

STATE OF ALASKA

SEAN PARNELL, GOVERNOR


DEPARTMENT OF FISH AND GAME

DIVISION OF WILDLIFE CONSERVATION

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TO: Alaska Board of Game Members

THRU: Kristy Tibbles, Executive Director, Boards Support

FROM: Dale Rabe, Deputy Director, Wildlife Conservation 

DATE: August 25, 2011

SUBJECT: Request Emergency Board Meeting to address Black Bear regulation in GMU 3

The Alaska Department of Fish and Game (department) has reviewed the request from Ann-Marie Parker to reconsider the regulation passed by the Board of Game during its November 2010 meeting in Ketchikan. That proposal (# 26 in the Board's meeting book) modified the controlled use area (CUA) for fall black bear hunting in GMU 3. The petitioner has indicated that the intent of the proposal that was before the Board and passed in 2010 is not consistent with the regulation that was ultimately codified and implemented. In researching this allegation, the department has confirmed that the analysis and recommendation presented by the department to the Board at the November 2010 meeting was not consistent with the wording in the proposal under consideration. The reason for this has been traced back to conversations between department staff and constituents leading up to the November 2010 Board meeting. Those conversations focused on excluding from the existing CUA those "islands" not serviced by the Alaska Marine highway System. In particular, a constituent was interested in using a motorized vehicle to hunt fall black bears on Kuiu Island. However, when the proposal was eventually submitted, the wording (and intent) had changed from excluding certain "islands" to excluding certain "road systems" from the CUA. In two of three instances (Wrangell and Mitkof islands), which have single island-wide road systems, the change in wording is inconsequential. However, in the case of Kupreanof Island, which has three independent road systems, two of which are isolated from the ferry system, the change in wording had noteworthy implications. The effect of the proposal (as written and appeared in the 2010 Board book) would have retained the CUA on that portion of the Kupreanof road system originating in Kake, while excluding from the CUA the Tonka and Portage Bay road systems, which do not have direct ferry access.

The department's original failure to accurately interpret and evaluate proposal 26 (as submitted) went undetected during several pre-Board reviews, and the error persisted through the Board's deliberations. As a result, the department presentation to the Board prior to deliberations on Proposal 26 inaccurately evaluated excluding "islands serviced by the ferry system" from the CUA, rather than excluding "road systems serviced by the ferry system." Had it been the intent of the department to replace "road systems" with "islands," such a change would have required a recommendation to amend and adopt the proposal. This did not occur.

In reassessing the proposal, and with an understanding of the original intent to exclude from the CUA "road systems serviced by the ferry service," the department sees no reason not to support this action. The original intent of the CUA implemented in 2009 was to address growing conservation concerns for black bears in Unit 2, with its extensive road system and connection to the ferry system. Extension of the CUA to Unit 3 was included as a measure to prevent the possible "domino" effect, or shifting of hunting effort from Unit 2 to Unit 3, largely facilitated by access provided by the ferry system.

If the proposal as written is now adopted, the department anticipates little additional bear harvest in the affected area, which would include two logging road systems on Lindenburg Peninsula (the Portage Bay and Tonka road systems) on the northeast corner of Kupreanof Island. Based on historic data, the department anticipates less than 10 additional bears being harvested if the regulation is changed to its original intent (as described in proposal 26). This does not raise any conservation concerns for the department, especially given the actions taken by the Board in November 2010 to implement a drawing permit hunt for unguided nonresident black bear hunters beginning in fall 2012. Furthermore, the CUA is scheduled to sunset on June 30, 2012, so the regulation would only apply for the fall 2011 season.