

Alaska Department of Fish and Game Comments
DRAFT

Wildlife Proposal WP24-05

This proposal would close federal public lands within the Northeast Chichagof Controlled Use Area (NECCUA) to deer hunting by non-federally qualified users (NFQU) from November 1–November 15 (Figure 1).

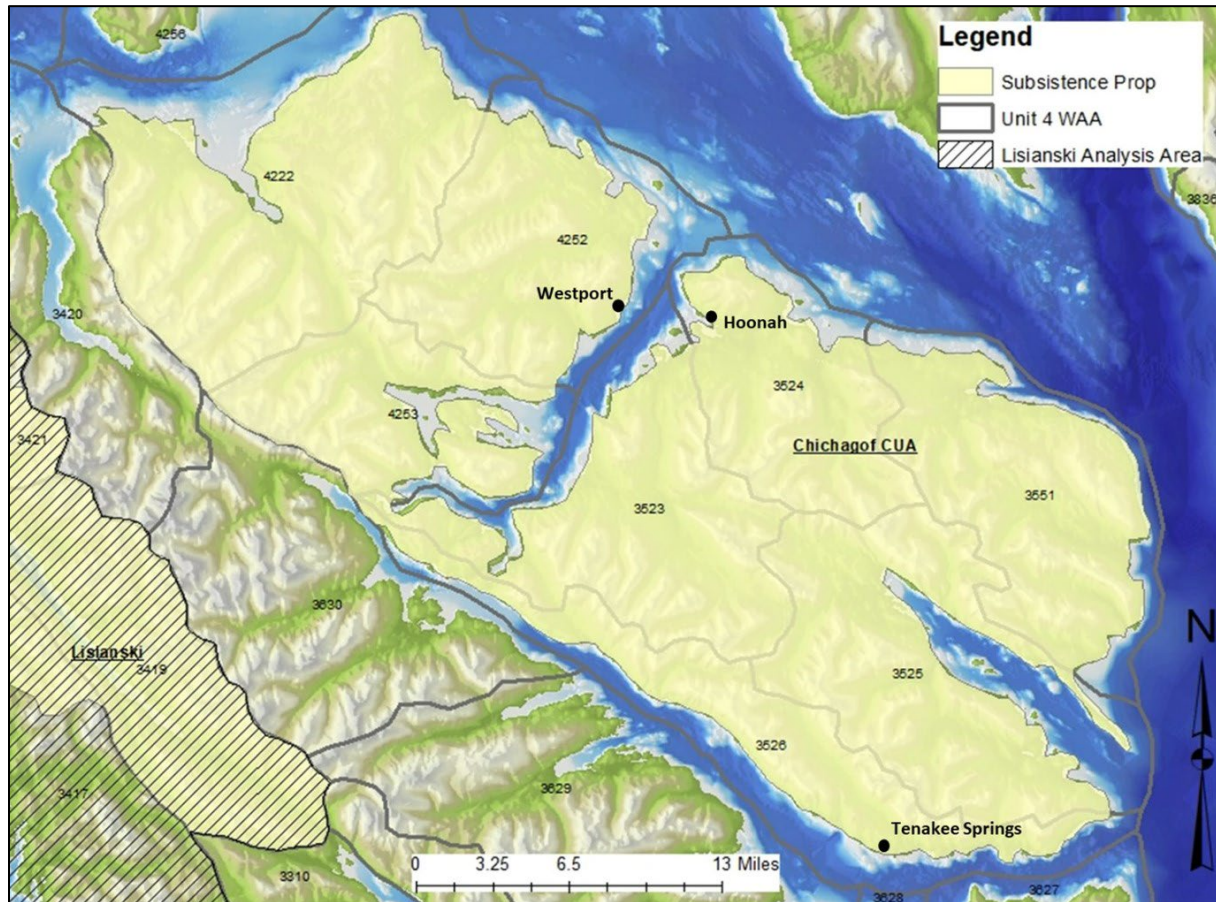


Figure 1. Map of the NECCUA proposal area and boundaries of the ADF&G Wildlife Analysis Areas for deer hunter data used to analyze effects of the proposal.

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 NECCUA 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 NFQUs hunting in this area inhibit harvest by federally qualified subsistence users (FQU), and data provided by FQUs residing in Hoonah clearly indicate that the decline in harvest by that community results from declining participation and effort by Hoonah hunters. We note that FQUs in Hoonah already enjoy several meaningful preferences including an extra month of hunting opportunity in January, a liberal designated hunter program where any FQU can hunt on behalf of another FQU, and living close to the resource, which allows FQUs to hunt whenever conditions are favorable. We also note that Huna Totem and Sealaska shareholders already have exclusive hunting opportunity on the substantial Alaska Native Claims Settlement Act (ANCSA) corporation lands near Hoonah. In contrast, NFQUs from Juneau are limited by the Alaska Marine Highway schedule and vehicle capacity of the small ferry that serves Hoonah. NFQUs accessing the NECCUA by boat from Juneau need to travel a minimum of 40 miles to Whitestone Bay or 60 miles to Hoonah during a time of year with short days and often unfavorable weather. NFQUs have a more restrictive bag limit of 3 deer east of Port Frederick and non-resident hunters (non-Alaskan residents) have a more restrictive bag limit of two bucks. Further, we could find no reference in Title VIII of ANILCA to the term “meaningful preference.” Nor could we find justification for limiting NFQUs 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).

Another reason listed in support of the proposal was concern for public safety. Public safety is addressed in §816 (b), but only in reference to temporary closures of public lands to *subsistence uses* for reasons of public safety. We believe that provision was intended to address unusual circumstances, not lawful hunting, particularly when hunting pressure has been declining for years. Closing public lands to NFQUs while leaving them open for FQUs would be a misuse of §816 (b).

Background

This proposal has the same general goal and justification as WP22-08, which the Federal Subsistence Board (FSB) overwhelmingly rejected at their January 2023 meeting. The current proposal states that federally qualified users from Hoonah are experiencing difficulty meeting their subsistence needs for deer because of competition and user conflicts with non-federally qualified users. The proposal asserts that “flocks” of NFQUs overcrowd the northeast Chichagof

Island (NECH) road system with campers, trailers, and tents which inhibit FQU access, substantially increases competition for deer, and causes hunting safety concerns. The proposal also claims that NFQUs may diminish success of FQUs if they shoot at and miss deer by altering the deer's behavior. For these reasons the proposal maintains that FQU success is reduced, and continuation of subsistence use of deer is hindered. To mitigate these concerns and to establish a "meaningful preference" for the continuation of subsistence uses of deer, the proposal asks the Federal Subsistence Board (FSB) to close federal lands within the NECCUA (Figure 1) to NFQUs hunting deer from November 1 – November 15.

Game Management Unit (GMU) 4 encompasses the ABC Islands (Admiralty, Baranof, and Chichagof) and the surrounding archipelago. 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 resident season east of Port Frederick and north of Tenakee Inlet is August 1 – December 31 with a bag limit of three deer (bucks only August 1 – September 14). The current state season for the remainder of GMU 4 including the NECCUA west of Port Frederick is August 1 to December 31 with a bag limit of six deer for Alaska residents (bucks only August 1 – September 14). In 2023, the Board of Game (BOG) reduced the bag limit for non-resident deer hunters throughout GMU 4 including northeast Chichagof Island from six deer to two bucks. That change was made not because of conservation concerns, but to more accurately reflect actual use patterns and to mitigate the perception that nonresident hunters compete with resident hunters.

NECH east of Port Frederick and north of Tenakee inlet is managed differently than the remainder of Unit 4 for several reasons. Most of GMU 4 is federal public lands with limited logging and much of the land is in conservation status. In contrast, there are substantial private lands on NECH owned by Alaska Native Claims Settlement Act (ANSCA) corporations. Those private lands are not subject to federal subsistence regulations, and the owners can close them to public access. A large portion of the NECCUA west of Port Frederick is also private ANSCA corporation land.

These comments analyze indices of deer abundance, deer hunter effort, and 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 the Alaska Department of Fish and Game (ADF&G) are the only annually collected, objective, and quantitative information on deer abundance, hunter effort, and harvest available for Southeast Alaska.

Analysis

GMU 4-Wide 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 ($\geq 30\%$) 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 Pavlof Harbor near Freshwater Bay where biologists recorded 2.47 groups/plot. This broad index of deer abundance indicates that GMU 4 supports the highest deer populations in Southeast Alaska.

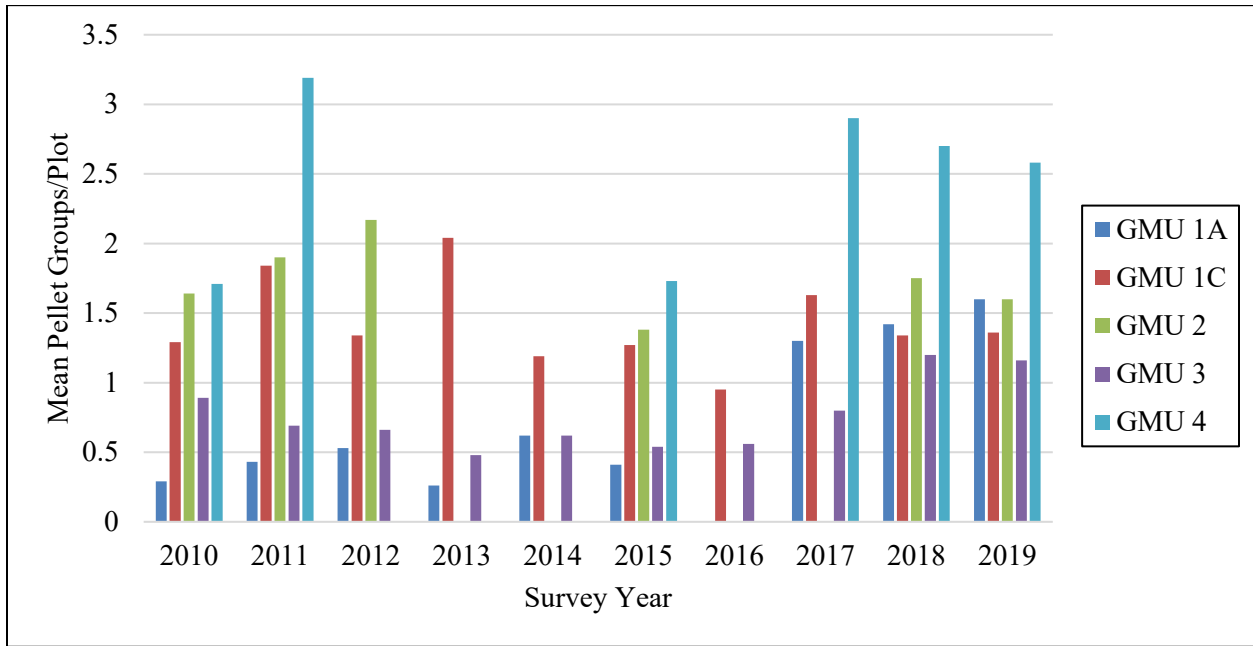


Figure 2. Mean number of deer pellet groups/plot for Southeast Alaska by GMU, 2010 – 2019.

In 2013, ADF&G began evaluating mid-summer aerial counts of deer in alpine habitats as an 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). Southern Admiralty had the highest deer/hour of any survey area in Southeast Alaska. NECH ranked third with only Admiralty Island and central Prince of Wales Island having higher counts.

In July 2023 ADF&G conducted two minimum count aerial surveys of alpine habitat on NECH, one on the same route flown 2017 and 2018 (Figure 3), south of Freshwater Bay and Game Creek, and another on a new route north of Freshwater Bay and Game Creek that also included alpine habitat on the west side of Port Frederick northeast of the Neka Bay and Mud Bay drainages. The southern survey route yielded a count of 79 deer/hour, which was similar to previous counts indicating a stable deer population in that area. The new northern survey route covered alpine habitat on lands more readily accessible from the Hoonah and Westport road systems (west side of Port Frederick). On that route ADF&G counted 131 deer/hour with similar counts east and west of Port Frederick. Those counts are comparable to other highly productive deer habitat on central Prince of Wales Island and southern Admiralty Island (Figure 3). These surveys suggest deer are abundant along the Hoonah road system.

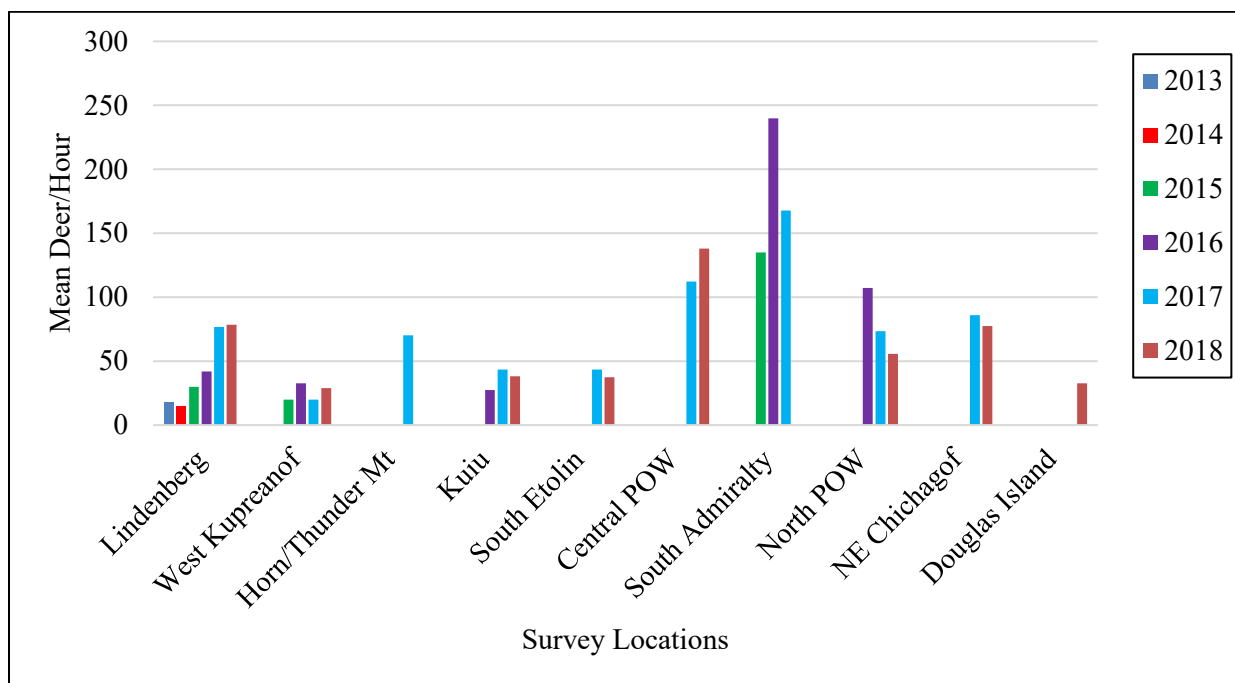


Figure 3. Mean number of deer counted per hour during mid-summer aerial alpine deer surveys in Southeast Alaska, 2013 – 2018.

ADF&G biologists in GMU 4 began conducting beach mortality transects in the early 1990s. These surveys are an indicator of over-winter 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. In the spring of 2022, ADF&G made a concerted effort to conduct mortality surveys throughout GMU 4. This was partly due to early snows in December 2021 and in response to federal proposals to limit hunting by NFQU. Two surveys were conducted on NE Chichagof Island (Freshwater Bay and Whitestone Harbor). Biologists counted zero mortalities/mile on these surveys, lower than the overall GMU 4 count. Survey results for 2023 were among the lowest on record with 0.08 mortalities/mile. Biologists also observed high numbers of deer including a high percentage of short yearlings during spring 2023 surveys which corroborate survey results.

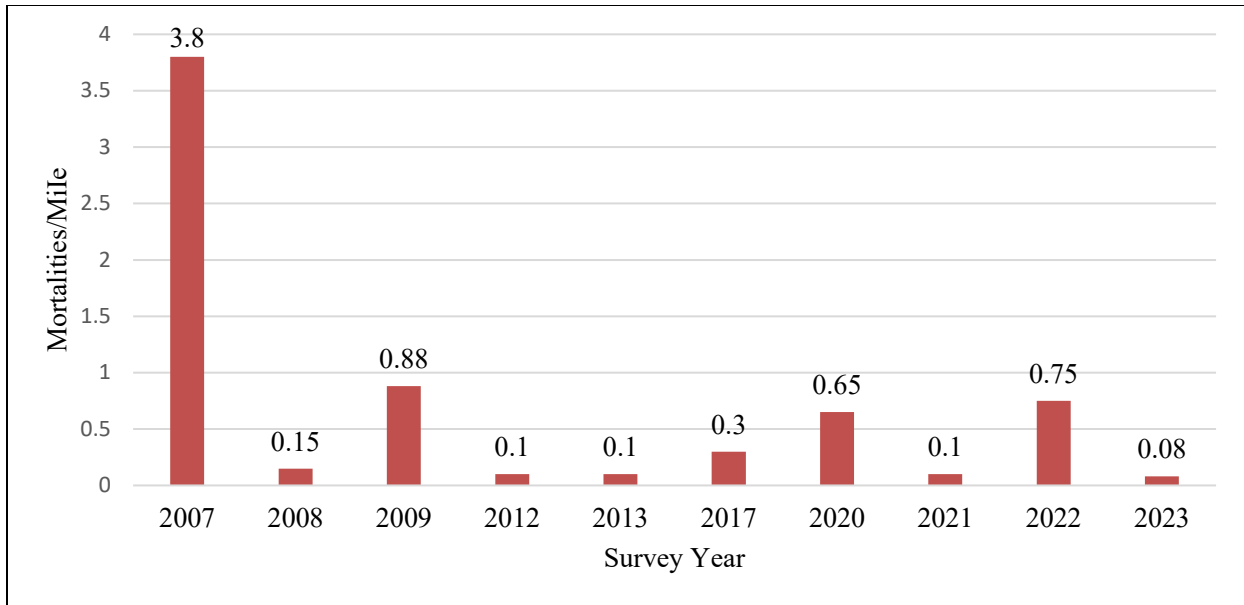


Figure 4. Mean number of winter-killed deer per mile of beach surveyed in GMU 4.

Taken together, these indices of deer abundance (pellet surveys, alpine counts, mortality transects) indicate that the overall GMU 4 deer population is high and stable, particularly on federal public lands. Aerial counts flown in late July 2023 found deer to be particularly abundant in alpine habitat along the Hoonah road system, and none of these indices suggests a decline in deer abundance or a conservation concern for the GMU 4 population. Based on observations of browsing levels, biologists think deer populations in some areas of GMU 4 may be at or near carrying capacity. Management biologists plan to recommend hunters include does in their Unit 4 bag limit for RY23.

In summer 2023, the Hoonah Indian Association in consultation with ADF&G began a deer population monitoring program using remote game cameras. If that project employs a robust sampling and analytical approach, it could provide future insight into deer abundance in the proposal area.

Trends in GMU 4 Hunter Effort and Harvest

ADF&G biologists also use harvest as an indicator of trend in the deer population. Harvest data reported by hunters 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 including hunters from Hoonah. 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 in GMU 4 was 5,605 deer taken by 3,253 hunters (Figure 5). Currently GMU 4 supports the highest deer harvest in the state with

harvest remaining stable with between 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 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.

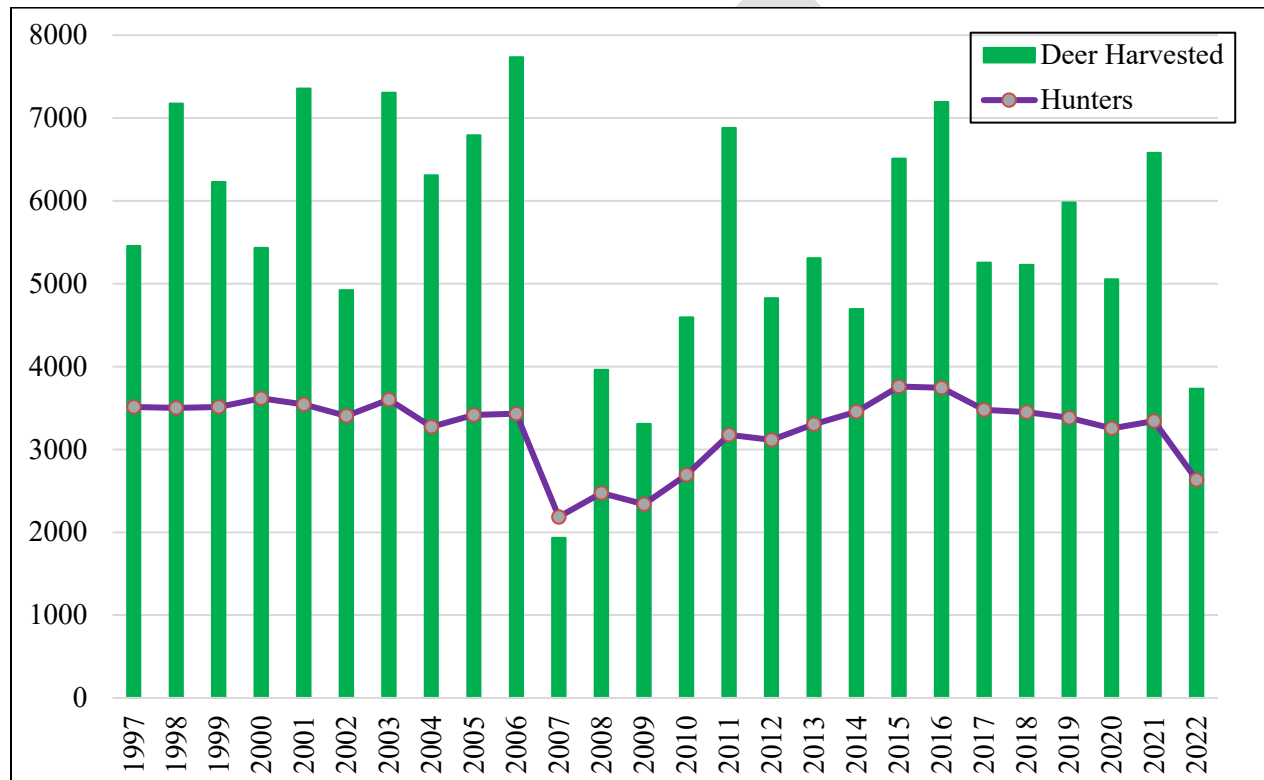


Figure 5. Number of people hunting deer and estimated deer harvest for GMU 4, RY97 – RY22.

Trends in Hunting Effort and Harvest for Hoonah Residents

The proposal asserts that Hoonah residents are experiencing difficulty meeting their subsistence needs for several reasons, including competition and user conflict with NFQUs. Although the proposal targets the NECCUA, any deer taken by Hoonah residents would be considered part of their subsistence take, so we investigated harvest by Hoonah residents for all of GMU 4 and for only the NECCUA. We found that over 90% of deer hunting effort and harvest by Hoonah residents occurs within the NECCUA, so data summaries for all of GMU 4 and for only the NECCUA are essentially the same. Here we present data reported by Hoonah hunters for all of GMU 4.

The winter of 2006-07 was the most severe on record and resulted in mortality of an estimated 75% of deer in the NECCUA. The years following that winter saw sharp declines in hunter effort and deer harvest followed by gradual recovery. ADF&G considered the NECCUA deer population fully recovered by RY13, but that period appears to have coincided with long-term changes in participation, effort, and harvest by Hoonah deer hunters. We use two 10-year comparison periods before and after the record winter of 2006-07 to illustrate those changes. The first period is from RY97 to RY06, and the second period is from RY13 to RY22.

Long-term records indicate a declining trend in deer harvest by Hoonah residents (Figure 6). From RY97 to RY06 Hoonah residents harvested an average of 582 deer annually in GMU 4. Harvest declined to a low of 119 deer in RY07 because of the severe winter of 2006/2007. During the RY07 to RY12 seasons, State and federal managers restricted the take of does within the NECCUA to help the deer population recover. Harvest gradually recovered until RY16 but has been declining since then. From RY13 to RY22 harvest by Hoonah residents has averaged 319 deer annually, an approximate 45% decline from the comparison period.

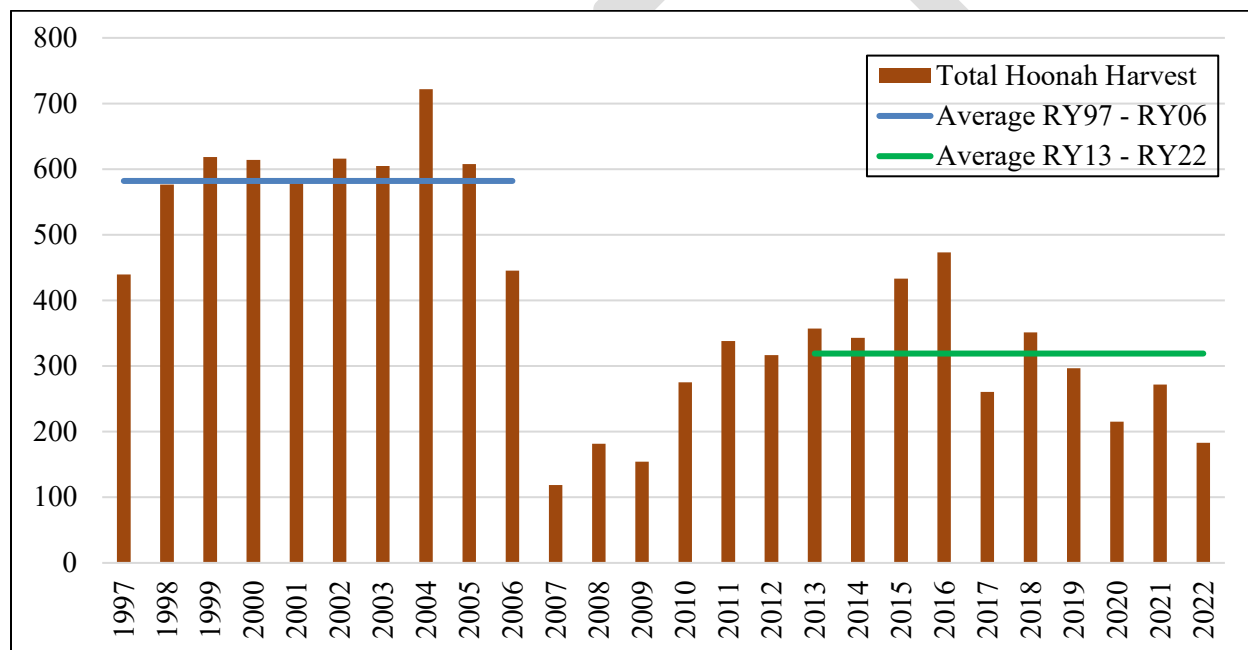


Figure 6. Total number deer harvested in GMU 4 by Hoonah residents, RY97 – RY22.

To evaluate potential reasons for decline in deer harvest we examined trends in the number of Hoonah hunters and days of hunting effort by those hunters. Since 1997, the number of Hoonah hunters has followed a similar pattern as harvest (Figure 7). From RY97 to RY06 an average of 243 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. However, from RY13 to RY22 an average of 187 Hoonah residents reported hunting in GMU 4 annually, a 23% decline from the earlier period.

The number of Hoonah residents who obtained harvest tickets corroborates the decline in Hoonah residents who reported hunting. 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 Hoonah there has been a declining trend in the number of residents who obtain deer harvest tickets (Figure 8), and that decline mirrors the decline in the number of people who report hunting. Between RY97 and RY06, an average of 390 individuals obtained deer harvest tickets with a high of 422 in RY01. Since RY13, that number has dropped to an average of 315 individuals, a 19% decline, with as few as 222 in RY22. It is interesting to note that the number of deer hunters in Hoonah has been declining despite US Census findings that since 2000 the population of Hoonah has grown by 8%.

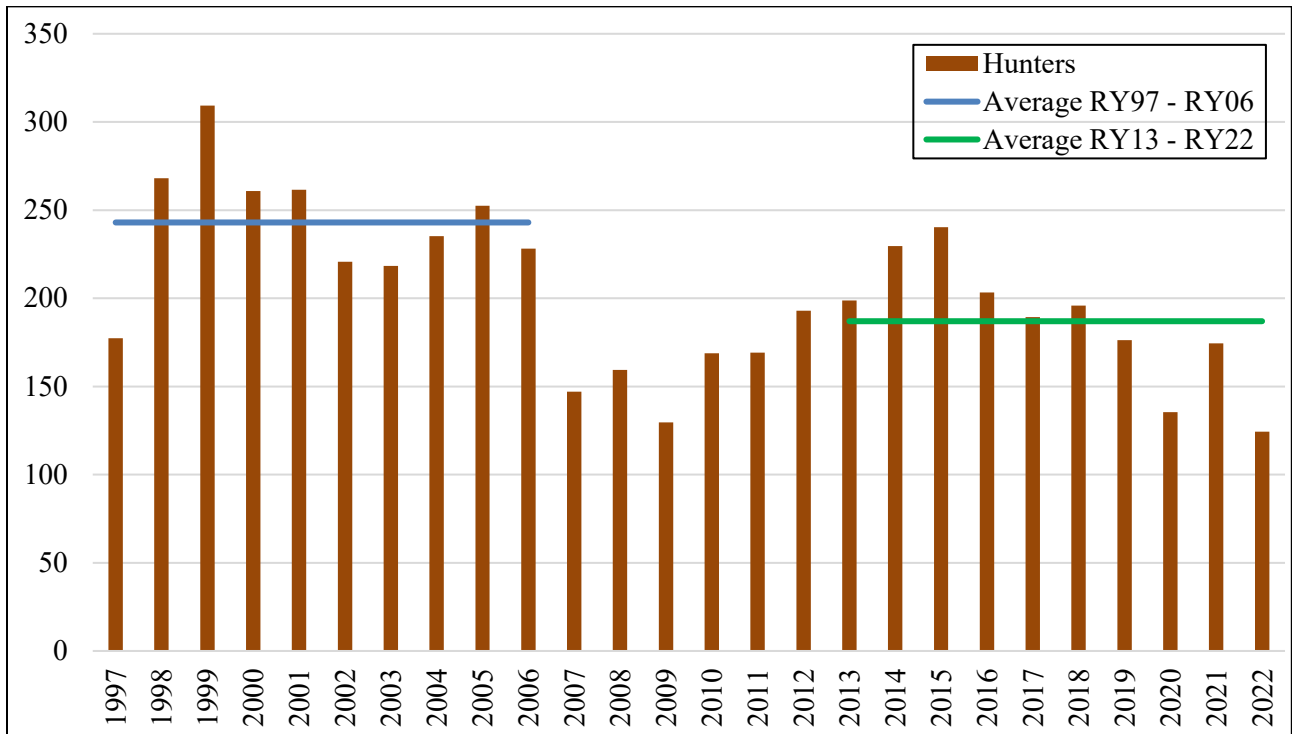


Figure 7. Number of Hoonah residents who reported hunting deer in GMU 4, RY97 – RY22.

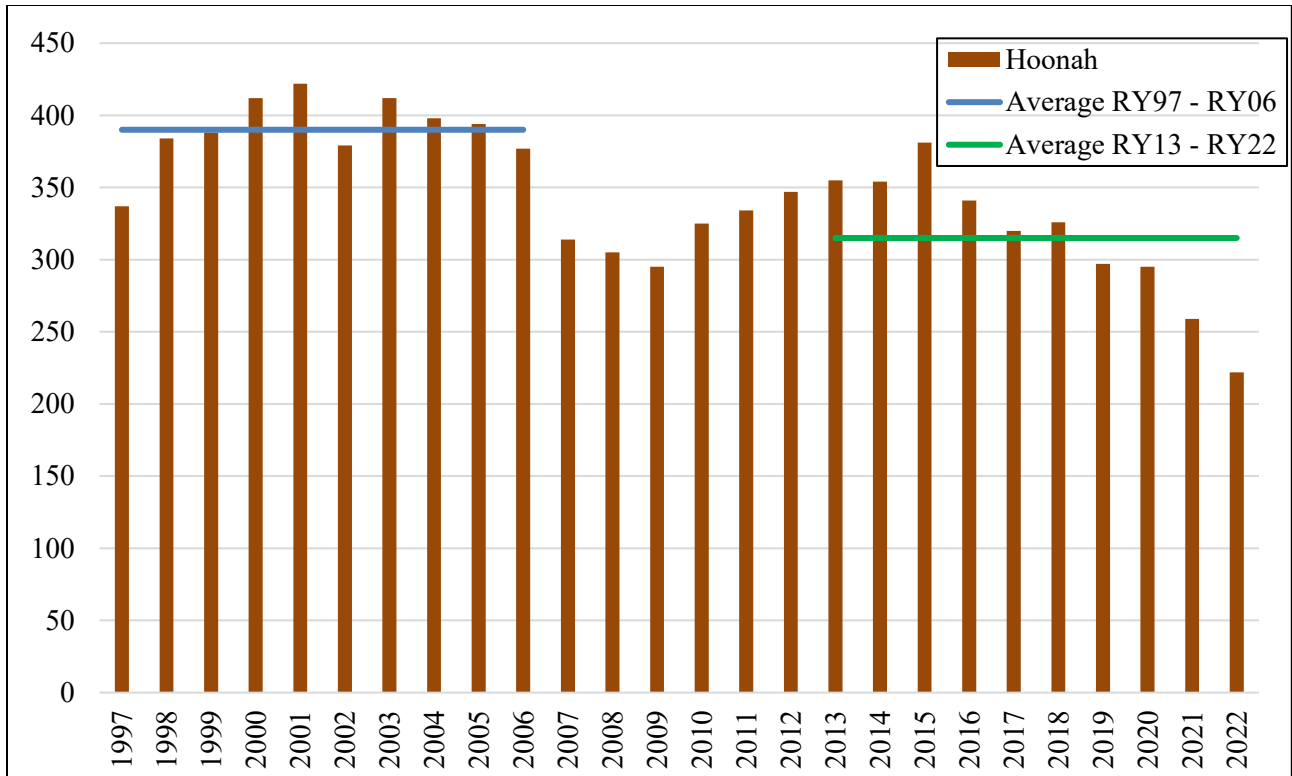


Figure 8. Total number of Hoonah residents who obtained deer harvest tickets, RY97 – RY22.

The decline in the number of Hoonah-based hunters doesn't fully explain the decrease in reported deer harvest, so we also examined hunting effort. In the decade prior to the 2006/2007 winter (RY97 – RY06), Hoonah residents reported hunting an average of 1,480 days annually or 6.1 days per hunter. Since RY13, Hoonah hunters report spending a total of only 682 days afield annually or 3.6 days per hunter (Figure 9). That is a 54% decline in the number of days of hunting effort by Hoonah residents. Continued high abundance of deer along with hunter participation and effort data reported to ADF&G by Hoonah residents clearly indicate that the decline in the Hoonah deer harvest is a function of fewer hunters expending less effort.

Another factor that could explain the decrease in harvest and participation by Hoonah residents is that much of the private ANSCA Corporation lands near Hoonah were clearcut and are now in or entering the stem exclusion phase. For many years post-logging Hoonah residents have taken advantage of young clear-cuts for hunting. These close-to-home hunting grounds were easily accessed via logging roads, had high deer abundance due to increased forage availability, and deer were more readily visible than in forest. Now, these private lands, which were closed to non-shareholders and provided excellent exclusive deer hunting for shareholders, are virtually unhuntable due to very dense regenerating forest and low abundance and visibility of deer. This requires Hoonah residents to drive longer distances to USFS lands where they have a more reasonable expectation of encountering deer but must also share public lands with non-shareholders. The proposed closure would not apply to private corporation lands.

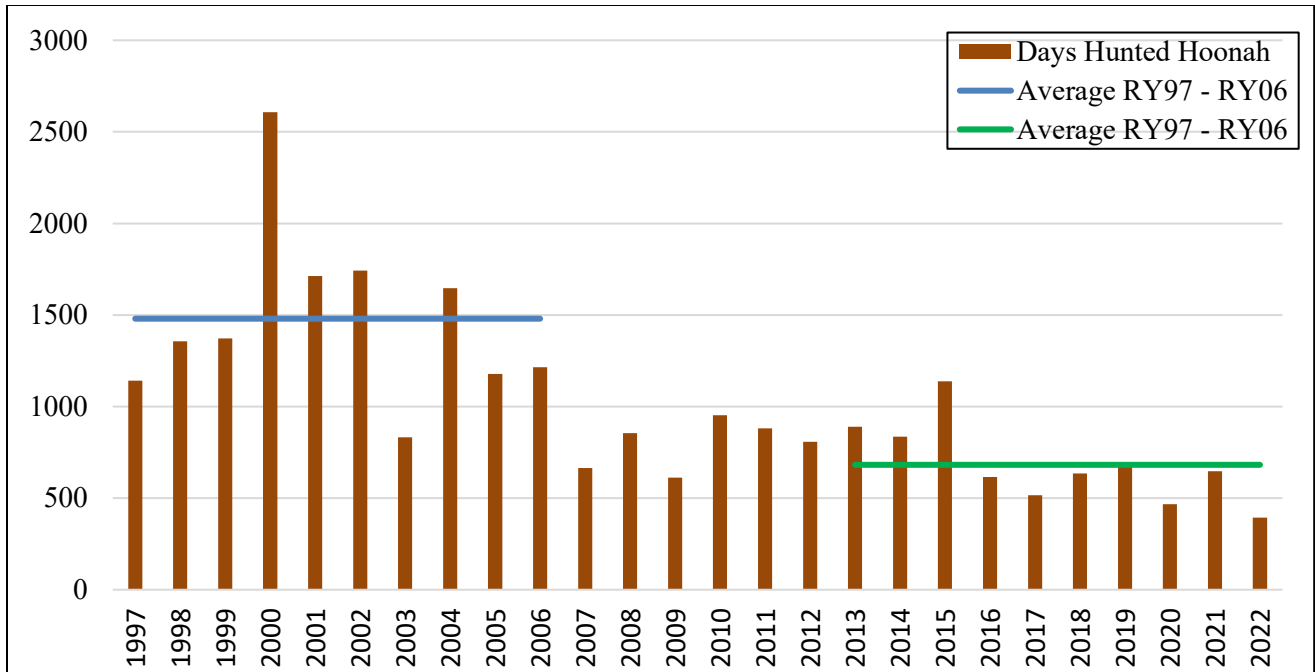



Figure 9. Days hunted by Hoonah residents in GMU 4, RY97 – RY22.

Trends in Hoonah Hunter Efficiency

Hunter efficiency, or the days of hunting effort required to harvest one deer, is an indicator of the ability of hunters to meet their subsistence needs, and the proposal specifically notes the need for FQUs to be efficient in their hunting. Long-term trends indicate that Hoonah residents have historically been very efficient at harvesting deer. That has not changed. Between RY97 and RY06, Hoonah residents reported that they needed an average of 2.5 days of hunting effort to harvest each deer. Since RY13, Hoonah residents have reported needing only 2.1 days of effort to harvest a deer. By their own reports Hoonah hunter efficiency has actually improved over the last decade, and Hoonah residents in general are experiencing extremely efficient deer hunting. These data reported by Hoonah hunters directly contradict the assertion that Hoonah residents are experiencing difficulty meeting their subsistence needs. If competition was resulting in reduced hunting success, we would expect to see an increase in the days of effort required for Hoonah hunters to harvest a deer and a corresponding increase in the number of non-Hoonah hunters, but the data show the opposite to be true.

Compared to deer hunter effort required to harvest a deer in other GMUs, Hoonah 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  Hoonah residents to harvest one deer in GMU 4 is lower than anywhere else in Alaska (Figure 10).

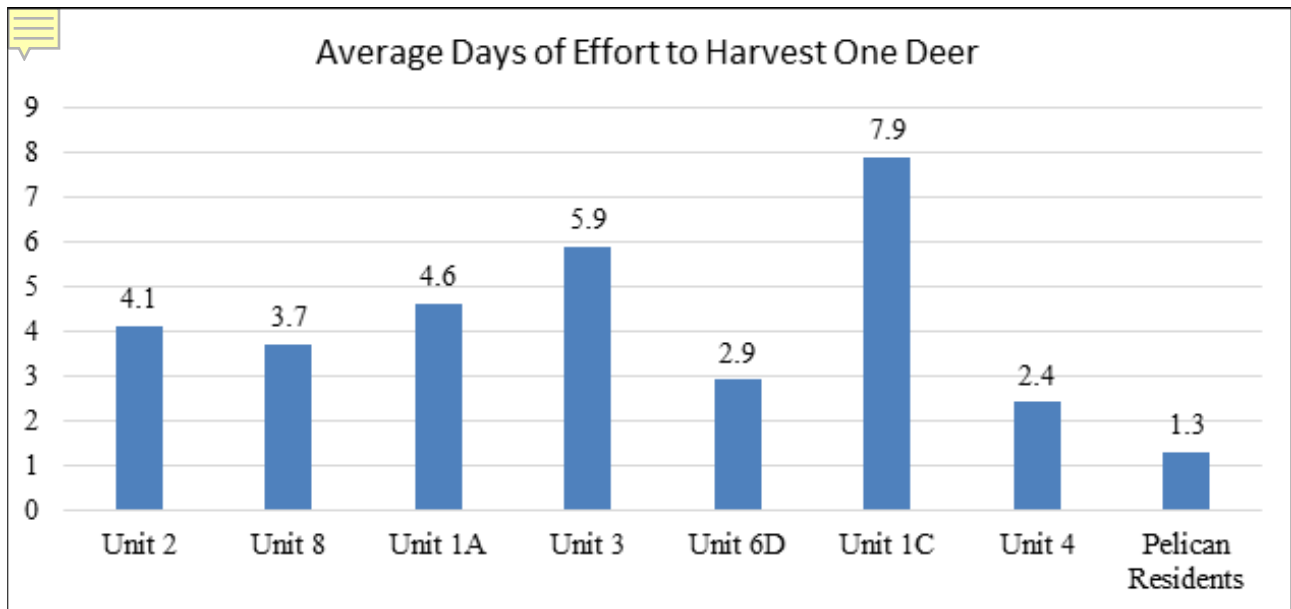


Figure 10. Average hunting days required to harvest one deer in Southeast Alaska, RY13-RY22.

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

Hoonah Harvest in the Proposal Area (Majors X35 and X42)

We examined harvest and hunter effort for the proposal area to quantify potential effects of competition and to quantify the importance of the proposal area for meeting the subsistence needs of Hoonah residents. Because we believe it is unlikely that Hoonah residents differentiate between NFQUs and FQUs not based in Hoonah (i.e., residents of Haines, Gustavus, Skagway, Sitka, etc.) we also summarized harvest data for non-Hoonah FQUs. The proposed closure would not affect non-Hoonah FQUs.

We found that Hoonah residents hunt almost exclusively within the NECCUA. Well over 90% of all the hunters, days hunted, and deer harvested within GMU 4 come from the proposal area. Because nearly all deer hunting effort and harvest by Hoonah residents takes place within the proposal area, GMU 4-wide trends for Hoonah residents in Figures 6 – 10 also depict trends in the proposal area. Clearly the NECCUA is important for Hoonah deer hunters.

The trend for total NFQUs hunting in the NECCUA is similar to the pattern for Hoonah residents (Figure 11). NFQU numbers plummeted following the devastating winter of 2006/2007, rebuilt for a few years and now appear to be declining. The overall trend has been a slight decline between the two comparison periods. From RY97 to RY06 an average of 337 NFQUs hunted the NECCUA. Since RY13, the average number of NFQUs hunting this area has dropped by 10% to 303. However, in the last four years (RY19-RY22) an average of only 272 NFQUs hunted in the NECCUA.

The number of non-Hoonah FQUs hunting also shows a consistent downward trend (Figure 12). Between RY97 and RY06 an average of 139 non-Hoonah FQUs hunted the NECCUA annually. Since RY13, that average has dropped by 35% to 91 hunters annually. The combined number of NFQU and non-Hoonah FQU hunters (the competition for Hoonah resident hunters) has declined by 20% from an average of 476 hunters (RY97 – RY06) to an average of 395 (RY13 – RY22). Contrary to assertions in the proposal, Hoonah hunters in the NECCUA are experiencing declining competition from outside hunters. Further, the total number of deer hunters (Hoonah residents, non-Hoonah FQU, and NFQU) hunting in the NECCUA is trending downward.

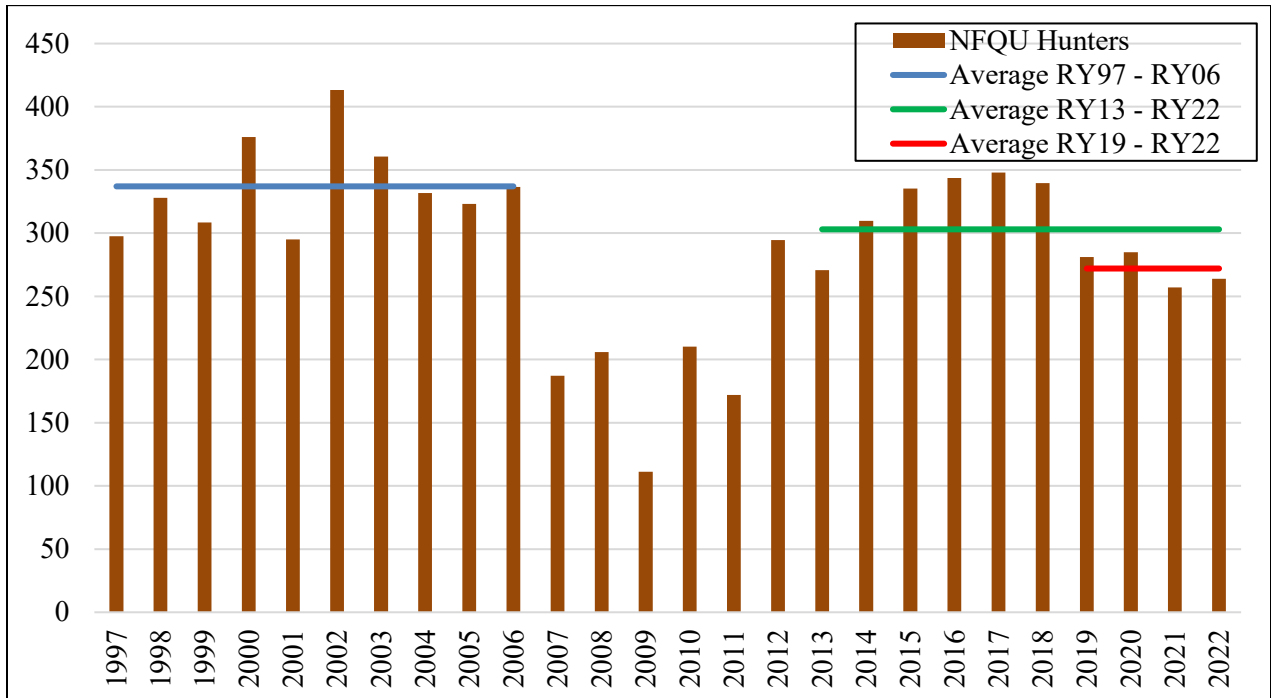


Figure 11. Number of NFQUs hunting deer in the NECCUA, RY97 – RY22.

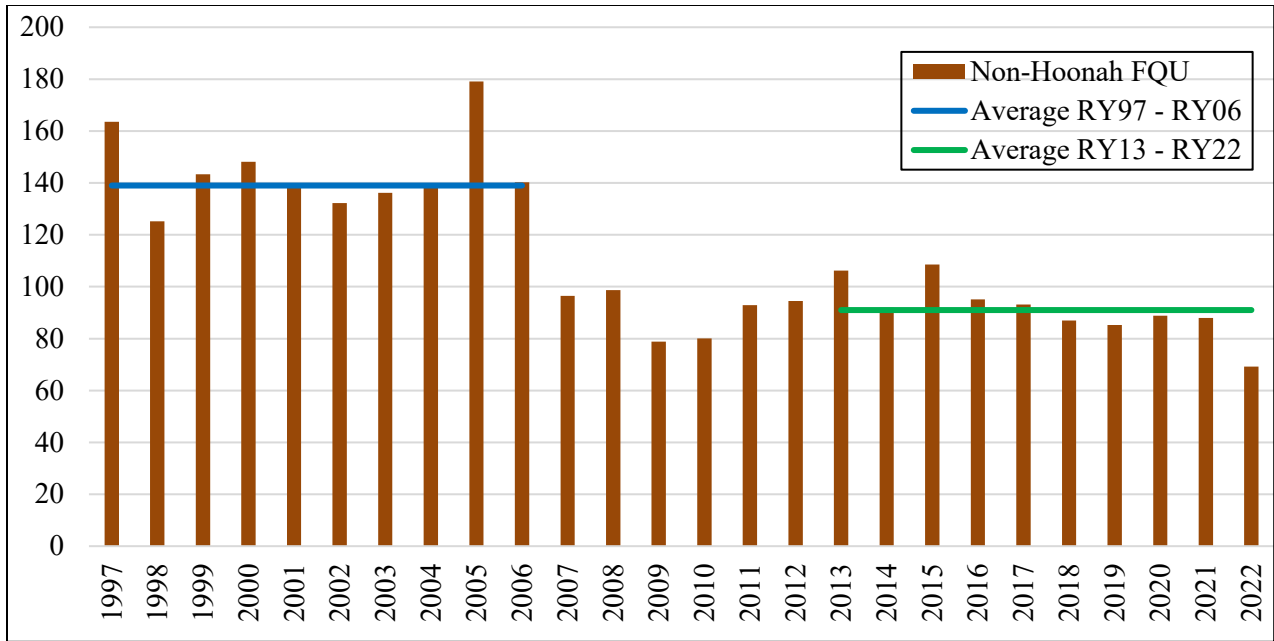


Figure 12. Number of non-Hoonah FQUs hunting deer in the NECCUA, RY97 – RY22.

Trends in the number of days of hunting effort by NFQUs (Figure 13) and non-Hoonah FQUs (Figure 14) mirror trends in the number of hunters in each group. Between the comparison periods (RY97 – RY06 and RY13 – RY22) average annual days of hunting effort by NFQUs declined slightly from 1,257 days afield to 1,203 days afield. Days of hunting effort by non-Hoonah FQUs declined from an average of 527 hunter days to an average of only 353 hunter days. This represents an approximate 13% decline in the combined number of hunting days by hunters who do not reside in Hoonah. The annual number of days of hunter effort by all NECCUA user groups (NFQUs, non-Hoonah FQUs, and Hoonah residents) is declining.

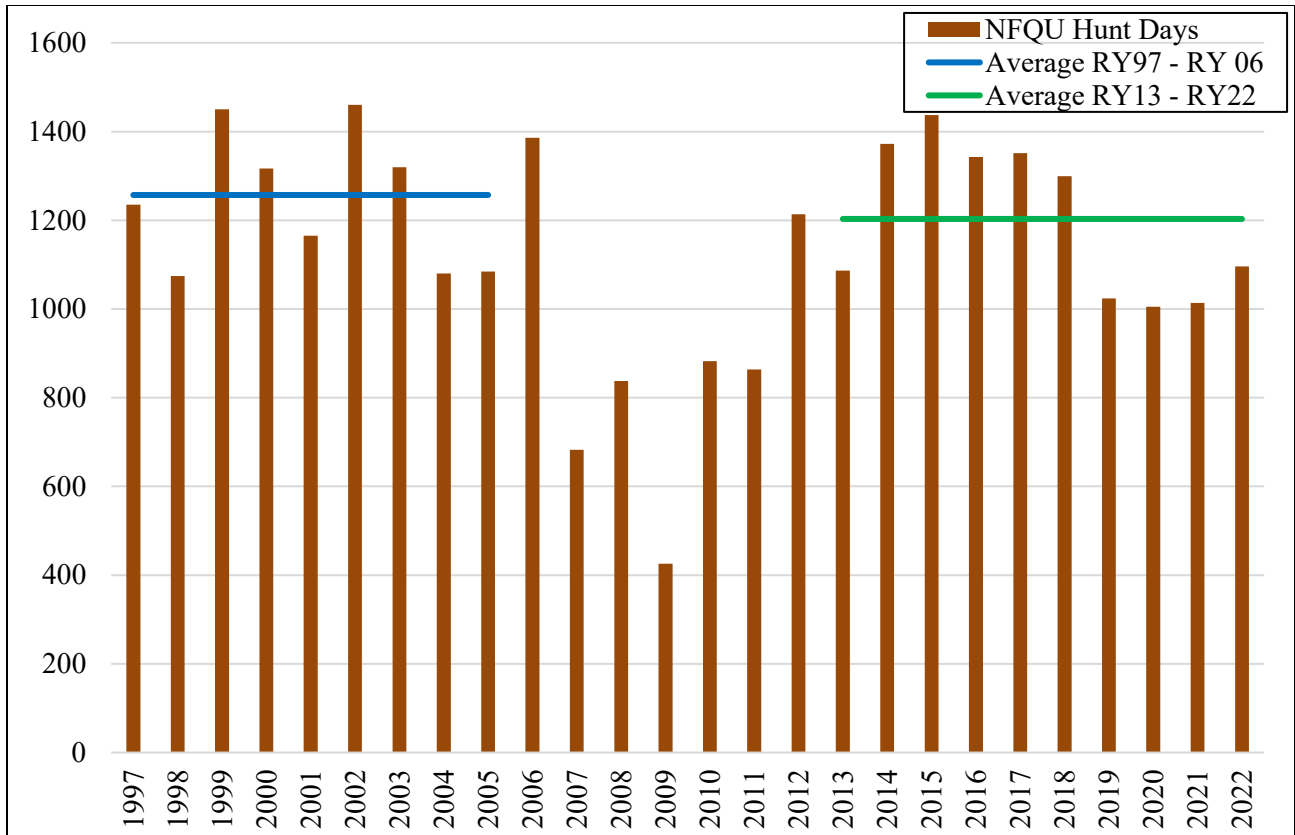


Figure 13. Number of NFQU hunting days in the NECCUA, RY97 – RY22.

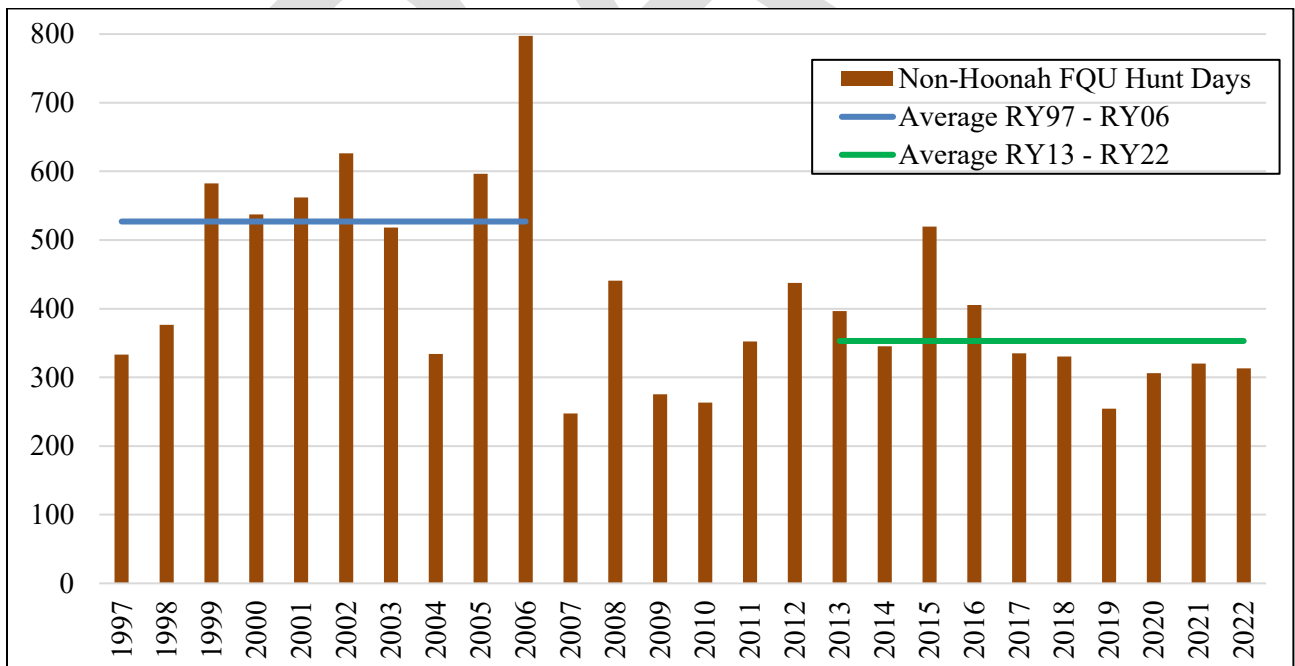


Figure 14. Number of Non-Hoonah FQU Hunt days in the NECCUA, RY97 – RY22.

The number of deer harvested in the NECCUA is also declining for all user groups. Declines for Hoonah hunters are depicted in Figure 6. From RY97-RY06 NFQUs harvested an average of 421

deer. Harvest declined to fewer than 50 deer in 2007 and then steadily increased to pre-RY06 levels by RY15. However, since then harvest by NFQUs has declined, and harvest from RY13-RY22 has averaged 358 deer annually, a 15% decline (Figure 15).

The decline in harvest by non-Hoonah FQUs has been more pronounced (Figure 16). Between RY97 and RY06 harvest averaged 200 deer annually for this user group. Since RY13, when ADF&G considered the deer population recovered from the winter of 2006//2007, non-Hoonah FQU hunters have taken an average of only 123 deer annually, a 39% decline.

Reports submitted to ADF&G by NECCUA deer hunters indicate decreasing levels of competition for Hoonah deer hunters. If competition was limiting Hoonah residents' ability to harvest deer, we would expect to see declining efficiency (more days to harvest a deer) and reduced harvests while maintaining effort (number of hunters and days hunted). At the same time, we would expect to see increasing numbers and days of hunting effort by NFQU and non-Hoonah FQU hunters. However, hunter effort and harvest data reported to ADF&G by hunters including Hoonah residents clearly show that hunter efficiency for Hoonah residents has remained stable or improved while the number of hunters, days of hunting effort, and deer harvested are trending downward for all user groups.

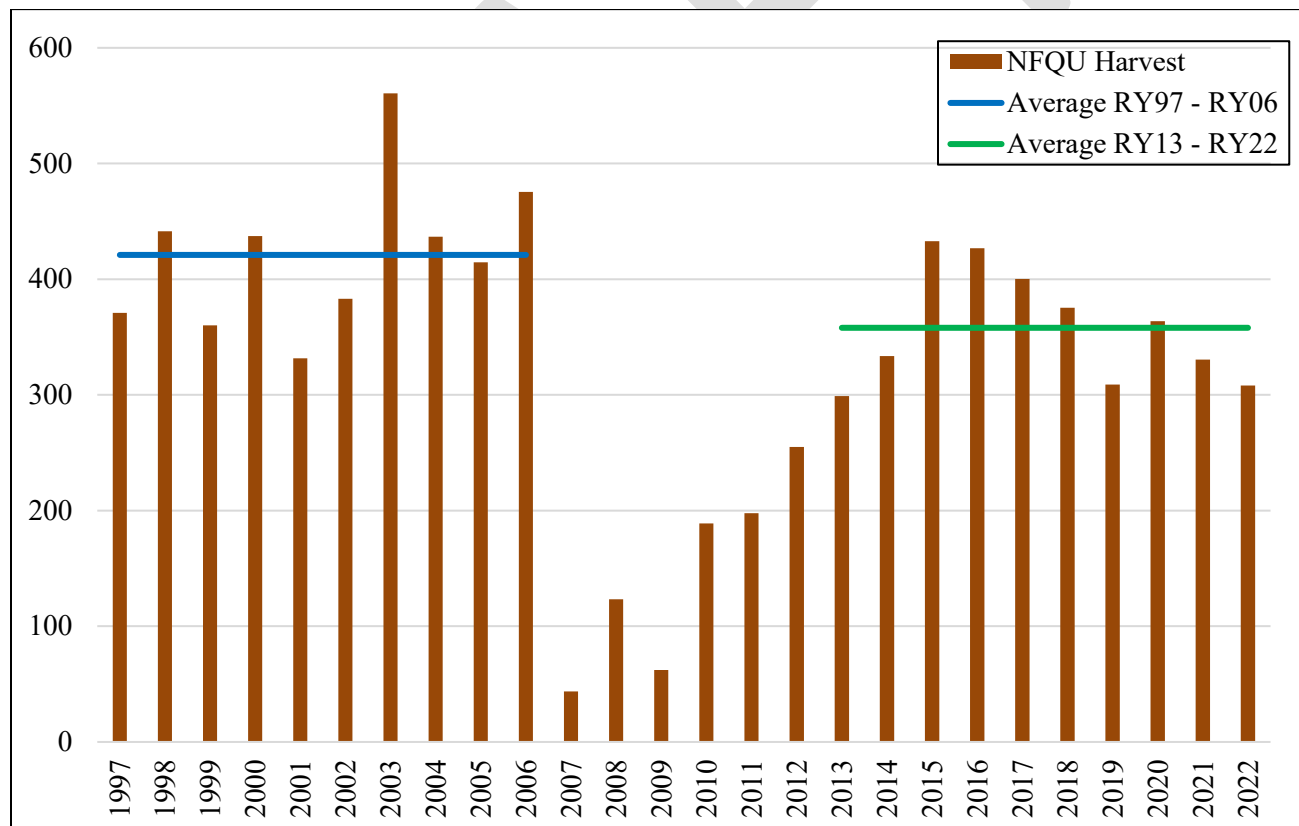


Figure 15. NFQU deer harvested in the NECCUA, RY97 – RY22.

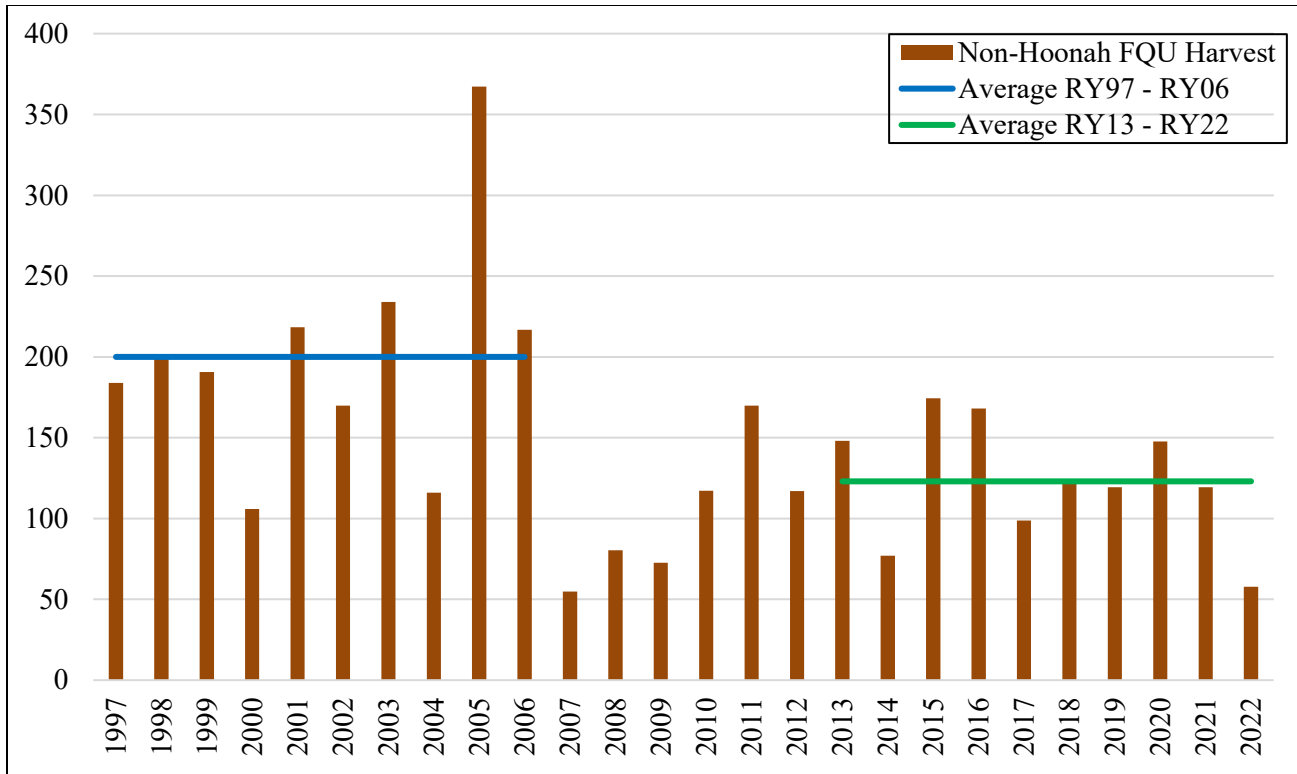


Figure 16. Non-Hoonah FQU deer harvest in the NECCUA, RY97 – RY22.

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 40% of the hunters, 50% of the hunt days and 44% of the harvest. Hunters report hunting effort and harvest by month, so data can only be summarized by month (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.

	<u>Hunters</u>		<u>Days Hunted</u>		<u>Deer Harvested</u>	
	Number	%	Number	%	Number	%
August	3,907	9	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 for only Hoonah residents to determine the importance of the November 1 – 15 period for meeting their subsistence needs. Indeed, November is an important month for hunting by Hoonah residents, but it was not quite as pronounced as when looking at all GMU 4 hunters combined. November accounts for 33% of the hunters, 41% of the days hunted,

and 35% of the harvest by Hoonah residents. Because ADF&G’s harvest statistics can only be 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 hunter effort and harvest for Hoonah residents as both numbers and percentage of total, RY13 – RY22.

	<u>Hunters</u>		<u>Days</u>		<u>Deer</u>	
	<u>Hunters</u>	<u>%</u>	<u>Hunted</u>	<u>%</u>	<u>Harvested</u>	<u>%</u>
August	369	12	634	10	323	10
September	397	13	800	12	394	12
October	716	24	1,435	21	781	25
November	1,003	33	2,784	41	1,120	35
December	474	16	1,014	15	476	15
January	60	2	82	1	84	3
Total	3,018		6,749		3,177	

Background 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 Hoonah residents. To gauge 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 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. The total number of hunters and numbers of hunters from each user group (Hoonah residents, other FQUs, and NFQUs) hunting deer in the NECCUA has declined, and data from the last few years indicate that trend is likely to continue. In recent years FQU hunters are also expending considerably less effort, so total hunting pressure in the proposal area is moderate and declining. It is also likely that some of the NFQUs hunting in the proposal area are former Hoonah residents who moved to Juneau for employment or other opportunities but return to hunt with and on behalf of relatives and friends in Hoonah.
3. The average number of Hoonah 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 number of Hoonah residents who obtained deer harvest tickets declined by 19%, reported hunting declined by 23%, and **the days of hunting effort reported by Hoonah residents declined by 54%**. That dramatic decline in hunting effort is the reason deer harvest by Hoonah residents has declined, not competition from NFQU hunters.
4. The days of hunting effort Hoonah hunters require to harvest one deer remain very low at 2.1 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.

Impact on Subsistence Users

The proposed Nov. 1-15 closure will exclude NFQUs and may reduce the already declining competition between NFQU and FQU hunters on federal public lands. However, NFQUs would still be able to hunt adjacent state-owned tidelands below mean high tide, state public uplands, and private property subject to landowner permission. The proposed closure will not reduce competition between Hoonah residents and FQUs from other Southeast communities. If any NFQUs excluded from hunting during the proposed closure have ties to Hoonah 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 Hoonah residents.

Impact on Other Users

Opportunity for NFQU to harvest deer on federal public lands within the proposed closure area would be reduced. Since RY13 approximately 300 NFQUs have harvested 350 deer annually in the NECCUA. Applying the percentages of GMU 4 hunters who hunt during November, we estimate that 62 NFQU hunters harvest 79 deer annually within the NECCUA during the proposed closure period. Some NFQU hunters are likely former residents of Hoonah who moved to federally designated non-rural areas for economic, health or education reasons but return to Hoonah to hunt and partake in their traditional subsistence practices.

Opportunity Provided by State

The season and bag limits for deer on Chichagof Island east of Port Frederick and north of Tenakee Inlet are:

	<u>Bag Limit</u>	<u>Open Season</u>
Residents	Three deer (bucks only to September 14)	August 1 – December 31
Non-Residents	Two bucks	August 1 – December 31

The season and bag limits for deer in GMU *Remainder* are:

	<u>Bag Limit</u>	<u>Open Season</u>
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 board 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 ADF&G 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 2022 Federal Subsistence Board meeting.

Enforcement Issues

Passage of this proposal will create increasingly and unnecessarily complex regulations for NFQUs. Enforcement will be challenging because NFQUs will remain eligible to hunt deer on state-owned tidelands, lands below the line of mean high tide, and on all non-federal uplands. The tideline is not marked, so NFQUs 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 officers to tell which species hunters are targeting. Hoonah residents may not be able to differentiate between NFQUs and non-local FQUs, so reports to law enforcement of NFQUs hunting in the proposal area may be in error.