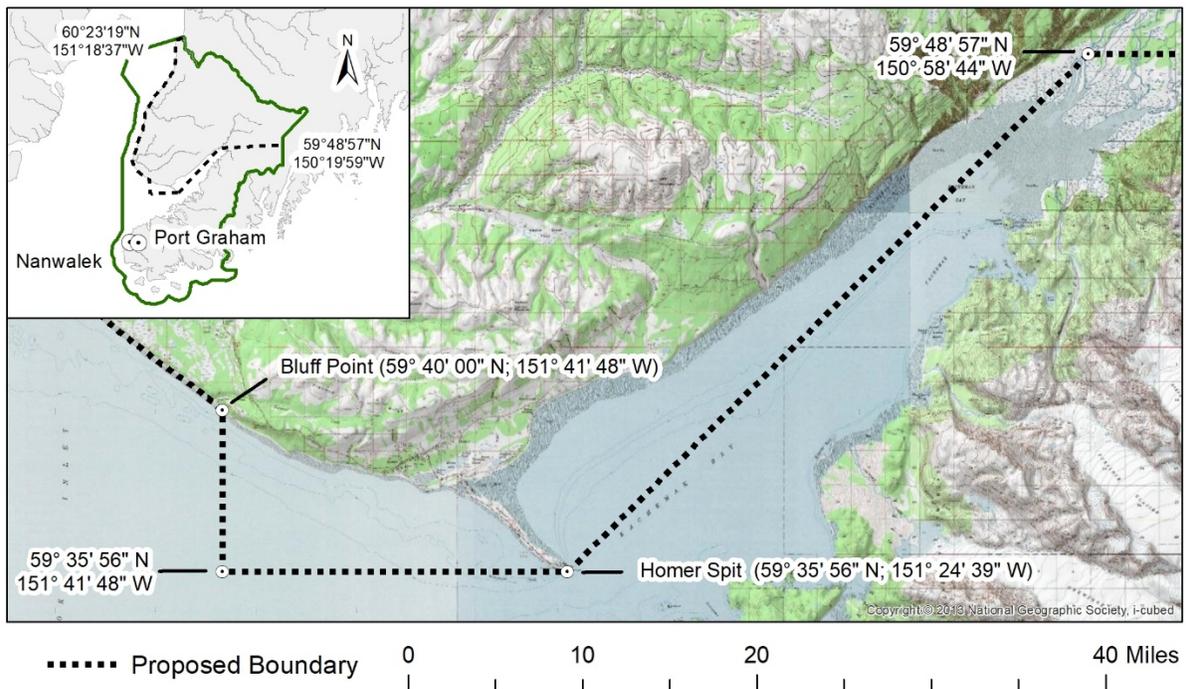
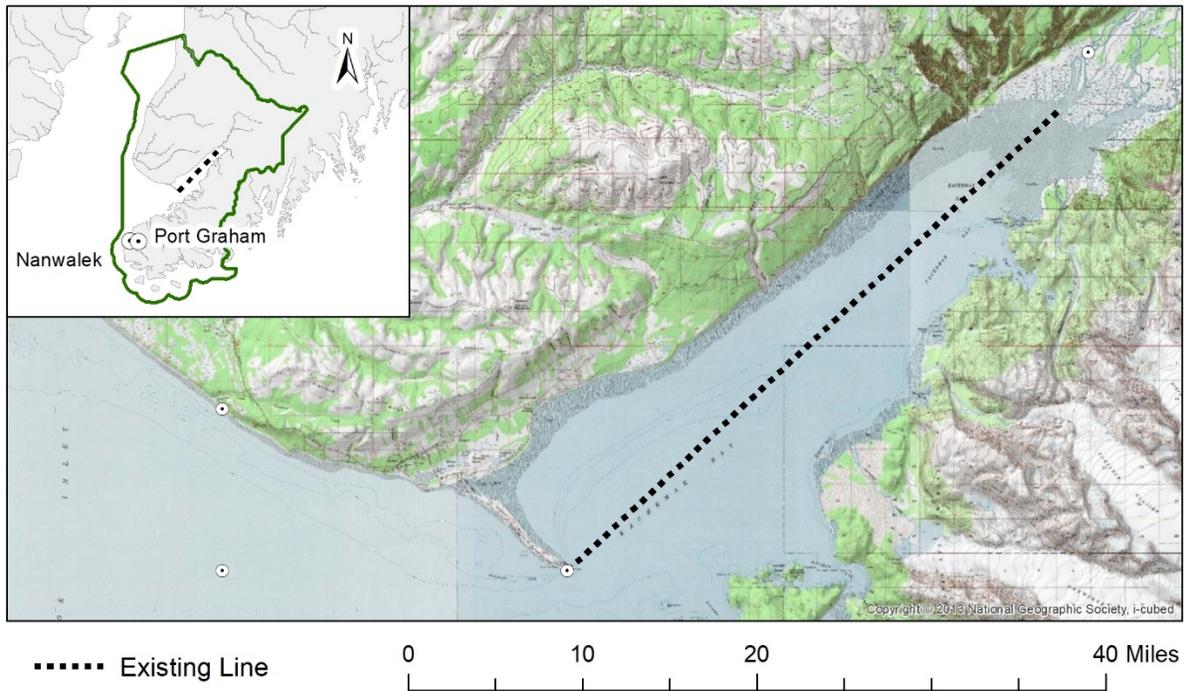


Figure 1. The harvest area designated for the communities of Port Graham and Nanwalek in the Kachemak Bay area of the Gulf of Alaska region as currently described in 50 CFR 92.31 (j)(3) (top), and as proposed (bottom).

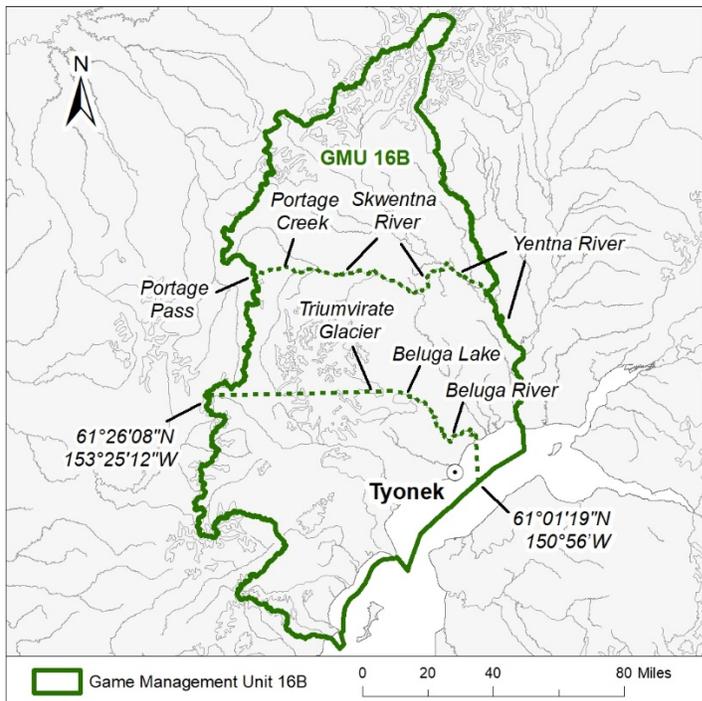
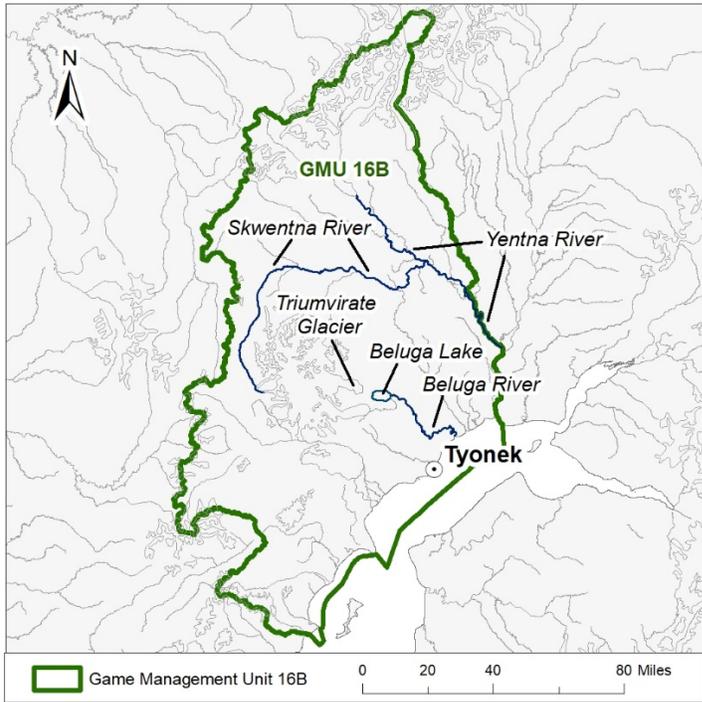


Figure 2. The harvest area designated for Tyonek in the Cook Inlet region, as currently described in 50 CFR 92.31 (k)(1) (top), and as proposed (bottom).

ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR data is current as of November 18, 2020

Title 50 → Chapter I → Subchapter G → Part 92 → Subpart D → §92.31

Title 50: Wildlife and Fisheries

PART 92—MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA

Subpart D—Annual Regulations Governing Subsistence Harvest

§92.31 Region-specific regulations.

[Link to an amendment published at 85 FR 73233, Nov. 17, 2020.](#)

The season dates for the eligible subsistence-harvest areas are as follows:

(a) *Aleutian/Pribilof Islands region.* (1) Northern Unit (Pribilof Islands):

(i) Season: April 2-June 30.

(ii) Closure: July 1-August 31.

(2) Central Unit (Aleutian Region's eastern boundary on the Alaska Peninsula westward to and including Unalaska Island):

(i) Season: April 2-June 15 and July 16-August 31.

(ii) Closure: June 16-July 15.

(iii) Special Black Brant Season Closure: August 16-August 31, only in Izembek and Moffet lagoons.

(iv) Special Tundra Swan Closure: All hunting and egg gathering closed in Game Management Units 9(D) and 10.

(3) Western Unit (Umnak Island west to and including Attu Island):

(i) Season: April 2-July 15 and August 16-August 31.

(ii) Closure: July 16-August 15.

(b) *Yukon/Kuskokwim Delta region.* (1) Season: April 2-August 31.

(2) Closure: 30-day closure dates to be announced by the Service's Alaska Regional Director or his designee, after consultation with field biologists and the Association of Village Council President's Waterfowl Conservation Committee. This 30-day period will occur

between June 1 and August 15 of each year. A press release announcing the actual closure dates will be forwarded to regional newspapers and radio and television stations.

(3) **Special Black Brant Season Hunting Closure:** From the period when egg laying begins until young birds are fledged. Closure dates to be announced by the Service's Alaska Regional Director or his designee, after consultation with field biologists and the Association of Village Council President's Waterfowl Conservation Committee. A press release announcing the actual closure dates will be forwarded to regional newspapers and radio and television stations.

(c) *Bristol Bay region.* (1) Season: April 2-June 14 and July 16-August 31 (general season); April 2-July 15 for seabird egg gathering only.

(2) Closure: June 15-July 15 (general season); July 16-August 31 (seabird egg gathering).

(d) *Bering Strait/Norton Sound region.* (1) Stebbins/St. Michael Area (Point Romanof to Canal Point):

(i) Season: April 15-June 14 and July 16-August 31.

(ii) Closure: June 15-July 15.

(2) Remainder of the region:

(i) Season: April 2-June 14 and July 16-August 31 for waterfowl; April 2-July 19 and August 21-August 31 for all other birds.

(ii) Closure: June 15-July 15 for waterfowl; July 20-August 20 for all other birds.

(e) *Kodiak Archipelago region*, except for the Kodiak Island roaded area, which is closed to the harvesting of migratory birds and their eggs. The closed area consists of all lands and waters (including exposed tidelands) east of a line extending from Crag Point in the north to the west end of Saltery Cove in the south and all lands and water south of a line extending from Termination Point along the north side of Cascade Lake extending to Anton Larsen Bay. Marine waters adjacent to the closed area are closed to harvest within 500 feet from the water's edge. The offshore islands are open to harvest.

(1) Season: April 2-June 30 and July 31-August 31 for seabirds; April 2-June 20 and July 22-August 31 for all other birds.

(2) Closure: July 1-July 30 for seabirds; June 21-July 21 for all other birds.

(f) *Northwest Arctic region.* (1) Season: April 2-June 14 and July 16-August 31 (hunting in general); waterfowl egg gathering April 2-June 14 only; seabird egg gathering May 20-July 12 only; hunting molting/non-nesting waterfowl July 1-July 15 only.

(2) Closure: June 15-July 15, except for the taking of seabird eggs and molting/non-nesting waterfowl as provided in paragraph (f)(1) of this section

...fishing regulations as provided in paragraph (f)(1) of this section.

(g) *North Slope region.* (1) Southern Unit (Southwestern North Slope regional boundary east to Peard Bay, everything west of the longitude line 158°30' W and south of the latitude line 70°45' N to the west bank of the Ikpikpuk River, and everything south of the latitude line 69°45' N between the west bank of the Ikpikpuk River to the east bank of Sagavinirktok River):

(i) Season: April 2-June 29 and July 30-August 31 for seabirds; April 2-June 19 and July 20-August 31 for all other birds.

(ii) Closure: June 30-July 29 for seabirds; June 20-July 19 for all other birds.

(iii) Special Black Brant Hunting Opening: From June 20-July 5. The open area consists of the coastline, from mean high water line outward to include open water, from Nokotlek Point east to longitude line 158°30' W. This includes Peard Bay, Kugrua Bay, and Wainwright Inlet, but not the Kuk and Kugrua river drainages.

(2) Northern Unit (At Peard Bay, everything east of the longitude line 158°30' W and north of the latitude line 70°45' N to west bank of the Ikpikpuk River, and everything north of the latitude line 69°45' N between the west bank of the Ikpikpuk River to the east bank of Sagavinirktok River):

(i) Season: April 2-June 6 and July 7-August 31 for king and common eiders; April 2-June 15 and July 16-August 31 for all other birds.

(ii) Closure: June 7-July 6 for king and common eiders; June 16-July 15 for all other birds.

(3) Eastern Unit (East of eastern bank of the Sagavanirktok River):

(i) Season: April 2-June 19 and July 20-August 31.

(ii) Closure: June 20-July 19.

(4) All Units: yellow-billed loons. Annually, up to 20 yellow-billed loons total for the region inadvertently entangled in subsistence fishing nets in the North Slope Region may be kept for subsistence use.

(5) North Coastal Zone (Cape Thompson north to Point Hope and east along the Arctic Ocean coastline around Point Barrow to Ross Point, including Iko Bay, and 5 miles inland).

(i) No person may at any time, by any means, or in any manner, possess or have in custody any migratory bird or part thereof, taken in violation of subparts C and D of this part.

(ii) Upon request from a Service law enforcement officer, hunters taking, attempting to take, or transporting migratory birds taken during the subsistence harvest season must present them to the officer for species identification.

(h) *Interior region.* (1) Season: April 2-June 14 and July 16-August 31; egg gathering May 1-June 14 only

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(2) Closure: June 15-July 15.

(i) *Upper Copper River region* (Harvest Area: Game Management Units 11 and 13) (Eligible communities: Gulkana, Chitina, Tazlina, Copper Center, Gakona, Mentasta Lake, Chistochina and Cantwell).

(1) Season: April 15-May 26 and June 27-August 31.

(2) Closure: May 27-June 26.

(3) The Copper River Basin communities listed above also documented traditional use harvesting birds in Game Management Unit 12, making them eligible to hunt in this unit using the seasons specified in paragraph (h) of this section.

(j) *Gulf of Alaska region*. (1) Prince William Sound Area West (Harvest area: Game Management Unit 6[D]), (Eligible Chugach communities: Chenega Bay, Tatitlek):

(i) Season: April 2-May 31 and July 1-August 31.

(ii) Closure: June 1-30.

(2) Prince William Sound Area East (Harvest area: Game Management Units 6[B]and [C]—Barrier Islands between Strawberry Channel and Softtuk Bar), (Eligible Chugach communities: Cordova, Tatitlek, and Chenega Bay):

(i) Season: April 2-April 30 (hunting); May 1-May 31 (gull egg gathering).

(ii) Closure: May 1-August 31 (hunting); April 2-30 and June 1-August 31 (gull egg gathering).

(iii) Species Open for Hunting: Greater white-fronted goose; snow goose; gadwall; Eurasian and American wigeon; blue-winged and green-winged teal; mallard; northern shoveler; northern pintail; canvasback; redhead; ring-necked duck; greater and lesser scaup; king and common eider; harlequin duck; surf, white-winged, and black scoter; long-tailed duck; bufflehead; common and Barrow's goldeneye; hooded, common, and red-breasted merganser; and sandhill crane. Species open for egg gathering: glaucous-winged, herring, and mew gulls.

(iv) Use of Boats/All-Terrain Vehicles: No hunting from motorized vehicles or any form of watercraft.

(v) Special Registration: All hunters or egg gatherers must possess an annual permit, which is available from the Cordova offices of the Native Village of Eyak and the U.S. Forest Service.

(3) Kachemak Bay Area (Harvest area: Game Management Unit 15[C] South of a line connecting the tip of Homer Spit to the mouth of Fox River) (Eligible Chugach Communities: Port Graham, Nanwalek):

(i) Season: April 2-May 31 and July 1-August 31.

(ii) Closure: June 1-30.

(k) *Cook Inlet* (Harvest area: portions of Game Management Unit 16[B] as specified below) (Eligible communities: Tyonek only):

(1) Season: April 2-May 31—That portion of Game Management Unit 16(B) south of the Skwentna River and west of the Yentna River, and August 1-31—That portion of Game Management Unit 16(B) south of the Beluga River, Beluga Lake, and the Triumvirate Glacier.

(2) Closure: June 1-July 31.

(l) *Southeast Alaska*. (1) Community of Hoonah (Harvest area: National Forest lands in Icy Strait and Cross Sound, including Middle Pass Rock near the Inian Islands, Table Rock in Cross Sound, and other traditional locations on the coast of Yakobi Island. The land and waters of Glacier Bay National Park remain closed to all subsistence harvesting (50 CFR part 100.3(a)):

(i) Season: glaucous-winged gull egg gathering only: May 15-June 30.

(ii) Closure: July 1-August 31.

(2) Communities of Craig and Hydaburg (Harvest area: small islands and adjacent shoreline of western Prince of Wales Island from Point Baker to Cape Chacon, but also including Coronation and Warren islands):

(i) Season: glaucous-winged gull egg gathering only: May 15-June 30.

(ii) Closure: July 1-August 31.

(3) Community of Yakutat (Harvest area: Icy Bay (Icy Cape to Point Riou), and coastal lands and islands bordering the Gulf of Alaska from Point Manby southeast to and including Dry Bay):

(i) Season: glaucous-winged gull egg gathering: May 15-June 30.

(ii) Closure: July 1-August 31.

[84 FR 12951, Apr. 3, 2019, as amended at 85 FR 18459, Apr. 2, 2020]

Need assistance?