Alaska Department of Fish and Game Comments
DRAFT

Wildlife Proposal WP24-04

This proposal would close federal public lands of Admiralty Island draining into Chatham Strait south of the Thayer Creek drainage (but excluding the Hasselborg Lake and Hasselborg Creek drainages) to deer hunting by non-federally qualified users (NFQU) from November 1 – November 15 (Figure 1).

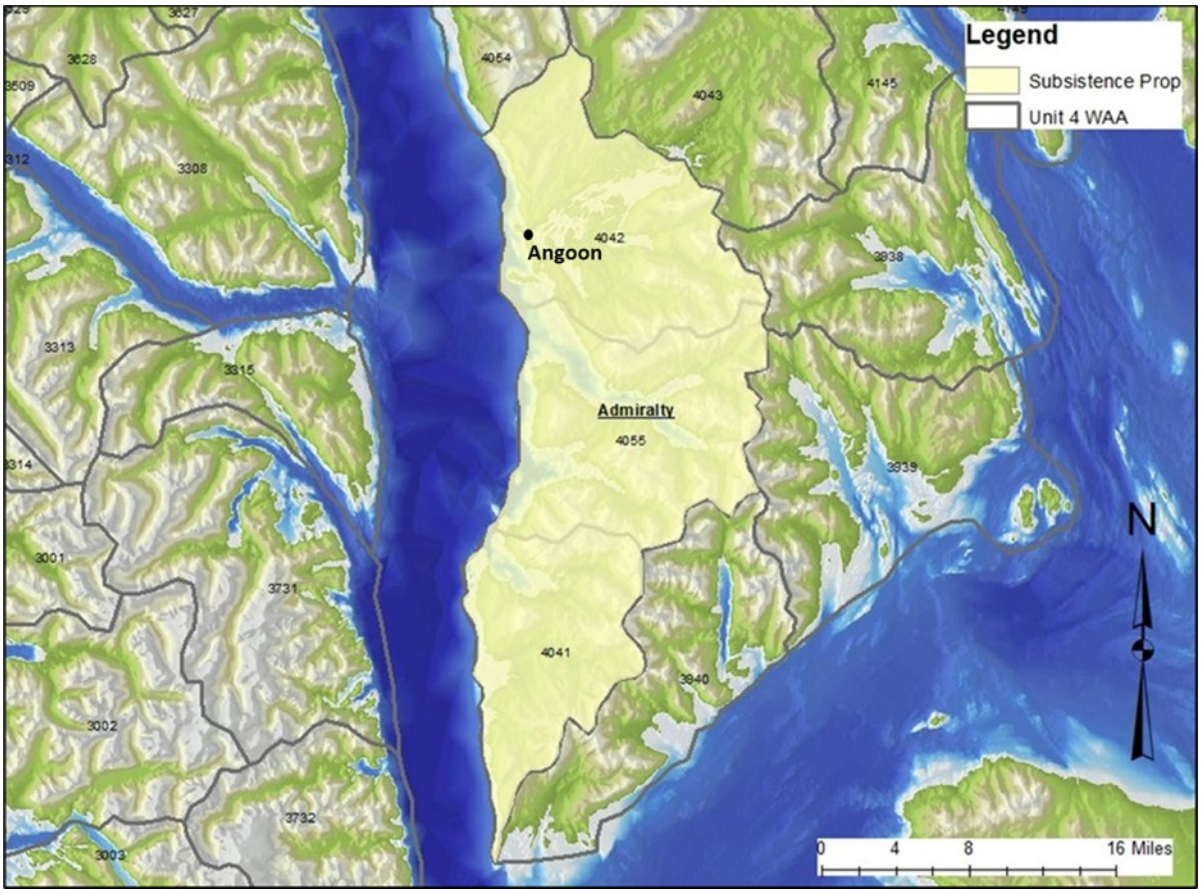

Figure 1. Map of the Admiralty Island proposal area and boundaries of the ADF&G Wildlife Analysis Areas for deer hunter data used to analyze effects of the proposal.

Position

The Alaska Department of Fish and Game (ADF&G) **OPPOSES** this proposal because there are no justifications under the Alaska National Interest Lands Conservation Act (ANILCA) for the Federal Subsistence Board (FSB) to approve this closure. If enacted, it would unnecessarily deprive NFQUs of sustainable deer hunting opportunity contrary to terms in Title VIII of ANILCA. In *Alaska v. Federal Subsistence Bd.*, 544 F.3d 1089, 1100 (9th Cir. 2008), the Ninth Circuit ruled that, under ANILCA, the Federal Subsistence Board (FSB) may regulate subsistence use but is prohibited from limiting nonsubsistence use. A reduction in NFQU opportunity for hunting deer in GMU 4 is inconsistent with ANILCA under applicable case law on federal preemption. As directed by Congress in Section 802 of ANILCA, subsistence use of

wildlife shall be the priority consumptive use on federal 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 authorizes federal restrictions on nonsubsistence uses on the public lands only if "necessary for the conservation of healthy populations of fish and wildlife" or if necessary to "continue subsistence uses." Based on the following analysis of the only annually collected, objective, and quantifiable data available, none of those reasons apply. There is no conservation concern for the Admiralty Island deer population, and no restrictions on NFQU opportunity are needed to continue subsistence use of deer. Several indices indicate deer remain abundant in the area affected by the proposal, so there is no need to restrict harvest to conserve the population.

The stated purpose of the proposal is to "establish a meaningful preference for the continuation of subsistence use of deer", however, the proponents provide no substantial evidence in support of claims that the very few NFQUs hunting in this area inhibit harvest by federally qualified users (FQU), and data provided by FQUs residing in Angoon clearly indicate that the decline in harvest by that community results from declining participation and effort by Angoon hunters. As laid out in detail below, fewer Angoon residents are participating in deer hunting and those who continue to hunt do so for fewer days each year. Despite that, Angoon hunters continue to enjoy some of the most efficient hunting in Alaska. In addition, according to reports submitted by Angoon hunters, the proposed closure area is of limited importance to them and in recent years has accounted for less than one quarter of their total reported deer harvest. Angoon residents report that they harvest most of their deer in areas distant from the proposed closure area where they enjoy a high rate of success. Further, we could find no reference in Title VIII of ANILCA to the term "meaningful preference." Nor could we find justification for limiting NFQU hunting based on safety concerns, economics of FQUs, or the potential of altering deer behavior due to poor NFQU marksmanship. We conclude there is no lawful justification for adopting this proposal and it should be rejected under Section 805(c)(1).

Finally, we can find no justification for limiting NFQU hunting based on safety concerns, economics of FQUs, or the potential of altering deer behavior due to poor NFQU marksmanship. Public safety is addressed in §816 (b), but only in that it refers to the temporary closure of public lands to *subsistence uses* for reasons of public safety. We believe closing publics lands to NFQUs while leaving them open for FQUs for safety purposes related to normal seasonal changes in weather and daylight would be a misuse of §816 (b). Further, Angoon hunters reported taking 65% of their deer outside the proposed closure area, which suggests most hunters are not limited by the listed safety or economic concerns. We could also find nothing in Title VIII of ANILCA that would tie limiting NFQU opportunity to the economic fortunes FQUs.

Background

This proposal has the same general goal and justification as WP22-07, which the Federal Subsistence Board rejected overwhelmingly at their January 2023 meeting. The current proposal states that FQUs from Angoon face many challenges in meeting their subsistence needs for deer including high fuel costs, depressed economies, small boats, and inclement weather. The proposal claims that NFQUs exacerbate those challenges by obstructing access, competing for deer, and potentially altering deer behavior with poor marksmanship and that competition inhibits subsistence use of deer. To mitigate these concerns and to establish a "meaningful

preference" for the continuation of subsistence uses of deer, the proposal asks the FSB to close federal lands on the west side of Admiralty Island (Figure 1) to NFQU deer hunters from November 1 – November 15.

Game Management Unit (GMU) 4 encompasses the ABC Islands (Admiralty, Baranof, and Chichagof) and the surrounding archipelago, and over 90% of land in GMU 4 is federally managed. All residents of Southeast Alaska (GMUs 1-5) excluding residents of Juneau and Ketchikan are eligible to harvest deer in GMU 4 under federal subsistence regulations. The current federal deer season for this area is August 1 – January 31 with a bag limit of six deer (bucks only August 1 – September 14). The current state season is August 1 to December 31 with a bag limit of six deer for Alaska residents (bucks only August 1 – September 14) and two bucks for non-residents. In 2019, the Alaska Board of Game (BOG) increased the state deer bag limit in GMU 4 from four to six deer because there is such an abundant population of deer within this GMU. In 2023, the BOG decreased the bag limit for non-resident deer hunters in GMU 4 from six deer to two bucks. This was done not because of conservation concerns, but to more accurately reflect actual use patterns and mitigate the perception that nonresident hunters compete with resident hunters.

These comments analyze indices of deer abundance, deer hunter participation and effort, and deer harvest in GMU 4. Deer abundance trends are derived from annual deer pellet group transects, aerial alpine surveys, and spring mortality surveys. Hunter effort and harvest data are derived from the annual deer hunter survey (1997 – 2010) and mandatory deer harvest ticket reports (2011 – present). Collectively, these data gathered by ADF&G are the only annually collected, objective, and quantitative information on deer abundance, hunter participation and effort, and harvest available for Southeast Alaska.

Analysis

GMU 4-Wide Deer Population Status

Because monitoring deer abundance in forested habitat is challenging, deer cannot be directly counted like other species in more open habitat. ADF&G uses several types of survey data to monitor trends in the population. Since the 1980's ADF&G has used spring pellet group counts to monitor broad (≥30%) changes in deer abundance. ADF&G discontinued pellet surveys in Southeast Alaska after 2019, but historical survey results show that GMU 4 consistently had the highest pellet group counts in Southeast Alaska (Figure 2). Pellet group counts < 1.0 groups/plot generally correspond to low density populations, 1.0 – 1.99 groups/plot to moderately dense populations and > 2.0 groups/plot correspond to high density populations. Pellet group counts in GMU 4 are usually well above the high-density threshold and are often double the counts in other GMUs. The most recent survey near the proposal area was in 2019 in Pybus Bay where biologists recorded 2.82 groups/plot. This broad index of deer abundance indicates that GMU 4 supports the highest deer populations in Southeast Alaska.

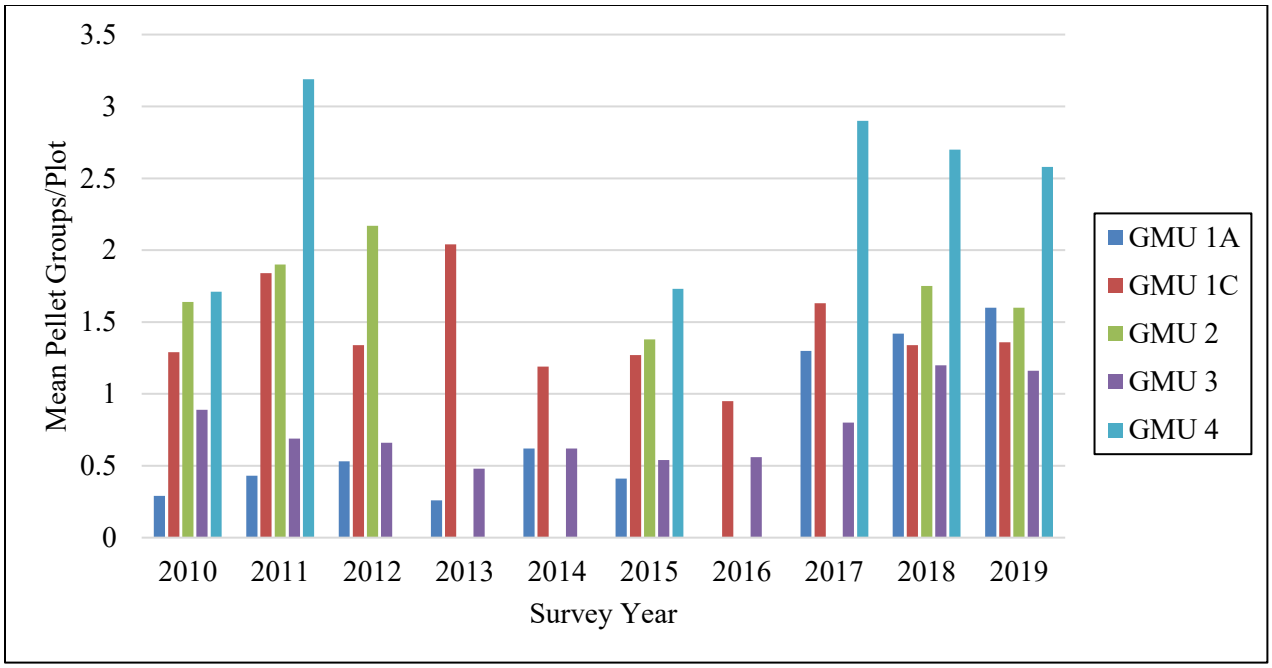

Figure 2. Mean number of deer pellet groups/plot for Southeast Alaska by GMU, 2010 – 2019.

In 2013, ADF&G began evaluating mid-summer aerial counts of deer in alpine habitats as another index of deer abundance. Surveys were conducted for two locations in GMU 4, Southern Admiralty Island (2015 – 2017) and Northeast Chichagof Island (2017-2018). The findings of those surveys were summarized as deer counted per hour of survey time (Figure 3). The southern Admiralty Island survey route near Angoon had by far the highest counts of any area surveyed.

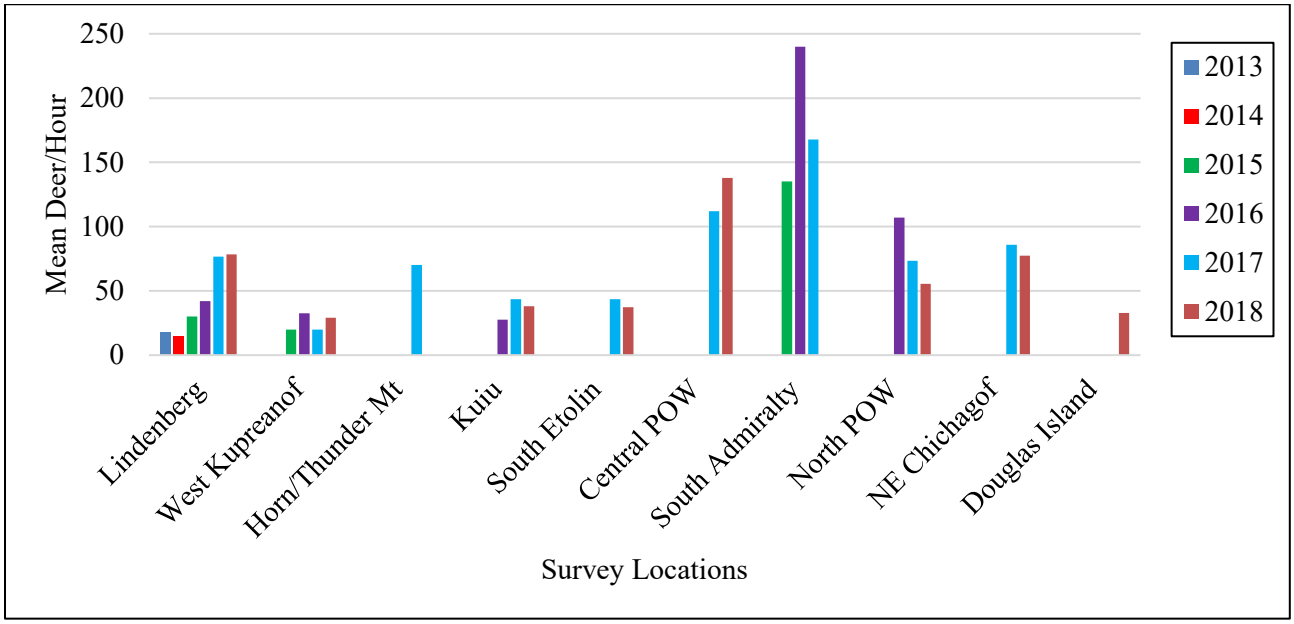

Figure 3. Mean number of deer counted per hour during mid-summer aerial alpine deer surveys in Southeast Alaska, 2013 – 2018.

ADF&G biologists in GMU 4 began conducting late winter beach mortality transects in the early 1990s. These surveys are an indicator of mortality resulting from severe winter conditions, which is the most limiting factor for Sitka black-tailed deer populations in GMU 4. In addition to the total count of carcasses per mile, the proportion of buck, doe and fawn mortalities also indicates winter severity. Usually fawns die first, followed by adult males and then adult females. The winter of 2006/2007 was the most severe on record, and in some parts of GMU 4 managers estimated up to 75% of deer died. Note the high number of carcasses found during spring 2007 surveys (Figure 4). In the years since then, few carcasses were found indicating high over-winter survival and no significant population declines related to winter severity. Due to early and deep snow accumulations during December 2021, in spring 2022 ADF&G made a concerted effort to conduct mortality surveys throughout GMU 4. Eight surveys were conducted on Admiralty Island, including Mitchell Bay, near Angoon. Biologists counted 0.34 mortalities/mile on Admiralty, lower than the overall GMU 4 count. Survey results for 2023 were among the lowest on record with only 0.08 mortalities/mile. Field biologists observed high numbers of deer including a high percentage of short yearlings during spring 2023 body condition surveys, which corroborated mortality survey results.

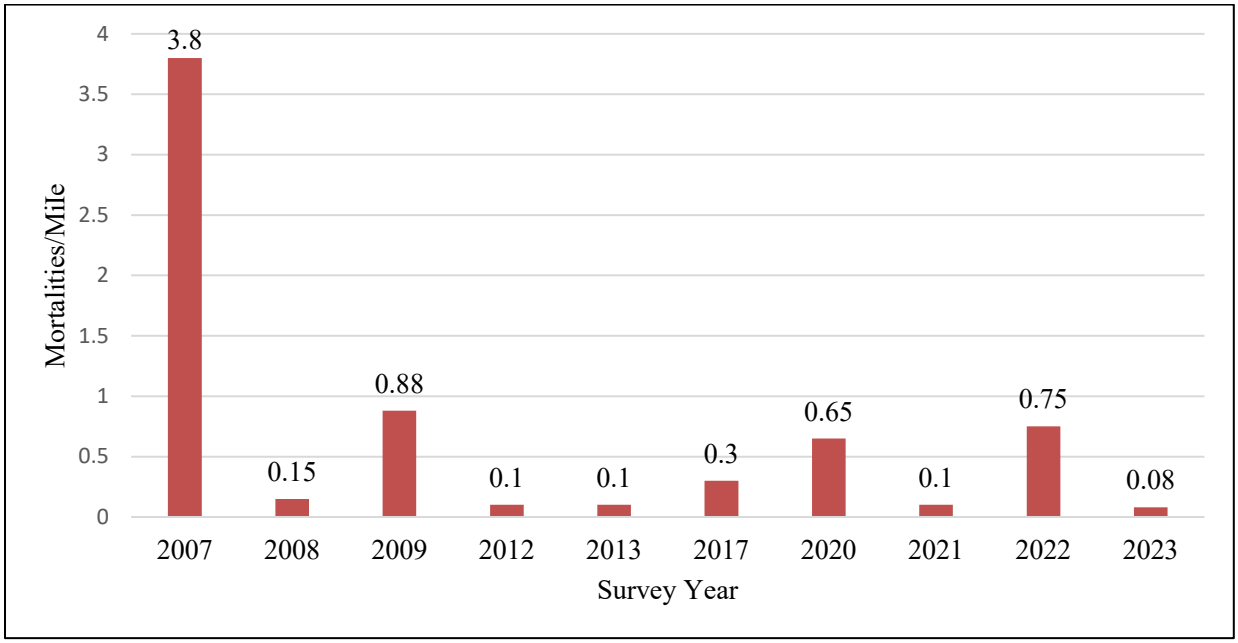

Figure 4. Mean number of winter-killed deer per mile of beach surveyed in GMU 4.

Taken together, these indices of deer abundance (pellet surveys, alpine counts, mortality transects) indicate that the GMU 4 deer population is high and stable. None of these indices suggests a decline in abundance or a conservation concern for the GMU 4 deer population. Based on observations of browsing levels, ADF&G biologists think deer populations in some areas of GMU 4 may be at or near carrying capacity and plan to recommend hunters include does in their Unit 4 bag limit for RY23.

Trends in Hunter Effort and Harvest

ADF&G biologists also use harvest as another indicator of trend in the deer population. Harvest data allow ADF&G to monitor harvest by specific communities and by geographic units known

as Wildlife Analysis Areas (WAAs). 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 the 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 the deer they harvested.

From 1997 – 2022 the estimated average annual harvest has been 5,605 deer have been taken by 3,253 hunters (Figure 5). GMU 4 supports the highest deer harvest in the state with a generally stable harvest of 5,000 – 7,000 deer annually. The biggest exception being the severe winter of 2006/2007 when high harvest was followed by a significant over-winter mortality of deer throughout GMU 4. This resulted in a precipitous decline in harvest from 7,734 deer in RY06 to 1,933 deer in RY07. Based on harvest and other indicators of deer abundance, managers believe the GMU 4 deer population had fully recovered by the 2013 season.

More recently, hunter participation and harvest data reported to ADF&G for RY22 (fall 2022) indicated substantial declines in both the number of hunters and deer harvested in GMU 4. When fewer people hunt, fewer deer are harvested, but the decline in the number of people who obtained harvest tickets and reported hunting in GMU 4 was unexpected, particularly when deer remain abundant.

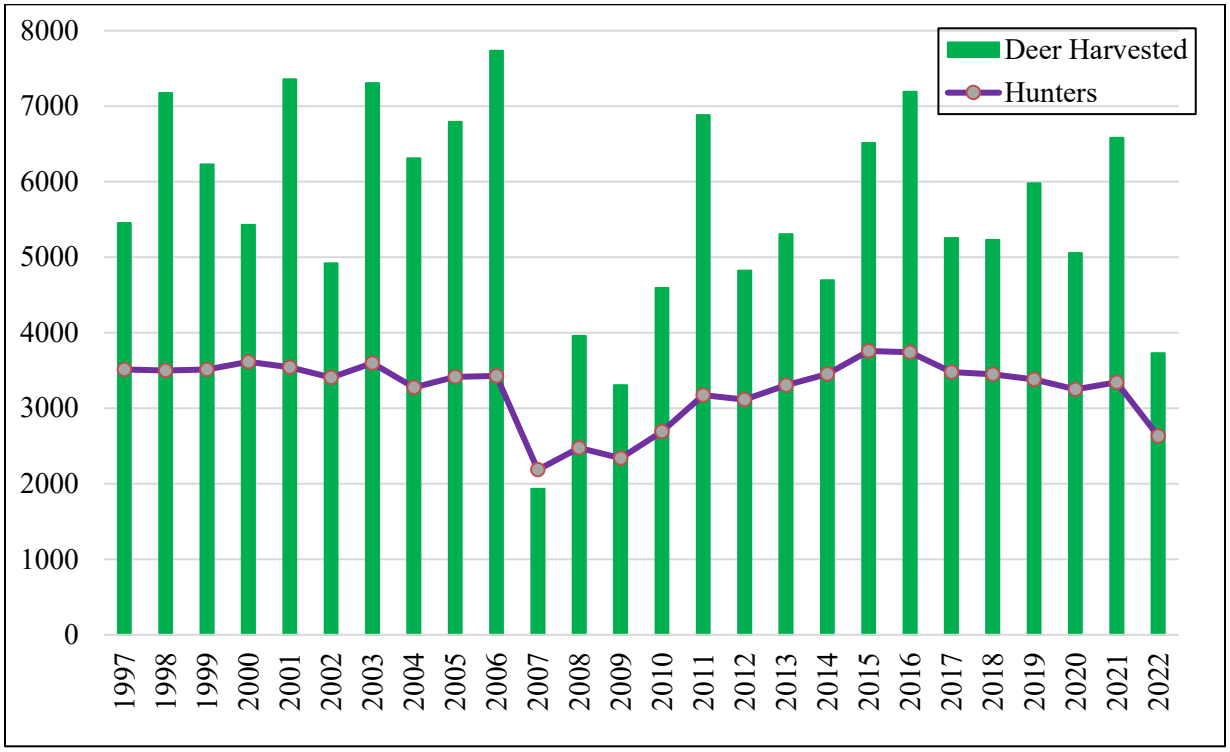

Figure 5. Number hunters and estimated deer harvest for GMU 4, RY97 – RY22.

Trends in Hunting Effort and Harvest for Angoon Residents

The proposal asserts that Angoon residents are experiencing difficulty meeting their subsistence needs for several reasons, including competition and conflict with NFQUs. Although the proposal targets WAAs 4041, 4042, and 4055, any deer taken by Angoon residents would be considered part of their subsistence harvest, so we summarized harvest by Angoon residents for only the proposed WAAs and for harvest elsewhere in GMU 4.

Long-term records indicate a declining trend in harvest by Angoon residents (Figure 6). From RY97 to RY06 Angoon residents harvested an average of 180 deer annually in GMU 4. Harvest declined following the severe winter of 2006/2007. Since 2013, when ADF&G considered the deer population fully recovered, harvest has averaged only 113 deer annually. This represents an approximate 37% decrease.

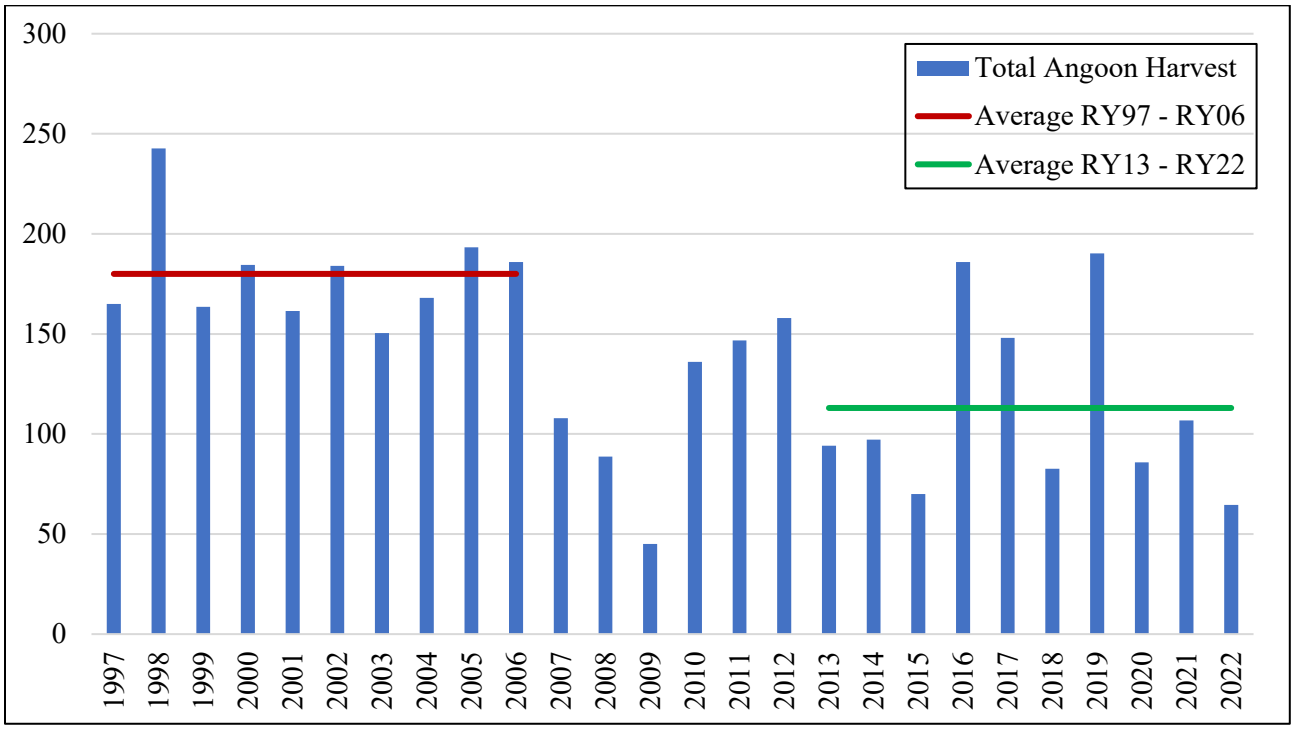

Figure 6. Total number deer harvested in GMU 4 by Angoon residents, RY97 – RY22.

To evaluate potential reasons for decline in deer harvest, we examined trends in the number of Angoon hunters and days of hunting effort by those hunters. Since 1997, the number of Angoon hunters has declined (Figure 7). From RY97 to RY06 an average of 61 hunters participated each season. The severe winter of 2006/2007 resulted in a decline in the deer population and hunting activity for several years. By 2013 ADF&G considered the deer population fully recovered, but since RY13 an average of 47 Angoon residents have hunted annually, a 23% decline from prior to 2007.

The number of Angoon residents who obtained harvest tickets corroborates the decline in number of Angoon hunters. To hunt deer or have someone hunt deer for you under the state proxy or the federal designated hunter programs, individuals are required to obtain harvest tickets. In Angoon there has been a declining trend in the number of residents who have obtained

deer harvest tickets indicating fewer residents intend to hunt deer (Figure 8). Between RY97 and RY06, an average of 93 individuals obtained deer harvest tickets with a high of 109 in RY97. Since RY13, that number has dropped to an average of 74 individuals with as few as 56 in RY22. The declining number of Angoon hunters is not surprising given that US Census records indicate the population of Angoon has declined by 38% since the year 2000.

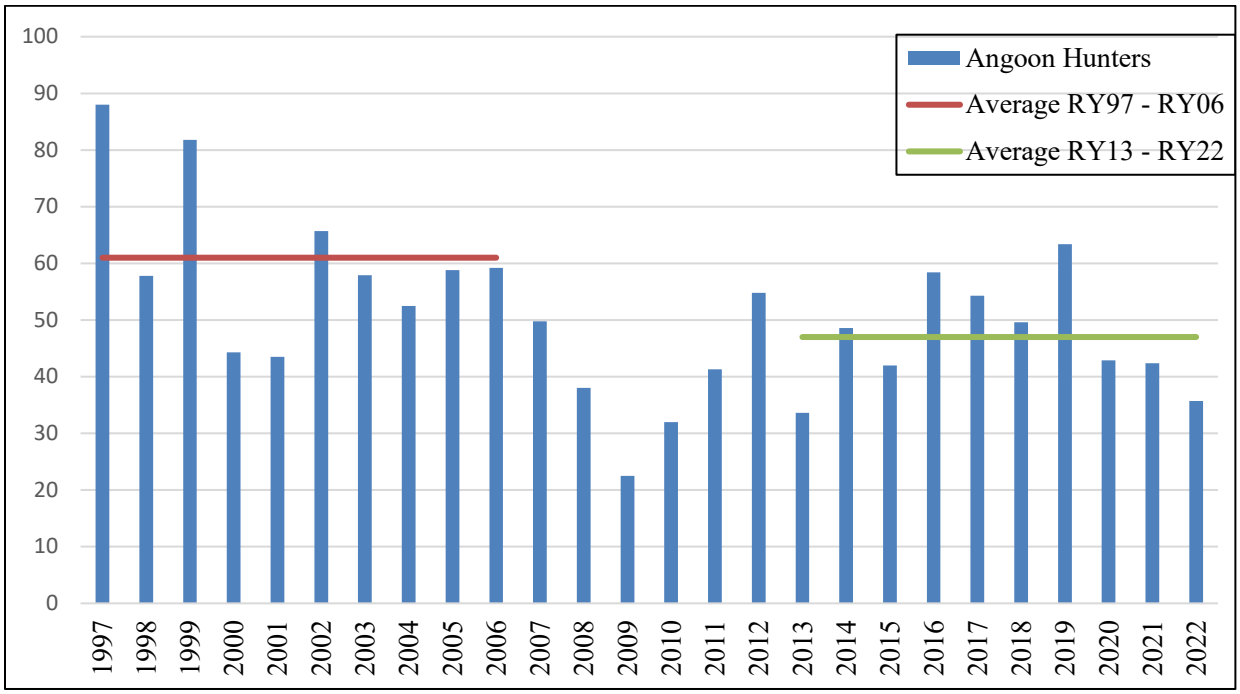

Figure 7. Number of Angoon residents who hunted deer in GMU 4, RY97 – RY22.

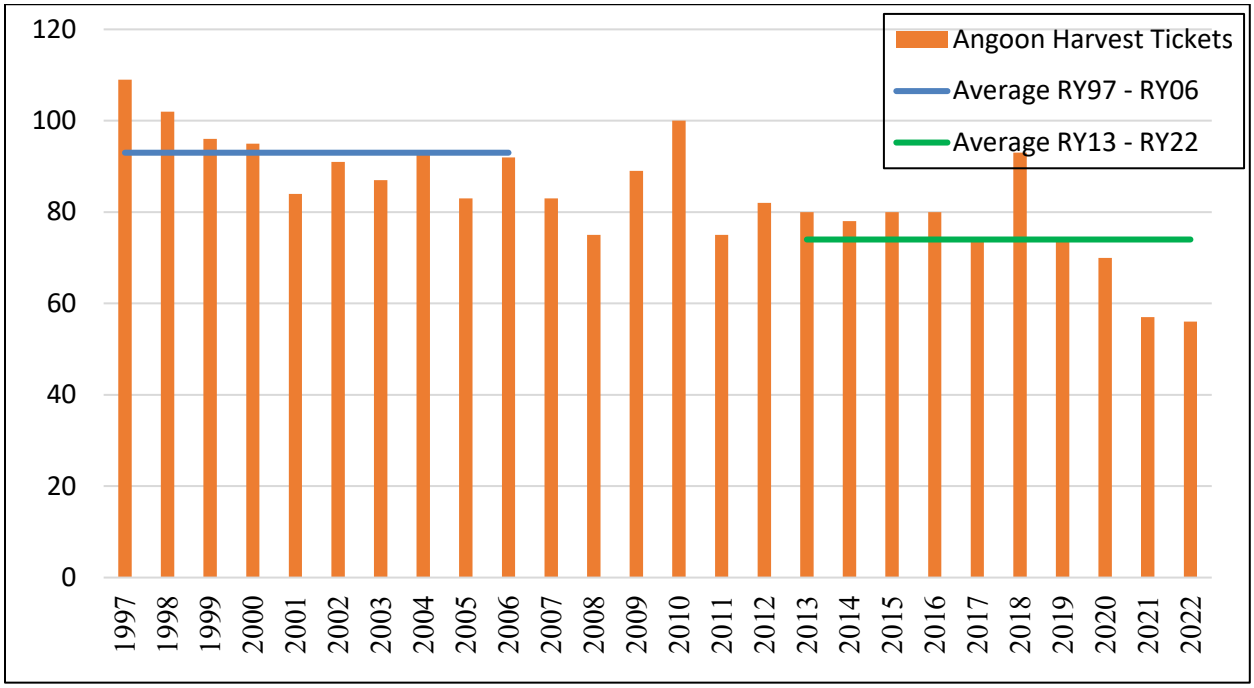

Figure 8. Total number of Angoon residents who obtained deer harvest tickets, RY97 – RY22.

The decline in hunters does not fully explain the decrease in reported deer harvest, so we also examined trends in hunting effort by Angoon residents. Prior to the 2006/2007 winter (RY97 – RY06), Angoon residents hunted an average of 373 days annually or 6.1 days per hunter. Since RY13, Angoon hunters are spending a total of only 213 days afield annually or 4.5 days per hunter (Figure 9). This is a 43% decline in the total number of days of hunting effort by Angoon residents and a 26% decline in days per hunter. Continued high abundance of deer along with hunter participation and effort data reported to ADF&G by Angoon residents indicate that the decline in Angoon's deer harvest is a function of fewer hunters expending less effort.

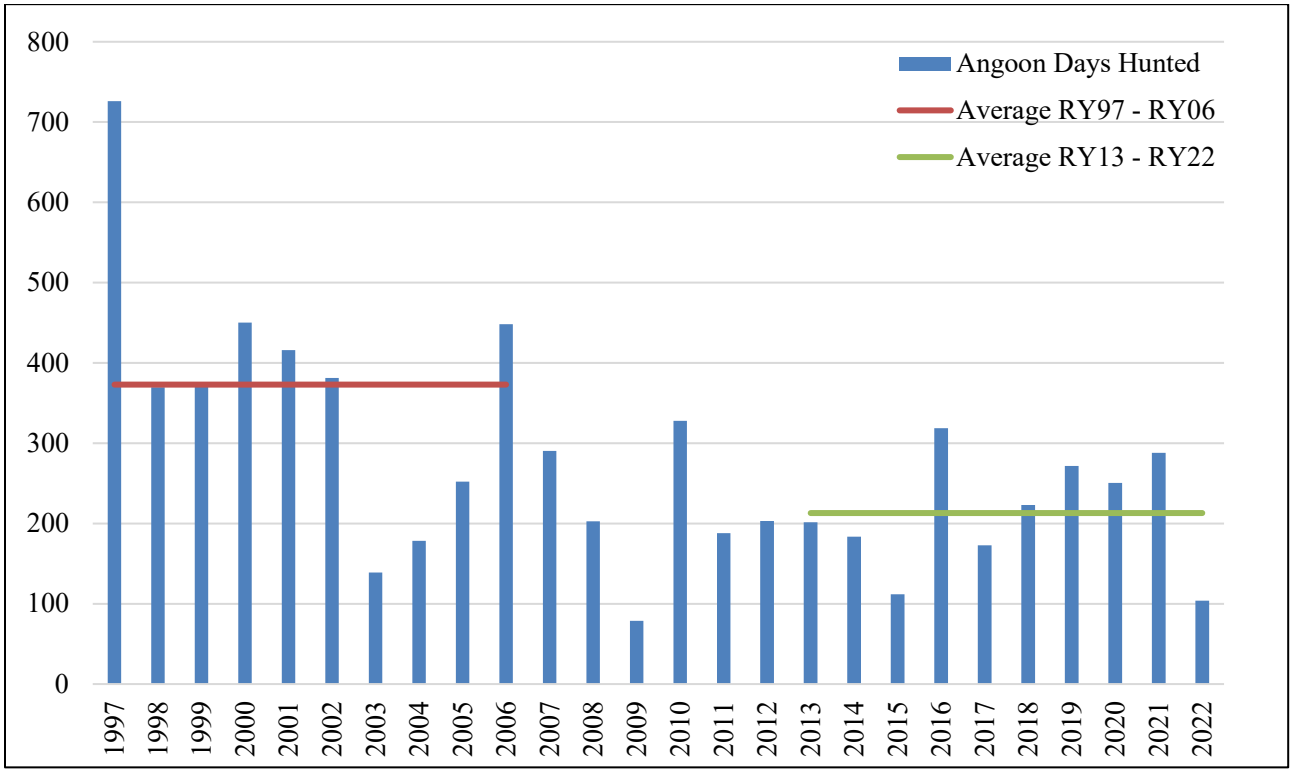

Figure 9. Days hunted by Angoon residents in GMU 4, RY97 – RY22.

Trends in Angoon Hunter Efficiency

Hunter efficiency, or the days of hunting effort required to harvest one deer, is another indicator of the ability of hunters to meet their subsistence needs. Long-term trends indicate that Angoon residents have historically been very effective at harvesting deer. That has not changed. Between RY97 and RY06, Angoon residents required 2.1 days of hunting effort for every deer harvested. Since RY13, Angoon residents have reported needing only 1.9 days of effort for every deer.

Compared to deer hunter effort required to harvest a deer in other GMUs, Angoon residents are extremely efficient. In comparison, hunters on Prince of Wales Island (GMU 2) average 4.1 days of hunting effort per deer harvested. Cordova (GMU 6D) averages 2.9 days/deer. Kodiak (GMU 8) averages 3.7 days/deer, GMU 1A (Ketchikan area) averages 4.6 days/deer, GMU 3 (Petersburg/Wrangell) averages 5.9 days/deer, and in GMU 1C (Juneau area) hunters average 7.9 days/deer (ADF&G 2013 – 2022). The average effort across GMU 4 required to harvest one deer is 2.4 days. The effort required by Angoon residents to harvest one deer in GMU 4 is lower than anywhere else in Alaska (Figure 10).

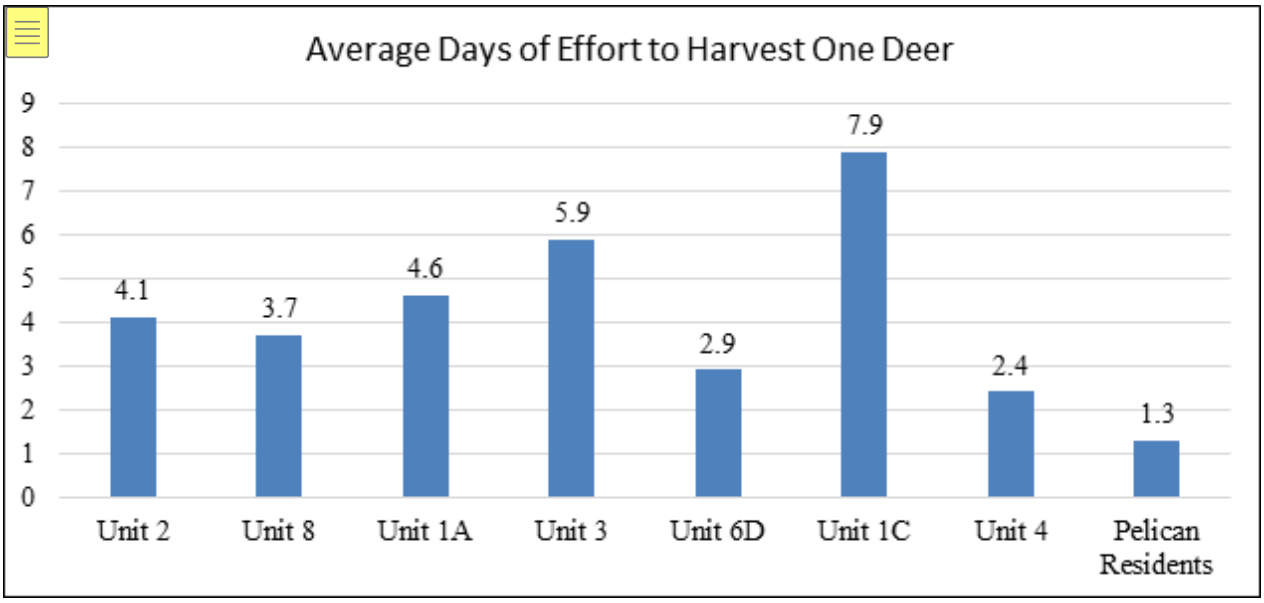

Figure 10. Average hunting days required to harvest one deer in Alaska, RY13-RY22.

While deer harvest by Angoon residents has declined, population indices indicate that the deer population is at high levels and hunter efficiency is high and as good or better than it has been historically. This indicates that declining harvest by Angoon deer hunters is a result of declining hunter participation and effort.

Angoon Harvest in the Proposal Area (WAAs 4041, 4042 & 4055)

We examined harvest and hunter effort for the proposal area to quantify potential effects of competition and the importance of the proposal area for meeting the subsistence needs of Angoon residents. Because we believe it is unlikely that Angoon residents differentiate between NFQUs and FQUs from other communities (i.e., residents of Sitka, Hoonah, Petersburg, Kake, etc.), we also summarized data for non-Angoon FQUs who hunt in the proposal area. Those hunters would not be affected by the current proposal.

The number of Angoon-based hunters using the proposal area has declined over time. Between RY97 and RY06 an average of 31 Angoon hunters used the proposal area annually. This represents about 51% of Angoon hunters during that period. Since RY13, only 21 Angoon hunters annually report hunting in the proposal area. This is a 32% decline. Between RY97 and RY06 the proposal area accounted for 38% of Angoon's total GMU 4 deer harvest. Since RY13, only 23% of Angoon's annual GMU 4 deer harvest has come from the proposal area, a 40% decline. Since RY97, approximately 65% of Angoon's total GMU 4 deer harvest has come from WAAs outside of the proposal area. One of the WAAs in the proposal area (WAA 4041, SW Admiralty Island south of Woody Point) clearly does not contribute to Angoon's subsistence hunting needs as there are only three records in 25 years (RY06, RY20, RY21) of Angoon hunters using it. WAA 4041 represents just two percent of Angoon's historical GMU 4 deer harvest. Angoon hunters regularly travel outside of the proposal area to hunt for deer. Popular areas include Sitkoh Bay on Chichagof Island, Catherine Island, Northeast Chichagof Island, Kelp and Takatz Bays on Baranof Island, and the east side of Admiralty Island near Pybus Bay and Mole Harbor. That so many Angoon hunters are using areas outside the proposal area

contradicts the assertion that gas prices, small boats and safety are limiting Angoon hunters. Angoon hunters also travel outside GMU 4 to hunt deer with records for Kodiak (GMU 8) and Prince of Wales Island (GMU 2) appearing in hunt records.

The number of NFQUs hunting in the proposal area has seen just a slight increase between the two comparison periods, with an average of 24 NFQUs hunting between RY97 and RY06 and an average of 29 NFQUs since RY13 (Figure 11). The average number of non-Angoon federally qualified hunters using the proposal area declined from 12 to 7 between the two comparison periods (Figure 12). Combining NFQUs and non-Angoon FQUs (the competition for Angoon hunters) we see that the number of non-Angoon based hunters in the proposal area has been stable for 25 years (36 vs. 36).

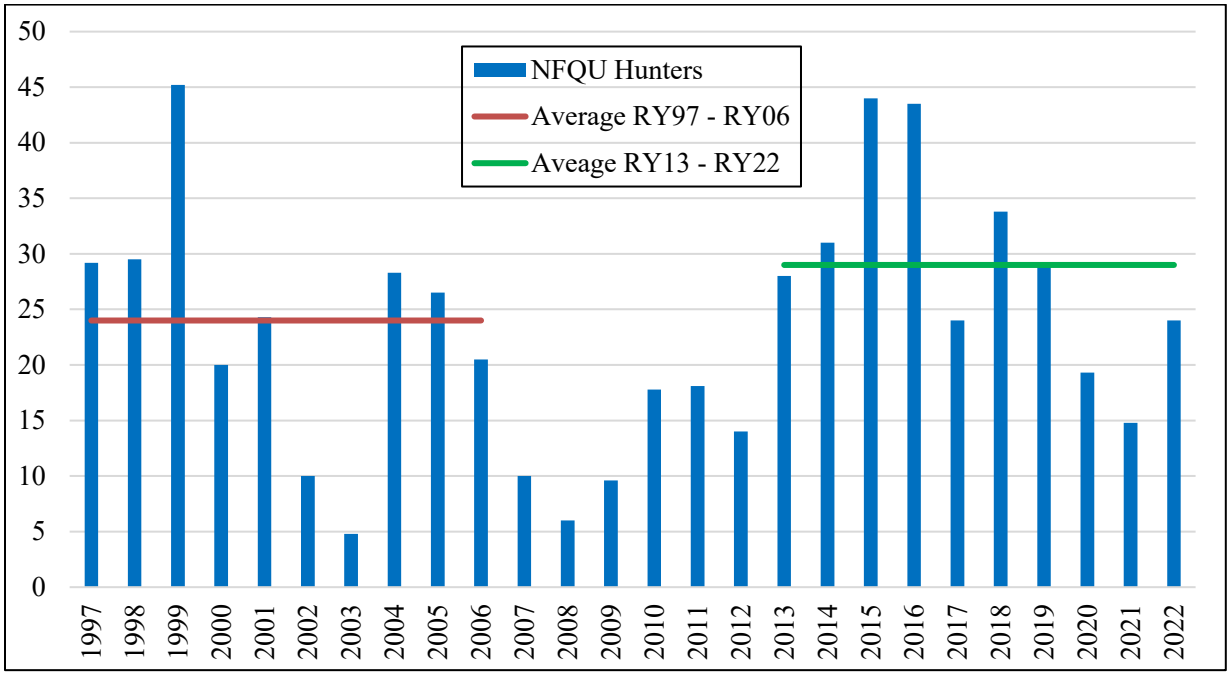

Figure 11. Number of NFQU hunters within the proposal area, RY97 – RY22.

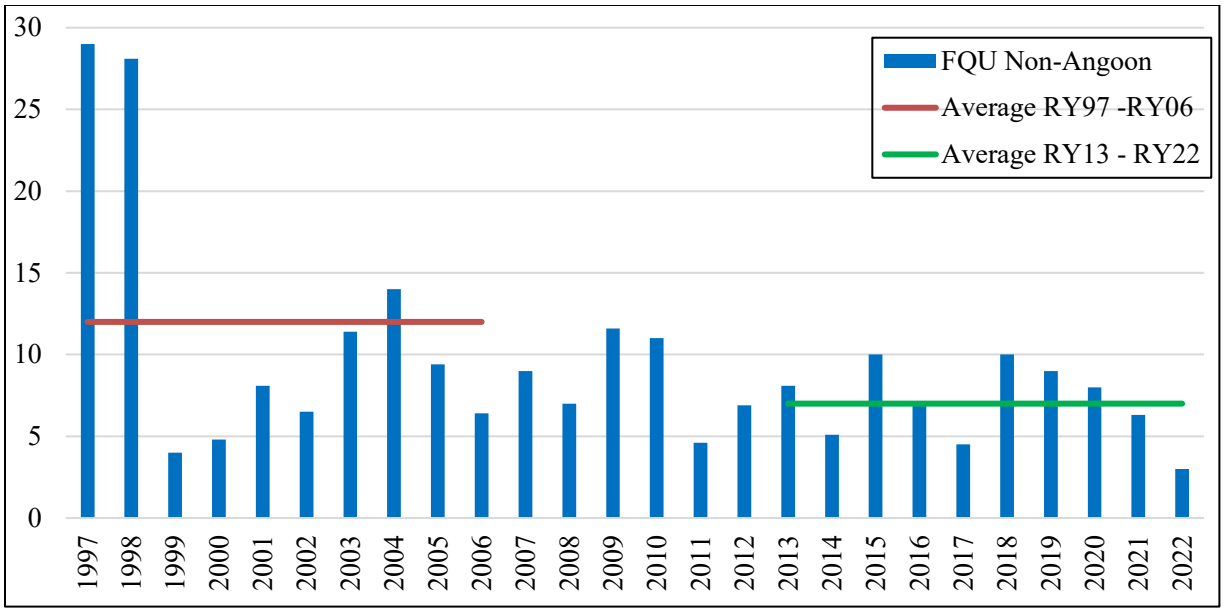

Figure 12. Number of non-Angoon FQU hunters who reported hunting within the proposal area, RY97 – RY22.

Next, we looked at hunter efficiency (the number of days of hunting required to harvest one deer) to see if we could quantify any effects of competition or reduced efficiency by Angoon-based hunters within the proposal area. From RY97 to RY06, Angoon hunters spent an average of 179 days afield and harvested 68 deer annually. This equates to 2.6 days/deer. Since RY13 Angoon hunters have spent an average of 67 days hunting to harvest 26 deer. This equates to 2.6 days/deer. Angoon hunter efficiency within the proposal area has not changed over time, and Angoon residents in general are experiencing extremely efficient deer hunting throughout GMU 4. This contradicts the assertion in the proposal that Angoon residents are experiencing difficulty meeting their subsistence needs. If competition was resulting in reduced hunting success, we would expect to see declining hunting success rates and a corresponding increase in the number of non-Angoon hunters using the area.

One metric that could account for the perceived increase in competition from NFQUs is that the days of hunting effort by those hunters in the proposal area has increased from an average of 81 days per year from RY97-RY06 to an average of 125 days per year from RY13 – present (Figure 13). Although the number of NFQU hunters has remained relatively stable, they are spending more time afield. Hunting effort in the proposal area by non-Angoon FQUs remained stable between the two comparison periods at 36 and 33 days annually.

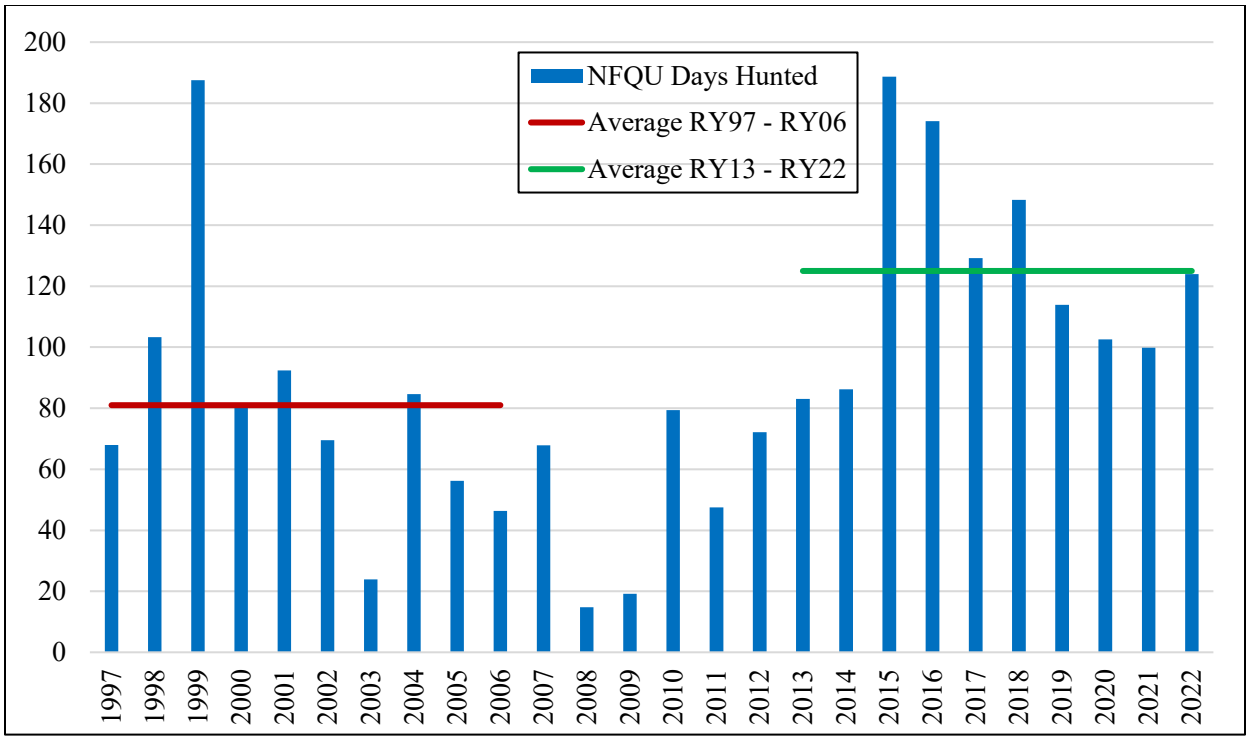

Figure 13. Total days hunting by NFQU within proposal area, RY97 – RY22.

Hunt Chronology

Mid-October through early December is the most popular time for all hunters to pursue deer in GMU 4. Deer activity coinciding with the rut as well as winter snows that push deer to beaches make for more successful hunting than earlier in the season. For all hunters in GMU 4 from RY13 to RY22, November accounts for 40% of the hunters, 50% of the hunt days, and 44% of the harvest. Hunters report hunting effort and harvest by month, so data cannot be summarized for only the proposed closure period (Table 1).

Table 1. GMU 4 deer hunting chronology of harvest and effort for all hunters as both numbers and percentage of total, RY13 – RY22.

	Hunters	%	Days Hunted	%	Deer Harvested	%
August	3,907	8	7,339	6	3,054	6
September	4,133	9	8,658	7	3,939	8
October	7,573	16	17,375	14	7,038	14
November	18,667	40	59,428	50	22,865	44
December	10,041	22	23,727	20	12,039	23
January	1,901	4	3,439	3	2,561	5
Total	**46,222**		**119,966**		**51,496**	

We analyzed hunt chronology to determine the importance of the November 1 – 15 period for Angoon hunters to meet their subsistence needs. November is an important month for hunting by Angoon residents and accounts for 33% of the hunters and 31% of the hunt days for Angoon residents. December had a higher percentage of harvest by Angoon hunters than November at 28% compared to 26%. Because our harvest statistics are only compiled by month, we are

unable to break out the Nov. 1 – 15 period, though a logical assumption would be that it accounts for roughly one-half of the November activity (Table 2).

Table 2. GMU 4 deer hunting chronology of harvest and effort for Angoon residents as both numbers and percentage of total, RY13 – RY22.

	Hunters	%	Days Hunted	%	Deer Harvested	%
August	73	10	119	6	124	11
September	72	10	152	8	125	11
October	143	19	350	17	219	20
November	244	33	639	32	289	26
December	173	23	669	33	314	28
January	35	5	89	4	34	3
Total	**740**		**2,018**		**1,105**	

Summary

We presented ADF&G's deer abundance survey data and deer hunting effort and harvest data provided to ADF&G by GMU 4 hunters including Angoon residents. To gage changes in measures of hunter effort and harvest we compared the decade prior to the severe winter of 2006-07 with the decade since 2013 when the deer population was considered recovered. Those comparisons support the following conclusions.

1. Deer remain abundant in the proposal area. Deer pellet group transects, aerial alpine surveys, and late winter mortality surveys all indicate that in GMU 4 and on southern Admiralty Island in particular, deer occur at among the highest densities in the state. Consequently, there is no need to restrict take by NFQUs to either conserve the deer population or to ensure continued subsistence use of the deer population.
2. Although the number of NFQUs hunting deer in the proposal area has increased slightly over the last 25 years, that increase is small and offset by a decline in use of this area by hunters from other federally qualified communities. Total hunting pressure in the proposal area is light. It is also likely that some of the NFQUs hunting in the proposal area have family ties to Angoon and have moved to Juneau for employment or other opportunities but return to hunt with and on behalf of relatives and friends in Angoon.
3. The average number of Angoon residents participating in deer hunting each year and the days of hunting effort by those hunters have declined. Between the two comparison periods the average annual number of Angoon residents who obtain deer harvest tickets declined by 20%, reported hunting declined by 23%, and **the days of hunting effort by Angoon residents declined by 43%**. Since 2000 the US Census indicates the population of Angoon has declined by nearly 40%, so declines in the number of hunters, hunting effort, and number of deer harvested are expected.
4. The days of hunting effort Angoon hunters require to harvest one deer remain very low at 1.9 days of hunting per deer harvested. The proposal emphasizes that subsistence hunters need to be efficient, and this is among the most efficient hunting anywhere in Alaska.
5. Reports submitted to ADF&G by Angoon hunters indicate that in the last decade the area affected by this proposal has accounted for only 23% of the deer they harvest, and there are only 3 records of Angoon hunters harvesting deer in WAA 4041. Angoon hunters

report that they harvest most (65%) of their deer outside the proposed closure area including Catherine Island, northeastern Baranof Island, eastern Chichagof Island, and southeastern Admiralty Island.

Impact on Subsistence Users

The proposed Nov. 1 - 15 closure will exclude NFQUs and reduce the already very small amount of competition between Angoon residents and NFQUs in the closure area. However, NFQUs would still be able to hunt adjacent state-owned tidelands, state public uplands, and private property. The proposed closure will not reduce competition between Angoon residents and FQUs from other Southeast communities. If any NFQUs excluded from hunting during the proposed closure have ties to Angoon and normally share meat with family and friends who reside there, the proposed closure could have the unintended consequence of reducing the amount of deer meat available to Angoon residents.

Impact on Other Users

Opportunity for NFQUs to harvest deer on federal public lands within the proposed closure area would be reduced. Since RY13 an average of 30 NFQUs have harvested 42 deer annually in the proposal area. Applying the percentage of GMU 4 hunters who hunt during November, we estimate the proposed Nov. 1 – 15 closure will affect 6 NFQU hunters and reduce NFQU harvest by 10 deer annually. Some NFQU hunters are likely former residents of Angoon who moved to federally designated non-rural areas for economic, health or education reasons but return to Angoon to hunt and partake in their traditional subsistence practices.

Opportunity Provided by State

The season and bag limits for deer in GMU 4 *Remainder* including Admiralty Island are:

	Bag Limit	**Open Season**
Residents	Six deer (bucks only to September 14)	August 1 – December 31
Non-Residents	Two bucks	August 1 – December 31

State customary and traditional use findings: The Alaska Board of Game has made a positive customary and traditional use finding for deer in GMU 4.

Amounts Reasonably Necessary for Subsistence (ANS): Alaska state law requires the BOG to determine the amount of the harvestable portion of a game 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 board with guidelines on typical numbers of animals harvested for customary and traditional uses under normal conditions. Hunting regulations can be re-examined if harvests for customary and traditional uses consistently fall below ANS. This may be for many reasons: hunting regulations, changes in animal abundance or distribution, or changes in human use patterns, just to name a few.

The ANS for deer in GMU 4 is 5,200 – 6,000 deer. The ANS was established in 1992.

Conservation Issues

There are no conservation issues for the deer population in GMU 4. Following a decade of mild winters, the available population indices suggest the GMU 4 deer population remains high and stable. In fact, managers in GMU 4 will be encouraging hunters to include does as part of their RY23 bag limit as deer populations may be at or near carrying capacity in some watersheds. Deer harvest remains within the historical range and state ANS is met in most years. Population indices and measures of hunter effort and success indicate that GMU 4 has the highest population of deer and highest hunting success of anywhere in the state.

Based on the information provided to ADF&G by GMU 4 deer hunters, population indices, anecdotal reports by local hunters and field observations by management biologists we conclude that there is no conservation concern for the GMU 4 deer population. The proponent also conceded that there is no conservation concern for GMU 4 deer at the January 2023 Federal Subsistence Board meeting.

Enforcement Issues

Passage of this proposal will create increasingly complex regulations for NFQU. Enforcement will be challenging because NFQU will remain eligible to hunt deer on state-owned tidelands, lands below the line of mean high tide, and on other state and private property. The tideline is not marked, so NFQU and enforcement officers will have difficulty determining when deer are harvested above or below that line of mean high tide. Further, brown bear season will still be open in the majority of the proposal area making it difficult for enforcement to tell what species hunters are targeting. Since Angoon residents may not be able to differentiate between NFQU and non-local FQU, reports to law enforcement of NFQU hunting in the proposal area may be in error.