

healthy fish and wildlife populations. The decision of the Board shall be the final administrative action.

(e) Regulations authorizing any individual agency to direct temporary or emergency closures on public lands managed by the agency remain unaffected by these regulations, which authorize the Board to make or direct restrictions, closures, or temporary changes for subsistence uses on public lands.

(f) Taking fish and wildlife in violation of a restriction, or temporary change authorized by the Board is prohibited.

§ 100.20 Request for reconsideration.

(a) Subparts C and D regulations published in the FEDERAL REGISTER are subject to requests for reconsideration.

(b) Any aggrieved person may file a request for reconsideration with the Board.

(c) To file a request for reconsideration, the requestor must notify the Board in writing within sixty (60) days of the effective date or date of publication of the notice, whichever is earliest, for which reconsideration is requested.

(d) It is the responsibility of a requestor to provide the Board with sufficient narrative evidence and argument to show why the action by the Board should be reconsidered. The following information must be included in the request for reconsideration:

(1) The requestor's name, and mailing address;

(2) The action for which reconsideration is requested and the date of FEDERAL REGISTER publication of that action;

(3) A detailed statement of how the requestor is adversely affected by the action;

(4) A detailed statement of the facts of the dispute, the issues raised by the request, and specific references to any law, regulation, or policy that the requestor believes to be violated and the reason for such allegation;

(5) A statement of how the requestor would like the action changed.

(e) Upon receipt of a request for reconsideration, the Board shall transmit a copy of such request to any appropriate Regional Council for review and

recommendation. The Board shall consider any Regional Council recommendations in making a final decision.

(f) If the request is justified, the Board shall implement a final decision on a request for reconsideration after compliance with 5 U.S.C. 551-559 (APA).

(g) If the request is denied, the decision of the Board represents the final administrative action.

§ 100.21 [Reserved]

Subpart C—Board Determinations

SOURCE: 57 FR 22957, 22964, May 29, 1992, unless otherwise noted.

§ 100.22 Subsistence resource regions.

(a) The following areas are hereby designated as subsistence resource regions:

- (1) Southeast Region,
- (2) Southcentral Region,
- (3) Kodiak/Aleutians Region,
- (4) Bristol Bay Region,
- (5) Yukon-Kuskokwim Delta Region,
- (6) Western Interior Region,
- (7) Seward Peninsula Region,
- (8) Northwest Arctic Region,
- (9) Eastern Interior Region,
- (10) North Slope Region.

(b) Maps delineating the boundaries of subsistence resources regions are available from the U.S. Fish and Wildlife Service.

§ 100.23 Rural determinations.

(a)(1) All communities and areas have been determined by the Board to be rural in accordance with § 100.15 except the following:

Adak;
Fairbanks North Star Borough;
Homer area—including Homer, Anchor Point, Kachemak City, and Fritz Creek;
Juneau area—including Juneau, West Juneau and Douglas;
Kenai area—including Kenai, Soldotna, Sterling, Nikiski, Salamatof, Kalifornsky, Kasilof, and Clam Gulch;
Ketchikan area—including Ketchikan City, Clover Pass, North Tongass Highway, Ketchikan East, Mountain Pass, Herring Cove, Saxman East, and parts of Pennock Island;
Municipality of Anchorage;
Seward area—including Seward and Moose Pass; Valdez; and,

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Wasilla area—including Palmer, Wasilla, Sutton, Big Lake, Houston, and Bodenber Butte.

(2) Maps delineating the boundaries of non-rural areas listed in paragraph (a)(1) are available from the U.S. Fish and Wildlife Service.

(b) [Reserved]

§ 100.24 Customary and traditional use determinations.

(a) Rural Alaska residents of the listed communities and areas have been determined to have customary and tra-

ditional subsistence use of the specified species on Federal public lands in the specified areas. When there is a determination for specific communities or areas of residence in a Unit, all other communities not listed for that species in that Unit have no Federal subsistence for that species in that Unit. If no determination has been made for a species in a Unit, all rural Alaska residents are eligible to harvest fish or wildlife under this part.

(1) *Wildlife determinations.*

| Area | Species | Determination |
|--------------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Unit 1(C) | Black Bear | Residents of Unit 1(C), 1(D), 3, and residents of Hoonah, Pelican, Point Baker, Sitka, and Tenakee Springs. |
| 1(A) | Brown Bear | Residents of Unit 1(A) except no subsistence for residents of Hyder. |
| 1(B) | Brown Bear | Residents of Unit 1(A), Petersburg, and Wrangell, except no subsistence for residents of Hyder. |
| 1(C) | Brown Bear | Residents of Unit 1(C), Haines, Hoonah, Kake, Klukwan, Skagway, and Wrangell, except no subsistence for residents of Gustavus. |
| 1(D) | Brown Bear | Residents of 1(D). |
| 1(A) | Deer | Residents of 1(A) and 2. |
| 1(B) | Deer | Residents of Unit 1(A), residents of 1(B), 2 and 3. |
| 1(C) | Deer | Residents of 1(C) and (D), and residents of Hoonah, Kake, and Petersburg. |
| 1(D) | Deer | No Federal subsistence priority. |
| 1(B) | Goat | Residents of Units 1(B) and 3. |
| 1(C) | Goat | Residents of Haines, Kake, Klukwan, Petersburg, and Hoonah. |
| 1(B) | Moose | Residents of Units 1, 2, 3, and 4. |
| 1(C) Berner's Bay | Moose | No Federal subsistence priority. |
| 1(D) | Moose | Residents of Unit 1(D). |
| Unit 2 | Brown Bear | No Federal subsistence priority. |
| 2 | Deer | Residents of Unit 1(A) and residents of Units 2 and 3. |
| Unit 3 | Deer | Residents of Unit 1(B) and 3, and residents of Port Alexander, Port Protection, Pt. Baker, and Meyer's Chuck. |
| 3, Wrangell and Mitkof Islands | Moose | Residents of Units 1(B), 2, and 3. |
| Unit 4 | Brown Bear | Residents of Unit 4 and Kake. |
| 4 | Deer | Residents of Unit 4 and residents of Kake, Gustavus, Haines, Petersburg, Pt. Baker, Klukwan, Port Protection, Wrangell, and Yakutat. |
| 4 | Goat | Residents of Sitka, Hoonah, Tenakee, Pelican, Funter Bay, Angoon, Port Alexander, and Elfin Cove. |
| Unit 5 | Black Bear | Residents of Unit 5(A). |
| 5 | Brown Bear | Residents of Yakutat. |
| 5 | Deer | Residents of Yakutat. |
| 5 | Goat | Residents of Unit 5(A) |
| 5 | Moose | Residents of Unit 5(A). |
| 5 | Wolf | Residents of Unit 5(A). |
| Unit 6(A) | Black Bear | Residents of Yakutat and residents of 6(C) and 6(D), except no subsistence for Whittier. |
| 6, Remainder | Black Bear | Residents of Unit 6(C) and 6(D), except no subsistence for Whittier. |
| 6 | Brown Bear | No Federal subsistence priority. |
| 6(A) | Goat | Residents of Unit 5(A), 6(C), Chenega Bay and Tatilek. |
| 6(C) and (D) | Goat | Residents of Unit 6(C) and (D). |
| 6(A) | Moose | Unit 6(A)—Residents of Units 5(A), 6(A), 6(B) and 6(C). |
| 6(B) and (C) | Moose | Residents of Units 6(A), 6(B) and 6(C). |
| 6(D) | Moose | No Federal subsistence priority. |
| 6(A) | Wolf | Residents of Units 5(A), 6, 9, 10 (Unimak Island only), 11–13 and the residents of Chicaloon, and 16–26. |
| 6, remainder | Wolf | Residents of Units 6, 9, 10 (Unimak Island only), 11–13 and the residents of Chickaloon and 16–26. |
| Unit 7 | Brown Bear | No Federal subsistence priority. |
| 7 | Caribou | No Federal subsistence priority. |
| 7, Brown Mountain hunt area | Goat | Residents of Port Graham and English Bay. |