WSA25-02 Executive Summary	
General Description	Wildlife Special Action WSA25-02 requests eliminating the Federal doe hunt in Unit 2 for the 2025/26 regulatory year, if the final rule establishing Ketchikan as a rural community publishes before the end of the 2025/26 Unit 2 deer season. Submitted by the *Southeast Alaska Subsistence Regional Advisory Council*.
Proposed Regulation	**Unit 2−Deer** *5* ***bucks.*** ~~*deer; however, no more than one may be a female deer. Female deer may be taken only during the period Oct.15-Jan. 31. Harvest ticket number five must be used when recording the harvest of a female deer but may be used for recording the harvest of a male deer.*~~ *Harvest tickets must be used in order.* ~~*except when recording a female deer on tag number five.*~~ *Jul. 24 – Jan. 31* *Federal public lands on Prince of Wales Island, excluding the southeast portion (land south of the West Arm of Cholmondeley Sound draining into Cholmondeley Sound or draining eastward into Clarence Strait), are closed to hunting of deer from Aug. 1 - Aug. 15, except by federally qualified subsistence users hunting under these regulations.* *Non-federally qualified users may only harvest up to 2 male deer on Federal public lands in Unit 2.*
OSM Conclusion	**Oppose**
Interagency Staff Committee Comments	**To be provided separately**
ADF&G Comments	**Support**
Public Testimony	See **Current Events** section in analysis of WSA25-01/-03

STAFF ANALYSIS
TEMPORARY SPECIAL ACTION
WSA25-02

ISSUES

Wildlife Special Action WSA25-02, submitted by the Southeast Alaska Subsistence Regional Advisory Council (Southeast Council), requests eliminating the Federal doe hunt in Unit 2 for the 2025/26 regulatory year if the final rule establishing Ketchikan as a rural community publishes before the end of the 2025/26 Unit 2 deer season (January 31, 2026).

Note: The Southeast Council also submitted Wildlife Special Action WSA25-01, which requests closing Federal public lands in Unit 2 to deer hunting by non-federally qualified users (NFQUs) for the 2025/26 regulatory year; and WSA25-03, which requests conducting an Alaska National Interest Lands Conservation Act (ANILCA) §804 subsistence user prioritization analysis for Unit 2 deer for the 2025/26 regulatory year. These requests are analyzed in a separate analysis.

Proponent Statement

The proponent notes that there are existing conservation concerns regarding the Unit 2 deer population, and that those concerns will increase significantly with the addition of thousands federally qualified subsistence users (FQSUs) from Ketchikan. Before the Federal Subsistence Board's (Board) recent decision to change Ketchikan to a rural status community, Ketchikan residents could only harvest two bucks on Federal public lands in Unit 2. However, with the recent change in Ketchikan's rural status, Ketchikan residents will become FQSUs, and they will be able to harvest up to five deer in Unit 2, one of which may be a doe. The proponents argue that doe harvest is a customary and traditional practice for Prince of Wales Island (POWI) residents, and while the current level of doe harvest is sustainable, the increased doe harvest expected by Ketchikan residents will not be sustainable. They also note that restricting female harvest when there is a conservation concern is a recognized principle of wildlife management.

The proponent views this request as a proactive measure to conserve the Unit 2 deer population before the situation becomes even worse, as one bad winter and excessive doe harvest could devastate the population and greatly prolong recovery. The proponent explains that multiple interactive factors such as predation, habitat loss, and weather have contributed to the decline of the Unit 2 deer population. However, they note that hunting and harvest mortality, particularly of does, are the most controllable factors. While the proponent recognizes that eliminating doe harvest may hurt POWI subsistence users whose subsistence needs for deer are already not being met, regulatory mechanisms do not currently allow for doe harvest by only a subset of subsistence users.

Existing Federal Regulation

Unit 2 -- Deer

5 deer; however, no more than one may be a female deer. Female deer may be taken only during the period Oct.15-Jan. 31. Harvest ticket number five must be used when recording the harvest of a female deer but may be used for recording the harvest of a male deer. Harvest tickets must be used in order except when recording a female deer on tag number five.	*Jul. 24 – Jan. 31*
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Non-federally qualified users may only harvest up to 2 male deer on Federal public lands in Unit 2.	

Proposed Federal Regulation

Unit 2−Deer

5 ***bucks.*** ~~*deer; however, no more than one may be a female deer. Female deer may be taken only during the period Oct.15-Jan. 31. Harvest ticket number five must be used when recording the harvest of a female deer but may be used for recording the harvest of a male deer.*~~ *Harvest tickets must be used in order.* ~~*except when recording a female deer on tag number five*~~*.*	*Jul. 24 – Jan. 31*
Federal public lands on Prince of Wales Island, excluding the southeast portion (land south of the West Arm of Cholmondeley Sound draining into Cholmondeley Sound or draining eastward into Clarence Strait), are closed to hunting of deer from Aug. 1 - Aug. 15, except by federally qualified subsistence users hunting under these regulations.	
Non-federally qualified users may only harvest up to 2 male deer on Federal public lands in Unit 2.	

Relevant Federal Regulation

Authority to issue Temporary Special Actions is found in 36 CFR 242.19(b) and 50 CFR 100.19(b) and state that:

. . . After adequate notice and public hearing, the Board may temporarily close or open public lands for the taking of fish and wildlife for subsistence uses, or modify the requirements for subsistence take, or close public lands for the taking of fish and wildlife for nonsubsistence uses, or restrict take for nonsubsistence uses.

Existing State Regulation

Unit 2−Deer

Residents and Nonresidents:	*4 Bucks*	*HT*	*Aug. 1 – Dec. 31*

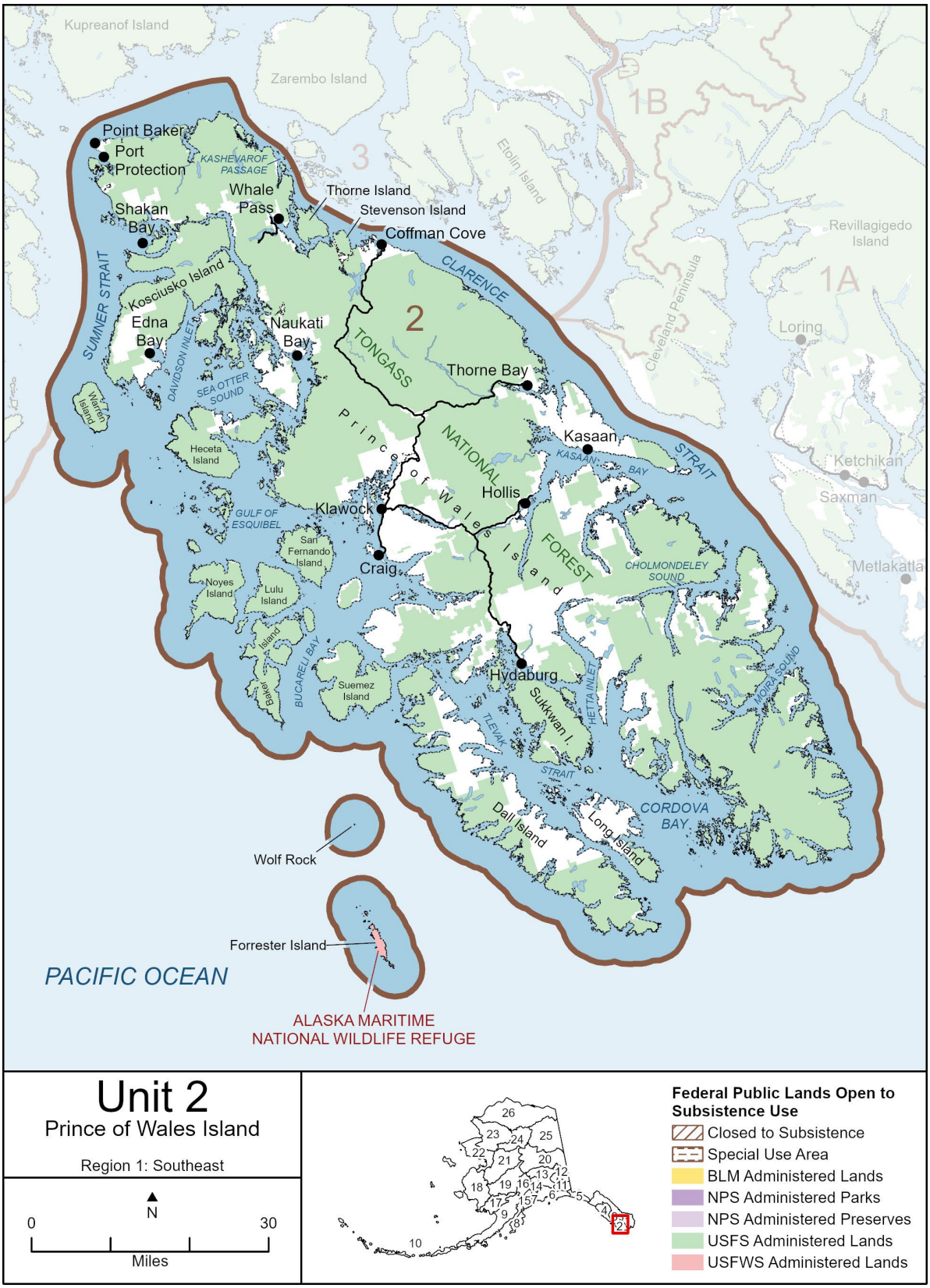
Same-day airborne hunting of deer allowed. Harvest tickets must be validated in sequential order, and unused tickets must be carried when you hunt. In all hunts limited to one sex, evidence of sex must remain naturally attached to the meat or antlers must remain naturally attached to the entire carcass, with or without viscera.

Extent of Federal Public Lands

Unit 2 is made up of approximately 78% Federal public lands, all of which are U.S. Forest Service (USFS) managed lands except for that portion of the Alaska Maritime National Wildlife Refuge located on Forrester Island (0.1%) (see **Map 1**).

Customary and Traditional Use Determinations

Rural residents of Units 1, 2, 3, 4, and 5 have a customary and traditional use determination for deer in Unit 2.



Map 1. Federal public lands in Unit 2

Regulatory History

See staff analysis for WSA25-01/03 for a comprehensive regulatory history for deer in Unit 2.

The first Federal regulation allowing for the legal harvest of female deer in Unit 2 was in 1995. Proposal P95-01 allowed for the harvest of one antlerless deer, with a season of Oct. 15 - Dec. 31. Since then, Federal regulations have provided for the harvest of one female or antlerless deer, with a season of October 15 to the end of the hunting season (Jan. 31 since 2016). This regulatory change was followed by several proposals submitted from 1997 to 2001 (P97-07, P98-09, P98-10, P98-11, P98-12, P00-05, and P01-03) requesting to reduce or rescind the antlerless deer season and/or reduce the length of the antlered deer season in Unit 2 due to conservation concerns. These proposals were all rejected by the Board.

Under State regulations, antlerless deer hunting, with date restrictions, was allowed from 1970 through 1977. Only antlered deer have been allowed to be harvested since 1978 under State regulations, except for a controversial provision for harvest of one antlerless deer in 1987, with a season of Oct. 10 – 31 (ADF&G 1992).

Current Events

Please see staff analysis for WSA25-01/03 for a full description of current events regarding WSA25-01/-02/-03, including summaries of the public hearing and Tribal consultation held on these special action requests.

Biological Background

See staff analysis for WSA25-01/03 for general biological information.

The number of breeding females in a wildlife population generally determines the reproductive capacity of the population, and high rates of female mortality can result in population decline. As such, a recognized principle of wildlife management to conserve wildlife populations is restricting harvest of females. As the East Prince of Wales State Advisory Committee (AC) noted in Proposal WP26-06, "…removing one doe not only removes the individual, but the doe's potential offspring. In this way, doe harvest creates an outsized impact on the deer population."

However, research indicates that the overall abundance and productivity of deer in Unit 2 is determined by a complex combination of factors including habitat quality (Kirchoff and Schoen 1987, Yeo and Peek 1992, Gilbert et al. 2017), predation (Person et. al. 1996, Gilbert 2015), and winter severity (Schoen and Kirchoff 1985, Schoen and Kirchoff 1990). Thus, the effects of doe harvest on deer abundance in Unit 2 is not straightforward, and depends on the complex interplay of habitat quality, predation, weather, and harvest.

Throughout POWI, decades of commercial logging have created a mosaic of various-aged timber stands, along with an extensive network of roads built to support logging operations (Brinkman et. al 2009). POWI has sustained the highest rates of logging in the region (Albert and Schoen 2007). Although northern POWI contained only 10.9% of all productive forests in the region, it received 37.8% of all the

logging (Albert and Schoen 2013). Subsequently, northern POWI has been estimated to have only 62% of its original winter habitat value for blacktail deer (Albert and Schoen 2007).

While recent clearcuts can provide improved forage for deer (Gregovich et al. 2024), these logged forests are increasingly entering the stem exclusion stage, which severely reduces their carrying capacity for deer (Gilbert 2015, Hasbrouck 2023). Approximately 1500 km^2 of forest on POW is expected to enter the stem exclusion stage over the next 20 years, representing about one-third of the old growth available before industrial logging (Roffler et al. 2018). As a consequence, the population and productivity of deer in Unit 2 is expected to continue to decline for the foreseeable future (Gilbert et al. 2017).

Brinkman et al. (2011) used fecal pellet DNA-based density estimates to estimate the density of deer in unlogged, recently clearcut, and second growth stands on POW. Deer density estimates were consistently lowest in second growth stands reaching stem exclusion, but similar in unlogged and recently clearcut stands. Over the course of the three-year study, deer densities declined by 30%, which was attributed to three consecutive severe winters. Habitat characteristics such as stand age, patch size, and topography have been found to play a significant role in deer mortality (Farmer et al. 2006). Clearcuts and seral (post-disturbance) forest generally increase the risk of death for all sex and age groups of deer, with larger scale features like topography playing a larger role for adult and yearling females. Farmer et al. (2006) report that dense clearcuts (19-28 years old) increased the risk of mortality by 341%, likely due to reduced visibility and lack of forage. For adult male deer, hunting was found to be the largest source of mortality and was strongly associated with use of roads.

Despite a small reported harvest of does in Unit 2 (See Harvest History), radio collar studies suggest that hunting is a significant cause of mortality of female deer in Unit 2. In a study of environmental factors affecting deer survival on central Prince of Wales Island (POWI), Gilbert (2015) captured and radio-collared 63 adult female deer on POWI between 2010 and 2012. Survival of the radio-collared deer was high (90%) and varied little among years. The largest source of mortality was hunting (3 deer), followed by malnutrition (2 deer) and black bear predation (1 deer). None of the radio collared deer were killed by wolves, though the study took place during a period of low wolf abundance on POWI. A similar study (Farmer et al. 2006) conducted between 1996 and 1999 on Heceta Island, adjacent to POWI, examined the influence of habitat use on deer mortality using 49 adult and yearling females. Of these, 10 were killed by wolves following a moderately severe winter. Four more of the monitored females were illegally killed by hunters, though no female deer were harvested during the legal Federal antlerless deer season in place at the time. These results suggest that while overall mortality of adult females is low, legal and illegal hunting is a significant source of mortality in female deer in Unit 2.

Predation is frequently reported by Unit 2 residents as a driving factor in Unit 2 deer population dynamics. Black bears are known to target young fawns during the birthing season (Gilbert 2015). Unit 2 residents have also reported that deer abundance typically decreases as the density of wolves increases (SERAC 2025). A comprehensive review of predator-prey dynamics in deer populations (Ballard et al. 2001) found that deer density in relation to the habitat carrying capacity was the key consideration in whether predation is a limiting factor in deer populations. For deer populations near carrying capacity, predation mortality is compensatory – that is, it reduces mortality from other reasons so that overall

mortality does not change. If predation is reduced, other mortality factors (such as malnutrition) will replace it.

Maintaining an optimum sex ratio is a common goal of wildlife management. The only available sex ratios for Unit 2 deer come from unpublished data from DNA based analysis of fecal pellets conducted in limited areas of POWI in 2006-2008, 2019-2021, and 2023. The average ratio for both the 2006-2008 timeframe (n = 760 deer) and the 2019-2023 timeframe (n = 146 deer) was 33 bucks:100 does. For reference, Chichagof Island had a ratio of 50 bucks:100 does in 2016 (n = 142 deer) (Brinkman 2025, pers. comm.). Despite the lower buck:doe ratio on POWI, pregnancy rates remain high (Gilbert et al. 2020). Gilbert and colleagues (2020) found that pregnancy rates in central POWI deer averaged 89% across three years. However, the summer survival rates of fawns averaged only 41%, largely due to predation by black bears (Gilbert et al. 2020). The mortality rate of fawns due to black bears averaged 46%, with 11% due to other causes (Gilbert et al. 2020).

Harvest History

See staff analysis for WSA25-01/03 for more general harvest history information.

Based on data from harvest reports, relatively few does are harvested each year in Unit 2 (**Table 1)**. From 1997 to 2017, an estimated average of 77 does were harvested each year by FQSUs. This represents just 3% of the total estimated deer harvest during this time period. However, the estimated number of does harvested has declined over time. From 2018 to 2023, FQSUs harvested an estimated average of 42 does each year, or about 2% of the total harvest during this time period **(Table 1)**. The reason for this decline is unknown, but it is partially explained by a corresponding (but lesser) decline in the number of FQSU hunters.

However, Unit 2 is believed to have one of the highest rates of unreported and illegal harvests in the region (Hasbrouck 2023). The amount of unreported and illegal harvest has been estimated to be approximately equal to the reported harvest (~2,651 deer per year on average from 1997-2023) (see Person 2010). This means that the actual average deer harvest in Unit 2 may have been closer to 5,302 deer per year from 1997-2023, and that the amount of does harvested each year is also likely higher than what can be estimated from reported harvest data.

While no firm data on the extent and composition of illegal harvest is available, does are likely a substantial portion of the deer taken illegally. Bucks are legal to take by all users throughout the entire season, and so are generally legal to harvest under most circumstances. Legal harvest of bucks is also more likely to be reported and accounted for in harvest statistics, as there is no risk in reporting them. However, does are only legal to harvest for a portion of the season and only by FQSUs, so they are more susceptible to illegal harvest. Correspondingly, hunters are unlikely to voluntarily report an illegal doe harvest, and any such harvest will not be reflected in harvest statistics. However, NFQUs appear to report some illegal doe harvest as reflected in the harvest data in **Table 1**. As doe hunts have been closed under State regulations since 1987, any doe harvest by NFQUs is illegal.

Under the current regulation, harvest ticket number five must be used when harvesting a doe. This provision is intended to provide a mechanism to limit each hunter to a single doe. However, under the Alaska Department of Fish and Game (ADF&G) online permit system, hunters are provided with an electronic copy of their harvest tickets, which can be printed multiple times. This may reduce the enforceability of the use of the harvest ticket system to be used for harvest of a single doe, as users can easily print multiple copies of harvest ticket number five.

From 1997-2017, Ketchikan residents harvested an average of 783 deer/year from Unit 2. Assuming Ketchikan residents harvest does at similar rates as other FQSUs, an additional 20 does may be harvested each year from Unit 2 by Ketchikan residents (2.5% of 783 deer) now that they will no longer be subject to the harvest limit restrictions for NFQUs.

Table 1. Estimated number of hunters and harvest of does in Unit 2 by user type, 1997-2023 (McCoy 2019, Churchwell 2024, 2025).

Year	Federally Qualified		Non-federally Qualified		Ketchikan residents	
	Hunters	Does	Hunters	Does	Hunters	Does
1997	958	71	817	0	632	0
1998	1099	62	840	5	686	0
1999	1176	71	723	12	502	5
2000	850	36	734	11	577	6
2001	1105	92	921	16	691	16
2002	1031	45	926	12	692	7
2003	734	47	817	8	525	0
2004	700	58	794	6	585	6
2005	994	97	808	4	491	2
2006	1134	80	852	9	561	4
2007	1084	82	912	5	522	1
2008	1109	97	997	15	601	11
2009	1015	83	1033	19	602	17
2010	1083	83	1109	4	652	1
2011	1138	95	1074	12	615	4
2012	1250	91	1233	4	726	2
2013	1239	73	1228	3	728	0
2014	1337	104	1384	14	779	12
2015	1352	89	1456	8	777	2
2016	1307	77	1360	5	673	4
2017	1127	76	1130	3	635	0
2018	1024	60	856	0	417	0
2019	964	46	778	0	406	0
2020	960	42	716	1.2	316	0
2021	937	34	777	0	315	0
2022	897	38	735	0	289	0
2023	847	32	752	0	292	0
Overall Average	1054	69	954	7	566	4
1997-2017 Average	1087	77	1007	8	631	5
2018-2023 Average	938	42	769	0.2	339	0.0

Cultural Knowledge and Traditional Practices

See staff analysis of WSA25-01/03 for general information.

In their discussion of this special action request, the Southeast Council described the customary and traditional role of doe harvest in Unit 2 communities, as well as its importance in providing food security. Council member Michael Douville, a lifelong Unit 2 resident, described the traditional importance of the doe harvest in explaining why he did not support the request (SERAC 2025: 41):

> I would rather give up a buck than to give up the doe hunt. My Grandpa Ralph would specifically request, and the old timers, grandson, I want the doe meat. To me, it's all part of the mix of – since I was a kid. You harvested what was – what you could at the time, whether it was a buck or a doe. Those are, you know, most people don't take them. I mean, the last year, or 2023, it says only 32 were taken. That's a really small number compared to 1,600 bucks. Even if it was three times that for not good reporting, it would still be insignificant. And I think that would be a hardship on some people because they're not good hunters, like as a young kid, we got mostly does because we weren't good enough or smart enough to get bucks, and that was perfectly acceptable all my life. I haven't shot one in many, many years. But I don't think that opportunity should be taken away. I don't know, for those reasons, I will not support this proposal [special action request]. I think it's an undue hardship, and it will take away an opportunity that a few people still use, not that many, but I think it's important.

Similarly, Council member Patricia Philips discussed how the doe harvest helps with food security (SERAC 2025:42):

> …having sat on this Regional Advisory Council for, I think, 30 years, and then heard all different types of testimony related to doe harvest on Prince of Wales Island, and – what really stands out to me is like a member of POWI community saying that I'm food insecure, and they didn't say food insecure. I don't have enough food. If I see a deer, it doesn't matter to me whether it's a buck or a doe. I'm going to shoot it because I need to feed my family. I got to share with my elders. It's like Mike was saying, it's customary and traditional, if – that they have such limited resources for traditional foods on Prince of Wales Island that I'm not going to take something that they could harvest.

The Southeast Council also discussed the pressures facing the Unit 2 deer population and the potential effectiveness of the doe closure to help conserve the population. Michael Douville pointed out that the harvest of does was limited, and that predation was a major factor in the deer population (SERAC 2025: 43):

> So, what I honestly believe is at times we've taken 4,000 bucks, and I don't know what the does rate was for those times, but 100 has been the average for a lot of years. Harvesting a disproportionate number of bucks also reduces the ability for the does to get bred. And we see does that don't have fawns for no good reason. And to me, that is a reason you have – already have an imbalance. So, I think there's an excessive amount of does to compare it to the number of

bucks, is what it amounts to. So, to address rebuilding of the population is not going to be addressed through eliminating 32 deer or 32 does in a season. It's going to be through addressing the predation issue that is the main culprit for bringing the population down.

Council Chair Don Hernandez, also a longtime resident of Unit 2, provided his local knowledge of the Unit 2 deer populations (SERAC 2025: 28):

I think the deer population on Prince of Wales Island is kind of in a precarious state right now. For, you know, a lot of different factors always weigh into this. Predation is primary. We do have a lot of predation of deer on Prince of Wales, and wolves and bears, people. We got some serious habitat considerations that have just been building as more and more acres, you know, coming to that stem exclusion, and are no longer good habitat. You know, we've been watching the way the – just the way the predation patterns are changing on the island. The wolves, they travel these roads, they – extensively makes them very effective predators. The fact that deer are more congregated in areas in the winter because of all the habitat degradation, the deer are forced to, essentially, kind of pack up more. And what's left of the good habitat, the wolves are clued into that – they, I mean, it's pretty obvious when you're out there, you know, observing what's happening that the deer are concentrated in these good habitat areas in the winter, and the wolves know that; they concentrate their efforts. They're pretty effective predators.

You know, all these factors, you know, it's the fact that all of the hunting pressure put on those – the deer on Prince of Wales has really affected the whole age structure of the herd. You just don't see a whole lot of big, mature bucks. They don't survive long enough to get there. That's your, you know, most important breeding component. You know, what's that doing to the viability of the reproductive rates, you know, for the deer under the Prince of Wales? Just all of these factors, all coming together. You know, I think it just – it puts that population in a precarious position and, you know, we – and now, you know, we're talking about allowing more hunter – hunting pressure to be added on to that. And you know, we – there's a lot, of a lot of factors that I mentioned that we don't see, we don't have control over. The predation we can try and do something about, but that's always a challenge. But we can look at the hunting component, and that's what we need to do at this meeting. So, I think there is ample evidence that there is a conservation concern for deer on Prince of Wales, and we need to act accordingly.

The Council also pointed to the Unit 2 deer population's lack of response to mild winters as evidence of a developing conservation concern. Council member Cal Casipit noted (SERAC 2025):

I think there's an issue there on Prince of Wales, there the deer – it's obvious the deer population is not responding to – looking at this, there should have been a response in the deer population with these two last mild – the two last mild winters. There should have been response in the population to that. There wasn't. I think there's something major going on there…

…Unit 2 is the only unit that doesn't seem to be benefiting from milder winters. Unit 1, Unit 3, Unit 4, there are increases in harvest, and I think it's due to milder winters, bigger population, easier to find the deer. Your harvest goes up. It's -- it seems natural to me. Unit 2 is opposite.

> Even though they had the mild winters, they're still getting the decline in harvest, which to me indicates the population is still declining even though they've got the two mild winters that the other units had. Could be wolves, could be something else, could be habitat – I don't know. Who knows? Whatever it is. The issue is, they're declining. There is a conservation concern.

Throughout their discussion, the Council made it clear that the motivating factor in requesting the special action was the anticipated increase in hunting pressure once Ketchikan residents were able to hunt in Unit 2 under Federal regulations. Council member Cal Casipit, who proposed the request to the Southeast Council, discussed the rationale:

> I didn't propose this lightly and it conflicts me. I'm not concerned about people on – people that live on Unit 2 harvesting does. I think that's completely logical and makes complete sense. Customary traditional use that – I don't argue that. I think that's valid. And I think all things being equal, if we weren't dealing with this huge potential new number of subsistence users showing up on the island, and if that wasn't happening, I wouldn't be proposing this. I'm concerned about a couple thousand people from Ketchikan who don't necessarily have that customary and traditional way of doing things. Showing up on the island and harvesting thousands, you know, a thousand does. I just – that worries me because I know. The KIC portion of Ketchikan is so much smaller than the rest of Ketchikan. And it isn't just – yeah. There's just going to be a whole bunch of users show up that don't have that traditional customary way of doing things, and that worries me. And I'm worried for the population of deer because of it.

Discussion and Effects

If approved, WSA25-02 would eliminate the Federal doe hunt in Unit 2 for the 2025/2026 season. This provision would only take effect if the rural designation for Ketchikan is in effect before the end of the 2025/26 Unit 2 deer hunting season. While the Federal deer hunt opens on July 24, the doe hunt does not open until October 15. Adopting this request decreases subsistence opportunity and food security. Some subsistence users may not be able to legally harvest a deer, especially those without the time, resources, or skill needed to harvest a buck instead of a doe. As the estimated number of does currently harvested in Unit 2 is relatively small, the overall harvest of deer in Unit 2 would not change significantly. Similarly, there would be relatively little change in the overall population and productivity of deer in Unit 2, which is likely limited more by habitat-related density dependence than doe fecundity.

However, the Unit 2 harvest data are generally considered to underestimate the actual amount of harvest taking place there, which is likely much higher due to the estimated amount of unreported and illegal harvest taking place. Radio collar studies (Farmer 2006, Gilbert 2015) recorded multiple incidences of legal and illegal harvest of does, suggesting that hunting mortality is higher than indicated by harvest reporting data. Closing the doe season may reduce illegal harvest somewhat, but this regulation change may not conserve Unit 2 deer populations, as illegal harvest of does would likely continue to some degree without enhanced enforcement, especially as some FQSUs may still harvest a doe out of necessity to feed their families.

The impacts of adopting WSA25-02 are contingent upon action on WSA25-01 and WSA25-03, which will determine the user group affected by closure of the doe season. The Southeast Council has also requested via WSA25-01/03 that deer harvest in Unit 2 be closed to NFQUs, and that an §804 prioritization be conducted among FQSUs. If those requests are approved, and harvest of deer is limited to residents of Unit 2, then the doe harvest restriction will only affect Unit 2 residents. In that case, this special action will eliminate the opportunity for Unit 2 residents to harvest does for the 2025/26 season, while providing inconsequential conservation benefits.

WSA25-02 will have a greater effect if Ketchikan residents are included as eligible to hunt deer in Unit 2 in a §804 restriction via WSA25-03, or if WSA25-03 is rejected. In that case, a restriction on doe harvest may reduce the impacts of the addition of a large number of FQSUs on the conservation of a healthy Unit 2 deer population. From 2018 to 2023, an average of 339 Ketchikan residents hunted in Unit 2 each year, harvesting an average of 298 deer per year. However, the number of Ketchikan hunters and harvests is likely to increase if they are eligible to hunt under less restrictive Federal regulations and under a longer season. Indeed, before the harvest limit restrictions were implemented in 2018, an average of 631 Ketchikan hunters harvested an average of 783 deer per year from Unit 2.

If the number of Ketchikan residents hunting in Unit 2 remains unchanged from 2018-2023 levels, and they harvest does at a rate similar to that reported by Unit 2 residents (about 2-3% of the total harvest), an additional harvest of about 6-9 does per year can be expected (2-3% of 298 deer). If the number of Ketchikan residents increases to pre-2018 levels, an additional harvest of about 16-23 does per year can be expected (2-3% of 783 deer). However, these are a minimum estimates. Incorporating other factors such as increased hunting effort from Ketchikan residents, additional illegal and unreported harvest, and the possibility that Ketchikan residents might harvest does at a higher rate, the expected number of does actually harvested may be substantially higher than recently reported rates. Even so, doe harvest is unlikely to exceed 100 does per year. While this level of doe harvest may not create a conservation concern on its own, it could reduce the productivity of the Unit 2 deer population, further contributing to the seeming decline in abundance.

However, as previously stated, the Unit 2 deer population is likely limited by habitat-related density dependence and other factors such as predation and winter severity. The carrying capacity for deer on POWI has declined significantly due to logging, and small amounts of doe harvest is likely compensatory mortality. Southeast Council members also expressed concern over the age structure of the Unit 2 deer population, and limited doe harvest may deflect some harvest from large bucks.

OSM CONCLUSION

Oppose WSA25-02.

Justification

The intent of the requested special action is to prevent or mitigate a conservation concern based on an expected increase in doe harvest when Ketchikan residents are able to hunt deer in Unit 2 under Federal regulations. However, the number of does that Ketchikan residents are expected to harvest is relatively low, and the Unit 2 deer population is likely limited more by habitat loss and predation than by doe

survival and productivity. The proposed special action would also prevent Unit 2 residents from harvesting does, which would eliminate an important, customary and traditional opportunity for POWI residents and contribute to food insecurity.

In the submitted request, the Southeast Council states that "eliminating doe harvest may hurt POWI subsistence users whose subsistence needs for deer are already not being met, [but] regulatory mechanisms do not currently allow for doe harvest by only a subset of subsistence users." However, if WSA25-03 is adopted as modified by OSM, a regulatory mechanism will be in place to limit doe harvest to Unit 2 residents.

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INTERAGENCY STAFF COMMITTEE COMMENT

The Interagency Staff Committee will be providing its comments and recommendations in a separately.

ALASKA DEPARTMENT OF FISH AND GAME COMMENT

THE STATE of ALASKA
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Alaska Department of Fish and Game Comments
On Wildlife Special Action WSA25-02

Wildlife Special Action WSA25-02
This special action would close the Sitka black-tail deer doe hunt on federal public lands in Game Management Unit (GMU) 2 for Regulatory Year (RY) 2025, pending whether the final rule establishing Ketchikan as a rural community is published before the end of the RY 2025 deer season in Unit 2.

Position
The Alaska Department of Fish & Game (ADF&G) **SUPPORTS** eliminating the doe season in GMU 2 regardless of Ketchikan's rural status taking effect. Hunters in GMU 2 are concerned about the increase in time that it takes to harvest a deer and have submitted multiple proposals to eliminate the doe season during past Federal Subsistence Board (FSB) meetings. For many years GMU 2 residents have urged the FSB to eliminate the doe harvest, yet the FSB has not acted, despite the growing effort required by hunters to harvest deer. Removing the doe harvest would increase deer recruitment and help to increase deer available for harvest. Closure of the GMU 2 doe season, while limiting resident harvest opportunity in the short-term, is expected to result in an overall higher abundance of deer, and therefore increased deer harvest opportunity in the years following the closure.

During the public hearing, ADF&G heard from members of the Southeast Alaska Regional Advisory Council (SERAC) that WSA25-02 cannot be acted upon until all NFQU hunting opportunities are eliminated because of language found in ANILCA. ADF&G understood the comments to mean that the language under Section 804, ". . .the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes," should be interpreted this way. However, that is not a correct understanding of ANILCA. Section 804 is a general statement that gives a priority to subsistence uses under certain criteria. The rest of Section 804 explains how and when the subsistence priority is to be implemented: "Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented . . ." as described. Further, Section 815 explains that nothing in Title VIII "shall be construed as - . . . authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on the public lands" except as expressly provided. Federally qualified users who hunt in

GMU 2 already have multiple instances in which they have priority over NFQUs including three more deer in the bag limit, the opportunity to harvest a doe, an extended early season, an extended late season, and a portion of the Unit being closed to FQUs. If the FSB finds that FQUs need to be restricted, the FSB can do so – and has done so - under Title 8 of ANILCA without first prohibiting all opportunities for NFQUs. The FSB has taken similar action in other regions of the state to restrict FQU harvest without executing a complete closure to NFQUs.

Background

The intensive management harvest objective of 2,700 deer established by ADF&G for GMU 2 starting in RY 2000 – although GMU 2 deer harvest was above this objective from 2005 to 2016, harvest has remained below this objective since RY 2017 (Table 1). Conversations with hunters from GMU 2 suggest that harvest opportunity for and access to deer have become more difficult due to a perceived smaller population, and access issues related to logging and forest stand succession. Deer populations are difficult to measure directly via aerial surveys or other methods, so ADF&G uses "catch per unit effort" (CPUE) of deer hunters, measured as the average number of days hunted to harvest a deer, as an index of abundance for the population. However, CPUE is not a direct measure of the deer population size, and multiple other factors may be influencing CPUE, such as hunter access (discussed below). CPUE data indicates that hunters have, on average, been spending an increased amount of time hunting to harvest deer (Fig. 2, Table 1). The average CPUE for deer in GMU 2 from RY 2005 to RY 2016, when harvest was above the intensive management harvest objective, was 3.45 days hunted per deer harvested – conversely, from RY 2017 to RY 2024 when harvest was below this objective, the average CPUE was 4.8 days hunted per deer harvested (Table 1). However, it is unrealistic to expect sustained levels of record harvest that far exceed the intensive management harvest objective that were experienced from ~RY 2008 to RY 2016. In addition, there are fewer hunters, and fewer deer harvested per hunter (Table 1), which also contributes to the decline in harvest. We interpret that the combination of these factors suggests that the Sitka black-tail deer population in GMU 2 has only slightly declined from the higher levels observed a decade ago, yet similar to two decades prior.

Table 1. Deer harvest for Game Management Unit 2 in Southeast Alaska for regulatory years 2000–2024. Displayed information includes the number of hunters, the total number of days hunted across all hunters, the number of bucks and does harvested, the percent of harvest attributed to does, total deer harvest, the average number of days hunters spent to harvest each individual deer, and the number of deer harvested per hunter. Averages for 2000 – 2004, 2005–2016, and for 2017 – 2024, are also displayed to show changes in harvest through time.

Regulatory Year	Hunters	Days Hunted	Bucks	Does	% Does	Total Harvest	Days per Deer	Deer/Hunter
2000	1506	10108	1950	55	2.74	2005	5.04	1.33
2001	1926	12050	2686	126	4.48	2812	4.29	1.46
2002	1828	10336	2055	57	2.70	2112	4.89	1.16
2003	1399	8050	1753	71	3.89	1824	4.41	1.30
2004	1392	6695	2036	73	3.46	2109	3.17	1.52
2005	1815	9066	2601	103	3.81	2704	3.35	1.49
2006	2016	9855	3099	98	3.07	3197	3.08	1.59
2007	2000	10528	2760	88	3.09	2848	3.70	1.42
2008	2113	11064	3185	121	3.66	3306	3.35	1.56
2009	2096	11602	3144	110	3.38	3254	3.57	1.55
2010	2244	11791	3486	92	2.57	3578	3.30	1.59
2011	2222	13091	3640	106	2.82	3746	3.49	1.69
2012	2482	12909	3600	96	2.59	3696	3.49	1.49
2013	2489	12561	3600	77	2.10	3678	3.42	1.48
2014	2725	13949	3812	119	3.02	3931	3.55	1.44
2015	2813	14111	4147	96	2.26	4243	3.33	1.51
2016	2688	13408	3451	84	2.37	3534	3.79	1.31
2017	2261	12651	2354	79	3.25	2433	5.20	1.08
2018	1874	9756	2019	60	2.88	2079	4.69	1.11
2019	1737	8653	1908	45	2.30	1953	4.43	1.12
2020	1686	9783	1807	43	2.32	1850	5.30	1.10
2021	1714	8911	1790	34	1.86	1824	4.90	1.06
2022	1633	8187	1654	38	2.25	1692	4.80	1.00
2023	1599	8270	1571	32	2.00	1603	5.20	1.00
2024	1641	7929	1789	20	1.10	1810	4.38	1.10
Avg: 2000 - 2004	1610.20	9447.80	2096.00	76.40	3.52	2172.40	4.35	1.35
Avg: 2005 - 2016	2308.61	11994.48	3377.10	99.08	2.85	3707.38	3.45	1.51
Avg: 2017 - 2024	1768.11	9267.54	1861.49	43.85	2.30	1905.46	4.86	1.08

Deer habitat has been impacted in GMU 2 from a long history of logging. The historic and ongoing commercial logging legacy on GMU 2 lands has altered deer habitat and hunter access. POW received the most substantial logging activity in the region since 1954, which resulted in a 94% reduction in contiguous high-volume forest. Contiguous forest has been reduced by 77.5% in the northern Prince of Wales (POW)biogeographical region. This logging activity reduced

deer habitat in north central POW by 46% and in south POW by 18%. Logging associated road building in GMU 2 has created the highest density of roads in Southeast Alaska, with approximately 2,500 miles (4,000 km) of drivable roads. The harvest of old-growth forest is expected to impact deer populations in multiple ways. Clearcut logging can result in abundant ground-level forage for deer and other species in the years immediately following the clearcut. Studies show deer tend to select habitats with higher understory growth, providing forage that maintains or improves body condition. However, the initial flush of vegetation is succeeded by a "stem exclusion" phase that is largely unproductive for many species including deer and can last for 150 years or longer. As of 2018, approximately 360,000 acres of old-growth has been harvested on POW, 169,000 acres are currently in stem-exclusion stage and another 115,000 acres are close to this stage. Additionally, old-growth forests are important deer wintering habitat. Deer seek refuge from deep snow by occupying uneven-aged old-growth forests, which intercept falling snow in the canopy and retain important ground-level forage. Furthermore, snow depth has been shown to be a primary factor influencing deer population size in Southeast Alaska, where years with deep snow that persists into spring limit forage availability and result in deer winter mortality. Studies have demonstrated that deer densities in managed lands logged >30 years ago support 7 deer/km^2 compared to unmanaged land with 12 deer/km^2. Removing important deer wintering habitat has a negative long-term impact on local deer populations and may have contributed to the reduced measures of the deer population observed in recent years.

To address the habitat issues there is a collaborative effort amongst state and federal agencies, landowners, non-government organizations and individuals to improve deer habitat in GMU 2 and across Southeast Alaska. The Southeast Alaska Habitat Enhancement and Restoration for Deer Stewardship (HERDS) group was formed out of the 2022 Deer Summit on POW to better understand issues surrounding habitat conditions and the deer population. Its goal is to support collaborative, landscape-level conservation and restoration of Sitka black-tailed deer habitat by informing wildlife and land management decisions and coordinating efforts to benefit local deer populations, hunters, and communities. One issue identified from the Summit was how the increasing amount of second growth entering stem-exclusion is limiting deer populations and hunter access. Recognizing this limiting factor, the then Mule Deer Foundation and now Blacktail Deer Foundation secured funding from the U.S. Forest Service to work on these areas to enhance deer habitat. That work has begun on POW and in other areas within Southeast Alaska.

Logging can impact hunter access in multiple ways. The development of logging roads to access timber harvest units increases hunter access and hunter opportunity. However, once clearcuts are 10–15 years old, hunters tend to avoid clearcuts as they become difficult to travel through and to see deer. Moreover, logging roads become overgrown with time and access decreases. The succession of clearcut forests may be contributing to the increased effort required for GMU 2 hunters to harvest deer, and further impacting indices that biologists use to track deer populations.

Although the proportion of does harvested remains relatively low compared to overall harvest (around 2.5%; Table 1), removing any female deer from the population will reduce the number of reproductively active females contributing to the population. Furthermore, public comments by GMU 2 residents at the Unit 2 Deer Summit in 2022 suggested that actual doe harvest by

GMU 2 residents may be higher than what has been reported. A natural first step for wildlife managers seeking to increase deer populations is to close female harvest seasons with the goal of increasing the number of reproductively active females that can contribute to the population. By closing the doe season, it is expected that there will be more reproductively active females producing fawns, which is in turn expected to result in population growth and eventually greater harvest opportunity.

Part of the justification for this proposed closure is based on the thought that "thousands" of Ketchikan residents would hunt in GMU 2 once Ketchikan is recognized as a rural community. The most Ketchikan residents that hunted in GMU 2 during a regulatory year was in RY 2015 when 784 Ketchikan hunters pursued deer in GMU 2. Recently, GMU 1A hunters have had increased harvest success. In RY 2024, GMU 1A hunters experienced the highest level of deer harvest ever recorded (1085 deer) and a low average number of days to harvest a deer (3.11 days per deer) in subunit 1A. Relatively few people in GMU 1A harvest more than 2 deer suggesting few hunters have the need to travel to GMU 2 for additional deer. These trends suggest that deer populations in GMU 1A are robust and provide Ketchikan residents with ample opportunity for deer harvest within their home unit. It seems unlikely that "thousands" of Ketchikan residents will look to hunt deer in GMU 2, where CPUE is higher and deer populations are thought to be lower, when total harvest and harvest effort have been more favorable in GMU 1A.

Currently, there are multiple proposals submitted asking the FSB to remove the GMU 2 doe season. This is a continuation of proposals drafted by GMU 2 residents to remove the doe season, such as WP20-03 submitted by the East Prince of Wales Advisory Committee to the FSB for the 2020–2022 season. Residents of GMU 2 commonly asked for the removal of the doe season in the comments section of hunt reports submitted to ADF&G in the 1990s, and ADF&G is starting to see this again, along with direct comments over the phone and in person. There are signs posted on message boards in GMU 2 urging residents to avoid harvesting does. Despite the clear opposition of many GMU 2 residents to the continuation of a doe hunt, the FSB has not taken action to remove it. The state removed the doe harvest in GMU 2 in RY1978 in an effort maximize the bucks available for harvest. Aligning the state and federal regulations by removing the doe harvest should increase recruitment, simplify regulations, and follows through on a request from hunters.

Impact on Federally Qualified Users

If adopted, this closure would limit the ability of FQUs to harvest female deer. However, the overall bag limit for subsistence users in GMUs 1–5 to harvest deer in GMU 2, as the total bag limit would remain at 5 deer and would be changed to be male-only.

The anticipated long-term benefits of closing the doe season are expected to outweigh the immediate reduction in harvest opportunity by increasing the deer population, resulting in larger deer populations and greater opportunity for subsistence and non-subsistence users to harvest deer in GMU 2.

Impact on Other Users

If adopted, this closure would have no impact on non-subsistence users. Currently, only Alaska residents of rural communities from GMUs 1–5 are allowed to harvest does in GMU 2. Residents of non-rural communities, as well as non-residents, are unable to harvest does in GMU 2.

Opportunity Provided by State

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

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

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

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

Conservation Issues

If adopted, this closure is not anticipated to result in any conservation issues. The closure of the doe season in GMU 2 is expected to contribute to increasing the overall deer population through time.

Enforcement Issues

If adopted, this closure is not anticipated to result in enforcement issues, and changes to the federal subsistence regulations should be communicated to Alaska residents of GMUs 1–5 hunting in GMU 2 to avoid confusion and illegal harvest. Changing the bag limit to "5 bucks" may cause some confusion if hunters attempt to take deer they identified as male, but that have shed their antlers. Bucks tend to shed their antlers in late December and January, so ADF&G suggests changing the language of the proposed regulation to "5 antlered deer," or to restrict the season to end on December 31st.