§ 241.23 Taking of fish and wildlife.

(a) The taking of fish and wildlife by hunting, trapping, or fishing from lands subject to the rules of this subpart is authorized in accordance with applicable State and Federal law.

(b) To the extent consistent with the conservation of fish and wildlife and their habitat, the continuation of existing uses and the future establishment and use of temporary campsites, tent, platforms, shelters, and other temporary facilities and equipment directly and necessarily related to the taking of fish and wildlife may be authorized in accordance with applicable law and regulations. However, the Forest Supervisor may restrict or prohibit facilities or uses in the Copper River-Rude River addition or Copper River-Bering River area if it is determined, after adequate notice to the affected parties, that the continuation of such facilities or uses would materially interfere with or adversely affect the conservation of fish and wildlife and their habitat.
PART 242—SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA

Subpart A—General Provisions

Sec. 242.1 Purpose.
242.2 Authority.
242.3 Applicability and scope.
242.4 Definitions.
242.5 Eligibility for subsistence use.
242.6 Licenses, permits, harvest tickets, tags, and reports.
242.7 Restriction on use.
242.8 Penalties.
242.9 Information collection requirements.

Subpart B—Program Structure

242.10 Federal Subsistence Board.
242.11 Regional advisory councils.
242.12 Local advisory committees.
242.13 Board/agency relationships.
242.14 Relationship to State procedures and regulations.
242.15 Rural determination process.
242.16 Customary and traditional use determination process.
242.17 Determining priorities for subsistence uses among rural Alaska residents.
242.18 Regulation adoption process.
242.19 Special actions.
242.20 Request for reconsideration.
242.21 [Reserved]

Subpart C—Board Determinations

242.22 Subsistence resource regions.
242.23 Rural determinations.
242.24 Customary and traditional use determinations.

Subpart D—Subsistence Taking of Fish and Wildlife

242.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.
242.26 Subsistence taking of wildlife.
242.27 Subsistence taking of fish.
242.28 Subsistence taking of shellfish.


Subpart A—General Provisions

SOURCE: 67 FR 30563, May 7, 2002, unless otherwise noted.

§ 242.1 Purpose.

The regulations in this part implement the Federal Subsistence Management Program on public lands within the State of Alaska.

§ 242.2 Authority.

The Secretary of the Interior and Secretary of Agriculture issue the regulations in this part pursuant to authority vested in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA), 16 U.S.C. 3101–3126.

§ 242.3 Applicability and scope.

(a) The regulations in this part implement the provisions of Title VIII or ANILCA relevant to the taking of fish and wildlife on public land in the State of Alaska. The regulations in this part do not permit subsistence uses in Glacier Bay National Park, Kenai Fjords National Park, Katmai National Park, and that portion of Denali National Park established as Mt. McKinley National Park prior to passage of ANILCA, where subsistence taking and uses are prohibited. The regulations in this part do not supersed agency-specific regulations.

(b) The regulations contained in this part apply on all public lands, including all inland waters, both navigable and non-navigable, within and adjacent to the exterior boundaries of the following areas, and on the marine waters as identified in the following areas:

1. Alaska Maritime National Wildlife Refuge, including the:
   (i) Karluk Subunit: All of the submerged land and water of the Pacific Ocean (Shelikof Strait) extending 3,000 feet from the shoreline between a point on the spit at the meander corner common to Sections 35 and 36 of Township 30 South, Range 33 West, and a point approximately 1/4 miles east of Rocky Point within Section 14 of Township 29 South, Range 31 West, Seward Meridian as described in Public Land Order 126, dated June 19, 1943;
   (ii) Womens Bay Subunit: Womens Bay, Gibson Cove, portions of St. Paul Harbor and Chiniak Bay: All of the submerged land and water as described in Public Land Order 1182, dated July 7, 1955 (U.S. Survey 21539);
   (iii) Afognak Island Subunit: A submerged lands and waters of the Pacific Ocean lying within 3 miles of the shoreline as described in Proclamation No. 39, dated December 24, 1892;
   (iv) Simeonof Subunit: All of the submerged land and water of Simeonof Island together with the adjacent waters.