

PROPOSAL 2

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Prohibit the take of deer between civil twilight of sunset until civil twilight of sunrise the following day in Units 1-5 as follows:

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

5AAC 92.085 Unlawful methods of taking big game.

Add the following unlawful method of taking deer: In Game Management Units 1-5, its unlawful to take any deer from civil twilight of sunset until civil twilight of sunrise the following day.

What is the issue you would like the board to address and why?

In Southeast Alaska (SE AK), it's currently unlawful to take a big 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 AK 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.

For example, a person will drive a truck down a road on Prince of Wales Island. with a large LED light bar, then after they spot a deer to shoot near the road illuminated in the light, they will turn off the light just prior to shooting the deer.

In the Prince of Wales court system, judges and juries are having an issue with "take with artificial light". If the lights are shut off just prior to the person pulling the trigger, are they actually guilty? Some believe the person is not guilty and the defendant is getting away with it.

Currently, Alaska doesn't have shooting hours like many lower 48 states but this proposal would implement hard shooting hours to prevent these spotlight users.

A new issue in SE AK is the recent passage of the statewide regulation allowing furbearers to be taken with the aid of electronic night vision or forward-looking infrared devices. This complicates things for enforcement and gives an advantage for those who do not follow the principles of ethical hunting. These types of hunters can now immediately pursue big game under complete darkness and use the excuse they are only hunting furbearers.

The best solution is to pass a regulation for shooting hours in Units 1-5 for taking deer.

After discussions with SE AK Wildlife Troopers, research, and by experimenting, we recommend using civil twilight shooting hours for SE Alaska since our twilights hours are extended because we are further north than others states

Civil Twilight begins in the morning or ends in the evening when the geometric center of the sun is six degrees below the horizon. Therefore, morning civil twilight begins when the geometric center of the sun is six degrees below the horizon.

Civil twilight starts quite a bit earlier than the standard lower 48 shooting times of 30 minutes prior to sunrise and ends quite a bit later than the standard 30 minutes after sunset.

There are civil twilight shooting tables available online and it would be easy enough to publish the civil twilight shooting hours for SE AK. 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 definition of 30 min before sunrise to 30 min after sunrise but the civil twilight definition best fits Alaska because we are further north and our twilight lasts longer than other states.

A quick internet search revealed over 50 available apps showing civil twilight hours. A person 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 with concerns will understand after they experiment by trial that they don't need to bother looking up shooting hours because it's just too dark to hunt after civil twilight.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (OI-F25-047)
