

**Advanced Notice of Proposed Rulemaking – Polar Bears
Questions & Answers**

1. Is the Service regulating polar bear harvest with this Federal Register Notice?

No. This advanced notice has two purposes, first to solicit public comments on developing and administering a co-management partnership with Alaska Natives for their subsistence use of polar bears in Alaska. Second, we are also soliciting preliminary ideas about the best way we can ensure that polar bear take limits, established by the Polar Bear Bilateral Commission are not exceeded. Because Alaska Native harvest of polar bears has never been federally regulated, we believe it is important to hear their thoughts, as well as the ideas of other interested parties, on potential management options for this subsistence harvest.

2. Didn't the Service previously state that enforcement of the quota for polar bears in the Chukchi Sea would begin in January 2017?

Yes, the Service had been working with the Alaska Nanuq Commission (ANC) for a number of years to implement measures to ensure that the annual harvest level of polar bears, as agreed by the U.S.-Russia Polar Bear Commission, is not exceeded. The intended plan was for the ANC to work with tribal governments to manage harvest on a regional level and for the Service to implement regulations that would support and reinforce those regional measures. The ANC was not able to implement a system of regional management and we are now seeking a partner to work with us to achieve that goal. More time is necessary to identify and work with a new partner, as well as to conduct additional outreach and consultation with tribal governments, to improve the likelihood of effective implementation.

3. Why does the Service want to enter into a cooperative agreement with an Alaskan Native Organization?

The Service has a long history of working with Alaska Native Organizations (ANOs) in order to improve our and Alaska Native understanding of the subsistence harvest of marine mammals in Alaska. The Marine Mammal Protection Act (MMPA) was amended in 1994 to specifically allow for cooperative agreements with ANOs to conserve marine mammals and provide co-management of subsistence use. In the 20 plus years we have worked with ANOs on our management efforts; we believe that these partnerships have served our efforts in understanding the needs and concerns of Alaska Natives, as well as provided Alaska Natives with a better understanding of our management actions.

In 2007, the MMPA was further amended to implement the U.S.-Russia Polar Bear Bilateral Agreement. The 2007 amendments specifically call for the Service to share authority for the management of the taking of polar bears from the Alaska-Chukotka population for subsistence purposes with the ANC, or a successor entity, provided certain criteria are met, including: entering into a cooperative agreement with the Secretary, meaningfully monitoring of compliance with this Agreement and administering a co-management program for polar bears.

The Service believes a cooperative agreement can help involve subsistence users in conservation and management of polar bears in Alaska, including the creation of effective two-way communication pathways; collect and exchange local observations on polar bears for the development of sound management practices for polar bears in Alaska; manage and monitor the harvest of polar bears for subsistence use; and develop a polar bear co-management structure.

4. What types of activities could be included in a cooperative agreement between the Service and an Alaskan Native Organization?

Activities under a cooperative agreement could include the following: collaborating to collect information on the distribution, abundance, and health of polar bears; managing human and polar bear conflicts; assessing and protecting important habitats; and monitoring and managing subsistence harvest.

5. Why was the exemption for take of marine mammals by Alaskan Natives in the MMPA replaced with the requirements of the U.S. Russia Agreement?

When the U.S. Russia Polar Bear Agreement was developed we, with Alaska-Natives, determined that the best path forward was to replace the general subsistence take exemption contained in section 101(b) of the MMPA with the U.S.-Russia Agreement, which pledges coordinated management with the Russian Federation and provides for an equal role in management for government representatives and Native people in both Alaska and Russia.

6. What information is the Service seeking?

- (1) the most effective ways to keep hunters informed of the number of bears available to harvest during the course of a season and when the annual taking limit has been met;
- (2) the quickest and easiest ways for hunters to report their harvest;
- (3) the appropriate activities and functions to be carried out by a co-management partner;
- (4) candidate organizations or entities to serve in the capacity of a co-management partner;
- (5) recommendations for improving the process for obtaining the input and engagement of Alaskan Natives in polar bear conservation and management;
- (6) recommendations for improving the exchange of information between the Federal Government and Alaskan Natives on polar bear conservation and management; and
- (7) methods and measures for effective implementation of polar bear harvest management, consistent with the obligations of the U.S.-Russia Agreement.

How can I obtain more information?

Contact Hilary Cooley, Polar Bear Project Leader, U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, AK 99503; by telephone (907-786-3800); or by facsimile (907-786-3816). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339.