

WP22–06 Executive Summary	
General Description	Proposal WP22-06 requests the establishment of a Federal draw permit moose hunt with an any-bull harvest limit and a harvest quota of up to 20 bulls on Kupreanof and Kuiu Islands in Unit 3. <i>Submitted by: Southeast Alaska Subsistence Regional Advisory Council</i>
Proposed Regulation	<p>Unit 3—Moose</p> <p><i>1 antlered bull with spike-fork or 50-inch antlers or 3 Sept. 15 – or more brow tines on either antler, or antlers with 2 Oct. 15 brow tines on both sides by State registration permit only. On Kupreanof and Kuiu Islands up to 20 bull moose may be taken by Federal draw permit.</i></p> <p><i>Harvest limit is one bull moose per Federal draw permit. Only one bull moose permit will be issued per household. Recipients of a Federal draw permit are not eligible for a State permit. The annual harvest quota will be announced by the USDA Forest Service, Petersburg Ranger District office, in consultation with ADF&G. Successful hunters are required to send a photo of their moose antlers to ADF&G and a 5-inch section of lower jaw with front teeth.</i></p>
OSM Conclusion	Oppose
Southeast Alaska Subsistence Regional Advisory Council Recommendation	Oppose
Interagency Staff Committee Comments	The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.
ADF&G Comments	Oppose
Written Public Comments	1 Oppose

**DRAFT STAFF ANALYSIS
WP22-06**

ISSUES

Proposal WP22-06, submitted by the Southeast Alaska Subsistence Regional Advisory Council (Council), requests the establishment of a Federal draw permit moose hunt with an any-bull harvest limit and a harvest quota of up to 20 bulls on Kupreanof and Kuiu Islands in Unit 3.

DISCUSSION

The proponent requests that a Federal draw hunt be established for the taking of up to 20 bull moose from Kupreanof and Kuiu Islands in Unit 3. The current Unit 3 moose hunt allows for the taking of 1 bull moose with spike, fork, greater than 50-inch spread, three or more brow tines on either antler, or 2 brow tines on both antlers by State registration permit. The proposed Federal draw hunt would allow a permit holder (1 per household) to harvest 1 bull moose on Kupreanof or Kuiu Islands without antler restrictions. The proponent states that it is becoming more challenging for Federally qualified subsistence users to harvest a sufficient number of moose under the State's antler restriction hunt and that a Federal draw permit hunt, allowing the harvest of any bull, would provide additional subsistence opportunities.

Existing Federal Regulation

Unit 3—Moose

<i>1 antlered bull with spike-fork or 50-inch antlers or 3 or more brow tines on either antler, or antlers with 2 brow tines on both sides by State registration permit only.</i>	<i>Sept. 15- Oct. 15</i>
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Proposed Federal Regulation

Unit 3—Moose

<i>1 antlered bull with spike-fork or 50-inch antlers or 3 or more brow tines on either antler; or antlers with 2 brow tines on both sides by State registration permit only. On Kupreanof and Kuiu Islands up to 20 bull moose may be taken by Federal draw permit.</i>	<i>Sept. 15 – Oct. 15</i>
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Harvest limit is one bull moose per Federal draw permit. Only one bull moose permit will be issued per household. Recipients of a Federal draw permit are not eligible for a State permit. The annual harvest quota will be announced by the USDA Forest Service, Petersburg Ranger District office, in consultation with ADF&G. Successful hunters are required to send a photo of their moose antlers to ADF&G and a 5-inch section of lower jaw with front teeth.

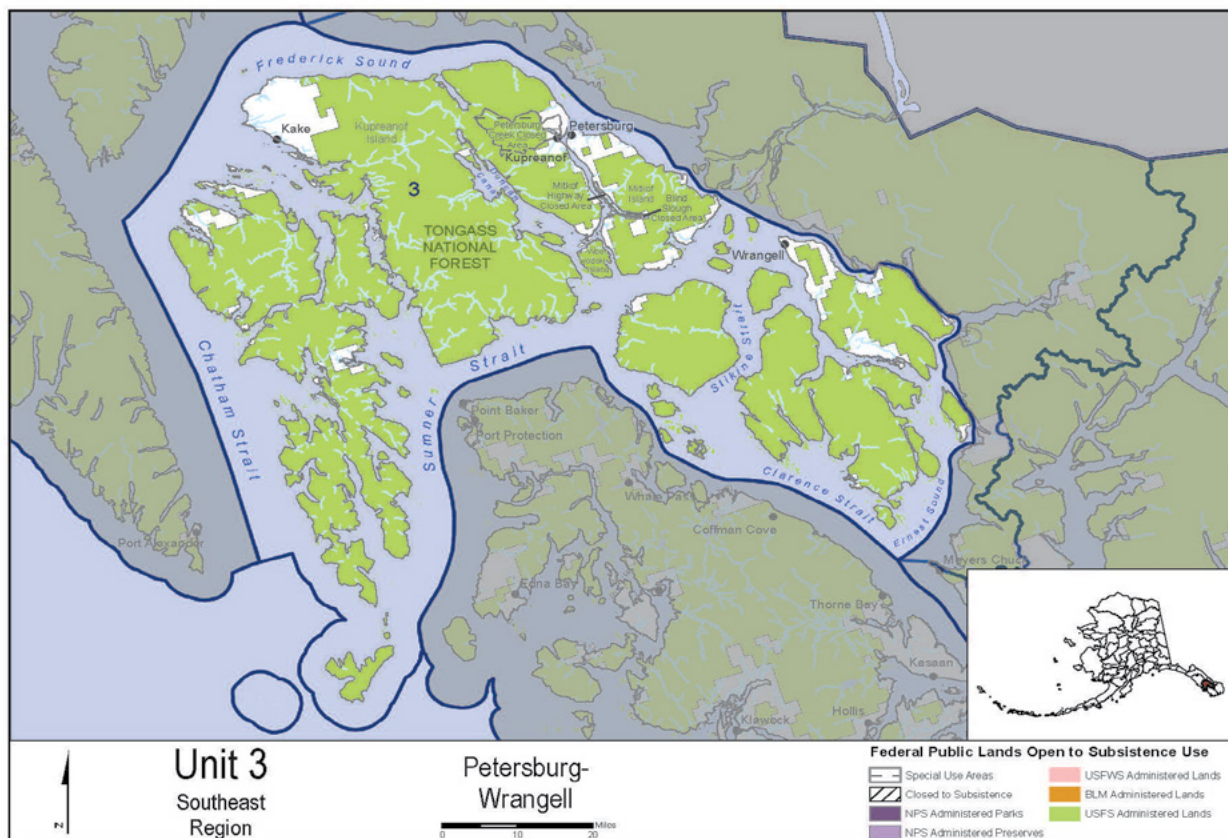
Existing State Regulation

Unit 3—Moose

One bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on at least one side, or 2 brow tines on both sides, by permit (RM038). Sep. 15 – Oct. 15

Extent of Federal Public Lands/Waters

Federal public lands comprise approximately 90% of Game Management Unit 3 (**Map 1**) and consist of 90% U.S. Forest Service (USFS) managed lands as part of the Tongass National Forest.



Map 1. Unit 3 from the 2020-2022 Federal harvest regulations booklet.

Customary and Traditional Use Determinations

Rural residents of Units 1-5 have a customary and traditional use determination for Moose in Unit 3.

Regulatory History

Moose (*Alces alces*) began colonizing Unit 3 in the 1940’s and 1950’s from the Stikine River and possibly Thomas Bay (Dinneford 1988; Lowell 2018). After initial colonization, increased sightings indicated an expanding moose population in Unit 3. In 1960, a State moose season was established in Unit 3 allowing

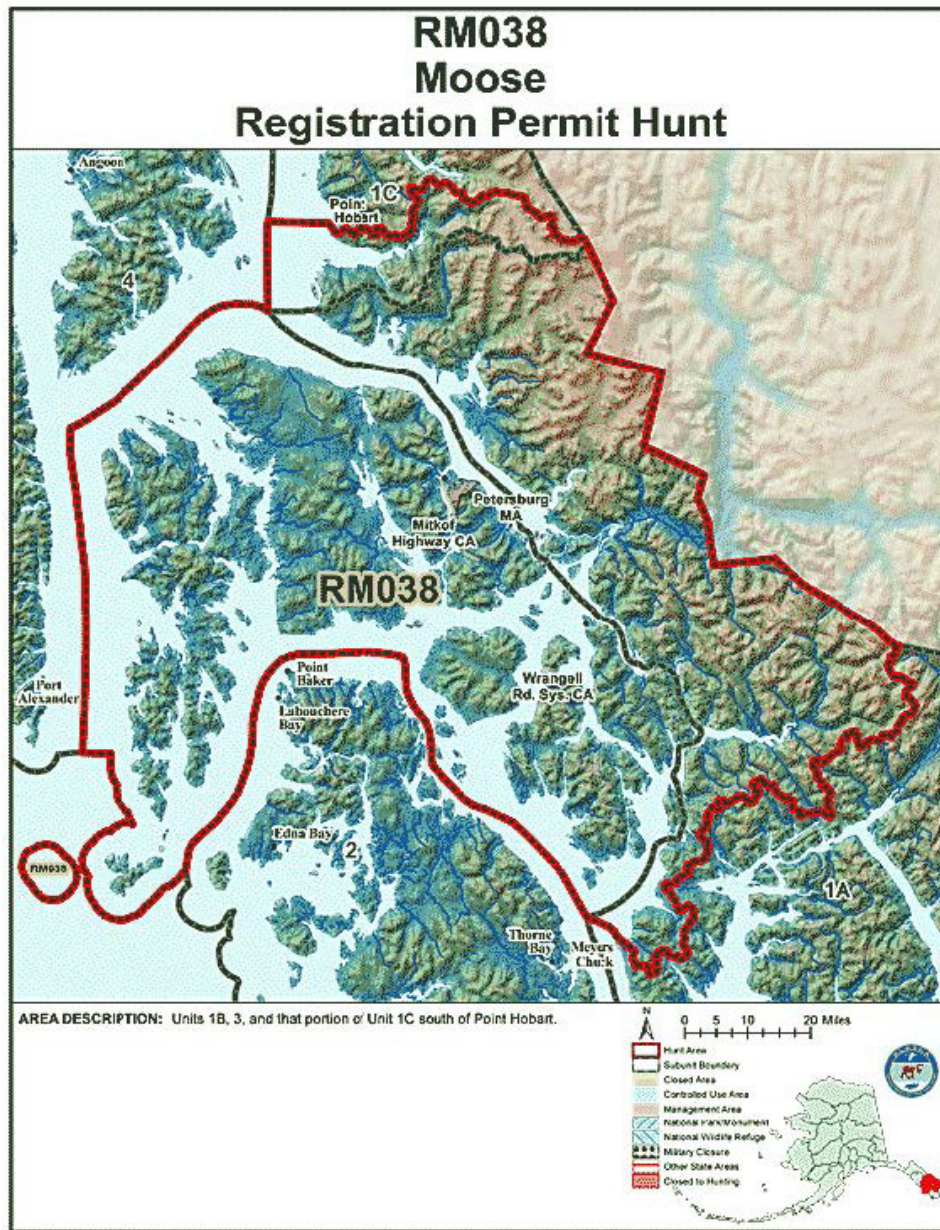
the harvest of 1 bull moose from 15 September to 15 October (**Appendix 1**). Numbers began decreasing, which led to a season closure in 1968.

Dense brush, remote habitat and wide dispersal of moose in Unit 3 hinders aerial population estimates. After the closure of Unit 3, moose from 1968-1989 and as a result of the difficulty in acquiring population estimates, the State instated antler restrictions to maximize hunter participation while protecting the breeding population of moose and maintaining stable populations.

The State moose season was re-opened on Wrangell Island in 1990 from 1-15 October with a spike-fork-50 antler restriction. The Federal Subsistence Board (Board) adopted the existing State regulations when the Federal subsistence program was initiated in 1990. In 1991, the State moose season was extended to Mitkof and Woewodski Islands from 1-15 October. The State extended the moose season in 1993 to the remainder of Unit 3 with a spike-fork-50 or 3 brow tines on one side restriction.

In 1995, the Alaska Board of Game (BOG) consolidated the moose seasons for Units 1B, 3, and the portion of 1C south of Point Hobart into the RM038 registration permit (Map 2). In 1996, the Board changed the Federal season length on Mitkof and Wrangell Islands to match the changes made by the State in 1995. From 1995-2009 the RM038 permit allowed for 1 bull moose with a spike-fork-50 or 3 brow tines on one side antler restriction from 15 September to 15 October. The Unit 3 customary and traditional use designation for moose was changed by the Board in 1997 to include residents of 1B, 3, and 3. In 1998, the Board consolidated the Federal moose hunt in Units 1B, 3, and 1C south of Point Hobart to match State regulations.

Limited any-bull draw permits were offered from 2005-2008 to gather age information from bulls previously restricted by the State antler restrictions. Information gathered from the any-bull harvest provided the State with enough information to add bulls with 2 brow tines on both antlers to the RM038 permits beginning in 2009. The current RM038 permit restriction, spike-fork-50, 3 or more tines on one antler, or 2 brow tines on both antlers, and a 1-month long season provides the greatest sustainable harvest opportunity without the ability to estimate population size (Lowell 2018). The current Federal regulations were put in place by the Board in 2009 to match the State regulations for Units 1B, 3, and 1C south of Point Hobart.



Map 2. RM038 moose registration permit area as defined by ADF&G 2020-2021 hunting regulations (ADF&G 2021a).

In 2010, Proposal WP10-09 was submitted by the Council to provide Federal draw permit hunts for Units 1B, 1C, and 3 (FWS 2010a). The proposal requested five permits for both Units 1B, 1C, and five additional permits for Unit 3 with a harvest limit of bull moose of any size. The proposal was opposed by the Council citing potential conservation concerns that may result in reduced harvest opportunity for local hunters. The proposal was opposed by the State and rejected by the Board. In the same year, the Board adopted proposal WP10-10 which allowed for the harvest of moose with two brow tines on each antler (FWS 2010b). The adoption of WP10-10 aligned the State and Federal moose antler restrictions for the RM038 permit, which includes Units 1B, 3, and a small portion of 1C.

On June 24, 2020, the Board approved an emergency special action request WSA19-14, which requested an emergency moose and deer season for the community of Kake in Unit 3. The Board approved an up to 60 day season during summer 2020 for the community of Kake, with a community harvest limit of up to 4 bull moose and up to 10 male Sitka black-tailed deer. The Board supported this emergency season for reasons of public safety related to food security concerns in Kake due to intermittent and unreliable food deliveries. The Petersburg District Ranger administered the hunt, issuing a community permit to the Organized Village of Kake in response to COVID-19 food security issues. The community permit allowed for the harvest of 2 bull moose on Kupreanof Island, that portion west of the Portage Bay-Duncan Canal Portage. The Organized Village of Kake successfully harvested 2 bull moose during the permit period.

Biological Background

Moose typically inhabit disturbed, subclimax habitat characterized by pioneer species such as willow (*Salix spp.*) and cottonwood (*Populus spp.*) (Dinneford 1988). In Southeast Alaska, riparian, subalpine, and post-glacial areas often provide suitable moose habitat. Unit 3 lacks any major river or recent post glacial habitat. However, timber harvest in the unit replicates natural disturbance creating subclimax habitat and browse. Previous timber harvest activities created new moose habitat that likely aided the natural emigration of moose to Unit 3 from the Stikine River corridor and possibly the Thomas Bay portion of the Alaska mainland in the 1940's and 1950's (Lowell 2018).

Due to the dense vegetation and remote nature of moose habitat in Southeast Alaska, aerial moose surveys do not provide accurate estimates of population. Therefore, little is known about the population dynamics and mortality of moose in Unit 3. However, based on anecdotal sightings and harvest reports, the State believes that Unit 3 has a low to moderate moose population that is expanding (Lowell 2018). The apparent reliance of moose on recent timber harvest in Unit 3 leads to uncertainty in the long-term stability of the expanding population. Clearcuts provide productive habitat for the first 20-25 years of the 100-150-year commercial timber harvest rotation (Lowell 2018). After the initial 20-25 years, clearcuts will enter the stem exclusion stage reducing browse for moose and deer. Although timber harvest is ongoing in the area, it's continuing at a reduced rate compared to the mid-20th century. Timber thinning treatments may be necessary to maintain adequate browse between commercial harvest.

In addition to reduction in habitat and browse, moose may compete with Sitka black-tailed deer for winter browse during harsh winters and in clearcuts that have reached the stem exclusion stage. Unit 3 is widely inhabited by black bears (*Ursus americanus*), and wolves (*Canis lupus*), with few brown bears (*Ursus arctos*). The level of predation of moose in Southeast Alaska is unknown; however, it's thought to contribute to a reduction in overall recruitment of moose (Lowell 2014). In Southcentral Alaska, a study by Ballard et al. (1991) showed that predation accounted for 83% of neonate calf mortality. However, 73% of the mortality was attributed to brown bears which are not as prevalent in Unit 3.

Recent Population Indices

Dense vegetation prevents biologists from directly counting moose in Unit 3, so ADF&G harvest reports are the primary source of available population information. Moose harvested in the State RM038 hunt are aged at the local ADF&G office to provide age structure and antler size information. Moose sightings are reported on State harvest reports, but only provide anecdotal information with limited statistical power.

Harvest History

Harvest data reported below were provided by ADF&G and summarized by the State moose management report and plan (Lowell 2018). Moose harvest reported on State permits in Unit 3 has steadily increased since 2010 and has been at or above the 11-year average (67 moose) for the last 6 years (**Table 1**). Federal designated hunter regulations allow a Federally qualified subsistence user to hunt for another Federally qualified subsistence user (recipient) who also qualifies for that hunt. Harvest under Federal designated hunter permits accounted for between 0 and 5 percent of the total moose harvest in Unit 3 from 2010 to 2020 (**Table 1**). The number of designated hunter permits issued in Unit 3 varies but has remained between 1 and 6 per year since 2010.

Although the State permit is open to both residents and non-residents of Alaska, between 2010 and 2020, the majority of reported hunters (81%) and successful harvesters (75%) were local residents of Unit 3 from Kake, Petersburg, and Wrangell (**Table 2; Table 3**). Non-local residents of Alaska, comprised of both Federally and non-Federally qualified users, made up 17% of the reported hunters and 22% of the harvest. Non-residents only accounted for two percent of reported hunters and three percent of moose harvest in Unit 3. From 2015 to 2020, 91% of RM038 permits (Units 1B, 1C, and 3) were acquired by Federally qualified subsistence users of Units 1-5. During that same timeframe, 91% of RM038 moose were harvested by Federally qualified subsistence users of Units 1-5. Harvest effort and success rate are both steadily increasing in Unit 3 as seen by the number of permits issued, total harvest, and percent success (**Table 2**).

Timber and other road construction (Kake access road) creates greater access to previously inaccessible populations of moose in Unit 3. Increased access can lower the competition and hunting pressure on traditional moose hunting areas while increasing competition for new hunting areas and potentially reducing source populations of moose. Mitkof, Wrangell, and Kupreanof Islands have communities with airport and ferry access and extensive road systems (**Map 1**) that create easy access for resident and non-resident hunters and likely impacts the moose populations near these communities. Between 2010 and 2014 the majority of moose harvested in Unit 3 were accessed using a highway vehicle (58 %) (Lowell 2018). Other forms of access reported by the State included boats (31%), ATV (7%), and airplanes (4%).

Table 1. Summary of moose harvested by State Registration Permit (RM038) and Federal designated hunter permits (Federal Harvest) in Unit 3, 2010-2020 (ADF&G 2021b and 2021c; Lowell 2018; USFWS 2020).

Year	M	F	Total	Illegal	Total	Federal Designated Harvest	% Federal Harvest	Total Federal Permits
2010 ^b	50	0	50	3	53	0	0%	1
2011	49	0	49	7	56	0	0%	1
2012	33	0	33	3	36	1	3%	1
2013	47	0	47	8	55	1	2%	1
2014	50	0	50	7	57	3	5%	6
2015	58	0	59	9	67	3	5%	6
2016	70	1	71	6	78	1	1%	3
2017	64	0	64	11	75	0	0%	0
2018	71	0	71	6	77	0	0%	2
2019	80	0	80	10	90	1	1%	1
2020 ^c	88	0	88	5	93	2	2%	3
Avg.	60	0	60	7	67	1	2%	2

^a A regulatory year begins 1 July and ends 30 June, e.g., regulatory year 2010 = 1 July 2010–30 June 2011.

^b Includes one DLP (defense of life or property).

^c Two additional bulls were harvested by Kake residents under an emergency Federal hunt.

Table 2. Residency of successful Unit 3 moose hunters, regulatory years 2010 through 2020 (ADF&G 2021b, 2021c, and 2021d; Lowell 2014 and 2018; Robbins 2021, pers. comm.).

Year ^a	Local ^b resident	(%)	Nonlocal resident	(%)	Non-resident	(%)	Total Harvest	Percent Success	Total hunters
2010	40	75%	12	23%	1	2%	53	11%	497
2011	43	77%	12	21%	1	2%	56	11%	490
2012	26	72%	8	22%	2	6%	36	8%	470
2013	41	75%	12	22%	2	4%	55	11%	484
2014	45	79%	10	18%	2	4%	57	12%	459
2015	56	84%	10	15%	1	1%	67	13%	500
2016	60	77%	16	21%	2	3%	78	14%	549
2017	55	73%	16	21%	4	5%	75	14%	537
2018	54	70%	21	27%	2	3%	77	14%	527
2019	61	68%	25	28%	4	4%	90	17%	532
2020	70	75%	22	24%	1	1%	93	17%	547
Avg.	50	75%	15	22%	2	3%	67	13%	508

^a A regulatory year begins 1 July and ends 30 June, e.g., regulatory year 2010 = 1 July 2010–30 June 2011

^b Residents of Kake, Petersburg, and Wrangell.

Table 3. Residency of all Unit 3 moose hunters, regulatory years 2010 through 2020 (ADF&G 2021b, 2021c, and 2121d; Lowell 2014 and 2018; Robbins 2021, pers. comm.)

Year ^a	Local ^b resident	(%)	Nonlocal resident	(%)	Non-Resident	(%)	Total hunters
2010	424	85%	71	14%	2	0%	497
2011	410	84%	70	14%	10	2%	490
2012	390	83%	67	14%	13	3%	470
2013	391	81%	83	17%	10	2%	484
2014	376	82%	74	16%	9	2%	459
2015	411	82%	82	16%	7	1%	500
2016	458	83%	80	15%	11	2%	549
2017	409	76%	113	21%	15	3%	537
2018	417	79%	105	20%	5	1%	527
2019	408	77%	110	21%	14	3%	532
2020	420	77%	121	22%	6	1%	547
Avg.	410	81%	89	17%	9	2%	508

^a A regulatory year begins 1 July and ends 30 June, e.g., regulatory year 2010 = 1 July 2010–30 June 2011

^b Residents of Kake, Petersburg, and Wrangell.

Other Alternatives Considered

A season extension was considered to provide additional harvest opportunity for Federally qualified subsistence users. However, the month-long State moose season is among the most liberal in Southeast Alaska and encompasses the rutting (breeding) season when moose harvest is generally highest. Increasing the moose season length in Unit 3 may alleviate competition during the State season, but 81% of permits are issued to Federally qualified subsistence users of the local communities of Kake, Petersburg, and Wrangell on average. Therefore, very little competition would be eliminated by extending the season for Federally qualified subsistence user.

Another alternative considered was to delegate authority to the Petersburg District Ranger to announce the number of draw permits to be issued each year, close the season and set any needed permit conditions in addition to establishing the annual harvest quota in consultation with ADF&G and Chair of the Council via delegation of authority letter only (**Appendix 2**). Delegating this additional authority would allow for more effective and flexible management of this hunt. While an additional 20 bull moose harvested each year may cause conservation concerns for the Unit 3 moose population, annual flexibility in the quota and season would provide increased subsistence opportunity, while minimizing conservation concerns. As demand for moose in Unit 3 exceeds supply, this alternative could also provide a subsistence priority as mandated by Title VIII of ANILCA. The Board may want to further consider this alternative. In 2010, the Council opposed a proposal that included the harvest of five any bull moose from Unit 3 due to conservation concerns and reduced harvest opportunity. A draw for fewer any bull moose may not constitute a meaningful subsistence opportunity.

Effects of the Proposal

Section 802 of ANILCA requires the conservation of healthy wildlife populations, meaning that wildlife are managed in a way that “minimizes the likelihood of irreversible or long-term adverse effects upon such populations and species.” 50 CFR 100.4; 36 CFR 242.4. Section 802 also requires that subsistence uses by rural residents of Alaska shall be “the priority consumptive uses of all such resources on the public lands of Alaska.” Further, Section 804 provides a preference for subsistence uses, specifically “... the taking on public lands of fish and wildlife for non-wasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes”. The majority (75%) of Unit 3 moose are harvested by local Federally qualified users (Kake, Petersburg, and Wrangell) which receive an average of 81 percent of Unit 3 moose permits. An average of 91% of the RM038 moose permits (Units 1B, 1C, and 3) go to Federally qualified subsistence users of Units 1-5 who harvest 91% of the moose.

If adopted, this proposal would allow the harvest of up to 20 bull moose falling outside of the State antler restriction management strategy on Kupreanof and Kuiu Islands. This additional harvest may have deleterious effects to the breeding population of moose and the recruitment of moose into the breeding pool. The current State management strategy was developed, using age structure and harvest data, to be self-limiting while providing maximum hunter participation and protecting the moose population in the absence of viable population estimates. The management plan targets younger and older bulls while protecting immature bulls and a section of the breeding population. Under this management plan, moose are expanding throughout Unit 3 and are creating new harvest opportunities. Harvest has increased since 2010 with harvest exceeding the 11-year average for the last 5 years. Both hunter participation (# permits issued) and success rate (# moose per hunter) have increased since 2010. Harvest outside of these restrictions would decrease recruitment of young bulls into the breeding pools of Kupreanof and Kuiu Islands and remove additional (previously sub-legal) bulls from the breeding populations. Potential reductions in the breeding population of moose may decrease harvest opportunity for both Federally and non-Federally qualified harvesters in the long-term.

The proposal states that a household receiving a Federal draw permit may not receive a State moose permit. However, if adopted, this regulation could not legally preclude Federal permit holders from receiving a State moose permit. While Federal moose regulations in Unit 1C, Berners Bay drainages preclude a household receiving a State permit from receiving a Federal permit, this stipulation is not tenable for Unit 3 moose because the State permit is an unlimited registration permit rather than a draw permit. Additionally, Federal permit holders would be limited to a total of one moose but may focus more harvest effort on Kupreanof and Kuiu Islands. The shift in harvest effort to Kupreanof and Kuiu Islands by Federal permit holders may result in additional State harvest effort as they would qualify to harvest a single moose using either a State or Federal permit (1 moose per regulatory year). Further, moose hunters often hunt in parties which may shift more State harvest effort to the Federal harvest area.

Previous timber harvest activity on Kupreanof and Kuiu Islands left many clearcuts that are now entering the stem exclusion phase, reducing browse, and an extensive network of logging roads that provide hunters with access to moose on much of the islands. Communities are located on Kupreanof island with airport and ferry service making them accessible to local, Federally qualified, and non-Federally qualified hunters.

The restricted harvest area may complicate enforcement of the Federal draw hunt during the concurrent RM038 hunt as there is the potential for illegal bulls to be harvested outside of the Federal harvest area

and claimed with a Federal permit. Additionally, the requirement to send a photo of the antlers and a section of the lower jaw of harvested moose to ADF&G requires approval from the Office of Management and Budget and cannot be authorized solely by the Board through a wildlife proposal.

OSM CONCLUSION

Oppose Proposal WP22-06.

Justification

Harvest outside of the State management plan has the potential for long-term adverse effects to the moose populations on Kuiu and Kupreanof Islands. Moose populations on Kupreanof and Kuiu Islands may be susceptible to over harvest due to reduction in browse (clearcut succession) and hunter access both to and on the islands. The draw hunt would provide greater subsistence opportunity for up to 20 households while potentially reducing subsistence opportunity for the remainder of the Federal harvesters in Unit 3. From 2015 to 2020, 91% of successful RM038 moose hunters were Federally qualified subsistence users of Units 1-5. The majority (75%) of Unit 3 moose are harvested by local Federally qualified users (Kake, Petersburg, and Wrangell) which receive an average of 81 percent of Unit 3 moose permits. Allowing for the harvest of up to 20 additional bulls from the road systems near these communities may limit future harvest opportunities for local residents.

Addendum

While OSM opposes this proposal, OSM suggests several modifications of the proposed regulations if the Board adopts this proposal as recommended by the Southeast Council. Specifically, OSM recommends clarifying the regulatory language, removing the stipulation that recipients may not receive both the Federal drawing and State permits, and delegating authority to the Petersburg District Ranger to set the harvest quotas, the number of permits to be issued, close the season, and any needed permit conditions via delegation of authority letter only (**Appendix 2**).

The modified regulations should read:

Unit 3—Moose

1 antlered bull with spike-fork or 50-inch antlers or 3 or more brow tines on either antler; or antlers with 2 brow tines on both sides by State registration permit only. Sept. 15 – Oct. 15

OR

Unit 3, Kupreanof and Kuiu Islands – 1 bull by Federal drawing permit. Sept. 15- Oct. 15

Only one moose permit may be issued per household. Successful hunters are required to send a photo of their moose antlers to ADF&G and a 5-inch section of lower jaw with front teeth.

Explanation

The modified regulatory language suggested above distinguishes between the two Unit 3 moose hunts and clarifies that harvest limits cannot be accumulated. The regulatory language prohibiting recipients of a Federal draw permit from obtaining a State permit needed to be removed because this stipulation cannot be implemented. Delegating additional authority to the in-season manager is necessary for effective administration of this hunt (e.g. draw permit hunts have limited and variable numbers of permits each year, so the in-season manager requires the authority to set the number of permits issued). Lastly, removing language from unit-specific regulations and putting it in a delegation of authority letter simplifies regulations and is consistent with other Federal hunts that are administered by in-season Federal managers.

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SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS

Southeast Alaska Subsistence Regional Advisory Council

Fall Meeting (October 6, 2021)

Support WP22-06. The Council concluded that the increased opportunity would benefit subsistence users and create a meaningful subsistence priority for moose in Unit 3. The proposal would allow the USDA - Forest Service to issue up to 20 Federal moose permits each year, providing the in-season manager flexibility to reduce the number of permits if a conservation concern is identified.

Winter Meeting (March 22, 2022)

Oppose WP22-06. The Council revisited WP22-06 at its winter 2022 meeting and changed its position to oppose based, in part, on clarifying testimony from the President of the Organized Village of Kake who voiced opposition to WP22-06. The Council expressed concern over the unintended consequence of creating more competition for Kake residents rather than providing them with more opportunity, which was part of the intent of this proposal when the Council submitted it. The Council also recognized potential conservation concerns for this hunt and did not want harvest to exceed sustainability. The Council discussed other ways to provide more and meaningful opportunity for Kake residents, but all were outside the scope of this proposal.

INTERAGENCY STAFF COMMITTEE COMMENTS

The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and Federal Subsistence Board action on the proposal.

ALASKA DEPARTMENT OF FISH AND GAME COMMENTS

Wildlife Proposal WP22-06

This proposal would establish a federal drawing permit hunt to take up to 20 bull moose with any antler configuration on federal public land on Kupreanof and Kuiu Islands in Game Management Unit (GMU) 3.

Background

The Southeast Alaska Subsistence Regional Advisory Council (SERAC) claims that it has become too challenging for federally qualified users (FQU) to harvest sufficient moose under the current state registration permit hunt (RM038) and antler restrictions.

GMU 3 in Southeast Alaska covers an area of approximately 3,000 square miles. Kupreanof, Kuiu, Etolin, Wrangell, Mitkof, and Zarembo, are the largest islands in the unit. Moose have been harvested on each of the islands, with the highest harvest in recent years occurring on Kupreanof, Kuiu, and Mitkof islands. Much of the land on these islands is managed by the Tongass National Forest where federal subsistence regulations can be applied under specific conditions found within the Alaska National Interest Lands Conservation Act (ANILCA). However, there are also significant state, municipal, and private lands including state-owned tidelands, where federal subsistence regulations do not apply, and boundaries are often unmarked.

Hunters residing in Southeast Alaska (GMUs 1-5) excluding Juneau and Ketchikan are eligible to harvest moose under federal subsistence regulations on federal public land within GMU 3. The current federal moose season is September 15 to October 15 with a bag limit of 1 bull with spike-fork or 50-inch antlers or 3 or more brow tines on either antler, or with 2 brow tines on both sides. The current federal moose hunting regulations match the state season and bag limit for GMU 3, and federal hunters are required to hunt under the state registration permit RM038.

Because aerial surveys cannot be used to estimate abundance or composition of moose populations in the densely forested habitats of GMU 3, managers rely on antler restrictions to ensure the annual harvest remains sustainable. The current state antler restrictions for moose in the RM038 hunt are some of the most liberal in the state. The liberal antler restrictions, combined with a month-long season that encompasses the rut, affords hunters considerable opportunity to harvest a moose. If not for several factors, including much of the RM038 hunt area is remote and somewhat inaccessible and moose sightability is hampered by dense coniferous forests, the area might otherwise be incapable of sustaining such liberal antler restrictions and season dates.

Most moose harvested in Southeast Alaska are harvested by FQUs including about 90% of all moose harvested in the RM038 hunt. This proposal would unduly restrict the very few non-federally qualified users (NFQU) hunting for moose in GMU 3 and allocate an overwhelming majority of the opportunity and harvest to FQUs.

GMU 3 Moose Harvest and Hunter Success

Due to the difficulty in estimating moose abundance in the coastal rainforest habitats of Southeast Alaska, GMU 3 managers use hunter effort, harvest, and harvest location as indicators of the trend in each moose population. Under both the state and federal subsistence regulations a state registration permit (RM038) is required to hunt moose in GMU 3. Hunters who obtain the RM038 permit are required to submit a hunt report. Data collected from the report include location of hunt, number of days hunted, transportation used, and use of commercial services. In addition, all successful RM038 moose hunters are required to check-in their moose with ADF&G where additional hunt and biological information is collected. Moose harvest data summarized here were provided by successful RM038 hunters, 90% of whom are FQUs.

Moose harvest in GMU 3 has nearly doubled over the last decade, ranging from 54 bulls in 2011 to 93 bulls in 2020 (Figure 1.) The total RM038 harvest (which includes moose harvested in GMU 1B, GMU 3, and a small portion of southern GMU 1C) has exceed 100 moose every year since 2014 and is the highest moose harvest of any hunt in Southeast Alaska.

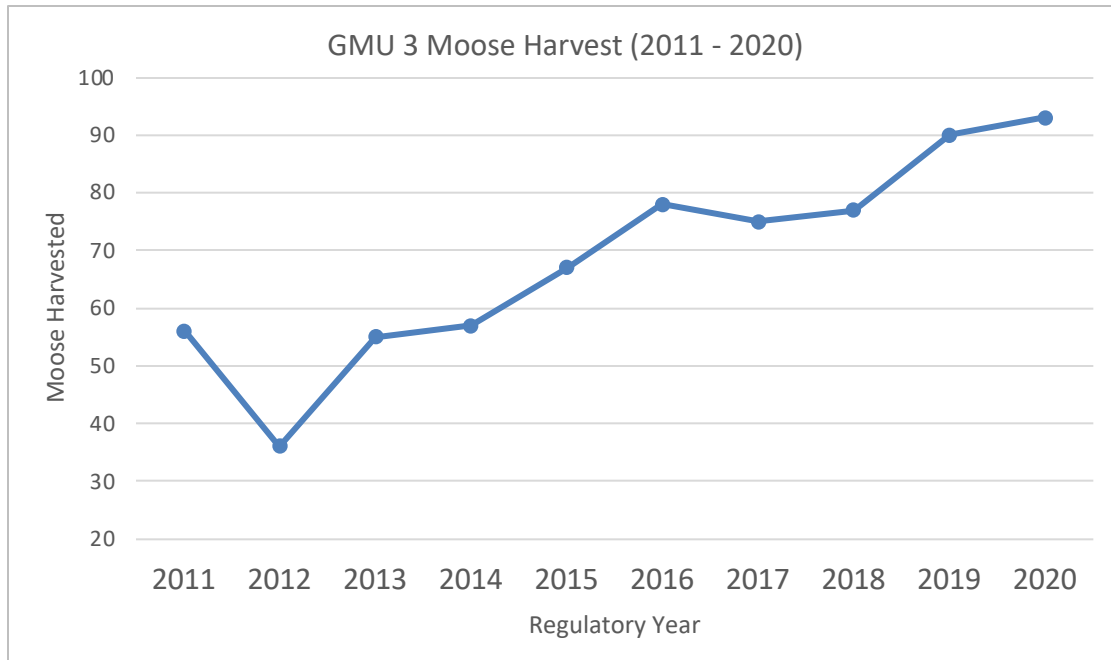


Figure 1. GMU 3 moose harvest, 2011–2020. This excludes harvest under the RM038 permit in GMUs 1B and 1C.

The success rate for GMU 3 moose hunters continues to improve increasing from 11% in 2011 to 17% in 2020 (Figure 2).

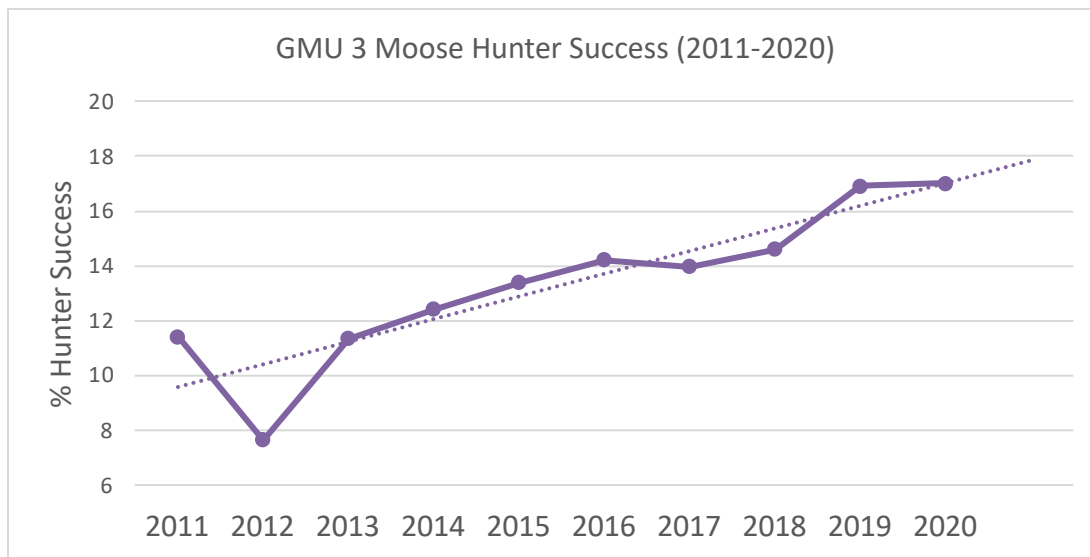


Figure 2. Figure 2. GMU 3 moose hunter success rate, 2011–2020.

Trends in Hunter Efficiency

Hunter efficiency, or the days of hunting effort required for a successful hunter to harvest one moose, is an indicator of the availability of moose to GMU 3 hunters. Since 2011 the days of hunting effort required to harvest a moose in GMU 3 has trended downward (Figure 3). From 2011-2015 an average of 6.3 days of hunting effort was required to harvest a moose in GMU 3, whereas from 2016-2020 an average of only 5.7 days of hunting effort was required to harvest a moose.

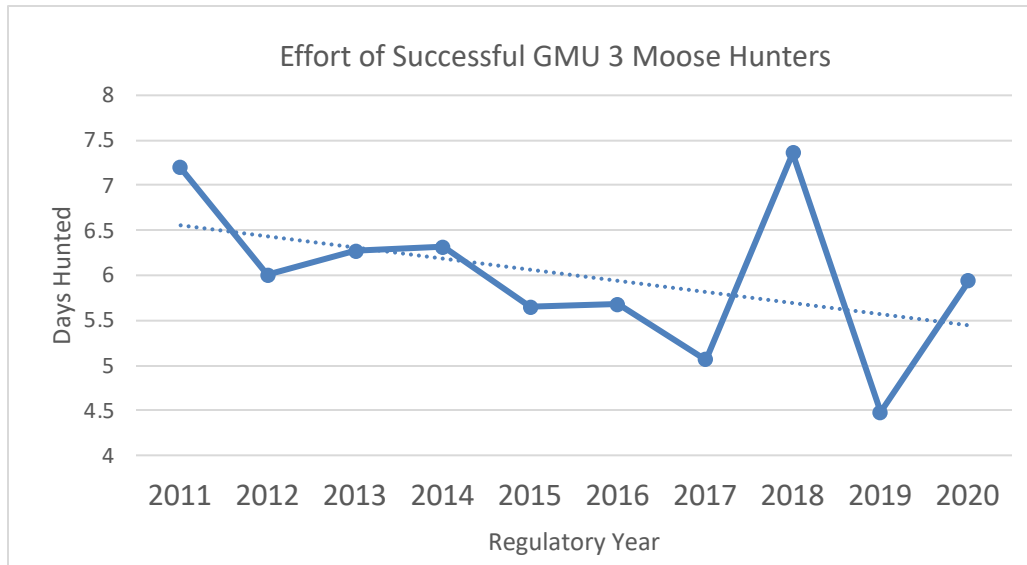


Figure 3. Effort required to harvest one moose in GMU 3, 2011–2020.

Trends in Harvest

Over the last few decades, moose hunting effort and harvest has shifted from the mainland in GMU 1B to the larger islands in GMU 3. From 2001-2010 an average of only 42 moose were harvested in GMU 3. However, since then the GMU 3 harvest has nearly doubled, primarily due to an increase in harvest on Kuiu and Kupreanof islands (Figure 4), (Table 1).

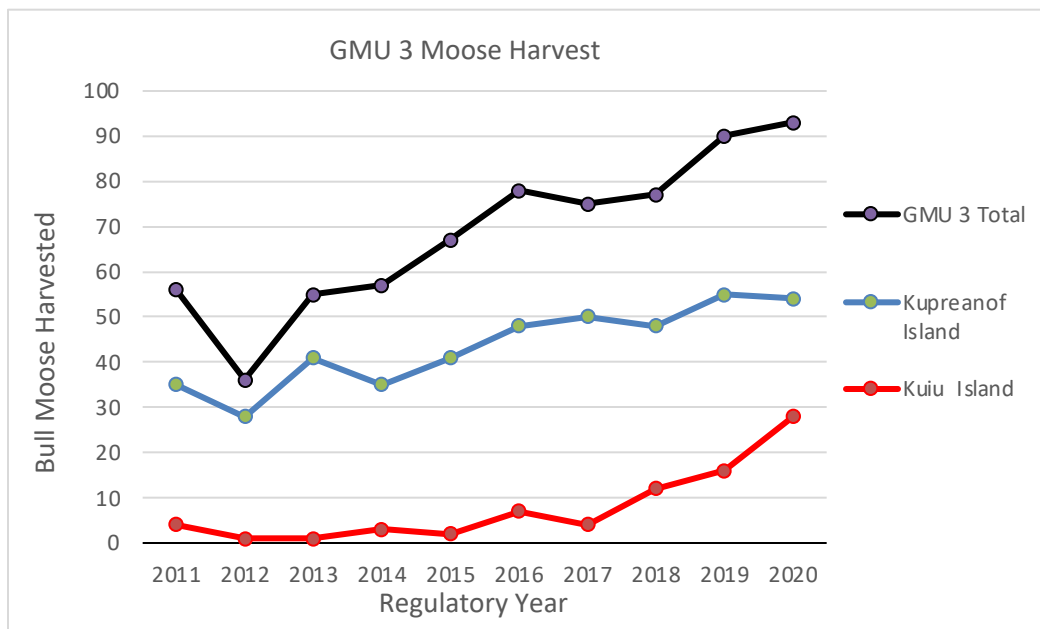


Figure 4. Trends in GMU 3 moose harvest by island, 2011–2020.

Table 4. RM038 moose harvest by GMU and specific islands, 2011-2020.

Year	Kuiu Harvest	Kupreanof Harvest	GMU 3 Harvest	Total RM038 Harvest ¹
2011	4	35	56	88

Year	Kuiu Harvest	Kupreanof Harvest	GMU 3 Harvest	Total RM038 Harvest ¹
2012	1	28	36	68
2013	1	41	55	92
2014	3	35	57	105
2015	2	41	67	103
2016	7	48	78	111
2017	4	50	75	119
2018	12	48	77	104
2019	16	55	90	127
2020	28	54	93	116

¹The RM038 hunt area includes GMU 1B, GMU 3, and a small portion of southern GMU 1C.

Summary

The vast majority of GMU 3 moose hunters are FQUs. The proposal asserts that it has become more challenging for those hunters to harvest sufficient moose under the current antler-restricted hunt. There is no way to quantifiable measure “sufficient moose”, so there is no way to determine when harvest is or is not sufficient. However, harvest data largely provided by FQUs clearly indicate that rather than becoming more difficult, over the last decade harvesting moose on Kupreanof and Kuiu islands has become a good deal easier. Despite antler restrictions, since 2011 the number of moose harvested per year has doubled, hunter success rate has improved, and the days of hunting effort required to harvest a moose has declined.

Contrary to the assertion made in this proposal, data provided by FQUs hunting moose in GMU 3 clearly indicate that those hunters are harvesting more moose with less effort than they ever have.

Impact on Subsistence Users

If adopted this proposal would increase opportunity for FQUs by permitting harvest of up to 20 additional bull moose regardless of antler configuration. However, as the proposal acknowledges, the resulting increase in harvest may negatively impact moose abundance and future subsistence harvest opportunity.

Impact on Other Users

If adopted the proposal will reduce future harvest opportunity for NFQUs.

Opportunity Provided by State

State customary and traditional use findings: The Alaska Board of Game (BOG) has made positive customary and traditional use findings for moose in GMU 1B and GMU 3 combined.

Amounts Reasonably Necessary for Subsistence: 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. The ANS for moose in GMU 1B and GMU 3 is 40 ani-mals.

Contrary to its name, ANS does not indicate subsistence “need”. Instead, 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 season and bag limit for GMU GMU 3 is:

GMU/Area	Bag Limit	Open Season (Permit/ Hunt #) Resident ^a	Open Season (Permit/ Hunt #) Nonresident
3	<i>One bull with spike-fork antlers or 50-inch antlers</i>	<i>15 Sept. – 15 Oct. (Registration Permit)</i>	<i>15 Sept. – 15 Oct. (Registration Permit)</i>

^a Subsistence and General Hunts.

Conservation Issues

Abundance and composition of the GMU 3 moose population cannot be monitored because aerial surveys are impractical in the dense coastal rainforest of GMU 3. For that reason, ADF&G has opted for a hunt strategy based on self-limiting regulations (i.e., antler restrictions). Antler-restricted hunts ensure sustainability and allow the GMU 3 moose population to continue expanding while also providing substantial harvest. The increasing moose harvest on Kuiu and Kupreanof islands is a result of that management strategy.

State management generally aims to maximize long-term harvest opportunity. The effect of allowing harvest of up to 20 additional bulls is unknown, but as proposal WP22-06 acknowledges, that could very well result in overharvest. If that happens, it likely would take several years to recognize that overharvest, implement necessary management changes, and for the population to recover. During those years harvest opportunity would be lost, likely reducing total harvest over the long-term for FQUs and NFQUs.

Enforcement Issues

The proposed federal drawing permits would only be valid on federal public land. Although much of the land on these islands is federally managed, some popular moose hunting areas include state and private land where boundaries are often unmarked. In addition, the lands below mean high tide are owned by the State and enforcement officers will have difficulty determining whether or not that person was hunting above or below that line.

Position:

ADF&G **OPPOSES** this proposal. There is no evidence that it has become more difficult for hunters, including the majority of FQUs who participate in this hunt, to harvest moose in GMU 3. In fact, the data indicates hunters are enjoying the greatest success ever and harvest is increasing under the current antler-restricted hunt. The addition of a federal drawing hunt for bull moose with no antler restrictions would most likely increase harvest, resulting in overharvest and cause the reduction of future moose harvest in GMU 3.

Under the Alaska National Interest Lands Conservation Act (ANILCA) the Federal Subsistence Board may only act under certain circumstances, and two of those main reasons are for conservation concerns and/or for the continuation of subsistence uses. If passed this has the potential to create a conservation concern for moose within this GMU and by all indicators there are no concerns with continuation of subsistence uses as hunters’ success rates are increasing.

WRITTEN PUBLIC COMMENTS

WRANGELL FISH & GAME ADVISORY COMMITTEE
P.O. Box 1491, Wrangell AK 99929

January 12, 2022

TO: Federal Subsistence Board
Office of Subsistence Management
(Attn: Theo Matuskowitz)
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199

Re: Federal Subsistence Wildlife Proposal WP22-06

The Wrangell Fish and Game Advisory Committee (AC) is an elected group of diverse stakeholders from Wrangell with an interest in fisheries, hunting, trapping, subsistence, sport and personal use issues within our region. The Wrangell Fish and Game AC weighs in on State, Federal and local fish and game issues that affect our region.

This letter is being written in regard to WP22-06, which would allow for an additional 20 moose to be harvested from Kuiu and Kupreanof Islands. The majority of our AC members hunt moose in units 1B and 3 and would be directly impacted by this proposal as well as many other Wrangell residents. The Wrangell ADF&G Advisory Committee stands opposed to this change from the current way the hunt is managed.

In recent years, largely due to milder-than-usual winters and a well-managed herd through the use of an antler restriction, the moose population has exploded on islands in unit 3, namely Kupreanof and Kuiu Islands. This has offered a sustainable opportunity for hunters who otherwise wouldn't have access to them. If additional permits are offered, we fear that an unsustainable amount of animals will be removed which would lead to less opportunity for people hunting under the antler restriction, and possibly, the hunt being shut down altogether. This could also lead to more competition as the people who currently hunt and traditionally harvest moose would be in direct competition with those compelled to apply for the draw hunt and rely on the "luck of the draw." Rather than being a hunt for local subsistence users, we would have increased competition among subsistence users from all of rural Southeast Alaska.

Proposal WP22-06 intends to increase opportunity for moose harvest, but in reality, residents in the unit have never had more opportunity to harvest a moose. Taking more bulls from the herd by drawing could be counterproductive to the intent of this proposal. The additional pressure of extra permits could potentially take many of the viable, breeding bulls out of the herd, ultimately leading to less opportunity for all involved. Another concern is that draw permit holders could potentially harvest a bull that meets

Federal Subsistence Board

2

the antler requirements, creating less opportunity for those hunting only under the antler restrictions.

The Wrangell AC supports the current management of the herd in all of GMU 3. The growth of the moose herd on Kupreanof and especially Kuiu is a relatively new phenomenon and we may have seen its peak, especially considering the harsh winter conditions we are currently experiencing in the region and potential resulting die-off.

Sincerely,



CHRIS GUGGENBICKLER
Chairman, Wrangell Fish and Game Advisory Committee

APPENDIX 1

Timeline of Unit 3 State moose hunting regulations.

Year	Season Type	Season	Limit	Conditions and Limitations
1960–1967	State	Sep. 15–Oct. 15	1	1 Bull Moose
1968–1989	State	No Open Season	0	
1990	State	Oct. 1–15	1	Wrangell Island – 1 bull moose with spike-fork-50
1990	Federal	Oct. 1–15	1	Wrangell and Mitkof Islands – 1 bull moose with spike-fork or 50 inch antlers or 3 brow tines on 1 side
1991	State	Oct. 1–15	1	Mitkof and Woewodski Islands – 1 bull moose with spike-fork-50
1993	State	Oct. 1–15	1	Remainder of Unit 3 – 1 bull moose with spike-fork-50 or 3 or more brow tine on one antler
1995	Federal			Unit 3 Federal Season Closed
1995–2008	State	Sep. 15–Oct. 15	1	Units 1B, 3, and 1C south of Point Hobart – 1 bull moose with spike-fork-50 or 3 or more brow tines on one antler with RM038 permit
1996	Federal	Sep. 15–Oct. 15	1	Mitkof and Wrangell Islands – 1 bull moose with spike-fork-50 or 3 or more brow tines on one antler with State permit
1997	Federal			Unit 3 moose customary and traditional use determination changed to residents of Units 1B, 2, and 3.
1998	Federal	Sep. 15– Oct. 15	1	Units 1B, 3, and 1C south of Point Hobart – 1 bull moose with spike-fork-50 or 3 or more brow tines on one antler with State permit
2005–2008	State	Sep. 15–Oct. 15	1	Unit 3 – 1 bull moose with draw permit
2009 – Present	State	Sep. 15–Oct. 15	1	Units 1B, 3, and 1C south of Point Hobart – 1 bull moose with spike-fork-50 or 2 or more brow tines on both sides or 3 or more brow tines on one antler with RM038 permit
2010- Present	Federal	Sep. 15–Oct. 15	1	Units 1B, 3, and 1C south of Point Hobart – 1 bull moose with spike-fork-50 or 2 or more brow tines on both sides or 3 or more brow tines on one antler with RM038 permit
2020	Federal			Residents of Units 1-5 have customary and traditional use determination for Unit 3 moose

APPENDIX 2

Petersburg District Ranger
Tongass National Forest
P.O. Box 1328
Petersburg, Alaska 99833

Dear Petersburg District Ranger:

This letter delegates specific regulatory authority from the Federal Subsistence Board (Board) to the Petersburg District Ranger to issue emergency or temporary special actions if necessary to ensure the conservation of a healthy wildlife population, to continue subsistence uses of wildlife, for reasons of public safety, or to assure the continued viability of a wildlife population. This delegation only applies to the Federal public lands subject to Alaska National Interest Lands Conservation Act (ANILCA) Title VIII jurisdiction within the Petersburg Ranger District of the Tongass National Forest for the management of deer, moose and mountain goats on these lands.

It is the intent of the Board that actions related to the management of deer, moose and mountain goats by Federal officials be coordinated, prior to implementation, with the Alaska Department of Fish and Game (ADF&G), representatives of the Office of Subsistence Management (OSM), and the Chair of the affected Council(s) to the extent possible. The Office of Subsistence Management will be used by managers to facilitate communication of actions and to ensure proposed actions are technically and administratively aligned with legal mandates and policies. Federal managers are expected to work with managers from the State and other Federal agencies, the Council Chair or alternate, local tribes, and Alaska Native Corporations to minimize disruption to subsistence resource users and existing agency programs, consistent with the need for special action.

DELEGATION OF AUTHORITY

1. Delegation: The Petersburg District Ranger is hereby delegated authority to issue emergency or temporary special actions affecting deer, moose, and mountain goats on Federal lands as outlined under the **Scope of Delegation**. Any action greater than 60 days in length (temporary special action) requires a public hearing before implementation. Special actions are governed by Federal regulation at 36 CFR 242.19 and 50 CFR 100.19.

2. Authority: This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and

50 CFR 100.10(d)(6), which state: “The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board.”

3. Scope of Delegation: The regulatory authority hereby delegated is limited to the following authorities within the limits set by regulation at 36 CFR 242.26 and 50 CFR 100.26.

- You may set Federal subsistence harvest quotas, close, reopen or adjust seasons, and adjust harvest and possession limits for deer, moose and mountain goats. You may also close Federal public lands to the take of these species by all users.
- **For the moose drawing permit hunt on Kupreanof and Kiui islands only, you may set an annual harvest quota of up to 20 moose, determine the number of draw permits to issue each year, close the season, and set any needed permit conditions.**

This delegation also permits you to close and reopen Federal public lands to non-subsistence hunting, but does not permit you to specify methods and means, permit requirements, or harvest and possession limits for State-managed hunts.

This delegation may be exercised only when it is necessary to conserve deer, moose, and mountain goat populations, to continue subsistence uses, for reasons of public safety, or to assure the continued viability of the populations. All other proposed changes to codified regulations, such as customary and traditional use determinations or adjustments to methods and means of take, shall be directed to the Board.

The Federal lands subject to this delegated authority are those within the Petersburg Ranger District of the Tongass National Forest.

4. Effective Period: This delegation of authority is effective from the date of this letter and continues until superseded or rescinded.

5. Guidelines for Delegation: You will become familiar with the management history of the wildlife species relevant to this delegation in the region, with current State and Federal regulations and management plans, and be up-to-date on population and harvest status information. You will provide subsistence users in the region a local point of contact about Federal subsistence issues and regulations and facilitate a local liaison with State managers and other user groups.

You will review special action requests or situations that may require a special action and all supporting information to determine (1) consistency with 50 CFR 100.19 and 36 CFR 242.19, (2) if the request/

situation falls within the scope of authority, (3) if significant conservation problems or subsistence harvest concerns are indicated, and (4) what the consequences of taking an action or no action may be on potentially affected Federally qualified subsistence users and non-Federally qualified users. Requests not within your delegated authority will be forwarded to the Board for consideration. You will maintain a record of all special action requests and rationale for your decision. A copy of this record will be provided to the Administrative Records Specialist in OMS no later than sixty days after development of the document

For management decisions on special actions, consultation is not always possible, but to the extent practicable, two-way communication will take place before decisions are implemented. You will also establish meaningful and timely opportunities for government-to-government consultation related to pre-season and post-season management actions as established in the Board's Government-to-Government Tribal Consultation Policy (Federal Subsistence Board Government-to-Government Tribal Consultation Policy 2012 and Federal Subsistence Board Policy on Consultation with Alaska Native Claim Settlement Act Corporations 2015).

You will immediately notify the Board through the Assistant Regional Director for OSM, and coordinate with the Chair(s) or alternate of the affected Council(s), local ADF&G managers, and other affected Federal conservation unit managers concerning emergency and temporary special actions being considered. You will ensure that you have communicated with OSM to ensure the special action is aligned with ANILCA Title VIII, Federal Subsistence regulations and policy, and that the perspectives of the Chair(s) or alternate of the affected Council(s), OSM, and affected State and Federal managers have been fully considered in the review of the proposed special action.

If the timing of a regularly scheduled meeting of the affected Council(s) permits without incurring undue delay, you will seek Council recommendations on the proposed temporary special action(s). If the affected Council(s) provided a recommendation, and your action differs from that recommendation, you will provide an explanation in writing in accordance with 50 CFR 100.10(e)(1) and 36 CFR 242.10(e)(1).

You will issue decisions in a timely manner. Before the effective date of any decision, reasonable efforts will be made to notify the public, OSM, affected State and Federal managers, law enforcement personnel, and Council members. If an action is to supersede a State action not yet in effect, the decision will be communicated to the public, OSM, affected State and Federal managers, and the local Council members at least 24 hours before the State action would be effective. If a decision to take no action is made, you will notify the proponent of the request immediately. A summary of special action requests and your resultant actions must be provided to the coordinator of the appropriate Council(s) at the end of each calendar year for presentation to the Council(s).

You may defer a special action request, otherwise covered by this delegation of authority, to the Board in instances when the proposed management action will have a significant impact on a large number of Federal subsistence users or is particularly controversial. This option should be exercised judiciously and may be initiated only when sufficient time allows for it. Such deferrals should not be considered when immediate management actions are necessary for conservation purposes. The Board may determine that a special action request may best be handled by the Board, subsequently rescinding the delegated regulatory authority for the specific action only.

6. Support Services: Administrative support for regulatory actions will be provided by the Office of Subsistence Management.

Sincerely,

Anthony Christianson

Chair

cc: Federal Subsistence Board

Assistant Regional Director, Office of Subsistence Management

Deputy Assistant Regional Director, Office of Subsistence Management

Subsistence Policy Coordinator, Office of Subsistence Management

Wildlife Division Supervisor, Office of Subsistence Management

Subsistence Council Coordinator, Office of Subsistence Management

Chair, Southeast Alaska Subsistence Regional Advisory Council

Deputy Commissioner, Alaska Department of Fish and Game

Special Projects Coordinator, Alaska Department of Fish and Game

Forest Supervisor, Tongass National Forest

Special Agent in Charge, Law Enforcement and Investigations FS (Region 10)

Federal Subsistence Liaison Team Leader, Alaska Department of Fish and Game

Interagency Staff Committee

Administrative Record