

Southeast Alaska Wildlife Proposal.

Submitted by the East POW Advisory Committee

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Add new regulation concerning: Unlawful methods of taking big game

Issue that needs addressed:

Add the following unlawful method of taking big game: In GMU 1-5, its unlawful to take big game from sunset civil twilight until sunrise civil twilight time.

The East POW AC would like to propose the regulation of unlawful to take a big game animal in GMU 1 – 5 between civil twilight of sunset until civil twilight of sunrise of the following day.

In southeast Alaska, it's currently unlawful to take a game animal with the use of an artificial light, electronic night vision, or forward-looking infrared device. Furthermore, its unlawful to use artificial light to illuminate deer from a motorized land vehicle in Units 1 – 5. The issue is some are interpreting the regulations that they can pursue deer in SE Alaska with artificial light. When they choose to harvest a deer at nighttime, the artificial light is shut off just before the person takes the animal.

An example of this is a person will drive a truck down a road on Prince of Wales Island with a large LED light bar. They spot a deer near the road and stop the vehicle with the lights shining on the deer at nighttime. The passenger exits the vehicle and takes aim on the deer with their rifle. When they are ready to shoot, they yell at the driver to shut off the lights. When the lights are shut off, the passenger immediately shoots.

In the court system, judges and juries are having an issue with “take with artificial light”. If the lights are shut off when the person actually pulls the trigger, some are leaning on the side that the person didn't take the animal with artificial light. And it has been asked if Alaska has shooting hours for big game like other states have. Alaska does not have shooting hours; but if the state did, most unethical hunters driving logging roads at 5am in November would no longer be found innocent because they shut off the lights before they pulled the trigger.

A new issue in SE Alaska is with the passage of the statewide regulation that furbearers can be taken with the aid of electronic night vision, or forward-looking infrared device. This complicates the issue more in SE Alaska and gives an advantage for those who do not follow the principles of hunter ethics. These types of hunters can now immediately pursue big game under the complete cover of darkness and use the excuse they are furbearer hunting.

The best solution is to pass regulation for shooting hours in GMU 1-5 for big game. Discussions with SE Alaska Wildlife Troopers, research, and experiments, civil twilight is best suited for shooting hours for Alaska. Civil twilight by definition is the geometric center of the Sun's disk, is at most 6 degrees below the horizon. In the morning, this twilight phase ends at sunrise; in the evening it begins at sunset. Sunrise and sunset are the moments when the Sun's upper edge touches the horizon.

The characteristics of civil twilight are: the horizon is clearly defined, only the brightest stars and planets can be seen, artificial light is not typically needed for outdoor activities.

It was discussed to use the typical half hour before sunrise until a half hour after sunset shooting hour regulation like several other states use. This generic definition will not work for Alaska. Civil twilight best fits because of Alaska's position on the earth. In August, civil twilight would allow a hunter to shoot almost an hour before sunrise. That same location in November, civil twilight begins approximately 40 minutes before sunrise.

One negative issue was brought up during discussions of this proposal. Some expressed concern about having to look up civil twilight hours before they went hunting. They expressed it would burden them with having to carry a chart of civil twilight times. A quick internet search will provide a person with the civil twilight time for their area. Certain weather apps list the civil twilight time. With experimenting, civil twilight was chosen for a reason with this proposal. A person who is hunting without flashlight, spotlight, electronic night vision, or forward-looking infrared device, will not have to worry about looking up civil twilight hours. It's just too dark to be shooting between the sunset civil twilight and sunrise civil twilight times. Anyone who was concerned with this issue, seemed to understand after trial, they would not be burdened with looking up civil twilight hours because it was too dark to be hunting either after or prior to civil twilight.

The East POW AC is proposing this regulation change for both the State of Alaska and federal subsistence in GMU 1 – 5.