



Wildlife, Harvest, and Access in National Parks and Preserves in Alaska

Environmental Assessment

August 2026

The National Park Service (NPS) has considered the factors mandated by the National Environmental Policy Act (NEPA). This environmental assessment represents the NPS's good-faith effort to fulfill NEPA's requirements by prioritizing documentation of the most important relevant considerations within the statutorily mandated page limits and timeline. This prioritization reflects the NPS's expert judgment; and any considerations addressed briefly or left unaddressed are, in NPS's judgment, comparatively non-substantive and would not meaningfully inform NPS's consideration of environmental effects and the decision to be made. The environmental assessment is substantially complete, considers the factors mandated by NEPA, and, in the decisionmaker's judgment, contains analysis adequate to inform NPS's decision regarding the proposed action.

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List of Acronyms

AAC	Alaska Administrative Code
ADFG	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
ANCSA	Alaska Native Claims Settlement Act of 1971
ANILCA	Alaska National Interest Lands Conservation Act of 1980
BOG	Board of Game
CFR	Code of Federal Regulations
DM	Departmental Manual
DOI	United States Department of the Interior
EA	Environmental Assessment
FR	Federal Register
FWS	United States Fish and Wildlife Service
GMP	General Management Plan
GMU	Game Management Unit
NEPA	National Environmental Policy Act
NP	National Preserves
NPS	National Park Service
ORV	off-road vehicle
PEPC	Planning, Environment & Public Comment
UCU	uniform coding unit
U.S.C.	United States Code

1. Purpose and Need

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) has prepared an Environmental Assessment (EA) to examine alternative actions and potential environmental impacts from proposed revisions to NPS regulations addressing wildlife, harvest, and access in national parks and preserves in Alaska (“Alaska park areas”). The EA is prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321, *et seq.*) and 516 Departmental Manual (DM) 1 – U.S. Department of the Interior, Handbook of National Environmental Policy Act Implementing Procedures, February 2026 (DOI NEPA Handbook) as well as its appendices. The NPS has considered Indigenous Knowledge in analysis of the rule in accordance with the incorporation of Secretarial Order (SO) 3403, the Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters.

1.1 Proposed Action

The NPS proposes to rescind changes to NPS regulations made by the final rules titled “Alaska; Hunting and Trapping in National Preserves,” 80 FR 64325 (October 23, 2015) (“2015 Rule”); “Alaska; Subsistence Collections,” 82 FR 3626 (January 12, 2017) (“2017 Rule”); and “Alaska; Hunting and Trapping in National Preserves,” 89 FR 55059 (July 3, 2024) (“2024 Rule”) to reflect NPS interpretations of laws and policies in place prior to 2015 following passage of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA). The NPS has prepared this EA to analyze impacts of the proposed rulemaking.

All State of Alaska laws concerning hunting, trapping, fishing, and collections that do not conflict with existing federal laws or regulations will continue to apply in Alaska park areas. The proposed changes will not alter the federal subsistence priority established by ANILCA. Federal Subsistence Management Program regulations and the rural preference for qualified users on federal public lands in ANILCA Title VIII are unchanged.

1.2 Background

Information on three prior iterations of the “Alaska; Hunting and Trapping in National Preserves” rule and the “Alaska; Subsistence Collections” rule is provided below:

- On October 23, 2015, the NPS published the 2015 Rule that amended its regulations for sport hunting and trapping in national preserves (“the preserves”) in Alaska. The 2015 Rule codified prohibitions in the preserves on certain types of harvest practices that were otherwise permitted by the State of Alaska. A proposed rule was published September 4, 2014, with a 90-day public comment period then reopened for public comment for an additional 30 days from January 15, 2015, through February 15, 2015. The environmental analysis associated with the rulemaking is [NPS Planning, Environment and Public Comment \(PEPC\) project 49062](#) (EA, Cost-Benefit Analysis, Finding of No Significant Impact [FONSI], & Categorical Exclusion [CE] for wildlife regulations in Document List).
- On January 12, 2017, the NPS published the 2017 Rule that amended regulations for Alaska park areas that regulated how qualified subsistence users collect nonedible fish and wildlife parts and plant materials for creating handicrafts for barter and customary trade (unless otherwise prohibited by law). The rule also clarified that capturing, collecting or possessing living wildlife is generally prohibited (specifically stating that a falconry permit or other permit issued by the State of Alaska does

not provide the required authorization) and, similar to practices adopted by the U.S. Fish and Wildlife Service (FWS), adopted restrictions on using human-produced foods to bait bears for subsistence uses. A proposed rule was published on January 13, 2016, with a 90-day public comment period, closing on April 12, 2016. The environmental analysis associated with the rulemaking is [PEPC project 35955](#) (EA, Cost-Benefit Analysis, Regulatory Flexibility Threshold Analysis, FONSI, & CE/amended FONSI in Document List).

- On June 9, 2020, the NPS published a final rule titled “Alaska; Hunting and Trapping in National Preserves,” [85 FR 35181](#) (“2020 Rule”) that removed the restrictions on sport hunting and trapping in the preserves that were established by the 2015 Rule. A proposed rule was published on May 22, 2018, with a 60-day comment period that was extended twice, for a total of 168 days, closing on November 6, 2018. The environmental analysis associated with the rulemaking is [PEPC project 83079](#) (EA, Revised EA, & FONSI in Document List).
- On July 3, 2024, the NPS published the 2024 Rule that prohibited bear baiting and clarified trapping regulations in the preserves. A proposed rule was published on January 8, 2023, with a 60-day public comment period that was extended once, for a total of 77 days, closing on March 27, 2023. The environmental analysis associated with the rulemaking is [PEPC project 111863](#) (EA, Revised EA, & FONSI in Document List).

1.3 Purpose of and Need for Action

The need for the proposed action is that the NPS has determined that existing regulations are not compatible with current federal laws and policies on NPS lands in Alaska regarding the regulatory framework adopted to implement ANILCA.

The purpose of the proposed action is to:

- Comply with direction given in Executive Order (EO) 14153, Unleashing Alaska’s Extraordinary Resource Potential, signed by the President on January 20, 2025, and SO 3422, signed by the Secretary of the Interior on February 3, 2025. EO 14153 directed the Secretary to rescind the 2024 Rule and reinstate the 2020 Rule and all bureaus in the Department of the Interior (DOI) to ensure to the greatest extent possible that hunting and fishing opportunities on federal lands are consistent with similar opportunities on state lands. SO 3422 directed the NPS to take action to execute the direction in EO 14153. Compliance recognizes the complementary and distinct roles of the State of Alaska, the Federal Subsistence Management Program, and the NPS in managing public uses and resources in Alaska park areas.
- Respond to requests to restore NPS regulations promulgated after passage of ANILCA that were in place until 2015 and reflected long-standing interpretations of laws and, policies, to address concerns that current procedures had resulted in certain restrictions to public use and access in Alaska park areas (such as closures to fishing access due to bear presence) and had prohibited certain methods of state-authorized wildlife harvest. From 2015 to 2020 and again from 2024 to 2025, Safari Club International, the Sportsmen's Alliance Foundation, the Alaska Professional Hunters Association, the Alaska Outdoor Council, various Tribal entities, and multiple other stakeholder groups raised concerns about provisions of the 2015 Rule, the 2017 Rule, and the 2024 Rule. In 2025, Safari Club International requested the DOI to rescind the 2024 Rule, and the Alaska Outdoor Council submitted a Petition for Rulemaking to the DOI

to restore the pre-2015 regulations by repealing the 2015 Rule, sections of the 2017 Rule, and the 2024 Rule.

1.4 Issues Analyzed in this Environmental Assessment

This EA evaluates two alternatives: a no action alternative and an action alternative, the proposed action. The following issues are evaluated for both alternatives: public safety, wildlife, federal subsistence use, and public use and experience.

1.5 Issues Dismissed from Further Analysis

The following issues were dismissed from detailed analysis:

- **Archeological or historic resources:** Changes to regulations are expected to have minimal impacts on these resources. There are known archeological and historic resources present within and adjacent to Alaska park areas, including resources such as National Historic Landscapes, prehistoric hunting sites, and historic sites preserving traditional knowledge and lifeways. Under both alternatives, impacts could occur from visitors accessing areas within the preserves for hunting and trapping purposes or within Alaska park areas for collections purposes. However, access would likely be on foot, with impacts very limited in duration (a few hours to a few days). As many sites are remote, and in some cases the locations kept confidential for cultural or protection purposes, any additional impacts on these resources from the proposed action are expected to be minimal. In the preserves where off-road vehicle (ORV) use is allowed, more ORV use is expected in the proposed action alternative than the no action alternative because ORV use is often associated with bear baiting and hunting/trapping. However, use is currently restricted to designated routes and areas, and there is little potential to cause impacts to cultural resources.
- **Fish and aquatic habitat, floodplains or wetlands:** Changes to regulations are expected to have minimal additional impacts on these resources as it is unlikely that visitor access would increase. Under both alternatives, impacts could occur from visitors accessing areas within the preserves for hunting purposes or within Alaska park areas for collections purposes. However, access would likely be on foot and limited in duration (a few hours to a few days). In the preserves where ORV use is allowed, stream crossings could result in very short-term, small-scale disturbance to spawning habitat for fish or other aquatic species. Impacts would be similar for floodplains and wetlands in that an ORV not following an upland route could cause disturbance to floodplains or wetlands by causing tire ruts, but most operators would avoid unnecessarily wet routes and thus avoid impacts on these resources. Bear bait stations could introduce organic material into environments which could leach into nearby waterways or introduce excess nutrients that degrade water quality, though these impacts are expected to be minimal due to the anticipated limited increase in bear bait stations anticipated predominately close to existing access corridors. For these reasons, impacts on these resources from the proposed action are expected to be minimal.
- **Threatened and endangered species:** The threatened and endangered species that potentially occur in the areas that could be affected by the proposed action are polar bear, wood bison, spectacled eider, Steller's eider, short-tailed albatross, and northern sea otter. Polar bear critical habitat has been identified for coastal areas of Bering Land Bridge. All of the species except for the wood bison are marine species and changes to regulations are expected to have no effect on the marine threatened and endangered species or to polar bear critical habitat. The wood bison was extirpated in Alaska around 200 years ago.

and an experimental population of 130 animals was established along the Lower Innoko/Yukon River area in 2015 (Alaska Wood Bison Management Planning Team 2022). No effect is expected to occur to wood bison because wood bison have not been documented in Alaska park areas at this time.

- **Wilderness:** Overall, due to the low level of additional take expected under the proposed action, and the large areas of designated wilderness in Alaska park areas, wilderness character would continue to exist in a manner largely similar to current conditions in accordance with statutory requirements in ANILCA and the Wilderness Act of 1964, with some potential long-term adverse impacts on wilderness character that could result in minor degradation of wilderness character. Changes to regulations are expected to have minimal impacts on wilderness character, as it is unlikely to increase the number of bear baiting stations beyond small amounts predominately closer to existing access corridors (with minimal impacts to the undeveloped and solitude qualities of wilderness character) and unlikely to modify ecological systems through the take of additional predators (bears) or raptors (with minimal impacts to the natural quality of wilderness character). These changes would occur in localized areas and would result in primary impacts to individual animals. For these reasons, impacts on these resources from the proposed action are expected to be minimal.

2. Alternatives

2.1 Alternative 1: No Action

Under the no action alternative, the NPS would not rescind the 2015 Rule, 2017 Rule, or 2024 Rule in their entirety. There would be no changes to CFR regulations.

2.2 Alternative 2: Proposed Action (Preferred Alternative)

The NPS proposes to rescind the 2015, 2017, and 2024 Rules by amending its CFR regulations to restore NPS regulations enacted after passage of ANILCA that were in place until 2015 and reflected long-standing interpretations of laws and policies. Amendments would address bear baiting; trapping definitions and authorities; live wildlife collection authorities; subsistence collections definitions and authorities; and public safety closure and restriction authorities (collectively referred to as “closure authorities” and “closures”) and procedures. Table 1 provides a list of proposed actions, the issues analyzed (public safety, wildlife, federal subsistence use, public use and experience), and the topics addressed for that issue (trapping, bear baiting, live wildlife collection, public safety closure authorities and procedures) organized by proposed CFR amendment.

Amendments to the CFR that were determined to have no impacts were not analyzed in this document. Minor administrative changes, such as adding language to address changes in circumstances, like relocation of the Federal Subsistence Management Program into the Office of the Secretary; ministerial edits to conform to current Federal Register drafting standards; revisions to subsistence collections definitions expected to have no effects on practitioners; or edits required to ensure that revised text is consistent throughout the CFR are not considered. See Appendix B - Table of Administrative Changes for a list.

The preferred alternative is responsive to comments received during the public comment period and during consultation. See Chapter 4 for additional consultation and coordination information.

Table 1. Proposed Action by CFR Amendment

CFR Reference	Proposed Action	Issue(s) and Topic for Impacts Analysis	Current CFR Text	Amended CFR Text	Amendment Number in Rule
2024 Rule					
36 CFR 13.1, Subpart A - Administrative Provisions, Section 13.1 - Definitions	Delete definition of "Furbearer".	Public Safety - Trapping	Furbearer means one of the following species: beaver, coyote, arctic fox, red fox, lynx, marten, mink, least weasel, short-tailed weasel, muskrat, land otter, red squirrel, flying squirrel, ground squirrel, Alaskan marmot, hoary marmot, woodchuck, wolf, and wolverine.	[Deleted]	2
36 CFR 13.1, Subpart A - Administrative Provisions, Section 13.1 - Definitions	Revise definition of "Trapping". State regulations would apply to taking a furbearer under a trapping license.	Public Safety - Trapping	Trapping means taking furbearers under a trapping license with a trap, or with a firearm when a furbearer is: (1) Ensnared in an intact trap; (2) Ensnared in a trap that is no longer anchored; or (3) Mortally wounded by a trap but that has broken free from the trap.	Trapping means taking furbearers under a trapping license.	2
36 CFR 13.42(f), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Delete paragraph. Allow bear baiting for sport purposes on the preserves; state regulations would apply.	Public Safety – Bear Baiting Wildlife – Bear Baiting Federal Subsistence Use – Bear Baiting Public Use and Experience – Bear Baiting	(f) Using bait is prohibited except for taking furbearers with a trap under a trapping license. Using bait to attract or take bears is prohibited.	[Deleted]	5
2017 Rule					
36 CFR 13.480(b), Subpart F - Subsistence, Section 13.480 - Subsistence hunting and trapping	Remove requirement that natural bait must be used for subsistence take of bears over bait.	Federal Subsistence Use – Bear Baiting	(b) (1) The following types of bait may be used to take bears for subsistence uses: (i) Parts of legally taken native fish or wildlife that are not required to be salvaged; or (ii) Remains of native fish or wildlife that died of natural causes. (2) The use of any other type of bait to take bears for subsistence uses is prohibited except under the terms and conditions of a permit issued under paragraph (d) of section 13.1902.	[Deleted]	10
2015 Rule					

CFR Reference	Proposed Action	Issue(s) and Topic for Impacts Analysis	Current CFR Text	Amended CFR Text	Amendment Number in Rule
36 CFR 13.42(j), Subpart B – General Provisions, Section 13.42 – Taking of wildlife in national preserves	Delete paragraph. Allow collection of live raptor chicks on the preserves; State and FWS regulations would apply.	Wildlife – Live Wildlife Collection Federal Subsistence Use – Live Wildlife Collection Public Use and Experience – Live Wildlife Collection	(j) Collecting, capturing, or possessing living wildlife is prohibited unless expressly authorized by federal statute or pursuant to § 2.5 of this chapter. A falconry permit or other permit issued by the State of Alaska does not provide the required authorization. These collecting activities are not hunting or trapping activities and therefore are not allowed in national preserves under paragraph (a) of this section. This regulation does not prohibit the use of trained raptors for hunting activities where authorized by applicable federal and state law.	[Deleted]	5
36 CFR 13.50(a), Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Delete paragraph (a) and replace it with a new paragraph (a). Redefines types of closures as emergency, temporary, or permanent.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure Authorities and Procedures	(a) Applicability and authority. The Superintendent will follow the provisions of this section to close an area or restrict an activity, or terminate or relax a closure or restriction, in NPS areas in Alaska.	(a) Authority. The Superintendent may close an area or restrict an activity on an emergency, temporary, or permanent basis.	6
36 CFR 13.50(c), (e)(2) Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Delete paragraphs (c) and (e)(2) and replace with a new paragraph (c) and three subparagraphs (1)-(3). Removes the rulemaking requirements for non-emergency closures or restrictions, or the termination of non-emergency closures or restrictions, that may have significant or adverse impacts. Adds the conditions under which an emergency closure or restriction may be implemented; the maximum emergency closure or restriction period would be changed from 60 days to 30 days maximum duration, not extendable.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure Authorities and Procedures	(c) Rulemaking requirements. This paragraph applies only to a closure or restriction, or the termination or relaxation of such, which is of a nature, magnitude and duration that will result in a significant alteration in the public use pattern of the area; adversely affect the area's natural, aesthetic, scenic, or cultural values; or require a long-term modification in the resource management objectives of the area. Except in emergency situations, the closure or restriction, or the termination or relaxation of such, must be published as a rulemaking in the Federal Register. (e)(2) (2) Emergency closures or restrictions may not exceed a period of 60 days and may not be extended without following the nonemergency procedures of this section.	(c) Emergency Closures. (1) Emergency closures or restrictions relating to the taking of fish and wildlife shall be accomplished by notice and hearing. (2) Other emergency closures shall become effective upon notice as prescribed in paragraph (f) of this section; and (3) No emergency closure or restriction shall extend for a period exceeding 30 days, nor may it be extended.	6

CFR Reference	Proposed Action	Issue(s) and Topic for Impacts Analysis	Current CFR Text	Amended CFR Text	Amendment Number in Rule
36 CFR 13.50(d), Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Delete paragraph (d) and replace with a new paragraph (d) and three subparagraphs (1) - ((3). Removes Superintendent requirement for preparing a written determination with justification, and the requirement to post the determination of closure on the NPS website. Adds the conditions under which a temporary closure or restriction may be implemented. Temporary closures do not exist under current regulations, which make no distinction between temporary and permanent closures. The maximum temporary closure or restriction period would be identified as 12-month maximum duration, not extendable.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure Authorities and Procedures	(d) Written determination. Except in emergency situations, prior to implementing or terminating a closure or restriction, the superintendent shall prepare a written determination justifying the action. That determination shall set forth the reasons the closure or restriction authorized by paragraph (a) of this section has been established. This determination will be posted on the NPS Web site at www.nps.gov .	(d) Temporary closures or restrictions. (1) Temporary closures or restrictions relating to the taking of fish and wildlife, shall not be effective prior to notice and hearing in the vicinity of the area(s) directly affected by such closures or restrictions, and other locations as appropriate; (2) Temporary closures shall be effective upon notice as prescribed in paragraph (f) of this section; and (3) Temporary closures or restrictions shall not extend for a period exceeding 12 months and may not be extended.	6
36 CFR 13.50(e), Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Delete paragraph (e)(1) and replace it with a new paragraph (e). Change the outreach process for non-emergency closures from the current procedure (NPS consults with the appropriate state agency and provides a public comment opportunity with one or more public meetings near the affected NPS unit) to requiring publication in the Federal Register with a minimum 60-day public comment period with public hearings in the area affected and other locations as appropriate.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure Authorities and Procedures	(e) Restrictions on taking fish or wildlife. (1) Except in emergencies, the NPS will consult with the State agency having responsibility over fishing, hunting, or trapping and provide an opportunity for public comment, including one or more public meetings near the affected NPS unit, prior to implementing a closure or restriction on taking fish or wildlife.	(e) Permanent closures or restrictions. Permanent closures or restrictions shall be published as rulemaking in the Federal Register with a minimum public comment period of 60 days and shall be accompanied by public hearings in the area affected and other locations as appropriate.	6
36 CFR 13.50(f), Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Delete paragraph (f) subparagraphs (1)-(4) and replace them with a new paragraph (f) with subparagraphs (1)-(3). Removes the requirement of annual compilation in writing of a list of closures and restrictions published on the NPS website.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures	(f) Notice. A list of closures and restrictions will be compiled in writing and updated annually. The list will be posted on the NPS Web site at www.nps.gov and made available at park headquarters. Additional means of notice reasonably likely to inform residents in the affected vicinity will also be provided where available, such as: (1) Publication in a newspaper of general circulation in	(f) Notice. Emergency, temporary, and permanent closures or restrictions shall be: (1) Published in at least one newspaper of general circulation in the state and in at least one local newspaper if available, posted at community post offices within the vicinity affected, made	6

CFR Reference	Proposed Action	Issue(s) and Topic for Impacts Analysis	Current CFR Text	Amended CFR Text	Amendment Number in Rule
	Changes the suite of reasonable notice options (newspaper publication, electronic media, radio broadcast, posting of signs) to requiring (1) publication in at least two newspapers, posting at community post offices, radio broadcast, and designation of a map for public inspection at the Superintendent's office and other places convenient to the public; and (2) posting of signs. Electronic media posting is not specifically disallowed but is not mentioned.	Public Use and Experience - Public Safety Closure Authorities and Procedures	the State or in local newspapers; (2) Use of electronic media, such as the internet and email lists; (3) Radio broadcast; or (4) Posting of signs in the local vicinity.	available for broadcast on local radio stations in a manner reasonably calculated to inform residents in the affected vicinity, and designated on a map which shall be available for public inspection at the office of the Superintendent and other places convenient to the public; and (2) Designated by the posting of appropriate signs.	
36 CFR 13.50(g), (i) Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Delete paragraph (g) and replace it with a new paragraph (i). Remove prohibition on violating a closure or restriction from this section, and revise and expand it in paragraph (i), including by adding a reference to entry that may be otherwise specifically permitted.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure Authorities and Procedures	(g) Violating a closure or restriction is prohibited.	((i) <i>Prohibitions</i> . Except as otherwise specifically permitted under the provisions of this part, entry into closed areas or failure to abide by restrictions established under this section is prohibited.	6
36 CFR 13.50(g) Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Add new requirements for Superintendents to follow prior to determining whether to open an area to public uses or activities otherwise prohibited.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure	n/a	(g) <i>Openings</i> . In determining whether to open an area to public use or activity otherwise prohibited, the Superintendent shall provide notice in the Federal Register and shall, upon request, hold a hearing in the affected vicinity and other locations as appropriate prior to making a final determination.	6

CFR Reference	Proposed Action	Issue(s) and Topic for Impacts Analysis	Current CFR Text	Amended CFR Text	Amendment Number in Rule
		Authorities and Procedures			
36 CFR 13.50(h), Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Add a new paragraph (h). Provide specific procedures for Superintendent to follow prior to closing or restricting facilities, including notice requirements.	Public Safety - Public Safety Closure Authorities and Procedures Federal Subsistence Use - Public Safety Closure Authorities and Procedures Public Use and Experience - Public Safety Closure Authorities and Procedures	n/a	(h) Facility closures and restrictions. The Superintendent may close or restrict specific facilities for reasons of public health, safety, and protection of public property for the duration of the circumstance requiring the closure or restriction. Notice of facility closures and restrictions will be available for inspection at the park visitor center. Notice will also be posted near or within the facility, published in a newspaper of general circulation in the affected vicinity, or made available to the public by such other means as deemed appropriate by the Superintendent. Violating facilities closures or restrictions is prohibited.	6

3. Affected Environment and Environmental Consequences

This chapter describes the current (“Affected Environment” subsections) and expected future conditions (“Environmental Consequences” subsections) of public safety, wildlife, federal subsistence use, and public use and experience. The beneficial and adverse impacts that would likely result from implementing either of the alternatives considered in this EA are also described. All “Environmental Consequences” subsections include a “Conclusions” summary paragraph. Note that in general, the “Affected Environmental” subsections also described the “Environmental Consequences” of implementing the no action alternative. A summary of impacts is shown in Table 2, Impacts Summary by Alternative.

Table 2. Impacts Summary by Alternative

Impact Issue and Topic	No Action Alternative	Proposed Action Alternative
Federal Subsistence Use – Bear Baiting	While individual animals and potentially family groups are impacted by take, population level effects of take of bear over bait for subsistence use is minimal on the preserves.	No impacts. Take expected to remain the same for subsistence use.
Federal Subsistence Use – Live Wildlife Collection	No impacts.	No impacts to species of interest (snowy owl).
Federal Subsistence Use - Public Safety Closure Authorities and Procedures	No impacts.	Minimal impact, as in rare cases, federally qualified subsistence users may be adversely impacted from the delayed ability of a park superintendent to enact emergency closures related to the taking of fish and wildlife as needed to protect public safety, resources, listed species, and subsistence uses, such as deterring potential conflicts between federally qualified subsistence users and others.
Public Safety – Bear Baiting	While minimal, risks to the public from bear baiting exist and cannot be eliminated. Risks are mitigated by compliance with state regulations for bear baiting.	While minimal, risks to the public from bear baiting may increase slightly if there are more bait stations and cannot be eliminated. Risks are partially mitigated by compliance with state regulations for bear baiting.
Public Safety - Public Safety Closure Authorities and Procedures	No impacts.	Temporary adverse impacts may result from changed notification requirements which could lead to confusion or lack of information distribution as the public adjusts to the revised procedures. While minimal, the limit of temporary closures or restrictions at 12 months with no option to extend could adversely impact public safety, should the closure be enacted for health and safety reasons but not be able to be extended without rulemaking if unsafe conditions persist.
Public Safety - Trapping	While minimal, risks to the public from trapping exist and cannot be eliminated.	While minimal, risks to the public from trapping exist and cannot be eliminated. Temporary adverse impacts may result from changed notification requirements which could lead to confusion or lack of information distribution as the public adjusts to the revised procedures.

Impact Issue and Topic	No Action Alternative	Proposed Action Alternative
Public Use and Experience – Bear Baiting	No impacts.	Minimal potential for beneficial impacts by reducing confusion regarding regulations for sport hunters. Minimal potential for adverse impacts for visitors seeking bear sightings, should bait stations be concentrated at the same limited access points.
Public Use and Experience – Live Wildlife Collection	No impacts.	Minimal potential for adverse impacts for visitors seeking raptor sightings, should collection be concentrated at the same limited access points.
Public Use and Experience - Public Safety Closure Authorities and Procedures	No impacts.	Temporary adverse impacts may result from changed notification requirements which could lead to confusion or lack of information distribution as the public adjusts to the revised procedures. While minimal, the limit of temporary closures or restrictions at 12 months with no option to extend without rulemaking could beneficially impact visitors would potentially be adversely affected by longer closures.
Wildlife – Bear Baiting	While individual animals and potentially family groups are impacted by take, population level effects of take of bear over bait would be minimal.	Minimal increase of impacts with more bears potentially taken over bait not anticipated to rise to population level. State would work with NPS should harvest increase to a level determined to be non-sustainable.
Wildlife – Live Wildlife Collection	No impacts.	Minimal impacts as take would not be expected to result in population level effects on raptor species.

3.1 Issue: Public Safety

3.1.1 Public Safety - Affected Environment

Overview. Public safety is a very high priority for the NPS. Section 8.2.5.1 of the 2006 NPS Management Policies states that for visitor safety:

The saving of human life will take precedence over all other management actions as the Park Service strives to protect human life and provide for injury-free visits. The Service will do this within the constraints of the 1916 Organic Act. The primary—and very substantial—constraint imposed by the Organic Act is that discretionary management activities may be undertaken only to the extent that they will not impair park resources and values.

Section 8.2.5 (NPS 2006a) also acknowledges that it is not possible to eliminate all hazards in System units, in particular in areas that are managed as natural environments. The NPS manages Alaska park areas as natural environments that present numerous risks to public safety that cannot be completely eliminated. The policy does not require the NPS to eliminate all potential risks to public safety from harvest practices on the preserves, to the extent they exist.

ANILCA section 1313 (16 U.S.C. 3201) provides for the administration of national preserves:

A National Preserve in Alaska shall be administered and managed as a unit of the National Park System in the same manner as a national park except as otherwise provided in this Act and except that the taking of fish and wildlife for sport purposes and subsistence uses, and trapping shall be allowed in a national preserve under applicable State and Federal law and regulation. Consistent with the provisions of section 8166, within national preserves the Secretary may designate zones where and periods when no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having responsibility over hunting, fishing, and trapping activities.

The NPS prioritizes public safety and can conduct management actions to protect public safety, when such conditions arise, such as closing a section of trail temporarily if a bear is defending a moose carcass near a trail and is deemed a threat to public safety. Following a fatal bear encounter at Glacier National Park in May 2026, the DOI Office of Communications launched a new internal bear safety campaign and external messaging including [a press release](#) dated May 16, 2026 (NPS 2026a). Exercising the Delegated Authority of the Director, Comptroller Jessica Bowron stated that “National parks are wild places, and wildlife safety is visitor safety,” and that “Simple actions, like giving bears space, securing food and knowing what to do before you enter bear country, can protect visitors and bears.”

Topic: Bear Baiting. Sport hunting by bear baiting is currently prohibited in the preserves per the 2024 Rule. Bear baiting for subsistence use is generally allowed for qualified local rural residents in Alaska park areas by Federal Subsistence Board and NPS regulations. The current prohibition on sport hunting for bears over bait reduces potential interactions between the public and bears, however unlikely, that could result from bear bait stations established and accessed via similar limited access ways that the public uses to access recreational and other opportunities on national preserve lands. The preserves host diverse recreational activities in addition to hunting (e.g., hiking, camping, fishing). Because road and trail access to and within most the preserves is limited, hunting and non-hunting-related activities often occur in the same areas—increasing potential for conflict between potentially non-compatible activities. Bears attracted to bait stations but not harvested could pose a threat to public safety and could potentially lead to injury or death.

The NPS recognizes the widely accepted concept that food-conditioned bears are more likely to become a public safety risk relative to bears not conditioned to human foods (Herrero 1970, 1976, 2018), as it is well understood that habituated and food-conditioned bears pose a heightened public safety risk (Glitzenstein and Fritschie 1995, Herrero 2018). The NPS also recognizes that human-bear conflicts are created by associating people with campgrounds and other human congregation points with regular food sources (Glitzenstein and Fritschie 1995, Herrero 2018). The NPS, while acknowledging that bait is food, has determined that studies cited in prior analysis of public safety risks apply to campground and other congregation points, but not to areas or situations where bear baiting would be allowed. The limited human presence and irregularity of the food sources at bait stations is not comparable to situations at campgrounds and other human congregation points with regular food sources. The Alaska Board of Game (BOG) comments on the 2024 Rule stated it had no information that bear baiting causes potential safety concerns by habituating bears to human-provided food and that it had found no fact-based support for this concern in any other state that allows bear baiting (State of Alaska 2023).

Topic: Trapping. As a result of the 2024 Rule, “trapping” is defined in NPS’s regulation to allow the use of firearms to be used to humanely kill an animal caught in a trap or mortally wounded after being caught in the trap would likely increase safety for trappers. Legally trapped species include wolverine, wolves, and lynx; the use of a firearm allows a trapper to dispatch the animal quickly and at a farther distance if necessary, thus contributing to public safety for those trappers. NPS’s regulatory definition is duplicative of state regulations that already allow this practice.

Topic: Public Safety Closure Authorities and Procedures. Public involvement and criteria for closing Alaska park areas to public access would continue to be managed pursuant to procedures established in the 2015 Rule. The continuation of existing public notification methods to which the public is familiar can be assumed to result in continued levels of information distribution, as the public is likely familiar with where to find public closure information and how to provide feedback on proposed closures. Due to the often short-term or flexible nature of responding to closure needs, the NPS does not track closure information, so quantified data is not available. The emergency closure or restriction period would remain as 60 days with the opportunity to extend. There would be no temporal limit on how long a non-emergency public safety closure may remain in effect, provided rulemaking is not required under the regulations. This could continue to beneficially impact public safety, should a closure be enacted for health and safety reasons for which a longer closure period would be appropriate.

Reasonably Foreseeable Trends and Planned Actions. The effects of reasonably foreseeable trends and planned actions as they relate to bears have the potential for adverse impacts on public safety. Ongoing environmental trends may include shifting seasons for fish, berries, and other food sources for bears (Taylor 2008, Deacy et al. 2017); fish runs may decline (Macdonald et al. 2000, Crossin et al. 2008); and bears are predicted to end hibernation sooner with warmer temperatures (Pigeon et al. 2016, Johnson et al. 2018). These trends may continue to provide additional environmental stressors to bears. As peak visitor season is also expected to expand into May and September for some Alaskan park units (Albano et al. 2013), this could increase visitor numbers in months that have historically not had much visitation, which may provide for additional opportunities for visitors to encounter bears during periods that previously saw limited visitation.

3.1.2 Public Safety - Environmental Consequences – No Action Alternative

Conclusion. Under the no action alternative, the prohibition of bear baiting would continue in the preserves. Trapping would continue according to a duplicative NPS regulation that allows use of a firearm to humanely kill an animal caught in a trap or mortally wounded after being caught in the trap. Live wildlife collections would continue to be prohibited. Public safety closures would continue as before. As a result, impacts to public safety would be the same as described above in the “Public Safety - Affected Environment” section.

3.1.3 Public Safety – Environmental Consequences - Proposed Action Alternative

Topic: Bear Baiting. Under this alternative, bear baiting, where allowed in the preserves, would be subject to State of Alaska regulations (5 Alaska Administrative Code [AAC] 92.044). Bear baiting was authorized in 1982; since that time, regardless of closure status, the State and the NPS have identified no areas where harvest authorized by the BOG or Federal Subsistence Board presented a public safety concern.

State regulations, designed to prevent user conflict, require a permit and that bait station areas are signed and located more than one quarter mile from publicly maintained roads (including logging roads, if they are publicly

maintained), trails, and the Alaska Railroad, and more than one mile from a house or other permanent dwelling (except for cabins on the opposite side of a major river system), a business, a school, a developed campground, or a developed recreational facility. In addition, the State requires that all bait stations be registered with the Alaska Department of Fish and Game (ADFG) and that all persons wishing to register a bait station be at least 18 years of age (increased from age 16 in 2017), and to have successfully completed an ADFG-approved bear baiting clinic either in person or online. ADFG continually updates and improves access to [online materials](#) concerning bear baiting requirements, guidance, safety and ethics; and may prohibit bear baiting in local areas for a variety of reasons which may include public safety.

The State noted in 2014 that it had registered thousands of black bear bait stations yearly, with no detectable problems related to this practice (State of Alaska 2014). NPS records indicate that the majority of bait stations in Wrangell-St. Elias National Preserve when the practice was allowed did not comply with the State's minimum distance requirements, but no public safety issues were reported. Comments from Tribal governments on the 2017 Rule noted that bear baiting can be effective at targeting animals with an established tolerance for human activities, which are more likely to be involved in an incident. Under this alternative, the NPS expects that trends on number of bait stations and number of bears taken over bait would be similar to past practice when it was allowed. A more thorough discussion of the limited quantitative data available on numbers of bait stations and of bears taken over bait in the preserves is presented below in the "Wildlife – Environmental Consequences – Proposed Action Alternative" section. Given past trends, additional public safety risk would exist, would be minimal, and cannot be eliminated, though public safety impacts may disproportionately fall on Alaska Native communities. Encounters between bears and subsistence users at their hunting and fishing camps, and in and near their communities where baiting occurs, are possible. As noted by the Organized Village of Kasaan in their March 31, 2026 letter, changes to bear behavior by baiting—such as increased habituation to human food sources—can "create long-term safety risks for rural communities that live year-round on the land, not just seasonally or recreationally" (OVK 2026a). The Organized Village of Kasaan shared that when bears are conditioned to associate food with human presence, subsistence harvest areas become more dangerous; traditional berry-picking, hunting, and harvesting are disrupted; and communities face increased pressure for lethal wildlife control. See also the "Federal Subsistence Use – Environmental Consequences - Proposed Action Alternative" section below.

As road and trail access to and within Alaska park areas is limited, harvest and non-harvest-related activities often occur in the same areas which increases the potential for conflict between potentially non-compatible activities. Most visitation occurs near roads, trails, waterways, or encampments (e.g., cabins, residences, communities). The same roads, trails, and waterways used by visitors are, therefore, often used by those setting up a bait station; bear baiting and many other visitor activities are concentrated around the same limited access points. Establishing and maintaining a bait station requires the transport of supplies, including bait, barrels, tree stands, and game cameras. Visitors and residents may inadvertently encounter bears, transport of bait station equipment, and bait stations while engaging in sightseeing, hiking, boating, hunting, photography, fishing, and a range of other activities. Though visitors may encounter the transport of bait station equipment, if hunters comply with State regulations, the likelihood of visitors encountering a bait station is extremely low, reducing public safety risks. Even if a station was established in an unauthorized location, or not signed, the risk to public safety from bears present at unauthorized locations would be low.

The NPS would maintain full authority to close specific areas if a documented concern arises meeting the criteria outlined in 36 CFR 13.50 and 13.490. In instances of non-compliance, the NPS would work with the State to take actions to ensure compliance with risk mitigation regulations and would attempt to address any site-specific issues related to bear baiting with the Alaska BOG, to the maximum extent allowed by federal law. Should the NPS

determine that a specific situation presents an unacceptable risk to public safety, the risk may be addressed with closures, enforcement actions, or other measures, as appropriate.

Topic: Trapping. Defining trapping as using a trap under a trapping license without specific mention of using a firearm is expected to have limited effects on public safety, although it would extend the timeframe that people could use firearms to dispatch free-ranging wildlife (trapping and hunting seasons instead of just hunting seasons). Not stating that firearms can be used when trapping to humanely dispatch an injured or escaped animal in NPS's regulations may have limited effects on public safety; increased personal risk of injury may occur through attempting to dispatch the trapped animal by other means. Any impacts are expected to be minimal and decrease further as familiarity with the rule increase and public understanding that use of firearms while trapping is still allowed, just under state law.

Topic: Public Safety Closure Authorities and Procedures. The changes made in the 2015 Rule regarding public involvement and criteria prior to closing Alaska park areas to public access and protected uses would be rescinded. Due to the unknown and unpredictable nature of situations that may require closures, there is no method to determine if this rescission would result in greater or fewer closures overall. It is also unknown if the modification to public notification methods would result in greater or more efficient spread of information or not. It can be assumed that there may be some initial instances where the new notification requirements could lead to confusion or lack of information distribution as the public adjusts to the revised processes, thus representing a potentially adverse but temporary impact on public safety, though this is expected to be minimal after the public becomes familiar with new processes.

Under the proposed action, emergency closures or restrictions would be limited to 30 days (from 60 days) with no option to extend. Temporary closures or restrictions would be limited to 12 months with no option to extend without rulemaking. This length restriction could adversely impact public safety, should the closure be enacted for health and safety reasons but not be able to be extended if unsafe conditions persist. However, the NPS will continue to monitor visitor safety and respond accordingly.

Reasonably Foreseeable Trends and Planned Actions. The effects of reasonably foreseeable trends and planned actions on public safety would be similar to those described in the "Public Safety – Affected Environment" section. However, increasing environmental pressures on bears could lead to increased defense of food sources. As peak visitor season is also expected to expand into May and September for some Alaskan park units (Albano et al. 2013), this could increase visitor numbers in months that have historically not had much visitation and also increase the likelihood of bear-human conflicts.

Conclusion. Actions other than those related to bear baiting are expected to have limited adverse effects on public safety. While rare, the proposed action alternative could result in public safety risks due to the potential for humans and bears to encounter each other at bear bait stations in the preserves. While these risks may not be high-probability events, the catastrophic nature of human injury or death from human-bear conflicts could result in localized severe adverse impacts on public safety. The rescission of existing public safety closure authorities and procedures may result in some temporary decrease in information distribution as the public adjusts to the new processes, as well as shortened closure or restriction periods, both leading to short-term and limited adverse impacts to public safety. However, decrease in information distribution is expected to be minimized after the public becomes familiar with new processes. Additionally, the NPS would continue to monitor visitor safety and respond appropriately. Combined with the proposed action, the effects of reasonably foreseeable trends and planned actions would result in limited adverse impacts on public safety overall.

3.2 Issue: Wildlife

3.2.1 *Wildlife - Affected Environment*

Overview. Large intact ecosystems, complete with large predators, are present throughout Alaska park areas. Title II of ANILCA (16 U.S.C. 410hh to 410hh-5) mandates that NPS “protect habitat for and populations of, fish and wildlife, including but not limited to...” and names key species. In general, the fish and wildlife populations are healthy and fluctuate within the limits of natural variation. Wildlife populations can change for a variety of reasons, including interactions between nutrition, weather, predator-prey relationships, and human harvest. These fluctuations have been occurring for thousands of years and it is the mandate of the NPS to allow these natural processes to continue while still allowing for limited human harvest in certain areas.

Game Management Units (GMUs) are the basis for wildlife management in Alaska, based on considerations of wildlife habitat, proximity and density of human population centers, wildlife distribution, and anticipated hunting pressure. GMUs represent the best available construct upon which to base a geographic boundary for populations on extremely large landscapes. Throughout the impact analysis, “population-level effects” are those expressed at the scale of the GMU, and localized effects as those only detectable at finer spatial scales. Relative to wildlife and habitat, the preserves meet mandates to be managed for the maintenance of natural ecosystems, processes, and wildlife populations (including behaviors). Sport and subsistence harvest of wildlife are allowed uses in the preserves, governed by a combination of state, federal, and agency authorizations (Hilderbrand et al. 2013a).

Sport hunting by bear baiting is currently prohibited in the preserves per the 2024 Rule. Bear baiting for subsistence use is generally allowed for qualified local rural residents in Alaska park areas by Federal Subsistence Board and NPS regulations.

As noted above in the “Proposed Action” section, all State of Alaska laws concerning hunting, trapping, fishing, and collections that do not conflict with existing federal laws or regulations would continue to apply in Alaska park areas. While impacts resulting from proposed changes to bear baiting and live animal collection are specifically addressed in this EA, other State harvest practices in Alaska park areas that might have been previously prohibited by overly restrictive language in the 2015 and 2017 Rules are not addressed. There is some possibility that additional individual animals could be taken in small numbers, but any impacts to wildlife populations would be expected to be negligible. No data are available on other state authorized practices in Alaska park areas that may have been prohibited, so further analysis is not included in this EA.

Topic: Bear Baiting. Alaska has an estimated 30,000 brown bears statewide (ADFG 2026). The density of brown bears in Alaska varies considerably with habitat and ranges anywhere from 2.6 bears/1,000 km² on the North Slope (Lenart 2021) to 275 bears/1,000 km² in Southeast Alaska (Bethune 2021), although these estimates are extrapolated from an estimate derived from a reanalysis of 20-year-old data. Except for breeding pairs and females with offspring, brown bears are typically solitary creatures and avoid the company of other bears. While population varies by region, there are an estimated 100,000 black bears statewide.

Bears in the preserves would maintain more natural foraging and feeding behaviors compared to the proposed action. Because the current prohibitions on methods of take would remain in place, there would not be the potential for additional increased localized impacts such as mortality risk due to loss of family or group members that could occur under the proposed action. Wildlife and populations would continue to respond to current factors with little change in abundance, diversity, and distribution. Harvest of bears over bait would continue to be

managed according to applicable federal and state regulations in the preserves. State regulations for the practice are discussed above under “Public Safety.”

While the harvest of black bears over bait has been legal on the preserves since the 1980s, harvest has been low (less than two bears per year) during the period 1992-2010 and largely occurred within the McCarthy Road corridor of Wrangell St. Elias National Preserve (Hilderbrand et al. 2013b). From the harvest data reported to the State, less than or equal to 37 black bears were hunted over bait in the preserves, and less than or equal to 34 of these were harvested along the McCarthy Road corridor in Wrangell-St. Elias National Preserve. In terms of bears taken over bait for subsistence purposes, of the 37 reported, only three black bears were harvested by qualified rural Alaska residents from the preserves (Hilderbrand et al. 2013b).

Topic: Live Wildlife Collection. Falconry is the sport of pursuing, capturing, or killing game using a trained raptor. Falconry activities (including collection of raptor chicks for training and use in hunting) in the preserves continue to be prohibited based on general System-wide prohibitions at 36 CFR 2.2(a)(2). Alaska supports 100% of the U.S. breeding population of Gyrfalcon, Rough-legged Hawk, and Snowy Owl, as well as large proportions of other raptor subspecies (ADFG 2015). Most raptor species in Alaska occur at low densities, occupy remote areas, and/or are poorly sampled by roadside survey, so population trends are often unavailable, imprecise, or potentially misleading. Trends from eBird (via the Status and Trends products from the Cornell Lab of Ornithology) can provide some spatially explicit, year-round trend estimates for raptors that regularly occur in Alaska, with some important caveats:

- They are relative (not absolute abundance)
- Detection and observer effort can influence estimates (though modeling attempts to account for this)
- Rare and vagrant species (e.g., Stellar’s sea eagle) will not have meaningful Alaska trends and would be categorized as “not applicable / outside normal range”

Table 3 provides general population trends for Alaska raptor species with these important caveats.

Table 3. General Population Trends for Alaska Raptor Species

Common Name	Scientific Name	Status	eBird Population Trend
White-tailed Eagle	<i>Haliaeetus albicilla</i>	C	NA
Steller's Sea-Eagle	<i>Haliaeetus pelagicus</i>	C	NA
Northern Harrier	<i>Circus cyaneus</i> (Note: listed as <i>Circus hudsonius</i> on eBird)	RR	-17.90%
Asiatic Sparrowhawk	<i>Accipiter gularis</i>	AC	NA
Sharp-shinned Hawk	<i>Accipiter striatus</i>	RR	-40.70%
Cooper's Hawk	<i>Accipiter cooperii</i>	AC	NA for Alaska; shows -2% for region (not diff from 0% change)
American Goshawk	<i>Astur atricapillus</i>	RR	NA
Harris's Hawk	<i>Parabuteo unicinctus</i>	X	NA for Alaska; shows -23% for region
Swainson's Hawk	<i>Buteo swainsoni</i>	R	NA for Alaska; shows +1.2% for region but not diff from 0% change)
Red-tailed Hawk	<i>Buteo jamaicensis</i>	RR	-11.20%
Ferruginous Hawk	<i>Buteo regalis</i>	RR	NA
Rough-legged Hawk	<i>Buteo lagopus</i>	RR	NA for Alaska; shows -16.8% for region
Golden Eagle	<i>Aquila chrysaetos</i>	RR	-33.30%

Eurasian Kestrel	<i>Falco tinnunculus</i>	C	NA
American Kestrel	<i>Falco sparverius</i>	RR	-15.6% but not diff from 0% change
Merlin	<i>Falco columbarius</i>	RR	+3.3% but not diff from 0% change
Aplomado Falcon	<i>Falco femoralis</i>	X	NA
Peregrine Falcon	<i>Falco peregrinus</i>	RR	+19.40%
Gyr Falcon	<i>Falco rusticolus</i>	RR	NA
Prairie Falcon	<i>Falco mexicanus</i>	X	NA for Alaska but shows -24.3% for region
Western Screech-Owl	<i>Megascops kennicottii</i>	RR	-16.8%
Great Horned Owl	<i>Bubo virginianus</i>	RR	+0.8% but not diff from 0% change
Snowy Owl	<i>Bubo scandiacus</i>	RR	NA for Alaska but shows -24.3% for region
Northern Hawk-Owl	<i>Surnia ulula</i>	RR	-33%
Northern Pygmy-Owl	<i>Glaucidium gnoma</i>	RR	+21.6% but not diff from 0% change
Barred Owl	<i>Strix varia</i>	RR	+15% but not diff from 0% change
Great Gray Owl	<i>Strix nebulosa</i>	RR	NA
Long-eared Owl	<i>Asio otus</i>	C	NA for Alaska but shows -27.8% for region
Short-eared Owl	<i>Asio flammeus</i>	RR	+9.2%
Boreal Owl	<i>Aegolius funereus</i>	RR	NA
Northern Saw-whet Owl	<i>Aegolius acadicus</i>	RR	No trend for Alaska but -23.8% for region

Note: For the “Status” column, unless otherwise noted with the following codes, assume the raptor is a regular visitor to Alaska (i.e., RR = Regular Resident or Visitor). Other codes include: C= Casual (not annual, but recurs periodically); R = Rare (annual or near-annual in small numbers); AC = Accidental (very few records); X = No Alaska Record.

Note: For the “eBird Population Trend” column, eBird includes information for region (North America) and state. In some cases, the state (Alaska) was not available because the species isn’t frequent enough to monitor, noted by “NA”. In some cases, Alaska was specified but the trend was not available due to lack of data. When a trend was available for the region but not specifically for Alaska, it is indicated below. For instances where there is just a trend (positive or negative), it is indicated that it was for Alaska and the trend confidence interval did not include “0”. Finally, in a number of cases, there was a median trend, but the confidence interval included “0”, meaning there was insufficient power to detect a trend.

Source: eBird, accessed April 2026.

Outside of the preserves, falconry is a lawful hunting method when practiced in compliance with state and federal regulations under the terms of a permit issued by the Commissioner of the Alaska Department of Fish and Game. The species of raptors, including all subspecies thereof, authorized for falconry in Alaska are identified in the [2022 ADFG Alaska Falconry Manual no. 11](#) (page 2), and are a subset of the species described by the FWS (50 CFR 10.12 and 50 CFR 10.13) (ADFG 2022).

Alaska regulations require that anyone taking, holding, or possessing one or more raptors of these species for falconry must first obtain a falconry permit and valid, current Alaska hunting license. A person may not practice falconry in Alaska without first obtaining an Alaska falconry permit and valid, current Alaska hunting license. The [2022 ADFG Alaska Falconry Manual no. 11](#) includes a summary of the permit conditions relative to the numbers of birds and species for each class of falconer (page 3).

State falconry regulations were adopted by the BOG to assist in the management of raptor populations and to maintain standards for the care of birds legally held for falconry purposes. The ADFG Falconry Manual includes regulations that pertain to the taking, holding, and possession of raptors for falconry and issuance of falconry permits. Statewide provisions for issuing falconry permits and promulgating regulations are contained in 5 AAC 92.037 and AS 16.05.255. Federal regulations on falconry are at 50 CFR 21.29.

The Alaska Falconers Association represents nearly 50 licensed Alaska falconers (AFA 2025). In 2017, about four dozen falconers live in Alaska (not all are association members); nonresidents can also get capture permits (ADN 2017). Data on the prevalence of raptor collection in Alaska, particularly historically within the preserves, are relatively limited and not systematically compiled. According to the Alaska Falconers Association, Alaska falconers have taken an average of 10.6 raptors a year, of all species statewide, over a 15-year span from 2000 through 2015 (AFA 2025). As this data is prior to the 2017 Rule, this average would include those taken within the preserves, though the NPS does not have readily available documentation of the frequency of the practice of collection of raptors solely within the preserves prior to the 2017 Rule, or the average take of raptors per year in Alaska after the 2017 Rule. Given the relatively limited acreage of NPS-managed national preserve land when compared to the broader landscape of Alaska, this analysis assumes that, of the statewide estimate of 10.6 raptors per year, a very small portion of those would have occurred within the preserves prior to the 2017 Rule.

Prior to 2018, falconers self-reported take to the State and the FWS via paper forms that were later entered manually into a database, so data regarding take may be incomplete or could possibly contain duplicate records. In terms of species-specific wild-caught falconry take (i.e., excluding transfer of captive bred birds, reports of dead birds, reports of release of birds, etc.), the majority of birds are typically: gyrfalcon and American goshawk. Table 3 shows the data available from a FWS internal database with these important caveats, and with the understanding that for some years data is not available in this database (i.e., 2005-2010). The data within Table 4 show more conservative average wild-caught raptors than the Alaska Falconers Associations' estimate of 10.6 raptors taken per year, on average, from 2000-2015.

Table 4. Number of Wild-Caught Raptors Taken for Falconry in Alaska by Species from 2004 – 2025

Common Name	2004	2011	2012	2013	2014	2015	2016	2017	2018	2019	2021	2022	2023	2024	2025	Grand Total
American Goshawk					3	2	1	2	2	2	1	3	1	2	1	20
American kestrel				2												2
Gyrfalcon		3		1	5	3	11	7				1				32
Merlin				1	1				1	1	4					8
Northern saw-whet							2									2
Peregrine falcon	2						2		1							5
Red-tailed hawk			2		1					1			1			6
Sharp-shinned hawk														1		1
Total	2	3	2	4	10	5	16	9	4	4	5	4	2	3	1	76

Note: Numbers are likely conservative based on the information reported to the US Fish and Wildlife Service. Data has been filtered to show wild-caught raptors only (i.e., excluding transfers of captive bred birds, reports of dead birds, reports of release of birds, etc.). Some incomplete reporting necessitates relying on this generalized information.

Source: E. Bjerre, FWS, Personal Communication, April and June 2026

Reasonably Foreseeable Trends and Planned Actions. In terms of ongoing trends, abundant research has been conducted on a myriad of factors affecting bear populations. A portion of this body of work is cited below. Environmental trends, fire, harvest and harvest regulations, illegal killing, access, habitat fragmentation, and development all have the potential to impact bears at the population level across varying temporal scales and have the potential to influence natural ecosystems and processes (Mace and Waller 1997, McLellan 1990, McLellan et al 1999, McLellan and Shackleton 1988, McLellan and Shackleton 1989, Schwartz et al. 2012, Joly et al. 2011, Marcot et al. 2015).

As predators are one component of a more complex system, effects of other trends, human management, and/or resource use actions (on the full system and underlying processes) such as wildfires, environmental trends, and severe winters (i.e., deep snows or icing events), can impact habitat quality of ungulates, affect recruitment, and cause direct mortality of individuals (Hegel et al. 2009, Joly et al. 2003, Joly et al. 2009, Joly et al. 2012, Joly et al. 2021, MacCracken and Viereck 1990, Weixelman et al. 1998). Furthermore, effects from actions outside NPS boundaries and source-sink dynamics are a management concern for carnivores and herbivores alike, particularly on the border of protected areas and areas of less restrictive harvest (Haroldson et al. 2004, Ruth et al. 2011, Salinas et al. 2005, Schwartz et al. 2006a, Schwartz et al. 2006b, Schwartz et al. 2012).

Past wildlife habitat fragmentation for bears has occurred in and adjacent to park areas such as the Dalton Highway and oil and gas developments on the North Slope, the Red Dog Haul Road through Cape Krusenstern National Monument and near Noatak National Preserve, and the McCarthy and Nabesna Roads in Wrangell-Saint Elias National Preserve. The NPS evaluated the cumulative impacts of mining on wildlife and habitat, among other resources, in environmental impact statements (EISs) for Denali National Park and Preserve, Wrangell-Saint Elias National Park and Preserve, and Yukon-Charley Rivers National Preserve (NPS 1990a-c). These EISs concluded that there was potential for adverse effects on certain large wildlife species and their habitat. BLM has issued a right-of-way grant for the construction and operation of a road to the Ambler Mining District near the upper Kobuk River which, when built, could impact wildlife habitat and populations in Gates of the Arctic NP. NPS has issued deeds of easements for a transportation corridor and port site in the planning phase of the Johnson Tract Mine in Lake Clark NP. The 800+ mile Alaska Liquified Natural Gas pipeline is proposed for construction, including through a portion of Denali National Park.

For falcons, natural mortality and environmental stressors, as well as take by state permitted falconers outside of the preserves, could collectively reduce raptor productivity. The greatest annual source of falcon mortality is starvation, particularly of young birds inexperienced at making their livings as predators. Disease, parasitic infections and injuries sustained in pursuing prey kill or contribute to the deaths of many falcons (ADFG 2008).

Environmental stressors also contribute to reduced raptor productivity. For example, the State of Alaska's 2015 Alaska Wildlife Action Plan identifies gyrfalcons and northern harriers as sentinel species, or those expected to be the most affected by habitat loss in the next few decades as a result of the environmental trends and their effects on ecosystems and wildlife in Alaska (ADFG 2015). Habitat changes brought on by environmental trends could create adverse impacts on breeding territories, especially on gyrfalcons if thawing of permafrost and subsequent changes in vegetative cover adversely affects their sensitive arctic environs and the prey animals that reside there (ADFG 2008). Pesticide contamination of prey caused major declines in raptors in the last century; persistent organic pollutants remain a possible threat to all Alaska falcons, especially the migrants, since some countries to which they travel in winter still use pesticides extensively (ADFG 2008). Multiple forms of human disturbance in localized areas – including recreation, research, and aircraft activity- could compound impacts on nesting success for falcons.

Prior to the 2017 Rule restrictions on falconry activities in the preserves, the NPS began raptor survey work in 2001 to document peregrine and gyrfalcon eyries due to concerns over the illegal take of nestlings and adult falcons from the NPS Western Arctic Parklands (Stevenson 2013). Poaching could continue in these locations, and maybe in other national preserve areas, though little documentation exists. White morph Gyrfalcon individuals have a high value in international falconry markets, though data on morph distribution, and harvest prevalence (including poaching) are limited.

The effects of these reasonably foreseeable trends and planned actions have and will continue to contribute to natural ecosystems, processes, wildlife populations, and behaviors.

3.2.2 Wildlife - Environmental Consequences – No Action Alternative

Conclusion. Under the no action alternative, prohibition of sport hunting by bear baiting and prohibition of live wildlife collection activities would continue in the preserves. As a result, impacts to wildlife would be the same as described above in the “Wildlife - Affected Environment” section.

3.2.3 Wildlife – Environmental Consequences – Proposed Action Alternative

Overview. Under this alternative, there would be the potential for localized effects on individual animals and family groups (e.g., direct mortality, increased mortality risk due to loss of family or group members, and food conditioning) as a result of removing the prohibitions in 36 CFR 13.42 paragraphs (f) and (j) (Frank 2008, Ripple and Beschta 2012; Conway et al. 1995; USFWS 2004).

Topic: Bear Baiting. Removal of the prohibition on bear baiting in the preserves could reduce abundance of bears in localized areas. However, meaningful population-level effects are not expected. This conclusion is based upon the estimated low number of bears taken over bait on the preserves between the 2020 Rule and the 2024 Rule, and trends in data from 1982 from 2015 when bear baiting was allowed on the preserves (NPS 2026b), which indicate that allowing bear baiting to occur again under State of Alaska regulations would not create population-level concerns. The BOG has stated that bear baiting tends to focus harvest on mature bears while avoiding female and immature bears, making it compatible with sustainable population management. Additionally, the district court confirmed the NPS’s conclusion that the 2020 allowance would not adversely impact wildlife populations or contravene NPS’s statutory duties (Alaska Wildlife Alliance, 632 F. Supp. 3d at 1002). No new data has emerged since that decision indicating these regulated harvest activities would have population-level effects.

NPS estimates very few individuals used bait to attract or take bears when this practice was governed by the State of Alaska regulations from 1982 until the 2015 Rule prohibition and between the 2020 Rule and the 2024 Rule (see discussion above under “Public Safety”). The NPS has no reason to believe this practice will occur more frequently than it did during those periods if once again allowed and governed by State of Alaska regulations. The NPS expects there would be few baiting stations established and the number of bears taken at stations would be low. It is difficult to predict how many more bears might be taken under the proposed action, and thus how much more bear baiting might occur, because neither the NPS nor the State maintain data on the total number of bears taken over bait in the preserves in Alaska when this practice was allowed in previous years. The NPS evaluated several data sources to estimate the total number of bears that could be expected to be taken over bait as a result of this proposed rule.

Miller et al. (2017) found that more liberalized hunting regulations for brown bears, including bear baiting, resulted in an increased harvest of brown bears on Alaska’s Kenai Peninsula. However, compared to the Kenai Peninsula, most national preserves in Alaska are more difficult to access for the purpose of bear baiting. Hilderbrand et al. (2013b) estimated that less than 2 black bears per year were harvested over bait in national preserves in Alaska when this practice was allowed during the period from 1992 to 2010. During that period a total of 37 black bears were taken over bait in the preserves. 34 of those were harvested along the McCarthy Road

corridor in Wrangell-St. Elias National Preserve, due to this being one of the few areas with an extensive road network. Other national preserves in Alaska are rural and roadless, making it difficult to establish bait stations. Of the 37 bears taken, only three bears were harvested over bait by rural Alaska residents. While there could have been a localized effect, overall, Hildebrand et al. concluded that there were no meaningful population-level effects as a result of bear baiting on NPS lands between 1992 and 2010 (Hilderbrand et al. 2013b).

Data provided by the State to inform the 2020 Rule shows approximately 2,300 black bears were reported harvested from 2012 - 2016 in GMUs where baiting is currently allowed and that overlap with national preserves (approximately 460 bears per year).¹ National preserves make up approximately 9.8% of the total area of those GMUs (18,899,319 acres out of 193,148,767 acres). Available UCU data regarding bears taken over bait shows that of the 2300 bears taken, 171 were taken in UCUs where baiting is currently allowed that are adjacent to, within, or that overlap with the preserves (approximately 34 bears per year). Of those 171 bears, 87 were taken over bait (approximately 17 bears per year in an area partially comprised of national preserve lands). Overall, based on the data in the Hildebrand study, which found fewer than 2 black bears per year were taken in national preserves, and which also reported a 4.3% annual increase in bears taken over bait statewide between 1992 and 2010, only small numbers of black bears would be expected to be taken over bait in the preserves each year under the proposed action. No meaningful population-level effects would be expected.

Although there are no data specific to the harvest of brown bears over bait in the preserves, data from the State of Alaska reveals that between 2012 and 2016, 40 brown bears were taken over bait in certain areas where baiting is allowed and that are adjacent to, within, or overlap with, the preserves (NPS 2019a; State of Alaska 2018). This indicates a total of approximately 8 brown bears per year. These harvest numbers are not specific to the preserves, however, and it is possible that the harvest of brown bears would be similar to that of black bears (i.e., 2 per year). The NPS estimates that very few hunters used bait to attract or take bears in national preserves when this practice was governed by State of Alaska regulations between the 2020 Rule and the 2024 Rule. This data shows approximately 290 brown bears were reported harvested from 2012-2016 in GMUs where baiting is currently allowed and that overlap with the preserves (approximately 57 bears per year). The preserves make up approximately 11% of the total area of those GMUs (15,351,296 acres out of 137,461,283 acres).² Available UCU data regarding brown bears taken over bait shows that of the 290 bears taken, 140 were taken in UCUs where baiting is currently allowed that are adjacent to, within, or that overlap with the preserves (approximately 28 per year in an area partially comprised of national preserve lands). Of those 140 bears, 40 were taken over bait, indicating a total of approximately 8 brown bears per year.

Access to most national preserves in Alaska is more difficult than access to areas on the Kenai Peninsula used for bear baiting (exceptions noted above). Because baiting on most national preserves would be more difficult, the percentage of brown bears taken over bait under the proposed action is expected to be lower than the percentage reported by Miller et al. 2017 on the Kenai. When the State decided to allow the taking of brown bears over black bear baiting stations it determined that practice would not affect the conservation of brown bears at the population

¹ State data show how many black bears were taken per GMU, but not whether bears were taken in a national preserve or whether bears were taken over bait.

² As with black bears, those data only show how many brown bears were taken per GMU, and not whether bears were taken in a national preserve or whether bears were taken over bait. The NPS closed some national preserves through annual compendia to the take of brown bear over bait during this period.

level. Furthermore, the State has pointed out that hunters taking brown bears over bait would need to comply with seasons and bag limits for brown bears, and has committed to monitoring brown bear harvest and taking appropriate action if sustainable harvests are threatened (State of Alaska 2014). Based on the available data, compared to the affected environment, NPS anticipates that the proposed rule would result in the harvest of no more than 10 bears per year (2 black bears and up to 8 brown bears, where authorized) (NPS 2026b).

Direct impacts to individual bears may still occur as a result of direct mortality via take by sport or subsistence hunting. Additionally, impacts to bears are likely to be greater in areas along and near access corridors. Comments from Tribal governments on the 2017 Rule noted that bear baiting can be effective at targeting animals with an established tolerance for human activities, which are more likely to be involved in an incident.

Topic: Live Wildlife Collection. Under the proposed action alternative, falconry activities (including collection of raptor chicks for training and use in hunting) in national preserves would be managed through state regulations (5 AAC 92.037) and FWS regulations (50 CFR 21.82 and 21.85). The closure enacted through the 2017 Rule based on general System-wide prohibitions at 36 CFR 2.2(a)(2) would be rescinded. Under state regulations (5 AAC 92.037), the take of live chicks for falconry purposes is allowed, subject to state permitting requirements. The regulations govern how falconers may capture, train, house, and use raptors in Alaska. Under FWS regulations (50 CFR 21.82 and 21.85), national standards for falconry are established, including federal permitting requirements; standards for acquiring, possessing, transferring, and using raptors, and conditions for the take of wild raptors (including chicks) where permitted.

As described in “Wildlife – Affected Environment” section, Alaska falconers have taken an average of 10.6 raptors a year, of all species statewide, over a 15-year span from 2000 through 2015, according to the Alaska Falconers Association (AFA 2025). As this data is prior to the 2017 Rule, this average would include those taken within the preserves, though the NPS does not have readily available documentation of the frequency of the practice of collection of raptors solely within the preserves prior to the 2017 Rule, or the average take of raptors per year in Alaska after the 2017 Rule. Given the relatively limited acreage of NPS-managed national preserve land when compared to the broader landscape of Alaska, this analysis assumes that of the statewide estimate of 10.6 raptors per year, a very small portion of those would have occurred within the preserves prior to the 2017 Rule. Similar conditions would likely exist should the prohibition of live wildlife collection be removed from regulations for managing the preserves.

Generally, it is not expected that this level of anticipated take would result in population level effects on raptor species, though this characterization is qualitative and data-limited. As described in “Wildlife – Affected Environment” section, collection is typically highly regulated and selective (e.g., limited number of nestlings or passage birds), and spatial and temporal coverage is patchy. The only species that may warrant additional consideration regarding population level effects is the gyrfalcon, given the environmental trends in the Arctic, and the high value of white morph individuals in international falconry markets. However, even here, data on morph distribution and harvest prevalence are limited, and state and FWS regulations would continue to apply to at least partially mitigate any possible impacts to these raptor populations.

Impacts to individual raptors taken may be acute and adverse. Although being caught in a trap can stress a raptor, trapped birds rarely are injured physically (Bloom et al. 2023). The most frequent causes of trap-related injury or death are predation and weather. Raptors may succumb to temperature extremes or predation if allowed to struggle in traps for long periods. Used properly, traps should rarely result in severe injury or death (Bloom et al. 2023). While in falconer care, licensed falconers must adhere to state (5 AAC 92.037) and FWS (50 CFR 21.82

and 21.85) regulations regarding the continued humane and healthful care of raptors in captivity; use of raptors for hunting; and, rehabilitation of a raptor injured by the falconer's trapping efforts, if applicable, among other regulations.

Impacts to the family groups of individuals taken may be acute and adverse. Unintentional take associated with take for falconry is possible. Conway et al. (1995) found that take of nestlings decreased the return rates of adult prairie falcons to aeries, and the same may be possible for other raptor species. Take could affect the condition of an aerie (large nest of a bird of a prey) or the number of young fledged in a nesting attempt. This could happen, for example, if the aerie substrate is damaged or if nestlings are injured because of the attempt to take a nestling for falconry (USFWS 2004). Such events also might cause abandonment of the aerie. Take at any location may be restricted by a state if it decides to allow take of nestlings. On the other hand, there may be some offsetting compensatory effects of harvest of raptors for falconry. Conway et al. (1995) found higher survival for nestlings in aeries from which a sibling had been removed.

Some raptors taken from the wild by falconers are returned to the wild. Mullenix and Millsap (1998) reported that about 40% of falconer-harvested red-tailed hawks and American kestrels are intentionally or accidentally returned to the wild each year. Survival rates and fitness of these birds are unknown, but some almost certainly survive and return successfully to the wild population (Mullenix and Millsap 1998).

Reasonably Foreseeable Trends and Planned Actions. Other effects on wildlife and habitat are expected to be the same under this alternative as described above in the “Wildlife – Affected Environment” section. When the incremental impacts of the proposed action are added to the other reasonably foreseeable trends and planned actions, wildlife and their habitat would continue to be adversely affected. The proposed action would contribute a small degree to these impacts due to the contribution of localized impacts from additional take expected under the proposed action.

Conclusion. By design, baiting of bears alters their behavior to increase their predictability and facilitate harvest. Therefore, the proposed action could result in localized impacts to individual animals or family groups (e.g., direct mortality, and/or increased mortality risk due to loss of family or group members), resulting from the removal of current prohibitions on methods of take. Impacts to individual bears are likely to be greater in areas along and near access corridors. However, due to the low level of additional take anticipated as a result of removing the current prohibitions, biological population-level effects are not anticipated.

The State manages take of wildlife under a “sustained yield” principle (Alaska Constitution, Article VIII, section 4) and has assured the NPS that in the event harvest were to increase beyond sustainable levels, the ADFG would close seasons by emergency order if immediate action was necessary, and/or by recommending more conservative seasons, bag limits, and/or methods to the BOG for future hunting seasons (State of Alaska 2014). Furthermore, as part of the proposed action, the NPS would continue to work with the BOG to ensure sustainable harvest and would retain authority to act on its own in the future, if necessary to protect NPS resources and values. Both agencies may seek opportunities for further collaboration with management entities, as suggested by Dot Lake Village Council (2026), “Tribes should be supported in conducting community-based wildlife monitoring, integrating Indigenous ecological knowledge (IEK) into federal assessments. Funding and data-sharing agreements should be established so that Native communities are equal partners in understanding population dynamics, climate impacts, and hunting pressures.”

Impacts to individual raptors taken and their family groups may be acute and adverse. Although being caught in a trap can stress a raptor, trapped birds rarely are injured physically (Bloom et al. 2023). While in falconer care, licensed falconers must adhere to state (5 AAC 92.037) and FWS (50 CFR 21.82 and 21.85) regulations regarding the continued humane and healthful care of raptors in captivity; use of raptors for hunting; and, rehabilitation of a raptor injured by the falconer's trapping efforts, if applicable, among other regulations. Impacts to the family groups of individuals taken may be acute and adverse. Unintentional take associated with take for falconry is possible.

Given the relatively limited acreage of NPS-managed national preserve land when compared to the broader landscape of Alaska, of the statewide estimate of 10.6 raptors per year, a very small portion of the 10.6 wild-caught raptors per year would occur within the preserves. This level of anticipated take would not be expected to result in population level effects on raptor species, though this characterization is qualitative and data-limited. State and FWS regulations would continue to apply to mitigate any impacts to these raptor populations.

In general, under the proposed action, the NPS expects healthy populations of wildlife would continue to exist in a manner consistent with the range of natural variability with regard to abundance, diversity, and distribution.

3.3 Issue: Federal Subsistence Use

3.3.1 Federal Subsistence Use - Affected Environment

Overview. ANILCA Title VIII "Subsistence Management and Use" establishes a rural preference for subsistence uses, specifically including the taking of fish and wildlife for non-wasteful purposes on federal lands in Alaska, over other forms of taking fish and wildlife. ANILCA section 803 defines the term "subsistence uses," also commonly referred to as "federal subsistence use," as "the customary and traditional uses by rural Alaska residents of wild renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of non-edible by-products of fish and wildlife resources taken for personal or family consumption, for barter, or sharing for personal or family consumption; and for customary trade." Federal subsistence hunting and trapping are allowed on the preserves pursuant to ANILCA sections 203 and 1313. Federal regulations at 43 CFR Part 51, 36 CFR Part 242 and 36 CFR Part 13 for Alaska park areas describe allowable federal subsistence activities on the preserves and other areas. Federal subsistence regulations promulgated in the 1990s were based, in large part, upon state harvest methods and means, seasons, and harvest limits. These regulations included the use of bait to hunt black bear, which has been prohibited for sport hunting by 36 CFR 13.42(f) since January of 2016, but is still allowed under federal subsistence regulations.

ANILCA section 804 established a rural preference for federal subsistence harvest on federal public lands, and allows for restrictions on the taking of populations of fish and wildlife for subsistence uses in order to protect the continued viability of such populations or to continue such uses. To satisfy the ANILCA section 804 priority the Federal Subsistence Board has approximately 21 current sport hunting restrictions that apply to the preserves in 2026, which are subject to changes or additions during each regulatory cycle. While allocation decisions by the Federal Subsistence Board are required on federal public lands to assure rural priority, they fit within the larger system of state wildlife management, which manages populations across land ownership boundaries. The NPS recognizes that federal subsistence users also hunt on the preserves under state sport hunting regulations. Impacts to hunting opportunities, including for subsistence users hunting under state regulations, are addressed in the "Public Use and Experience" section.

Topic: Bear Baiting. From 1992 to 2010, federally qualified subsistence users only harvested three black bears over bait in an 18-year period (Hilderbrand et al. 2013b). A continued prohibition of sport harvest of black bears over bait would not be expected to have a discernable effect on federal subsistence users' harvest of black bears. By continuing to prohibit hunting brown bear over bait, no change would result in opportunities for federal subsistence users. There continues to be low potential to condition bears to human foods. Encounters between bears and subsistence users during their subsistence activities or while at their hunting and fishing camps and in and near their communities would remain similar to current conditions. Subsistence users would continue to be limited to the use of natural bait when harvesting bears over bait. See also Appendix A for the ANILCA section 810 Subsistence Evaluation.

Topic: Live Wildlife Collection. Falconry activities (including collection of raptor chicks for training and use in hunting) in the preserves would continue to be prohibited based on general System-wide prohibitions at 36 CFR 2.2(a)(2). Raptor populations in Alaska except for the Snowy Owl are not classified as having subsistence uses. 50 CFR 20.132 states "In Alaska, any person may, for subsistence purposes, take, possess, and transport, in any manner, from September 1 through April 1, snowy owls and cormorants for food and their skins for clothing, but birds and their parts may not be sold or offered for sale." ADFG data show that snowy owls are taken in relatively small numbers, primarily in communities of Northwest Alaska and the North Slope Borough (ADFG 2016). Harvest surveys conducted by the Division of Subsistence in Barrow for 2014 also documented a harvest of 43 snowy owl eggs (ADFG 2016). Snowy owl is currently a species authorized for falconry in Alaska (ADFG 2022), though falconry activities would continue to be prohibited in the preserves. Data available from the U.S. Fish and Wildlife Service's database of statewide falconry take does not report any snowy owls taken for falconry purposes from 2004-2025, with the understanding that for some years data is not available in this database (i.e., 2005-2010) (E. Bjerre, USFWS, Personal Communication, April and June 2026). No impacts to snowy owl subsistence use in the preserves would be expected to occur as a result of a continuation of current regulations.

Topic: Public Safety Closure Authorities and Procedures. Existing closure authorities and procedures would continue. Federal Subsistence Board would continue to be able take regulatory action to close or restrict non-subsistence taking of fish and wildlife or subsistence restrictions as authorized under Title 8 of ANILCA and in federal subsistence regulations ([eCFR :: 43 CFR Part 51 -- Subsistence Management Regulations for Public Lands in Alaska](#)). The superintendent would continue to be able to prohibit or restrict the non-subsistence taking of fish in accordance with the provisions of section 13.50. Federally qualified subsistence users may continue to benefit from the ability of the superintendent to enact closures as needed to protect public safety and subsistence uses, and deter potential conflicts between Federally qualified subsistence users and others.

Additionally, the emergency closure or restriction period, including to protect the area's resources, would remain as 60 days with the opportunity to extend. Temporary closures would continue to not have an identified limit in length. This could continue to benefit federally qualified subsistence users, should the closure be enacted in order to protect subsistence resources from the impacts of non-subsistence users.

The continuation of existing public notification methods to which subsistence users are familiar can be assumed to result in continued levels of information distribution, as subsistence users are likely familiar with where to find public closure information and how to provide feedback on proposed closures.

Reasonably Foreseeable Trends and Planned Actions. Impacts from reasonably foreseeable trends and planned actions would likely decrease the availability of subsistence resources in the future and potentially lessen the influence of Tribes in subsistence regulations changes. With the effects of environmental trends, access to

subsistence resources could become more difficult and has been identified as a concern by local subsistence users (Green et al. 2021). Continued prohibition of bear baiting for sport hunting could result in a very small increase in opportunity for federal subsistence bear harvest. Any other changes that could occur would be a result of actions taken by entities other than the NPS. If predators, weather, and other factors reduce prey populations sufficiently, the Federal Subsistence Board could restrict sport harvest to protect the ANILCA 804 subsistence priority. As Dot Lake Village Council (2026) notes, “Our people have lived, hunted, and stewarded the lands of the Upper Tanana region for countless generations. The wildlife populations of these lands are more than subsistence resources, they are foundational to our culture, ceremony, knowledge systems, and spiritual connection to place. Any rule change that affects predator-prey dynamics, ethical hunting practices, or habitat stability must be evaluated with full recognition of our inherent sovereignty and responsibilities as caretakers of these lands.”

A review is underway of the Federal Subsistence Management Program, which was initiated by the Departments of the Interior and Agriculture in December 2025. The Ketchikan Indian Community noted in their April 24, 2026 comment letter that federal proposed actions “viewed together, they represent a significant shift of management authority from the federal framework that ANILCA established toward the state framework that ANILCA was enacted to supplement.”

3.3.2 Federal Subsistence Use - Environmental Consequences – No Action Alternative

Conclusion. Under the no action alternative, prohibition of sport hunting by bear baiting and prohibition of falconry activities would continue in the preserves. Public safety closure authorities and procedures would be the same as described in the “Federal Subsistence Use – Affected Environment” section. As a result, impacts to Federal Subsistence Use would be the same as described above in the “Federal Subsistence Use - Affected Environment” section.

3.3.3 Federal Subsistence Use – Environmental Consequences - Proposed Action Alternative

Overview. Under this alternative, the requirement that natural bait must be used for subsistence take of bears over bait would be removed. Live raptor chick collection would be allowed. Public closure authorities and procedures would be modified.

Topic: Bear Baiting. Often sport hunters and subsistence hunters target the same species and may use similar geographic areas as transportation access. There could be the potential for a slight decrease in federal subsistence hunting opportunities for the take of bears in localized areas due to the expected small increase in take of bears from sport hunting. Opportunities for federal subsistence hunting of prey populations, such as moose and caribou, could see a corresponding increase in those areas if fewer predators are present (see Hegel et. al. 2010). The Organized Village of Kasaan shared that bear baiting may undermine subsistence access by changing where and how animals move on the landscape, in part by artificially concentrating wildlife populations, disrupting natural foraging and movement patterns, and altering bear behavior in ways that increase risk to people and other wildlife (OVK 2026a). Increased traffic because of allowing sport hunting by baiting black and brown bears may also result in some ecological disruptions to the timing, abundance, and accessibility of subsistence species. However, any reductions in opportunities for subsistence take of predator species or increases in prey species are expected to be minimal and localized, because as discussed in the “Wildlife – Environmental Consequences – Proposed Action Alternative” section, additional take of bears under the proposed action is expected to be low.

Black bear baiting for subsistence use is generally allowed for qualified local rural residents in the preserves by state and later Federal Subsistence Board regulations. State harvest data show a very low level of harvest by bear baiting occurring on the preserves (less than two bears per year), and for federally qualified subsistence users only three black bears have been taken over bait in an 18-year period from 1992-2010 (Hilderbrand et al. 2013b). A slight increase in subsistence brown bear take over time may be expected, although there may also be increased competition from sport.

Subsistence users would not be limited to the use of natural bait when harvesting bears over bait, though with the low level of take anticipated and the long-standing practice of using natural bait regardless of regulations, there would be only slight benefit to likely few subsistence users who choose to use bait other than previously defined natural bait. 36 CFR 13.1902, Subpart V – Special Regulations for Wrangell-St. Elias National Park and Preserve has allowed the superintendent to issue individual, annual permits allowing the use of human-produced food items as bait for taking bears since 2017, though no subsistence user has ever requested use of said permit (A. Cohen, NPS, Personal Communication, June 2026), which indicates this change would likely be minimal.

There is potential for encounters between bears and subsistence users at their hunting and fishing camps, and in and near their communities where baiting occurs. As noted by the Organized Village of Kasaan in their March 31, 2026 letter, changes to bear behavior by baiting—such as increased habituation to human food sources—can “create long-term safety risks for rural communities that live year-round on the land, not just seasonally or recreationally” (OVK 2026a). The Organized Village of Kasaan shares that when bears are conditioned to associate food with human presence, subsistence harvest areas become more dangerous; traditional berry-picking, hunting, and harvesting are disrupted; and communities face increased pressure for lethal wildlife control. Food-conditioned bears could also represent an impact to subsistence practices in that any habituated that are killed in defense of life and property are removed from the population that communities rely upon for subsistence harvest.

“For Kasaan, subsistence depends on the actual availability and accessibility of deer, bear, fish, and other traditional foods within reasonable distance of the community. Actions that restore or expand state-authorized sport hunting methods intended to increase harvest efficiency—particularly within or adjacent to the preserves—risk reducing subsistence resource availability in practice, even when subsistence harvest remains legally protected. In a small Tribal community such as Kasaan, where food alternatives are limited and costs are high, diminished access to traditional foods has immediate consequences for nutrition, affordability, and overall wellness” (OVK 2026b). The Organized Village of Kasaan notes that “these impacts fall disproportionately on Alaska Native communities who rely on close, respectful relationships with the land for survival, health, and cultural continuity” (OVK 2026a).

Topic: Live Wildlife Collection. Under the proposed action alternative, falconry activities (including collection of raptor chicks for training and use in hunting) in the preserves would be managed through state regulations (5 AAC 92.037) and U.S. Fish and Wildlife Service regulations (50 CFR 21.82 and 21.85). The prohibition enacted through the 2017 Rule based on general System-wide prohibitions at 36 CFR 2.2(a)(2) would be rescinded. Raptor populations in Alaska except for the Snowy Owl are not classified as having subsistence uses, nor do they have a positive Customary and Traditional Use determination (AFA 2025). Alaska falconers have taken an average of 10.6 raptors a year, of all species statewide, over a 15-year span from 2000 through 2015, according to the Alaska Falconers Association (AFA 2025). Data available from the U.S. Fish and Wildlife Service’s database of statewide falconry take does not report any snowy owls taken for falconry purposes from 2004-2025, with the understanding that for some years data is not available in this database (i.e., 2005-2010) (E. Bjerre, FWS, Personal Communication, April and June 2026). It is not expected that the allowance of falconry activities in the

preserves would increase the number of snowy owls taken, as most of the proposed national preserve areas are not within the snowy owl common arctic habitat on Alaska's north slope (ADFG 2004). There may be some areas of snowy owl habitat nearby Kotzebue, Noatak, and Kivalina (ADFG 2016).

Topic: Public Safety Closure Authorities and Procedures. Closure authorities and procedures would be modified such that except in emergency conditions, the superintendent would be required to consult with the appropriate state agency having responsibility over fishing, hunting, or trapping and representatives of affected users before enacting closures or restrictions to non-subsistence taking of fish and wildlife. This modification does not affect regulatory actions taken by the Federal Subsistence Board to close or restrict non-subsistence taking of fish and wildlife or subsistence restrictions as authorized under Title 8 of ANILCA and in federal subsistence regulations ([eCFR :: 43 CFR Part 51 -- Subsistence Management Regulations for Public Lands in Alaska](#)).

In rare cases, federally qualified subsistence users may be adversely impacted from the delayed ability of the park superintendent to enact emergency closures related to the taking of fish and wildlife as needed to protect public safety, resources, listed species, and subsistence uses, such as deterring potential conflicts between federally qualified subsistence users and others. Under the proposed action, a park superintendent would still be able to act quickly on an emergency basis if the Federal Subsistence Board is unable to address a subsistence related closure or restriction in sufficient time to address the emergency situation, but not as quickly as under current regulations, which do not require consultations or meetings in emergencies. Emergency closures or restrictions would be limited to 30 days (from 60 days) with no option to extend. Temporary closures or restrictions would be limited to 12 months with no option to extend without rulemaking. This length restriction could adversely impact federally qualified subsistence users, should the closure have been enacted in order to protect subsistence resources from the impacts of non-subsistence users, if the maximum length of the closure is not of sufficient length for the resource impacts be mitigated, rulemaking is not completed in time, and if the Federal Subsistence Board is unable to take action within the Federal Subsistence Regulatory Process. There may be some initial instances where the new notification requirements could lead to confusion or lack of information distribution as the subsistence users adjusts to the revised processes, though this is expected to be minimal after the users becomes familiar with new processes.

Reasonably Foreseeable Trends and Planned Actions. Other effects on wildlife and habitat are expected to be the same under this alternative as described above for the no action alternative. Combined with the incremental effects of the proposed action, harvest of ungulates could increase and the subsistence take of bears from hunting and trapping could decrease. The concern about potential competition from sport hunters expressed by the Tribes and Alaska Native Claims Settlement Act (ANCSA) corporations could slightly decrease the ability of federally qualified subsistence users to harvest subsistence resources, though to a minimal degree. The proposed action would contribute a small degree to the overall impact.

Conclusion. In specific, localized areas, there could be localized decreases in the number of predators available for federal subsistence harvest over the long term and increases in the number of prey animals available. Slight increases in opportunities for subsistence harvest of brown bears could occur where harvest of bears over bait is allowed for sport hunters, and there could be an increase in nuisance bears at subsistence hunting and fishing camps due to conditioning of bears to human food. In rare cases, federally qualified subsistence users may be adversely impacted from the delayed ability of the superintendent to enact emergency closures related to the taking of fish and wildlife as needed to protect public safety, resources, listed species, and subsistence uses, such

as deterring potential conflicts between federally qualified subsistence users and others. Overall, the opportunities for subsistence harvest of wildlife are expected to remain similar to the opportunities currently available.

3.4 Issue: Public Use and Experience

3.4.1 Public Use and Experience - Affected Environment

Overview. ANILCA Title II (16 U.S.C. 410hh to 410hh-5) area General Management Plans (GMPs) (NPS 1984a-b, NPS 1986a-h) and GMP amendments (NPS 2014c-d), and more recent area Foundation Statements (NPS 2009a-e, NPS 2010a-b, NPS 2012, NPS 2014a) describe the public uses and values to be managed for and protected in each preserve area, as well as the Alagnak Wild River through a River Management Plan (NPS 1983). Preserves are to be managed like national parks, except the taking of wildlife for sport purposes and subsistence uses and trapping shall be allowed under applicable state and federal law and regulation. Subsistence take of wildlife is allowed in parks and monuments in Alaska where authorized in ANILCA Title II (16 U.S.C. 410hh to 410hh-5). Guided sport hunting concessions are offered in all of the preserves except Bering Land Bridge National Preserve.

Most of the park and/or preserve GMPs (NPS 1984a-b, NPS 1986a-h, NPS 2014b-c) describe in more detail the public access and facilities needed to meet public use objectives, and further clarify Congressional intent for public uses. The Denali National Park and Preserve Final Backcountry Management Plan (NPS 2006b) and Foundation Statement (NPS 2014a) further address area management goals and zones for public uses, including for the preserve additions. Other preserve area Foundation Statements (NPS 2009a-e, NPS 2010a-b, NPS 2012, NPS 2014b-d) articulate primary public uses and objectives, scientific values, and interpretive themes for the various areas.

Visitor use statistics for these areas are available on the web through the NPS Integrated Resource Management Applications (known as IRMA) Portal (NPS 2022, <https://irma.nps.gov/STATS/>), however NPS baseline information about visitation in Alaska (including use by local community members), is generally sparse. Often, the visitation data for an Alaska NPS unit includes only those visitors that stop into a visitor center, which may not represent most park visitors. Additionally, some visitor centers for Alaska park units aren't even within the boundaries of the parks, which may count "visitors" but many of those counted may never step foot into the parks that are represented at the visitor center. In general, visitation to the relatively remote and wild preserves is dispersed and low in number, from a few visitors to several thousands of visitors per year, depending on the area and year.

Visitor pursuits in these preserves are highest during the summer season for fishing, hunting, wildlife watching, river floating, backpacking, mountain climbing, photography, and scientific study. Smaller numbers of visitors enter these areas during the winter season for skiing, dog mushing, snowmobiling, and other winter use activities, including trapping. Smaller numbers of visitors would also use the preserve areas for hunting during the fall.

Other effects on public use and enjoyment could result from actions inside and immediately adjacent to national park, monument, and preserve areas. There are several guided commercial activities visitors use for wildland adventures, hunting, and sport fishing trips. As of 2026, there are 30 hunting guide contracts in the preserves, and 15 of those are in Wrangell-Saint Elias National Preserve. Future guided hunting concessions may be offered in Bering Land Bridge National Preserve (G. Irvine, personal communication, April 2, 2026).

Wildlife viewing is a major activity throughout the state (ECONorthwest 2014) and bear viewing has become a major visitor activity in some park and preserve areas (Young and Little 2019, NPS 2021a, NPS 2021b).

Topic: Bear Baiting. Continued prohibition of bear baiting reinstated in the 2024 Rule could improve opportunities to view wildlife and for scientific study over time in certain areas the longer the 2024 Rule is in place. Non-hunting visitors to the preserves would continue to see no signs of sport hunting bear bait stations nor be affected by this activity. Sport hunter harvest success of bears would continue to be lessened as a result of the 2024 Rule, as bear baiting would continue to be prohibited.

The continuation of nuanced harvest regulations in the preserves when compared with state regulations could continue some regulatory burdens and associated confusion for sport hunters who may have trouble understanding the checker-board land ownership pattern with federal designations, state lands, Native Corporation lands, and various allotments, upon which wildlife populations move freely throughout.

Topic: Live Wildlife Collection. Falconry activities (including collection of raptor chicks for training and use in hunting) in the preserves would continue to be prohibited based on general System-wide prohibitions at 36 CFR 2.2(a)(2). Those visitors to the preserves who intend to view raptors for wildlife viewing purposes would continue to benefit. The Alaska Falconers Association is the association that represents nearly 50 licensed Alaska falconers (AFA 2025). The small subsection of the population who are working toward their falconer license who live nearby expansive national preserve areas would continue to be limited to non-national preserve areas in which they could practice to achieve their license.

Topic: Public Safety Closure Authorities and Procedures. Public involvement and criteria for closing Alaska park areas to public access and protected uses would continue to be managed pursuant to procedures established in the 2015 Rule. Due to the flexible and unpredictable nature of closures, this continuation of public safety closures could result in greater or fewer closures for non-subsistence park users compared to what occurred prior to the 2015 Rule. The continuation of existing public notification methods to which the public is familiar can be assumed to result in continued levels of information distribution, as the public is likely familiar with where to find public closure information and how to provide feedback on proposed closures.

Additionally, the emergency closure or restriction period, including to protect the area's resources, would remain as 60 days with the opportunity to extend. There would be no temporal limit on how long a non-emergency closure may remain in effect, provided rulemaking is not required under the regulations. This could continue to adversely impact public users, should the length of the closure prohibit the users from accessing or recreating in certain areas of the preserve.

Reasonably Foreseeable Trends and Planned Actions. ORV trail rerouting and rehabilitation in Wrangell-Saint Elias National Park and Preserve, Glacier Bay National Preserve, and Lake Clark National Park and Preserve have and will improve access for public use and enjoyment of these areas.

The effects of environmental trends on public uses and enjoyment were studied in three NPS park and preserve units (Denali National Park and Preserve, Katmai National Park and Preserve, and Gates of the Arctic National Park and Preserve) where researchers predicted that peak season of visitor use could expand into May and September as well as widening the shoulder season from warming temperatures due to environmental trends (Albano et al. 2013). The State of Alaska's harvest methods and seasons on predators such as bears outside of the preserves could reduce predators occurring inside NPS managed lands, resulting over the long term in a

drawdown of natural populations of large predators inside park areas and opportunities to view and study them. An example of a possible drawdown effect on visitor viewing of wildlife has been demonstrated in Denali National Park and Preserve where renewed trapping of wolves immediately north of the park is correlated with a notable reduction in visitor viewings of wolves along the eastern half of the Denali Park Road (NPS 2014a). The percentage of visitors seeing wolves on bus trips in the area decreased from 44 percent in 2010 to 21 percent in 2011, 12 percent in 2012, and four percent in 2013 (NPS 2014a).

However, natural processes would generally be dominant in the preserves and the opportunity to observe and study wildlife in its natural condition would continue, with some potential for slight decreases due to the reasonably foreseeable trends and actions described above. Sport hunters may continue to be adversely affected by fewer hunting methods available to them as a result of the 2024 Rule.

3.4.2 Public Use and Experience - Environmental Consequences - No Action Alternative

Conclusion. Under the no action alternative, prohibition of sport hunting by bear baiting and prohibition of wildlife collection for falconry activities would continue in the preserves. Public safety closure authorities and procedures would remain consistent with those used since 2015. As a result, impacts to public use and experience would be the same as described above in the “Public Use and Experience - Affected Environment” section.

3.4.3 Public Use and Experience - Environmental Consequences – Proposed Action Alternative

Topic: Bear Baiting. This proposed regulatory action would expand opportunities for sport hunters by allowing the practice of harvesting bears over bait in the preserves. To determine the expected increase in the number of bears taken over bait as a result of this proposed action, several sources of data were evaluated. Miller et al. (2017) found that more liberalized hunting regulations for brown bears, including bear baiting, resulted in an increased harvest of brown bears on Alaska’s Kenai Peninsula. However, compared to the Kenai Peninsula, most the preserves are more difficult to access for the purpose of bear baiting. In past years when the harvest of black bears over bait was allowed in the preserves, harvest was estimated at less than 2 black bears per year during the period from 1992 to 2010 (Hilderbrand et al. 2013b). Most bears were harvested along the McCarthy Road corridor in Wrangell-St. Elias National Park and Preserve, due to this being one of the few areas with an extensive road network. Other national preserves in Alaska are rural and roadless, making it difficult to establish bait stations. Although there are no data specific to the harvest of brown bears over bait in the preserves, data from the State reveals that between 2012 and 2016, 40 brown bears were taken over bait in UCUs where baiting is allowed and that are adjacent to, within, or overlap with, the preserves (approximately 8 brown bears per year) (NPS 2019a; State of Alaska 2018). These harvest numbers are not specific to national preserves, and it is possible that the harvest of brown bears would be similar to that of black bears (indicating a total of approximately 4 bears per year harvested in the preserves). The NPS estimates that very few hunters used bait to attract or take bears in the preserves when this practice was governed by state regulations between the 2020 Rule and the 2024 Rule.

State regulations require that stations be signed and that all bait, litter, and equipment be removed from the bait site when hunting is completed. Bear bait stations may be used when authorized seasons are open, generally April 15 to June 30 and July 1 to October 15, which can overlap the primary visitor season.

National preserves host diverse recreational activities in addition to hunting (e.g., hiking, camping, fishing). Because road and trail access to and within Alaska park areas is limited, hunting and non-hunting-related activities often occur in the same areas—increasing potential for conflict between potentially non-compatible activities. Visitors to the preserves may inadvertently encounter bears, transport of bait station equipment, and bait stations while engaging in sightseeing, hiking, boating, hunting, photography, fishing, and a range of other activities. This is because, despite the vast, relatively undeveloped nature of these preserves, most visitation occurs near roads, trails, waterways, or other encampments (e.g., cabins, residences, communities). Establishing and maintaining a bait station requires the transport of supplies, including bait, barrels, tree stands, and game cameras. The same roads, trails, and waterways used by visitors are, therefore, often used by those setting up a bait station. Thus, despite the vast landscapes, bear baiting and many other visitor activities are concentrated around the same limited access points. State regulations for bear bait stations are designed to prevent user conflicts by prohibiting stations within one-quarter mile of maintained roads or trails and within one mile of a house, cabin, campground, or other developed recreational area. Though visitors may encounter the transport of bait station equipment, if hunters comply with state regulations, there is a lower likelihood that visitors would encounter the bait stations themselves.

Some visitors would likely avoid signed bear bait station areas because of perceived safety issues and because they would not want to interfere with an authorized hunt situation, although some visitors may be attracted to viewing the bears at the bait stations, potentially leading to increased safety issues. As mentioned before, some bears attracted to bait stations but not harvested could become conditioned to human-associated foods and pose a nuisance or threat to visitors in the area for many years. (An in-depth analysis of public safety and bear baiting is above in the "Public Safety" section.) Further, bait piles can be smelly and irritating to other outdoor recreationists.

Compared to the conditions described in "Public Use and Experience – Affected Environment" section (affected environment), this rule is not expected to have any meaningful population-level effects on bears or their prey. As a result, it is not expected to negatively affect visitation to the preserves, or the number of days visitors come to the preserves to view wildlife or engage in other non-hunting recreational activities. Depending on a number of factors including the number of bears taken and their location, localized decreases in opportunities for visitors to view bears could occur. However, because the number of bears taken over bait is expected to be low, any impacts to wildlife viewing opportunities are expected to be negligible compared to the affected environment. Further, having more bears attracted to bait stations along access corridors could potentially increase viewing opportunities, resulting in no net change in bear viewing opportunities (NPS 2026b). The non-visiting public, such as those viewing wildlife through remote cameras, would not be meaningfully affected by localized decreases in viewing opportunities, but might be slightly affected by the perception of lost opportunities to view wildlife.

Compared to the affected environment, the increased harvest of bears expected under this proposed rule is not expected to have any population-level effects on species that bears prey on, such as moose and caribou. As noted by Miller et al. (2017), there have been no studies demonstrating that more liberalized bear hunting regulations and increases in harvest result in increased ungulate abundance. As a result, any positive impacts to viewing or hunting opportunities for ungulates are expected to be negligible compared to the affected environment.

The alignment of harvest regulations in the preserves with State of Alaska regulations would be beneficial by reducing some confusion for sport hunters who may have trouble understanding the check-boarded land

ownership pattern with federal designations, state lands, Native Corporation lands, and various allotments, upon which wildlife populations move freely throughout.

Topic: Live Wildlife Collection. Under the proposed action alternative, falconry activities (including collection of raptor chicks for training and use in hunting) in the preserves would be managed through state regulations (5 AAC 92.037) and FWS regulations (50 CFR 21.82 and 21.85). The closure enacted through the 2017 Rule based on general System-wide prohibitions at 36 CFR 2.2(a)(2) would be rescinded.

The likelihood of live wildlife collection occurring closer to trails and access roads due to easier access is presumed higher than remote areas of the preserves where access is limited. Therefore, the visitor experience of those using these same trails and access roads with the intent on viewing nesting behavior of raptors may be adversely impacted should fewer nests be available for wildlife viewing.

Topic: Public Safety Closure Authorities and Procedures. The changes made in the 2015 Rule regarding public involvement and criteria prior to closing Alaska park areas to public access and protected uses would be rescinded. There may be some initial instances where the new notification requirements could lead to confusion or lack of information distribution as the public adjusts to the revised processes, though this is expected to be minimal after the public becomes familiar with new processes. Due to the flexible and unpredictable nature of closures, the rescission could result in either more or less closures overall for non-subsistence park users. The modification to public notification methods may result in greater or more efficient spread of information, or may have no effect.

Under the proposed action, emergency closures or restrictions would be limited to 30 days (from 60 days) with no option to extend. Temporary closures or restrictions would be limited to 12 months with no option to extend without rulemaking. This length restriction could beneficially impact public users who would otherwise have been adversely impacted by longer closures.

Reasonably Foreseeable Trends and Planned Actions. Reasonably foreseeable trends and planned actions are similar to those described in the “Public Use and Experience - Affected Environment” section. Combined with the proposed action alternative, the effects of reasonably foreseeable trends and planned actions described in the preceding paragraphs on public uses and experience in the preserves (and parks and monuments) could be somewhat beneficial for sport hunting in preserves in the short-term, and adverse for other public uses and experience of the affected park areas.

Conclusion. The proposed action alternative could result in the enhancement of some sport hunting opportunities in the preserves for bears and most likely for moose and caribou in the short-term. The avoidance of areas around bear baiting stations by a small number of other recreational visitors could result in a reduction in other public uses and experience of those areas, although there could also be visitors attracted to the bear bait stations to view bears. The allowance of live wildlife collection could result in some adverse impacts to those visitors interested in viewing raptor nests. The rescission of existing public safety closure authorities and procedures may result in some temporary decrease in information distribution as the public adjusts to the new processes. Overall, these impacts to public use and experience are expected to be minimal, with very few visitors likely to see any change to their anticipated experience in the preserves.

4 Consultation and Coordination

The NPS considered all comments received during the process of consultation and coordination. The preferred alternative is responsive to comments received on the proposed rule during the public comment period; comments received during Tribal Consultation, a process underway throughout the life of the project; and comments received from the State of Alaska during consultation, a process underway throughout the life of the project.

4.1 Public Involvement

The proposed rule (“Alaska; Hunting and Trapping in National Preserves,” 91 FR 11483 (March 10, 2026) (“proposed rule”) was initially available for a 30-day public comment period from March 10, 2026 through April 9, 2026. The comment period was extended for another 15 days through April 24, 2026. Public comments were accepted through the Federal eRulemaking Portal, by paper mail, or by hand delivery to the Alaska Regional Office. Hard-copy comments received by the Alaska Regional Office were scanned and manually uploaded to the docket. The NPS received 5,172 comments on the proposed rule, including submissions from organizations representing more than 48,000 collective signatories. Of the 5,172 submissions, approximately 2,000 were identified as form letters.

Comments expressed both support and opposition to the proposed actions. Many commenters expressed concern that the proposed rule text was difficult to understand as well as lengthy, and requested plain language and greater clarity, or an extension to the comment period. Most comments focused on proposed changes to bear baiting provisions, particularly concerns related to public safety, ecological impacts, and ethical considerations. Concerns regarding potential impacts to subsistence users were the second most frequently raised issue, including concerns from subsistence users about which rules apply to which user groups. Many commenters also raised concerns regarding the relationship between federal and state wildlife management authority.

4.2 Consultation

The NPS consulted with potentially affected Alaska Native Tribes and potentially affected ANCSA Corporations, pursuant to EO 13175 (Consultation and Coordination with Indian Tribal Governments) and 512 DM Chapters 4 to 7. Pre-consultation outreach was initiated in March 2025. A consultation letter describing the preliminary proposed actions, and inviting government to government consultation, was sent from NPS in April and May 2025 to 113 Tribes and ANCSA Corporations (see “List of Agencies and Persons Consulted” below). The letter described the proposed action at that time as rescission of the 2024 Rule and reinstatement of the 2020 Rule.

A second consultation letter sent from NPS to the same Tribal entities in April 2026, and included information on the expanded proposed action. Formal consultation commenced following publication of the proposed rule for public comment on March 10, 2026 and continued for the life of the project. The NPS followed these letters with calls and emails, and met with every entity that requested a meeting in the venue and format of their choosing to best facilitate their meaningful engagement.

The NPS received verbal and written comments from Tribes and ANCSA Corporations during the public comment period and the consultation process which were considered in developing this assessment and in revising the proposed rule. The following entities requested government to government consultation: Ahtna, Inc., Cheesh'na Village Council, Dot Lake Village Council, Mentasta Traditional Council, the Native Village of

Tazlina, the Yakutat Tlingit Tribe, and Igiugig Village. Additionally, the following entities submitted written comments or materials: Ahtna, Inc., Dot Lake Village Council, the Organized Village of Kasaan, Chickaloon Village Traditional Council, Chugach Regional Resources Commission, Central Council of the Tlingit and Haida Indian Tribes of Alaska, and Ketchikan Indian Community.

The NPS consulted with the State of Alaska, commencing with pre-consultation outreach in March 2025. Formal consultation commenced with the publication of the proposed rule on March 10, 2026 and continued for the life of the project. The NPS considered verbal and written comments from the State in developing this assessment and in revising the proposed rule.

The NPS provided information about the proposed rule at numerous public meetings following publication of the proposed rule, including ANILCA Subsistence Resource Commission meetings, Federal Subsistence Management Program Regional Advisory Council meetings, and Federal Subsistence Board meetings. The DOI met with the Alaska Federation of Natives. The NPS received public comments from these entities that were considered in developing this assessment and in revising the proposed rule.

4.3 List of Agencies and Persons Consulted

The State of Alaska	Healy Lake Village	Native Village of Eyak
Ahtna Intertribal Resource Commission	Hughes Village Council	Native Village of Gakona
Ahtna, Incorporated	Igiugig Village	Native Village of Kanatak
Alatna Tribal Council	Iliamna Tribal Council	Native Village of Karluk
Aleut Corporation	Ivanof Bay Tribal Council	Native Village of Kiana
Allakaket Tribal Council	Kaguyak Village	Native Village of Kivalina
Alutiiq Tribe of Old Harbor	Kawerak, Inc.	Native Village of Kluti Kaah
Arctic Slope Regional Corporation (ASRC)	Ketchikan Indian Community	Native Village of Kobuk
Bering Straits Native Corporation	Kiana Traditional Council	Native Village of Kotzebue
Bristol Bay Native Corporation	Kikiktagruk Inupiat Corporation	Native Village of Larsen Bay
Cheesh'na Tribal Council	King Salmon Tribe	Native Village of Nanwalek / Nanwalek IRA Council
Chignik Bay Tribal Council	King Salmon Tribe	Native Village of Noatak
Chignik Lake Village	Kobuk Tribal Council	Native Village of Nuiqsut
Chilkat Indian Village	Kokhanok Village	Native Village of Ouzinkie
Chilkoot Indian Association	Levelock Village	Native Village of Perryville
Chitina Native Corporation	Lime Village Tribal Council	Native Village of Pilot Point
Chugach Alaska Corporation	Maniilaq, Association	Native Village of Point Hope
Circle Tribal Council	Manokotak Village	Native Village of Port Graham / Port Graham Village Council
Cook Inlet Region, Incorporated (CIRI)	Mentasta Traditional Council	Native Village of Port Heiden
Council of Katmai Descendants	Naknek Native Village	Native Village of Port Lions
Curyung Tribal Council	NANA Regional Corporation	Native Village of Selawik
Dot Lake Village Council	Naqsragmiut Tribal Council	Native Village of Shishmaref
Doyon, Limited	Native Village of Afognak	Native Village of Shungnak
Eagle Village Tribal Council	Native Village of Akhiok	Native Village of Tazlina
Egegik Village	Native Village of Aleknagik	Native Village of Tetlin
English Bay Corporation	Native Village of Ambler	Native Village of Wales
Evansville Tribal Council	Native Village of Chignik Lagoon	New Koliganek Village Council
Gulkana Village Council	Native Village of Chitina	New Stuyahok Village
	Native Village of Deering	Newhalen Tribal Council
	Native Village of Ekwok	Newhalen Village

Nome Eskimo Community
Nondalton Tribal Council
Nondalton Village
Noorvik Native Community
Northway Village Council
Paug-Vik Incorporated
Pedro Bay Tribal Council
Pedro Bay Village
Port Graham Corporation

Portage Creek Village
Sealaska Corporation
Seldovia Village Tribe
Shishmaref Native Corporation
Skagway Traditional Council
South Naknek Village
Sun'aq Tribe of Kodiak
Tanacross Village Council
Tangirnaq Native Village

Traditional Village of Togiak
Twin Hills Village
Ugashik Village
Village of Clark's Point
Village of Iliamna
Wales Native Corporation
Yakutat Tlingit Tribe

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- NPS. 1986c. Denali National Park and Preserve General Management Plan.
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- NPS. 1986e. Katmai National Park and Preserve General Management Plan.
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6 Appendix A – ANILCA Section 810 Subsistence Evaluation and Finding

6.1 Introduction

Title VIII, section 810 of the Alaska National Interest Lands Conservation Act (ANILCA) requires federal agencies having jurisdiction over lands in Alaska to evaluate the potential impacts of proposed actions on subsistence uses and needs. This analysis evaluates the potential restrictions to ANILCA Title VIII subsistence uses and needs that could result should the National Park Service (NPS) revise the proposed sport wildlife harvest restrictions, closure procedures, definitions, and subsistence regulations on NPS Alaska National Park lands in units where ANILCA Title VIII subsistence is allowed.

6.2 The Evaluation Process

Section 810(a) of ANILCA states:

In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands . . . the head of the Federal agency . . . over such lands . . . shall evaluate the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy or disposition of such lands which would significantly restrict subsistence uses shall be effected until the head of such Federal agency

(1) gives notice to the appropriate State agency and the appropriate local committees and regional councils established pursuant to section 805;

(2) gives notice of, and holds, a hearing in the vicinity of the area involved; and

(3) determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity would involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) reasonable steps would be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions.

6.3 Proposed Action on Federal Lands

The potential for significant restriction must be evaluated for the proposed action's effect upon "...subsistence uses and needs, the availability of other lands for the purposes sought to be achieved and other alternatives which would reduce or eliminate the use" (section 810(a)).

The NPS proposes to rescind changes to NPS regulations made by the final rules titled "Alaska; Hunting and Trapping in National Preserves," 80 FR 64325 (October 23, 2015) ("2015 Rule"); "Alaska; Subsistence Collections," 82 FR 3626 (January 12, 2017) ("2017 Rule"); and "Alaska; Hunting and Trapping in National Preserves," 89 FR 55059 (July 3, 2024) ("2024 Rule") to reflect NPS interpretations of laws and policies in place prior to 2015 following passage of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA). The NPS has prepared this EA to analyze impacts of the proposed rulemaking.

The majority of changes proposed are administrative in nature and as addressed in the EA will not affect subsistence uses and needs.

The removal of a prohibition on using bait to attract or take bears on national preserves in Alaska (“the preserves”) that was implemented by the 2024 Rule” is assessed for potential impacts to subsistence. This prohibition would be removed by deleting 36 CFR 13.42(f); bear baiting stations would be allowed for sport hunting in the preserves, as they were under the 2020 Rule, and prior to the 2015 Rule. Removing this prohibition would result in the application of state hunting regulations (5 AAC 92.044) to this activity.

The following is a brief summary of the proposed alternatives considered in the environmental assessment (EA):

Remove Prohibition on Non-Subsistence Bear Baiting on National Preserves at 36 CFR 13.42(f) (Proposed Action)

Under this alternative, bear baiting where allowed in the preserves would be subject to State of Alaska regulations (5 AAC 92.044). State regulations require a permit and that bait station areas are signed and located more than one quarter mile from publicly maintained roads (including logging roads, if they are publicly maintained), trails, and the Alaska Railroad, and more than one mile from a house or other permanent dwelling (except for cabins on the opposite side of a major river system), a business, a school, a developed campground, or a developed recreational facility. In addition, the State requires that all bait stations be registered with the Alaska Department of Fish and Game (ADFG) and that all persons wishing to register a bait station be at least 18 years of age (increased from age 16 in 2017), and to have successfully completed an ADFG-approved bear baiting clinic either in person or online. ADFG continually updates and improves access to online materials concerning bear baiting requirements, guidance, safety and ethics; and may prohibit bear baiting in local areas for a variety of reasons which may include public safety.

Retain Prohibition on Non-Subsistence Bear Baiting on National Preserves at 36 CFR 13.42 (f) (No Action)

Under the no action alternative, harvesting bears over bait for sport hunters would continue to be prohibited in national preserves. Current NPS wildlife regulation governing hunting and trapping in the preserves would remain in place.

6.4 Affected Environment

ANILCA Title VIII (16 U.S.C. 3111-3126) “Subsistence Management and Use” establishes a preference for subsistence uses, including the taking of fish and wildlife for non-wasteful purposes on federal lands in Alaska. When done in accordance with specific criteria, non-subsistence taking of fish and wildlife on federal lands can be and has been restricted. ANILCA section 803 (16 U.S.C. 3113) defines “subsistence uses” as “the customary and traditional uses by rural Alaska residents of wild renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption; for barter, or sharing for personal or family consumption; and for customary trade.” Subsistence hunting and trapping are allowed on national preserves pursuant to ANILCA sections 203 (16 U.S.C. 410hh-2) and 1313 (16 U.S.C. 3201). Federal regulations at 43 CFR Part 51 Subsistence Management Regulations for Public Lands in Alaska and 36 CFR Part 13 for NPS units in Alaska describe allowable federal subsistence activities on national preserves and parks and monuments authorized for subsistence use.

ANILCA and NPS regulations authorize subsistence use of resources in all Alaska national parks, monuments, preserves and components of the Wild and Scenic River System with the exception of Glacier Bay National Park, Katmai National Park, Kenai Fjords National Park, Klondike Gold Rush National Historical Park, “old” Mount McKinley/Denali National Park, and Sitka National Historical Park (Codified in 36 CFR Part 13, Subparts A, B, and C). ANILCA provides a preference for local rural residents over other consumptive users should a shortage of subsistence resources occur and allocation of harvest becomes necessary.

The NPS recognizes that patterns of subsistence use vary from time to time and from place to place depending on the availability of wildlife and other renewable natural resources. A subsistence harvest in a given year may vary considerably from previous years because of weather, migration patterns, and natural population cycles.

The proposed actions would apply on the following national preserve units in Alaska created under section 201 of ANILCA: Aniakchak National Monument and Preserve, Bering Land Bridge National Preserve (NP), Gates of the Arctic NP, Lake Clark NP, Noatak NP, Wrangell-Saint Elias NP, and Yukon-Charley NP and under section 202 of ANILCA newly created preserve additions to existing units at Glacier Bay National Preserve, Katmai National Preserve, and Denali National Preserve.

6.5 Subsistence Uses and Needs Evaluation

To determine the potential impacts on existing subsistence activities for the proposed action, the following three evaluation criteria were analyzed relative to existing subsistence resources:

- The potential to reduce important subsistence fish and wildlife populations by (a) reductions in number, (b) redistribution of subsistence resources, or (c) habitat losses;
- What effect the action might have on subsistence fisherman or hunter access; and,
- The potential for the action to increase fisherman or hunter competition for subsistence resources.

6.5.1 Potential Impacts of the Proposed Action Alternative: Remove Prohibition on Non-Subsistence Bear Baiting on National Preserves at 36 CFR 13.42 paragraph (f)

1. The potential to impact populations:

(a) Effects on Population Levels:

The elimination of the prohibition on bear baiting in paragraph (f) of the current regulations could result in localized impacts to individual animals. However, due to the low level of additional take anticipated as a result of removing the current prohibitions, little to no population-level effects are anticipated. Harvest limits used to manage bear populations remain the same. NPS would continue to monitor bear populations as necessary.

(b) Redistribution of Resources:

Redistribution of resources is not anticipated. Reductions in opportunities for take of bears over the long-term are expected to be minimal and localized, because the levels of additional take are expected to be low.

(c) Habitat Loss:

Habitat loss is not anticipated due to the proposed change in regulations.

2. Restriction of Access:

Access for federally qualified subsistence users would not change under this rule.

Subsistence users may encounter bears habituated to human foods at their hunting and fishing camps, and in or near rural subsistence communities where baiting occurs. Public safety concerns are addressed fully in the EA. Safety concerns that may impact subsistence activities in the vicinity of bear bait stations can be evaluated to ensure compliance with risk mitigation regulations and any site-specific safety issues addressed through the NPS closure process or enforcement actions if necessary.

3. Increase in Competition:

While federally qualified subsistence users would compete with sport hunters engaging in the same activity where authorized under both federal subsistence and state harvest regulations, it is not expected to have a significant impact on subsistence uses. Subsistence use of bear baiting is documented to be very low and use of bear baiting for sport hunting on the preserves has also been low during periods when it was authorized (previous state harvest data indicates an average of less than two bears per year harvested by bear baiting on preserves). While bear baiting may increase bear harvest success by utilizing this method, the harvest limit remains the same and would not result in greater competition for resources.

6.5.2 Potential Impacts of the No Action Alternative: Retain Prohibition on Non-Subsistence Bear Baiting on National Preserves at 36 CFR 13.42 (f)

1. The potential to impact populations:

(a) Effects on Population Levels:

Retaining the prohibition on bear baiting found at 36 CFR 13.42 (f) would maintain the closure to bear baiting under state regulations. The overall effect on population levels and federal subsistence bear harvest in the preserves would change very little compared to current conditions and the past several decades. Population levels and opportunities for subsistence harvest of bears are expected to remain similar to current levels.

(b) Redistribution of Resources:

Redistribution of resources is not anticipated. The NPS has no evidence suggesting any meaningful impacts to subsistence uses and resources under the current NPS wildlife regulations.

(c) Habitat Loss:

Habitat loss is not anticipated if existing regulations are retained.

2. Restriction of Access:

Access for federally qualified subsistence users would not change if the current regulations were retained.

3. Increase in Competition:

Competition for ANILCA Title VIII subsistence resources on federal public lands within the affected areas would not change if existing regulations are retained.

6.6 Availability of Other Lands

The proposed actions are consistent with NPS mandates in Alaska park areas. Subsistence users may have access to similar desired resources in national parks and monuments.

6.7 Alternatives Considered

No other alternatives were identified that would reduce or eliminate the use of NPS public lands needed for subsistence purposes.

6.8 Findings

This analysis concludes that the proposed actions will not result in a significant restriction of subsistence uses.

7 Appendix B – Table of Administrative CFR Amendments

Table B-5: Table of Administrative CFR Amendments

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
2024 Rule				
36 CFR 13.42(k), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Remove paragraph.	(k) The paragraphs of this section are separate and severable from one another. If any paragraph or portion of this section is stayed or determined to be invalid, or the applicability of any paragraph of this section to any person or entity is held invalid, it is NPS's intention that the validity of the remainder of those parts shall not be affected, with the remaining sections to continue in effect.	[Deleted]	5
2017 Rule				
36 CFR 13.400(e), Subpart F - Subsistence, Section 13.400 - Purpose and policy	Redesignate paragraph (e) as paragraph (f) and add a new paragraph (e). In the new paragraph, define who regulation applies to, and describe the state authority to regulate the taking of fish and wildlife for subsistence uses within park areas, consistent with applicable federal law.	(e) Nothing in this subpart shall be construed as permitting a level of subsistence use of fish and wildlife within park areas to be inconsistent with the conservation of healthy populations, and within a national park or monument to be inconsistent with the conservation of natural and healthy populations, of fish and wildlife.	(e) The regulations in this subpart apply to local rural residents and other Alaskan individuals authorized to take renewable resources for subsistence uses. The State of Alaska is authorized to regulate the taking of fish and wildlife for subsistence uses within park areas to the extent such regulation is consistent with applicable Federal law, including but not limited to ANILCA, and Department of the Interior regulations at 43 Part 51.	7
36 CFR 13.400(f), Subpart F - Subsistence, Section 13.400 - Purpose and policy	Redesignate paragraph (e) as paragraph (f).	(e) Nothing in this subpart shall be construed as permitting a level of subsistence use of fish and wildlife within park areas to be inconsistent with the conservation of healthy populations, and within a national park or monument to be inconsistent with the conservation of natural and healthy populations, of fish and wildlife.	(f) Nothing in this subpart shall be construed as permitting a level of subsistence use of fish and wildlife within park areas to be inconsistent with the conservation of healthy populations, and within a national park or monument to be inconsistent with the conservation of natural and healthy populations, of fish and wildlife.	7
36 CFR 13.420, Subpart F - Subsistence, Section 13.420 - Definitions	Remove the definition for “Animal parts.”	Animal parts. As used in this part, this term means nonedible antlers, horns, bones, teeth, claws, hooves, skins, hides, fur, hair, feathers, or quills that: (1) Are obtained from lawfully hunted or trapped fish or wildlife; (2) Have been shed or discarded as a result of natural life-cycle events; or	[Deleted]	8

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
		(3) Remain on the landscape as a result of the natural mortality of fish or wildlife.		
36 CFR 13.420, Subpart F - Subsistence, Section 13.420 - Definitions	Revise the definition of "Handicraft".	Handicraft. As used in the part, this term has the same meaning as used in federal subsistence regulations (50 CFR part 100) except that: (1) The term also includes products made from plant materials; and (2) The term does not include a trophy or European mount of horns or antlers.	Handicraft. As used in this part, the term has the same meaning as used in federal subsistence regulations (43 CFR part 51) except that: (1) The term also includes products made from plant materials; and (2) The term does not include a trophy or European mount of horns or antlers.	8
36 CFR 13.420, Subpart F - Subsistence, Section 13.420 - Definitions	Revise the definition of "Subsistence uses".	Subsistence uses. As used in this part, this term means the customary and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools or transportation; for the making and selling of handicrafts out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption; for barter or sharing for personal or family consumption; and for customary trade pursuant to Title VIII of ANILCA. Harvest of migratory birds pursuant to the Migratory Bird Treaty Act (and implementing regulations at 50 CFR part 92) and marine mammals pursuant to the Marine Mammal Protection Act (and implementing regulations at 50 CFR 18.23 and 18.26) by qualified individuals is a subsistence use in accordance with this subpart. For the purposes of this subpart, the terms—	Subsistence uses. As used in this part, the term "subsistence uses" shall mean the customary and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools or transportation; for the making and selling of handicraft articles out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption; for barter or sharing for personal or family consumption; and for customary trade. For the purposes of this paragraph, the terms—	8
36 CFR 13.470, Subpart F - Subsistence, Section 13.470 - Subsistence fishing	Revise this section to include state authority to management of subsistence fishing in park lands, consistent with applicable federal law. Applicable state and federal law would guide appropriate methods and means, in accordance with the proposed change to 36 CFR 13.40(d).	Fish may be taken by local rural residents for subsistence uses in park areas where subsistence uses are allowed in compliance with applicable law and regulation, including the provisions of section 2.3 and section 13.40 of this chapter. Local rural residents in park areas where subsistence uses are allowed may fish with a net, seine, trap, or spear; or use native species as bait, where permitted by applicable Federal law and regulation.	Fish may be taken by local rural residents for subsistence uses in park areas where subsistence uses are allowed in compliance with applicable State and Federal law, including the provisions of sections 2.3 and 13.40 of this chapter. Local rural residents in park areas where subsistence uses are allowed may fish with methods and means permitted under applicable State and Federal law.	9

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
36 CFR 13.480(a), Subpart F - Subsistence, Section 13.480 - Subsistence hunting and trapping	Revise text to specifically include state authority. Remove the reference to 50 CFR 100 and replace with "applicable State and Federal law".	(a) Local rural residents may hunt and trap wildlife for subsistence uses in park areas where subsistence uses are allowed in compliance with this chapter and 50 CFR part 100.	Local rural residents may hunt and trap wildlife for subsistence uses in park areas where subsistence uses are allowed in compliance with applicable State and Federal law.	10
36 CFR 13.482(a), Subpart F - Subsistence, Section 13.482 - Subsistence collection and use of animal parts	Remove a set of specific regulations on local rural resident collection of animal parts for subsistence uses in parks. Remove language on: Superintendent authority to make determinations about federally recognized customary and traditional use for animal park collections, and removes ability to provide written authorizations; ability for a proxy to be designated for subsistence use animal part collection for specific purposes including handicrafts, in line with change proposed to 36 CFR 13.420; prohibition on use of paid employees to collect animal parts; language about exempting qualified educational or cultural programs that collect animal parts to create handicrafts. Collection of animal parts for handicrafts would remain authorized under ANILCA Title VIII and applicable federal regulations; permit requirement and any conditions attached to it are removed.	(a) Local rural residents may collect animal parts (excluding parts of threatened or endangered species) for subsistence uses in park areas where subsistence uses are authorized, provided that: (1) The resident's primary permanent residence is in an area or community with a federally recognized customary and traditional use determination for the species in the game management unit where the collecting occurs (50 CFR part 100); and (2) The resident has written authorization from the superintendent issued under section 1.6 of this chapter that identifies specific areas where this activity is allowed. (3) (i) If you are a NPS-qualified subsistence user (recipient), you may designate another NPS-qualified subsistence user to collect animal parts on your behalf in accordance with this section for the following purposes: (A) Making handicrafts for personal use, customary trade, or barter; or (B) Making handicrafts for qualified educational or cultural programs. (ii) The designated collector must obtain a permit from the superintendent. The designated collector may not charge the recipient for his/her services or for the collected items. (4) The use of paid employees to collect animal parts is prohibited. This prohibition does not apply to qualified educational or cultural programs that collect animal parts to create handicrafts, provided that the resulting handicrafts are not exchanged through barter or customary trade.	[Deleted]	11

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
36 CFR 13.482(b), Subpart F - Subsistence, Section 13.482 - Subsistence collection and use of animal parts	Remove existing paragraph (b). Remove language on superintendent authorities around subsistence collection activities. Collection of animal parts for handicrafts would remain authorized under ANILCA Title VIII and applicable federal regulations; permit requirement and any conditions attached to it are removed.	(b) The superintendent may establish conditions, limits, and other restrictions on collection activities. Areas open to collections will be identified on a map posted on the park Web site and available at the park visitor center or park headquarters. Violating a condition, limit, or restriction is prohibited.	[Deleted]	11
36 CFR 13.485(b), Subpart F - Subsistence, Section 13.485 - Subsistence use of timber and plant material	Revise paragraph (b) to specify that fruits, berries, mushrooms, and other plant materials for subsistence uses are also noncommercial. Noncommercial gathering of plant materials and dead or downed timber for firewood would remain authorized under ANILCA Title VIII and applicable federal regulations; permit requirement and any conditions attached to it are removed.	(b) The gathering by local rural residents of fruits, berries, mushrooms, and other plant materials for subsistence uses, and the gathering of dead or downed timber for firewood for noncommercial subsistence uses, shall be allowed without a permit in park areas where subsistence uses are allowed.	(b) The noncommercial gathering by local rural residents of fruits, berries, mushrooms, and other plant materials for subsistence uses, and the noncommercial gathering of dead or downed timber for firewood, shall be allowed without a permit in park areas where subsistence uses are allowed.	12
36 CFR 13.485(c), Subpart F - Subsistence, Section 13.485 - Subsistence use of timber and plant material	Remove paragraph (c), in accordance with changes also proposed to 36 CFR 13.420 and 36 CFR 13.482 regarding handicrafts and subsistence collections of animal parts. Noncommercial gathering of plant materials and dead or downed timber for firewood would remain authorized under ANILCA Title VIII and applicable federal regulations; permit requirement and any conditions attached to it are removed.	(c) The gathering by local rural residents of plant materials to make handicrafts for customary trade or barter is authorized in park areas where subsistence uses are allowed in accordance with terms and conditions established by the superintendent and posted on the park Web site. The use of paid employees to collect plant materials is prohibited. This prohibition does not apply to qualified educational or cultural programs that collect plant materials to create handicrafts, provided that the resulting handicrafts are not exchanged through barter or customary trade.	[Deleted]	12
36 CFR 13.485 (d), Subpart F - Subsistence, Section 13.485 - Subsistence use of timber and plant material	Remove paragraph (d), in accordance with changes also proposed to 36 CFR 13.420 and 36 CFR 13.482 regarding handicrafts and subsistence collections of animal parts. Noncommercial gathering of plant materials and dead or downed timber for firewood would remain authorized under ANILCA Title VIII and applicable federal regulations;	(d) (1) If you are a NPS-qualified subsistence (recipient), you may designate another NPS-qualified subsistence user to collect plants on your behalf in accordance with this section for the following purposes: (i) Making handicrafts for personal use, customary trade, or barter; or (ii) Making handicrafts for qualified educational or cultural programs. (2) The designated collector must obtain a	[Deleted]	12

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	permit requirement and any conditions attached to it are removed.	permit from the superintendent. The designated collector may not charge the recipient for his/her services or for the collected items.		
36 CFR 13.485(e), Subpart F - Subsistence, Section 13.485 - Subsistence use of timber and plant material	Remove paragraph (e). Removes language on Superintendent authority to set conditions on timber and plant material subsistence collections and prohibition language. Noncommercial gathering of plant materials and dead or downed timber for firewood would remain authorized under ANILCA Title VIII and applicable federal regulations; permit requirement and any conditions attached to it are removed.	(e) The superintendent may establish conditions, limits, and other restrictions on gathering activities. Violating a condition, limit, or restriction is prohibited.	[Deleted]	12
36 CFR 13.485(f), Subpart F - Subsistence, Section 13.485 - Subsistence use of timber and plant material	Redesignate paragraph (f) as paragraph (c).	(f) Notwithstanding any other provision of this part, the Superintendent, after notice and public hearing in the affected vicinity and other locations as appropriate, may temporarily close all or any portion of a park area to subsistence uses of a particular plant population. The Superintendent may make a closure under this paragraph only if necessary for reasons of public safety, administration, resource protection, protection of historic or scientific values, conservation of endangered or threatened species, or the purposes for which the park area was established, or to ensure the continued viability of the plant population. For purposes of this section, the term “temporarily” shall mean only so long as reasonably necessary to achieve the purposes of the closure.	(c) Notwithstanding any other provision of this part, the Superintendent, after notice and public hearing in the affected vicinity and other locations as appropriate, may temporarily close all or any portion of a park area to subsistence uses of a particular plant population. The Superintendent may make a closure under this paragraph only if necessary for reasons of public safety, administration, resource protection, protection of historic or scientific values, conservation of endangered or threatened species, or the purposes for which the park area was established, or to ensure the continued viability of the plant population. For purposes of this section, the term “temporarily” shall mean only so long as reasonably necessary to achieve the purposes of the closure.	12
36 CFR 13.490(a), Subpart F - Subsistence, Section 13.490 - Closure to subsistence uses of fish and wildlife.	Revise paragraph (a), in parallel with proposed revisions to closure and restriction procedures in 36 CFR 13.50.	(a) The Superintendent may temporarily restrict a subsistence activity or close all or part of a park area to subsistence uses of a fish or wildlife population after consultation with the State and the Federal Subsistence Board in accordance with the provisions of this section. The Superintendent may make a temporary closure or restriction notwithstanding any other provision of this part, and only if the following	(a) Notwithstanding any other provision of this part, the Superintendent, after consultation with the State and the Federal Subsistence Board, and after adequate notice and public hearing in the affected vicinity and other locations as appropriate, may temporarily close all or any portion of a park area to subsistence uses of a particular fish or wildlife population only if necessary for reasons of public safety, administration, or to assure the continued viability of such population. For purposes of this section, the term	13

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		conditions are met: (1) The restriction or closure must be necessary for reasons of public safety, administration, or to ensure the continued viability of the fish or wildlife population; (2) Except in emergencies, the Superintendent must provide public notice and hold a public hearing near the affected NPS unit; (3) The restriction or closure may last only so long as reasonably necessary to achieve the purposes of the closure.	“temporarily” shall mean only so long as reasonably necessary to achieve the purposes of the closure.	
36 CFR 13.1902, Subpart V - Special Regulations - Wrangell-St. Elias National Park and Preserve, Section 13.1902 - Subsistence	Remove paragraph (d), in accordance with proposed deletions of 36 CFR 13.40(d), 36 CFR 13.42(f), and 36 CFR 13.480 (b).	(d) Use of bait for taking bears. (1) The superintendent may issue individual, annual permits allowing the use of human-produced food items as bait for taking bears upon a finding that: (i) Such use is compatible with the purposes and values for which the area was established (e.g. does not create a user conflict); and (ii) The permit applicant does not have reasonable access to natural bait that may be used under § 13.480(b)(1). (2) Permits will identify specific locations within the park area where the bait station may be established and will not include areas where the use of such materials could create a user conflict.	[Deleted]	14
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36 CFR 13.35 (g), Subpart B - General Provisions, Section 13.35 - Preservation of natural features	Revise paragraph (g) to clarify exemption of applicability by removing the word "Subsistence" and adding the terms "or others" to those authorized for take.	(g) Subsistence. Nothing in this section shall apply to local rural residents authorized to take renewable resources.	(g) Nothing in this section shall apply to local rural residents or others authorized to take renewable resources for subsistence uses.	3
36 CFR 13.40, Subpart B - General Provisions, Section 13.40 - Taking of fish	Revise the section heading to also include take of wildlife. There may be some confusion on authorities by changing the Section title to "Taking of fish and wildlife" rather specifying "Taking of fish, and taking of wildlife in national preserves." Hunting is	Taking of fish	Taking of fish and wildlife	4

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
	only allowed on the preserves except where otherwise prohibited.			
36 CFR 13.40(d), Subpart B - General Provisions, Section 13.40 - Taking of fish	Remove current paragraph (d) on authorities on use of native species as bait for fishing. State regulations would apply for use of native species as bait.	(d) Use of native species as bait. Use of species native to Alaska as bait for fishing is allowed in accordance with non-conflicting State law and regulations.	[Deleted]	4
36 CFR 13.40(d), Subpart B - General Provisions, Section 13.40 - Taking of fish	Add a new paragraph (d) by transferring 36 CFR 13.42 (a) to (e).	n/a	(d) Hunting and trapping. (1) Hunting and trapping are allowed in national preserves in accordance with applicable Federal and non-conflicting State law and regulations. (2) Violating a provision of either Federal or non-conflicting State law or regulation is prohibited. (3) Engaging in trapping activities as the employee of another person is prohibited. (4) It shall be unlawful for a person having been airborne to use a firearm or any other weapon to take or assist in taking any species of bear, caribou, Sitka black-tailed deer, elk, coyote, arctic and red fox, mountain goat, moose, Dall sheep, lynx, bison, musk ox, wolf and wolverine until after 3 a.m. on the day following the day in which the flying occurred. This prohibition does not apply to flights on regularly scheduled commercial airlines between regularly maintained public airports. (5) Persons transporting wildlife through park areas must identify themselves and the location where the wildlife was taken when requested by an NPS employee or other authorized person.	4
36 CFR 13.40(e), Subpart B - General Provisions, Section 13.40 - Taking of fish	Revise paragraph (e) by adding "or wildlife" in addition to taking of fish. Add an additional sentence that clarifies that Superintendents must consult with the appropriate state agency prior to implementing non-emergency closures or restrictions.	(e) Closures and restrictions. The Superintendent may prohibit or restrict the non-subsistence taking of fish in accordance with the provisions of section 13.50.	(e) Closures and restrictions. The Superintendent may prohibit or restrict the non-subsistence taking of fish or wildlife in accordance with the provisions of section 13.50. Except in emergency conditions, such restrictions shall take effect only after the Superintendent has consulted with the appropriate State agency having responsibility over fishing, hunting, or trapping and representatives of affected users.	4
36 CFR 13.42, Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Remove section title.	Taking of wildlife in national preserves.	[Deleted]	5

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
36 CFR 13.42(a), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Redesignated as 36 CFR 13.40(d)(1).	(a) Hunting and trapping are allowed in national preserves in accordance with applicable Federal and non-conflicting State law and regulation.	[Deleted]	5
36 CFR 13.42(b), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Redesignated as 36 CFR 13.40(d)(2).	(b) Violating a provision of either Federal or non-conflicting State law or regulation is prohibited.	[Deleted]	5
36 CFR 13.42(c), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Redesignated as 36 CFR 13.40(d)(3).	(c) Engaging in trapping activities as the employee of another person is prohibited.	[Deleted]	5
36 CFR 13.42(d), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Redesignated as 36 CFR 13.40(d)(4).	(d) It shall be unlawful for a person having been airborne to use a firearm or any other weapon to take or assist in taking any species of bear, caribou, Sitka black-tailed deer, elk, coyote, arctic and red fox, mountain goat, moose, Dall sheep, lynx, bison, musk ox, wolf and wolverine until after 3 a.m. on the day following the day in which the flying occurred. This prohibition does not apply to flights on regularly scheduled commercial airlines between regularly maintained public airports.	[Deleted]	5
36 CFR 13.42(e), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Redesignated as 36 CFR 13.40(d)(5).	(e) Persons transporting wildlife through park areas must identify themselves and the location where the wildlife was taken when requested by NPS law enforcement personnel.	[Deleted]	5
36 CFR 13.42(h), Subpart B - General Provisions, Section 13.42 - Taking of wildlife in national preserves	Remove paragraph (h). 36 CFR 13.40(e) contains this sentence.	(h) The Superintendent may prohibit or restrict the non-subsistence taking of wildlife in accordance with the provisions of section 13.50.	[Deleted]	5
36 CFR 13.42(i), Subpart B - General Provisions, Section 13.42 - Taking of	Remove paragraph (i). State regulations would apply.	(i) A person may not intentionally obstruct or hinder another person's lawful hunting or trapping by:	[Deleted]	5

CFR Reference	Proposed Action	Current CFR Text	Amended CFR Text	Amendment Number in Rule
wildlife in national preserves		(1) Placing oneself in a location in which human presence may alter the behavior of the game that another person is attempting to take or the imminent feasibility of taking game by another person; or (2) Creating a visual, aural, olfactory, or physical stimulus in order to alter the behavior of the game that another person is attempting to take.		
36 CFR 13.50(b), Subpart B - General Provisions, Section 13.50 - Closure and restriction procedures	Revise paragraph (b) heading from "Factors" to "Criteria." Revise paragraph (b).	(b) Factors. In determining whether to close an area or restrict an activity, or whether to terminate or relax a closure or restriction, the Superintendent must ensure that the activity or area is managed in a manner compatible with the purposes for which the park area was established. The Superintendent's decision under this paragraph must therefore be guided by factors such as public health and safety, resource protection, protection of cultural or scientific values, subsistence uses, conservation of endangered or threatened species, and other management considerations.	(b) Criteria. In determining whether to close an area or restrict an activity on an emergency basis, the Superintendent shall be guided by factors such as public health and safety, resource protection, protection of cultural or scientific values, subsistence uses, endangered or threatened species conservation, and other management considerations necessary to ensure that the activity or area is being managed in a manner compatible with the purposes for which the park area was established.	6