Alaska Department of Fish and Game Comments

Wildlife Closure WCR26-01

This is a review of the current closure to non-federally qualified users (NFQU) from hunting deer in a portion Game Management Unit (GMU) 2 on federal public land from Aug. 1–15 as well as the restriction placed on NFQUs to a 2-buck bag limit.

Position

The Alaska Department of Fish & Game (ADF&G) **SUPPORTS** eliminating the restricted bag limit and shortened season for NFQU deer hunters in GMU 2. Those restrictions have never been and cannot be justified as necessary to "…assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population…". Maintaining this closure will continue to unjustly deprive NFQUs of deer harvest opportunity in GMU 2.

Game Management Unit 2 is comprised of 80% federal public land, and the pre-2018 federal regulations already provided substantially greater opportunity to federally qualified users (FQU) hunting deer compared to NFQUs. Those advantages included a season with 54 days (39 days without the Aug. 1–15 closure) when only FQUs are eligible to hunt, a higher federal bag limit of 5 deer, including one doe harvested after October 15, a portion of GMU 2 that is closed to NFQUs from Aug. 1-15, and a federal season that extends through January when deer are at a lower elevation. In contrast, NFQU deer hunters hunt under state regulations with an open season from August 1 – December 31 and a bag limit of 4 bucks. However, currently only two bucks may be taken on federal public land, and most federal public lands are closed to hunting by NFQUs from August 1–15. The exception to this closure is any land below ordinary high water.

As directed by Congress in Section 802 of ANILCA, subsistence uses of wildlife shall be the priority consumptive use on federal public lands "when it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population." Section 815 of ANILCA provides that a restriction on taking wildlife for NFQUs is only authorized if "necessary for the conservation of healthy populations of fish and wildlife, for the reasons in Section 816, to continue subsistence uses of such populations, or pursuant to other applicable law." None of those reasons apply. There are no conservation concerns for the GMU 2 deer population, and no restrictions are needed to continue subsistence uses of deer in GMU 2 as ANS has consistently been met. The deer population continues to be viable and productive. No other applicable laws support the current restrictions.

Title VIII of ANILCA harvest opportunity of NFQUs can only be restricted if there is a conservation concern for a harvested game population or for the continuation of subsistence uses of such population. Consequently, by continuing to restrict the NFQU bag limit for deer in GMU 2 the FSB will indicate that it continues to believe that there is a conservation concern for the GMU 2 deer population or that the amount reasonably necessary for subsistence (ANS) is not being met. According to the Statehood Compact and under Alaska's Constitution ADF&G is responsible for sustainable management of all harvested populations throughout the state, including deer in GMU 2. ADF&G reviewed biological and management metrics, and none suggest a significant or widespread decline in GMU 2 deer numbers or a conservation concern for the population. Deer

pellet group data, aerial alpine surveys, hunter effort and harvest information, and a series of mild to moderate winters all suggest the GMU 2 deer population remains stable.

Background

GMU 2 encompasses Prince of Wales (POW) Island and the surrounding archipelago. FQUs residing in GMUs 1-5 are all currently eligible to harvest deer in GMU 2 under federal regulations. In 2018, the Federal Subsistence Board (FSB) reduced the bag limit for NFQUs hunting on federally managed land from four bucks to two male deer. GMU 2 is 80% federally managed land.

Population Indices

Trends in abundance of deer living in forested habitat are challenging to monitor because deer cannot be directly counted through ground or aerial surveys. For over thirty years ADF&G has used spring pellet group counts to monitor broad (>30%) changes in deer abundance. Spring pellet group surveys are conducted in numerous US Forest Service Value Comparison Units (VCU) across Southeast Alaska after snow melts and before spring green-up. Pellet groups are counted along transects in deer winter habitat (forested habitat from sea level to 1,500 feet elevation), and a pellet group density is calculated. Winters with deeper and more persistent snow concentrate deer in old-growth forest and generally produce higher pellet group densities than winters with little snow when deer are able to use a wider variety of habitats. Consequently, winter severity must be considered when interpreting pellet group counts.

Figure 1 summarizes average spring pellet group densities for surveys in GMU 2 from 1988 through 2019. No surveys were conducted after 2019 since ADF&G began pursuing a new camera-based method to estimate an index of deer density which is currently being tested. Although average pellet group densities have declined slightly from surveys in 2007 through 2012, they remain high and exceed densities recorded during the 18-year period of 1988 through 2006. This index of deer abundance suggests that the GMU 2 population remains relatively high compared to the previous 30 years. Each of the areas surveyed in GMU 2 resulted in >1.0 pellet groups per plot; the Thorne Lakes VCU resulted in 2.33 pellet groups per plot. 1.0 pellet groups per plot is considered moderate density while 2.33 is considered high. In comparison, 2 areas in Southeast Alaska resulted in counts below 1.0 groups per plot; 8 areas resulted in 1.0-2.0 groups per plot; and 6 areas resulted in >2.0 groups per plot.

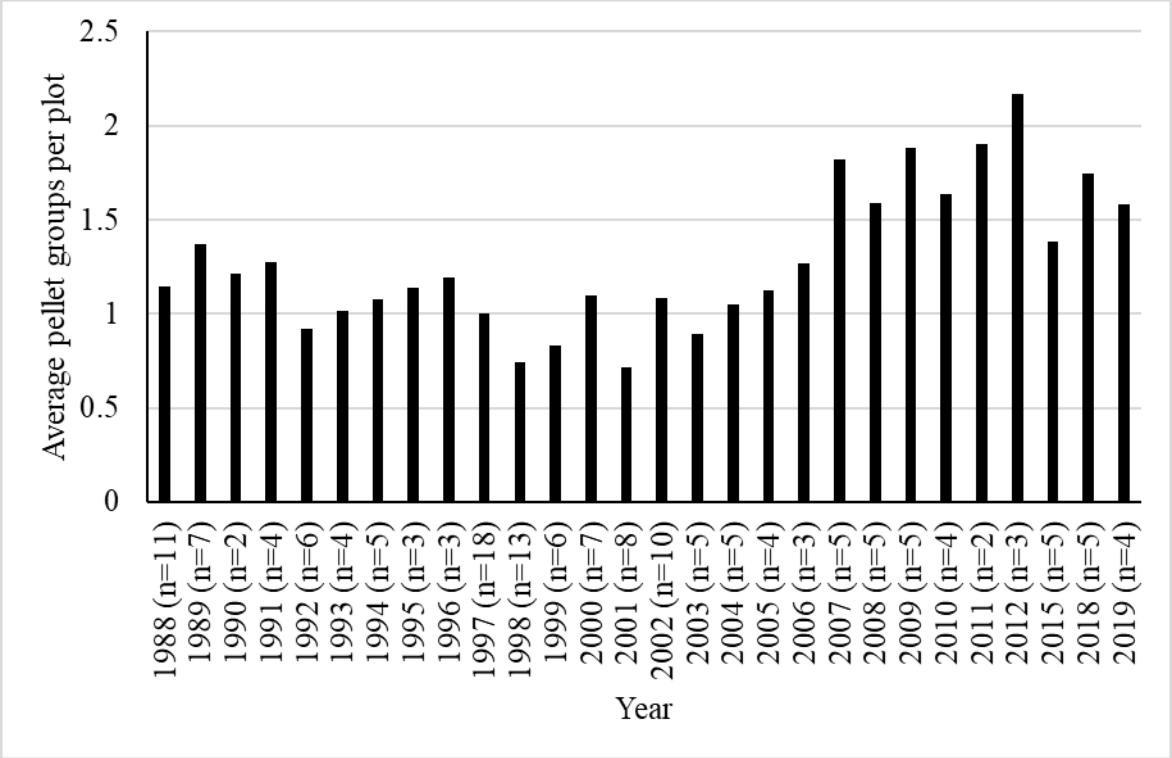

Figure 1.-GMU 2 spring average deer pellet group density, 1988 – 2019. Number of pellet transects denoted by n.

ADF&G began experimenting in 2013 with mid-summer aerial counts of deer in alpine habitat and flew repeated surveys in each survey area each year under a protocol designed to minimize and document variability in conditions during individual survey flights. Multiple surveys of Northern POW were flown in 2016. Beginning in 2017 repeated surveys were flown in the Northern survey area and a new survey area on Central Prince of Wales Island north of Harris River. The findings of those surveys, summarized as deer counted per hour of survey time (Figure 2). Alpine surveys were last flown in 2019. From 2017 through 2019 counts of deer seen on the Central and North Prince of Wales survey routes ranked second and sixth, respectively, out of 10 survey routes throughout Southeast Alaska, with deer counted on the Central POW survey route only exceeded by counts on Admiralty Island in GMU 4.

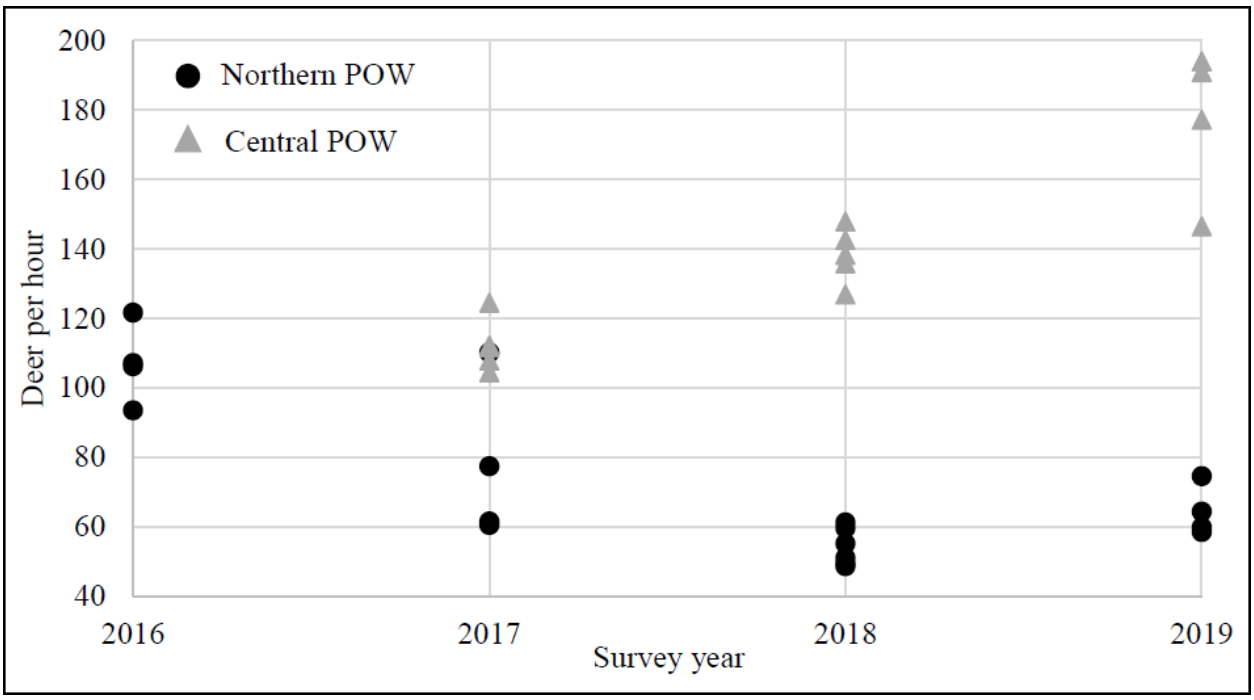

Figure 2.-Mean number of deer counted per hour during mid-summer aerial alpine deer surveys on Northern and Central Prince of Wales Island, 2016 – 2019.

Taken together, these two indices of deer abundance (pellet group surveys and alpine counts) indicate the GMU 2 deer population is stable. Pellet group densities were designed to detect substantial (>30%) changes in deer abundance. Although pellet group densities have declined slightly since 2012, in spring 2019 they remained above 1.5 pellet groups per plot and higher than any year from 1988 through 2006. Furthermore, spring pellet groups densities in 2018 and 2019 were higher than in 2015, the year of record high deer harvest. Aerial count data are more difficult to interpret, with one count area declining from 2016 to 2017 and then stabilizing and the other increasing by over 50% from 2017 to 2019. However, neither index suggests a substantial decline in deer abundance or a conservation concern for the GMU 2 deer population.

Hunter Effort and Harvest

ADF&G estimates hunter effort and harvest using information provided by hunters. To hunt deer in Southeast Alaska all hunters must obtain harvest tickets. Prior to 2011 ADF&G mailed survey forms to one third of hunters in each community who obtained harvest tickets. Since 2011 harvest tickets have come with a mandatory reporting requirement. People who obtain harvest tickets are required to report whether they (or a proxy or federal designated hunter) hunted or not. Those who did hunt are required to report where they hunted, days of hunting effort, and information about deer they harvested.

Figure 3 summarizes information from harvest tickets on the total number of GMU 2 hunters and deer harvest from RY1997–RY2024. The number of hunters and harvest began growing around 2005 and peaked at a record in 2015. Numbers of hunters and harvests began declining in 2016. The estimated average annual harvest from 1997-2024 was 2,658 deer with estimated annual

harvests exceeding ADF&G's GMU 2 harvest objective of 2,700 deer during 12 of those 28 years. Deer harvest in GMU 2 has exceeded the ANS in each of the last 28 years (see below for ANS information). Harvests from 2017 through 2024 were similar to the period 1997 – 2004.

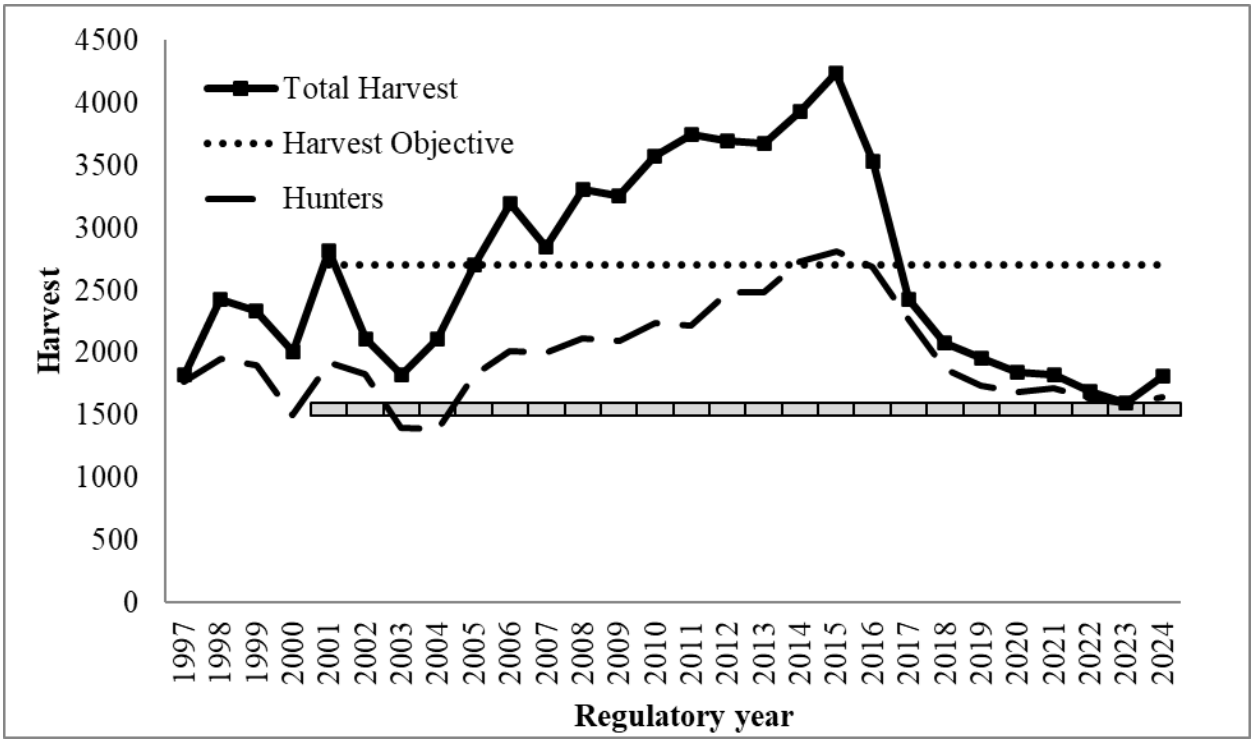

Figure 3.-Total number of participating hunters and deer harvest in GMU 2, RY1997-RY2024. The grey bar indicates the states amount reasonably necessary for subsistence of 1,500 – 1,600 deer annually.

Figure 4 summarizes estimated GMU 2 deer harvest by FQU and NFQU hunters. Overall harvest depends on a number of factors, including deer abundance, hunter effort, and hunting conditions, particularly during the rut when most GMU 2 deer are harvested. Harvests by both groups of hunters peaked in 2015 and have since declined. Compared to the peak harvest in 2015, harvest by FQUs has declined by 35% while harvest by NFQUs has declined by about 70%. Part of the decline in harvest by NFQUs could result from the 2018 reduction in bag limit on federal lands. However, harvests by both groups of hunters remain within historical norms, particularly for FQUs.

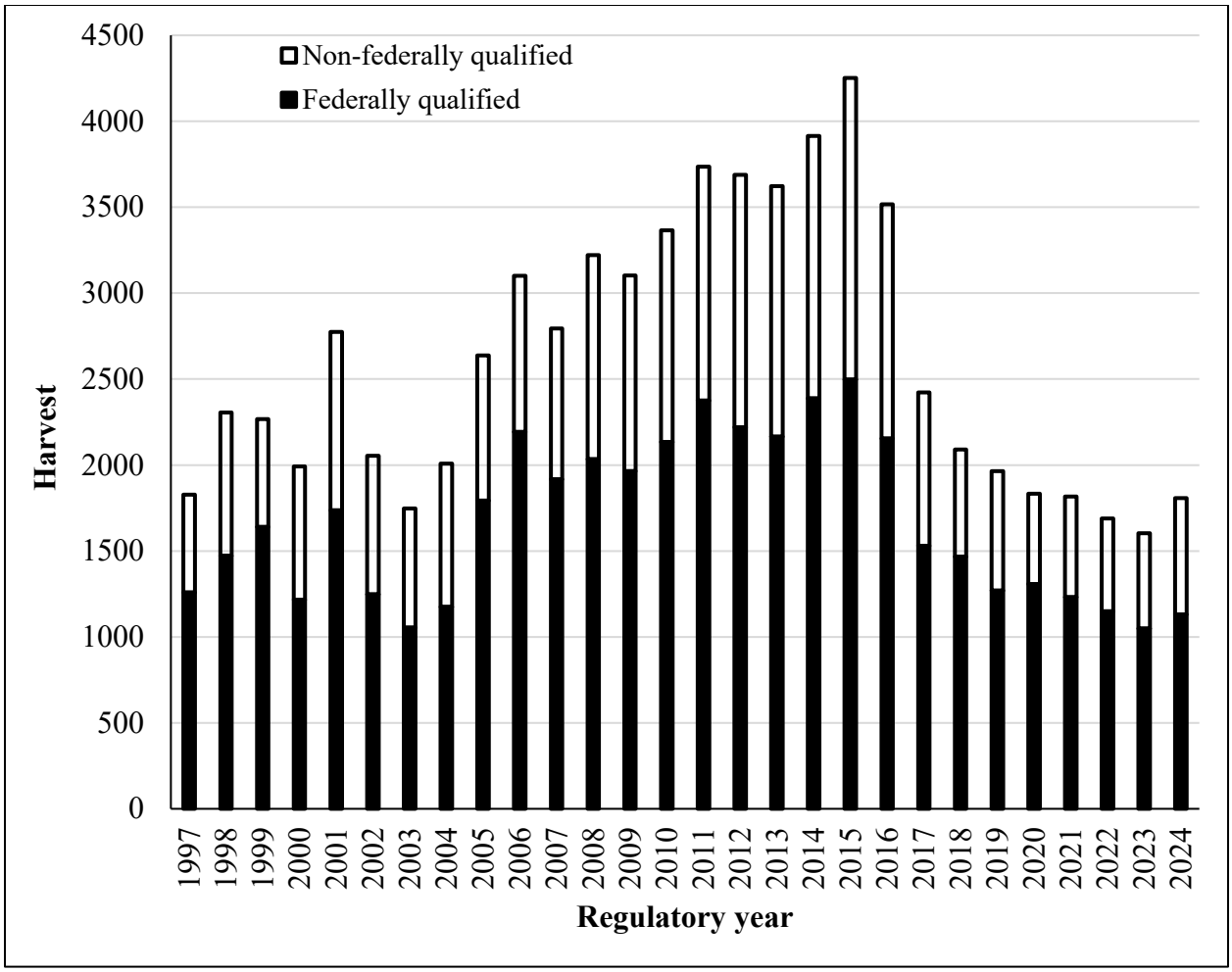

Figure 4.-Deer harvested by federally qualified and non-federally qualified hunters in GMU 2, RY1997–RY2024.

One argument made by the SERAC in support of adopting the 2018 federal regulation reducing non-federal deer bag limit in GMU 2 was that FQUs were having difficulty meeting their subsistence needs due to competition with NFQUs, primarily hunters from Ketchikan. Unlike state harvest objectives or ANS, both of which are in state regulation, federal subsistence needs remain undefined, so there is no quantitative way to verify whether the regulations provide a reasonable opportunity to harvest deer for subsistence uses. However, data from mandatory deer harvest reports provide some insight into effort and harvest by FQUs and NFQUs over time. Recent harvests by FQUs are similar to levels in the late 1990s and early 2000s when no concerns about subsistence needs being met were expressed, and no bag limit restrictions were imposed on NFQUs during those years.

Figure 5 summarizes the numbers of FQUs and NFQUs who hunted deer in GMU 2 from 1997 through 2024. The total number of hunters peaked from 2014 – 2016 with the number of NFQUs exceeding FQUs during each of those years. Since peaking in 2015, the total number of people hunting deer in GMU 2 has declined by about 40%. Numbers of NFQUs have declined by over 50%, whereas numbers of FQUs have declined by nearly 30%. The number of hunters participating can affect total hunting effort and harvest. One reason GMU 2 deer harvest has declined from the peak in 2015 is that the number of hunters has declined.

Prior to 2018 only FQUs who resided in GMUs 1A, 2, and 3 were eligible to hunt deer under federal subsistence regulations in GMU 2. In 2018 the Federal Subsistence Board expanded the pool of hunters eligible to hunt deer under federal regulations in GMU 2 to include all FQUs residing in GMUs 1-5.

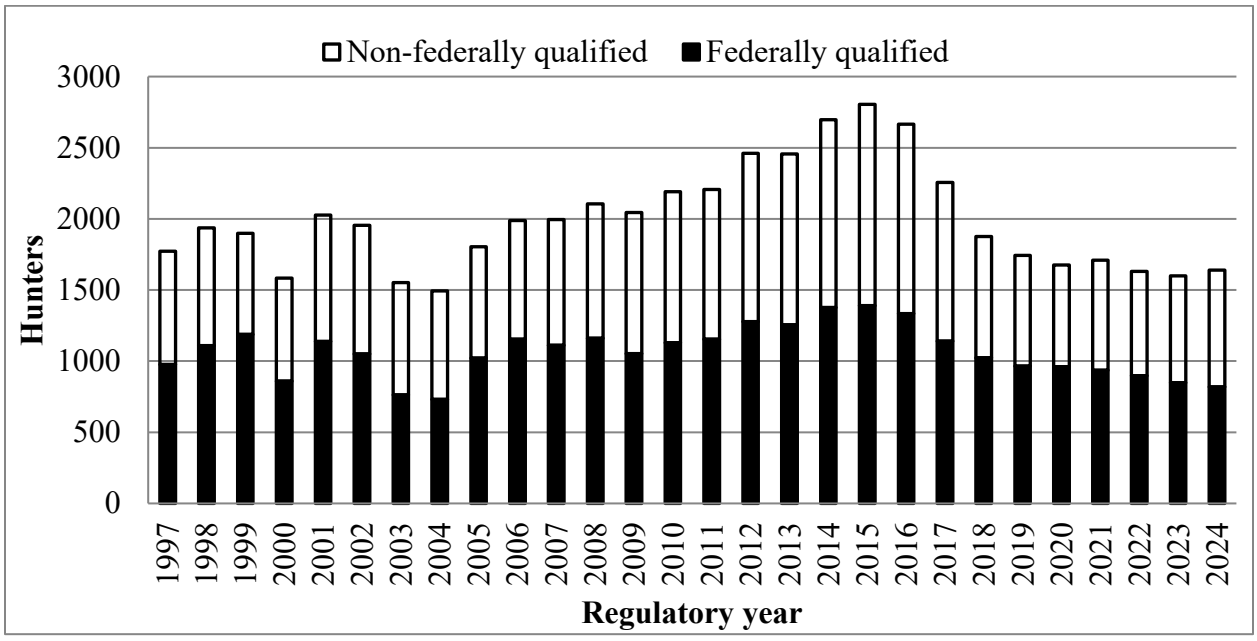

Figure 5.-Number of federally qualified and non-federally qualified hunters hunting deer in GMU 2, RY1997 – RY2024.

Figure 6 summarizes information on deer hunting effort by FQUs and NFQUs in GMU 2. Total days of hunting effort and effort by NFQUs peaked in 2015. Since 2015, hunting effort by NFQUs has declined by about 48%. In the last decade, hunting effort by FQUs peaked in 2014 and has since declined by about 45%. This decline in total hunting effort is partially responsible for the recent declines in GMU 2 deer harvest.

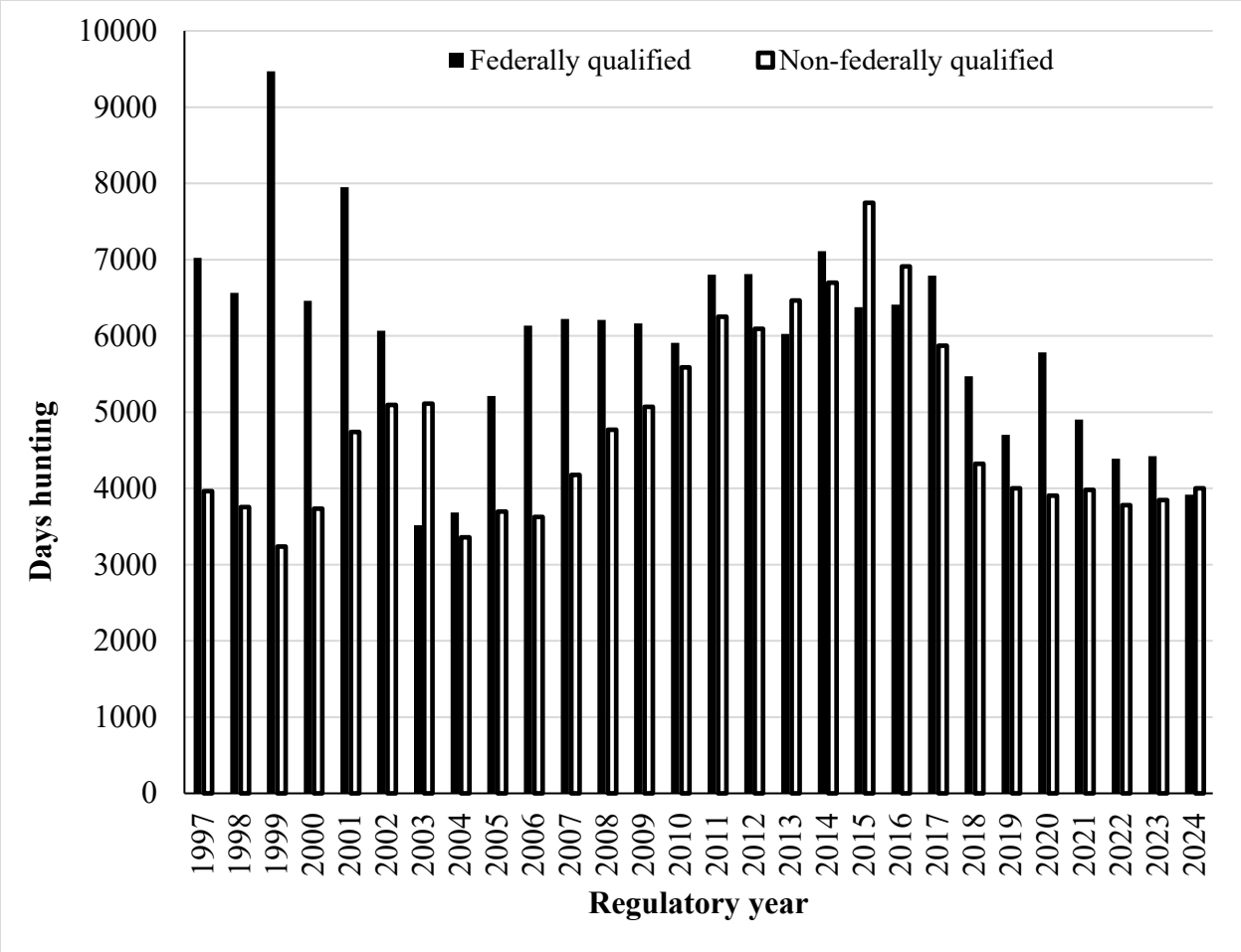

Figure 6.-Total days of hunting effort by federally qualified and non-federally qualified hunters hunting deer in GMU 2, RY1997–RY2024.

Hunter efficiency, or the days of hunting effort required to harvest one deer, is another indicator of the availability of deer to GMU 2 hunters. Figure 7 summarizes the number of days of hunting required to harvest a deer by FQUs and NFQUs in GMU 2. FQUs are consistently more efficient at harvesting deer than NFQUs. Although in the last few years FQUs have required about one additional day of effort to harvest a deer than they did from 2003 – 2016, hunting effort required from 2017-2024 remains within the historical range and lower than from 1997-2002.

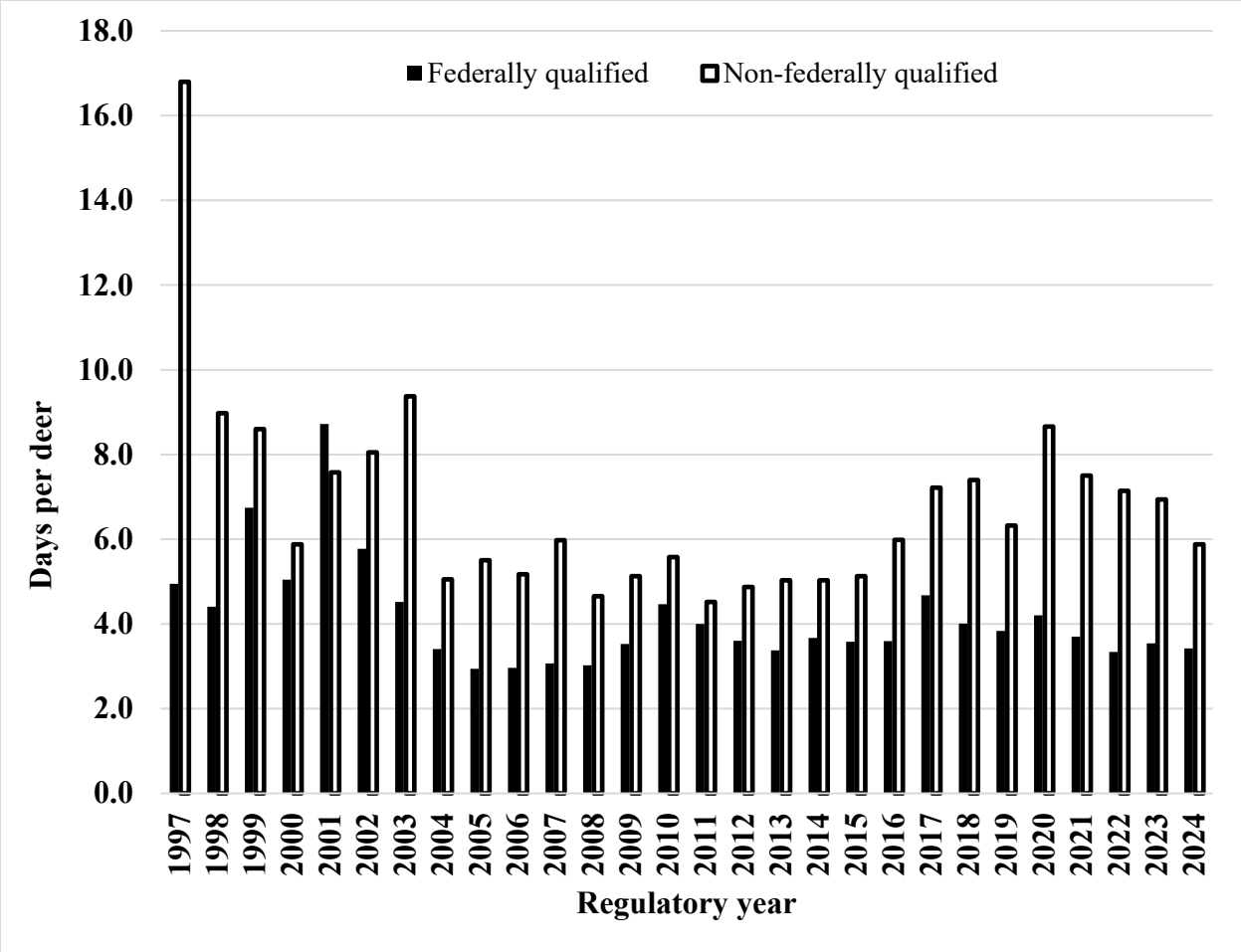

Figure 7. Average number of days hunted by federally qualified and non-federally qualified hunters per deer harvested in GMU 2, RY1997–RY2024.

Impact on Federally Qualified Users

If this closure is rescinded, there may be a marginal increase in competition with NFQU due to a nominal increase in effort and harvest by NFQUs.

Impact on Other Users

If this closure is rescinded, NFQUs deer hunting opportunity would increase on federal public lands.

Opportunity Provided by State

State customary and traditional use findings: The Alaska Board of Game (BOG) has made a positive customary and traditional use finding for deer in GMU 2.

Amounts Reasonably Necessary for Subsistence: Alaska state law requires the BOG to determine the amount of the harvestable portion of a wildlife population that is reasonably necessary for customary and traditional uses. This is an ANS. The BOG does this by reviewing extensive harvest data from all Alaskans, collected either by ADF&G or from other sources.

ANS provides the BOG with guidelines on typical numbers of wildlife harvested for customary and traditional uses under normal conditions. Hunting regulations can be re-examined if harvests for customary and traditional use consistently fall below ANS. This may be for many reasons: hunting regulations, changes in wildlife abundance or distribution, or changes in human use patterns, just to name a few.

The ANS for Sitka black-tail deer in GMU 2 is 1500–1600 animals. The season and bag limit for Sitka black-tail deer in GMU 2 is August 1 – December 31 with a bag limit of 4 bucks.

		Open Season (GD000)	
Unit/Area	Bag Limit	Resident[a]	Nonresident
02Z	*4 bucks*	*1 Aug.–31 Dec.* (*Harvest Ticket*)	*1 Aug.–31 Dec.* (*Harvest Ticket*)

[a] Subsistence and General Hunts.

Conservation Issues

There are no conservation concerns for deer in GMU 2. Following numerous consecutive mild to moderate winters the available population indices suggest the GMU 2 deer population remains stable and within historical bounds. Deer harvest has declined since several record-setting harvests between 2011 and 2015, but existing information suggests the decline since then has more to do with a decline in hunter effort as much as a decline in the deer population.

Enforcement Issues

There are no anticipated enforcement issues associated with rescinding the closure and bag limit restriction for NFQUs. If anything, the lifting of the closure and bag limit restrictions would alleviate enforcement issues.