

# **A Guide to 2004 REGULATIONS for the Alaska Subsistence Spring/Summer Migratory Bird Harvest**

## **General Overview**

This booklet is a simplified, informative summary of the 2004 Alaska subsistence spring/summer migratory bird harvest regulations contained in 50 CFR Part 92. There may be errors or omissions that have not been identified and regulatory changes that occur after printing. This booklet is intended as an informational guide only. To be certain of current regulations, refer to the official Code of Federal Regulations and the Federal Register publications, with pertinent parts available at the website <http://alaska.fws.gov/ambcc/index.htm>

**These regulations will become effective April 2, 2004**, by publication of the Final Rule in the Federal Register. These regulations apply to the spring and summer subsistence harvest of migratory birds in Alaska, **valid through August 31, 2004**. The Alaska Migratory Bird Co-Management Council (Council) will review and recommend needed modifications of these harvest regulations on an annual basis, working within the schedule of the Federal late season migratory bird hunting regulations process. Migratory bird hunting from September 1, 2004 through March 10, 2005 is managed under separate Federal regulations in 50 CFR Part 20 and State regulations in 5AAC.

**For More Information Contact:** Office of the Alaska Migratory Bird Co-Management Council, U.S. Fish & Wildlife Service, 1011 E. Tudor Rd., MS 201, Anchorage, AK 99503

**Voice:** toll-free (877) 229-2344, **Fax:** (907) 786-3641, **Email:** ambcc@fws.gov

## **Legislative History**

As early as 1916, Migratory Bird Treaties with Canada and Mexico failed to recognize Alaska's traditional spring/summer subsistence harvest. After years of negotiations, the treaties were amended in 1997 to recognize this customary and traditional harvest. The amendment set the stage for the creation of the Alaska Migratory Bird Co-Management Council and the 2003 harvest regulations. The Council, which includes representatives from the Alaska Native community, the Alaska Department of Fish and Game, and the U.S. Fish and Wildlife Service acting as equal partners, was formed with the specific purpose of developing "recommendations related to the spring/summer subsistence harvest of migratory birds." Eleven regional management bodies were created to provide crucial local input to the Council in developing the bird harvest list, regional season dates, methods and means and other annual regulatory recommendations. Additional information on the Migratory Bird Treaties, the Council, harvest surveys, press releases and hunter bulletins can be found at: <http://alaska.fws.gov/ambcc/news.htm>

## **Definitions**

**Eligible person** means an individual within the State of Alaska who qualifies to harvest migratory birds and their eggs for subsistence purposes during the spring and summer.

**Immediate family** means spouse, children, parents, grandchildren, grandparents, and siblings.

**Game Management Unit**, also referred to simply as **Unit**, means 1 of the 26 geographical areas listed in the codified State of Alaska hunting and trapping regulations and on maps of the Alaska State Game Management Units.

**Non-wasteful taking** means making a reasonable effort to retrieve all birds killed or wounded, and retaining such birds in possession between the place where taken and the hunter's permanent or temporary place of residence, or to the location where the birds will be consumed or preserved for food.

**Permanent resident** means any person whose primary, permanent home for the previous 12 months was within a subsistence harvest area in Alaska. Whenever absent from this primary permanent home, the person has the intention of returning to it. Factors demonstrating a person's primary, permanent home may include: an address listed on an Alaska Permanent Fund dividend application; an Alaska license to drive, hunt, fish, or engage in an activity regulated by a government entity; voter registration; location of residences owned, rented or leased; location of stored household goods; residence of spouse, minor children or dependents; tax documents; whether the person claims residence in another location for any purpose; or membership of a tribe in a subsistence harvest area.

**Seabirds** refers to all bird species within the families Alcidae, Laridae, Procellariidae, and Phalacrocoracidae (in general: murre, puffins, auklets, fulmars and cormorants).

**Shorebirds** refers to all bird species within the families Charadriidae, Haematopodidae, and Scolopacidae (in general: sandpipers, plovers, oystercatchers, dunlin, godwits, turnstones, knots, and phalaropes).

**Subsistence** means the customary and traditional harvest or use of migratory birds and their eggs by eligible users for their own nutritional and other essential needs.

**Subsistence harvest areas** encompass customary and traditional hunting areas of villages in Alaska that qualify for a spring or summer subsistence harvest of migratory birds under this part.

**Taxidermy** refers to birds preserved and mounted in life-like representations. Taxidermy does not include preserving bird parts to be integrated into traditional arts and crafts, such as use of skin or feathers for the making of clothing or ceremonial fans.

**Waterfowl** refers to all bird species within the family Anatidae (in general: ducks, geese and swans).

**Village** is defined as a permanent settlement with one or more year-round residents.

## **Who is Eligible to Participate?**

If you are a **permanent resident of a village within a subsistence harvest area**, you will be eligible to harvest migratory birds and their eggs for subsistence purposes in the spring and summer.

### **Included areas**

Village areas located within the **Alaska Peninsula, Kodiak Archipelago, the Aleutian Islands, or in areas north and west of the Alaska Range** are subsistence harvest areas. Also included in 2004 are the communities of: Gulkana, Gakona, Tazlina, Copper Center, Mentasta Lake, Chitina, Chistochina, Tatitlek, Chenega, Port Graham, Nanwalek, Tyonek and Hoonah.

### **Excluded areas**

Village areas located in **Anchorage, the Matanuska-Susitna or Fairbanks North Star Boroughs, the Kenai Peninsula roaded area, the Gulf of Alaska roaded area, or Southeast Alaska** are excluded from participating in the 2004 harvest, except for the communities listed above.

Any person may request the Council to recommend that an otherwise included or excluded area have its status changed by submitting a petition stating how the area does or does not meet the qualifying criteria. The Council will forward petitions to the appropriate regional management body for review and recommendation. The Council will then consider each petition and will submit to the U.S. Fish and Wildlife Service any recommendations to include/exclude areas from the spring and summer subsistence harvest.

## **Subsistence Harvest Areas**

All lands within the included areas are open for harvest, except for special requirements on National Park Service lands.

## **Special Requirements for National Park Service Lands**

Subsistence use of resources on National Park Service lands is restricted to only those national monuments parks, and preserves open to subsistence. National Park Service regulations govern which communities or individual residents qualify to subsistence harvest for specific National Parks and Monuments. **Glacier Bay National Park, Katmai National Park, Kenai Fjords National Park, Klondike Gold Rush National Historical Park, “old” McKinley National Park and Sitka National Historical Park are closed to subsistence.** Users of National Parks and Monuments open for subsistence are responsible for complying with these regulations (50 CFR Part 13, Subparts A, B, and C). For more information about National Park Service lands contact: National Park Service, 2525 Gambell St., Anchorage, AK 99503, (907) 257-2649.

## **Shooting Hours**

The harvest season is open 24-hours per day during the dates listed under each region.

## **Use and Possession of Migratory Birds**

You may not sell, offer for sale, purchase, or offer to purchase migratory birds, their parts, or eggs.

- ❑ **Eligible persons.** You may take birds for human consumption only. Harvest and possession of migratory birds must be done using nonwasteful taking. Nonedible byproducts of birds taken for food may be used for other purposes, except that taxidermy is not allowed.
- ❑ **Noneligible persons.** You may receive portions of birds or their eggs not kept for human consumption from eligible persons only if you have a valid U.S. Fish & Wildlife Service permit for scientific research or education.

### **Required Licenses and Stamps**

Eligible subsistence users must possess and comply with any licenses or stamps required by Federal and State regulations when participating in the subsistence spring/summer migratory bird harvest. All waterfowl hunters 16 years or older are required to have a current State and Federal Migratory Bird Hunting Stamp (\$15.00). Federal stamps are available at most post offices, National Wildlife Refuge offices, and some stores; or may be purchased by calling: **1-800-852-4897** or online at <http://www.duckstamp.com> State stamps are available from most State license vendors, ADF&G offices or online at: <http://www.admin.adfg.state.ak.us/license> Both Federal and State stamps must be signed in ink across the face and must be carried at all times while hunting waterfowl and are not required for hunting non-waterfowl species. State stamps are valid only for July 1 through January 31 of the following year, so they would only be needed when hunting waterfowl during July 1 through August 31.

### **Report Your Bird Bands!**

Take the time to report any bird bands found on your harvested birds. These markers give biologists a wealth of information on bird movements, timing, life span, migration routes and much more. You will receive a thank-you certificate including information on the history of your bird. You do not have to give up the band to make a report. Simply call toll-free **1-800-327-BAND (2236)** with the band number or go to the website: <http://www.pwrc.usgs.gov/bbl/homepage/call800.htm> or report it to your nearest ADF&G or National Wildlife Refuge office.

### **Prohibited Harvest Methods and Means**

**You may not use the following devices and methods to harvest migratory birds:**

- *Swivel guns, shotguns larger than 10 gauge, punt guns, battery guns, machine guns, fish hooks, poisons, drugs, explosives, or stupefying substances*
- *Shooting from a sinkbox or low-floating device that conceals the hunter beneath the surface of the water*
- *Hunting from any type of aircraft*
- *Using live birds as decoys, except for auklets on Diomed Island*
- *Hunting with the aid of recorded bird calls*
- *Using any type of vehicle, aircraft, or boat to concentrate, drive, rally, or stir up any migratory birds, except boats may be used to position a hunter*
- *The possession or use of lead or other toxic shot while hunting all migratory birds*
- *Shooting while on or across any road or highway*
- *Using an air boat or jet ski for hunting or transporting hunters (Interior & Bristol Bay Regions only)*

## **Region-Specific Regulations (Open Seasons)**

### **Aleutian/Pribilof Islands Region**

#### **Northern Unit (Pribilof Islands)**

**Season: April 2- June 30**

***Closure: July 1 - August 31***

#### **Central Unit (Port Moller on the Alaska Peninsula west to include Unalaska Island)**

**Season: April 2- June 15 and July 16 - August 31**

***Closure: June 16 - July 15***

#### **Western Unit (Umnak Island west to include Attu Island)**

**Season: April 2 - July 15 and August 16 - August 31.**

***Closure: July 16 - August 15.***

### **Yukon/Kuskokwim Delta Region**

**Season: April 2- August 31**

***Closure: 30-day closure dates to be announced by the Alaska Regional Director or his designee, after consultation with local subsistence users and the Waterfowl Conservation Committee.***

### **Bristol Bay Region**

**Season: April 2- June 14 and July 16 - August 31 general season**

**April 2-July 15 for seabird egg gathering only**

***Closure: June 15 - July 15 general season***

***July 16 - August 31 for seabird egg gathering***

### **Bering Strait/Norton Sound Region**

#### **Stebbins/St. Michael Area (Point Romanof to Canal Point)**

**Season: April 15 - June 14 and July 16 - August 31**

***Closure: June 15 - July 15***

#### **Remainder of the region**

**Season: April 2 - June 14 and July 16 - August 31 for waterfowl**

**April 2 - July 19 and August 21 - August 31 for all other birds**

***Closure: June 15 - July 15 for waterfowl***

***July 20 - August 20 for all other birds***

### **Northwest Arctic Region**

**Season: April 2- August 31 (in general)**

**May 20 - June 9 for waterfowl egg gathering**

**July: 3 - July 12 for seabird egg gathering**

**July 1 - July 31 for harvest of molting/non-nesting waterfowl**

***Closure: June 10 - August 14, except for taking seabird eggs and molting/non-nesting waterfowl***

## **Kodiak Archipelago Region**

The closed area consists of all lands and water (including exposed tidelands) east of a line extending from Crag Point in the north to the west end of Saltery Cove in the south and all lands and water south of a line extending from Termination Point along the north side of Cascade Lake extending to Anton Larson Bay. Marine waters adjacent to the closed area are closed to harvest within 500 feet from the water's edge. The offshore islands are open to harvest.

**Season: April 2- June 19 and July 22 -Aug 31,  
May 1 - June 20 for egg gathering**

*Closure: June 21 - July 21*

## **North Slope Region**

### **Eastern Unit**

(East of east bank of the Sagavanirktok River)

**Season: April 2 - June 19 and July 20 - August 31**

*Closure: June 20 - July 19*

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

**Season: April 2 - June 19 and July 20 - Aug 31 for waterfowl  
April 2 - June 29 and July 30 - Aug 31 for seabirds**

*Closure: June 20 - July 19 for waterfowl and June 30 - July 29 for seabirds*

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

**Season: April 2-June 6 and July 7-August 31 for king & common eiders  
April 2 - June 15 and July 16 - August 31 for all other birds**

*Closure: June 7- July 6 for king & common eiders  
June 16 - July 15 for all other birds*

## **Interior Region**

**Season: April 2- June 14 and July 16 - Aug 31**  
**May 1 - June 14 for egg gathering**

*Closure: June 15 - July 15*

## **Upper Copper River Region**

**Harvest Area: State of Alaska Game Management Units 11 and 13**

**Eligible communities: Gulkana, Chitina, Tazlina, Copper Center, Gakona, Mentasta Lake, Chistochina and Cantwell**

**Season: April 15 - May 26 and June 27 - Aug 31**

*Closure: May 27 - June 26*

**Note: The Copper River Basin communities listed above also documented traditional use harvesting birds in Unit 12, making them eligible to hunt in this unit using the Interior Region seasons.**

## **Gulf of Alaska Region**

### **Prince William Sound Area**

**Harvest area: Unit 6 (D)**

**Eligible communities: Chenega Bay and Tatitlek**

**Season: April 2 - May 31 and July 1 - Aug 31**

*Closure: June 1 - 30*

### **Kachemak Bay Area**

**Harvest area: Unit 15(C) South of a line connecting the tip of Homer Spit to the mouth of Fox River**

**Eligible communities: Port Graham and Nanwalek**

**Season: April 2 - May 31 and July 1 - Aug 31**

*Closure: June 1 - 30*

## **Cook Inlet Region**

**Harvest area: portions of Unit 16(B) as specified below**

**Eligible communities: Tyonek only**

**Season: April 2-May 31** That portion of Unit 16(B) south of the Skwentna River and west of the Yentna River and

**August 1-31** That portion of Unit 16(B) south of the Beluga River, Beluga Lake, and the Triumvirate Glacier.

*Closure: June 1 - July 31*

## **Southeast Alaska Region**

**Harvest area: National Forest lands in Icy Strait and Cross Sound including Middle Pass Rock near the Inian Islands, Table Rock in Cross Sound, and other traditional locations on the coast of Yakobi Island. *All lands and waters within Glacier Bay National Park are closed to harvest.***

**Eligible communities: Hoonah only**

**Season: glaucous-winged gull egg gathering only: May 15 - June 30**

*Closure: July 1 - August 31*

## **Migratory bird species closed for subsistence harvest**

**You may not harvest birds or gather eggs from the following species:**

- ! Spectacled Eider
- ! Steller's Eider
- ! Emperor Goose
- ! Aleutian Canada Goose - Semidi Islands only.

**In addition, you may not gather eggs from the following species:**

- ! Cackling Canada Goose
- ! Black Brant - in the Yukon/Kuskokwim Delta and North Slope regions only.

## **Migratory Bird Species Open for Harvest**

You may harvest birds or gather eggs from the following species within all open regions.

### **Waterfowl**

Greater White-fronted  
Goose  
Snow Goose  
Lesser Canada Goose  
Taverner's Canada Goose  
Aleutian Canada Goose\*  
Cackling Canada Goose\*\*  
Black Brant\*\*\*  
Tundra Swan  
Gadwall  
Eurasian Wigeon  
American Wigeon  
Mallard  
Blue-winged Teal  
Northern Shoveler  
Northern Pintail  
Green-winged Teal  
Canvasback  
Redhead  
Ring-necked Duck.  
Greater Scaup  
Lesser Scaup  
King Eider  
Common Eider  
Harlequin Duck  
Surf Scoter  
White-winged Scoter  
Black Scoter  
Long-tailed Duck  
Bufflehead  
Common Goldeneye  
Barrow's Goldeneye  
Hooded Merganser  
Common Merganser  
Red-breasted Merganser

### **Waterbirds**

Red-throated Loon  
Arctic Loon  
Pacific Loon  
Common Loon  
Horned Grebe  
Red-necked Grebe

### **Seabirds**

Northern Fulmar  
Double-crested Cormorant  
Pelagic Cormorant  
Pomarine Jaeger  
Parasitic Jaeger  
Long-tailed Jaeger  
Bonaparte's Gull  
Mew Gull  
Herring Gull  
Slaty-backed Gull  
Glaucous-winged Gull  
Glaucous Gull  
Sabine's Gull  
Black-legged Kittiwake  
Red-legged Kittiwake  
Ivory Gull  
Arctic Tern  
Aleutian Tern  
Common Murre  
Thick-billed Murre  
Black Guillemot  
Pigeon Guillemot  
Cassin's Auklet  
Parakeet Auklet  
Least Auklet  
Whiskered Auklet  
Crested Auklet  
Rhinoceros Auklet  
Horned Puffin  
Tufted Puffin

### **Cranes**

Sandhill Crane

### **Owls**

Great Horned Owl  
Snowy Owl

### **Shorebirds**

Black-bellied Plover  
  
Common Ringed Plover  
Black Oystercatcher  
Greater Yellowlegs  
Lesser Yellowlegs  
Spotted Sandpiper  
Bar-tailed Godwit  
Ruddy Turnstone  
Semipalmated Sandpiper  
Western Sandpiper  
Least Sandpiper  
Baird's Sandpiper  
Sharp-tailed Sandpiper  
Dunlin  
Long-billed Dowitcher  
Common Snipe  
Red-necked phalarope  
Red phalarope

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\*Except in the Semidi  
Islands

\*\*Except no egg gathering  
anywhere in Alaska

\*\*\*Except no egg  
gathering in the  
Yukon/Kuskokwim  
Delta and North Slope

