

## **Proposal 199**

### **5 AAC 85.045. Hunting seasons and bag limits for moose.**

Close a portion of western Unit 20B to nonresident moose hunters as follows:

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

Close the portion of Unit 20(B) outside the Fairbanks Nonsubsistence Area and outside the Minto Flats Management Area to nonresident moose hunters. In regulation, this area could be described as that portion of Unit 20(B) west of a line beginning at the Unit 20(A) / Unit 20(B) boundary at 64° 38.423 N. lat., 148° 38.921 W. long., north to 65° 12.586 N. lat., 148° 38.921 W. long., and that portion north of the line from 65° 12.586 N. lat., 148° 38.921 W. long., to the Unit 20(B) / Unit 25(C) boundary at 65° 12.586 N. lat., 148° 1.544 W. long.

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

The portion of Unit 20B outside the Fairbanks Nonsubsistence Area (FNSA) is split into 2 areas in 5 AAC 99.025 for moose, each with a positive customary and traditional use finding. The first area is that portion within the Minto Flats Management Area (MFMA), which has an amount reasonably necessary for subsistence uses (ANS) of 20–40 moose. The second area is that portion outside of the MFMA; this area has an ANS of 75–100 moose. The moose population within this second portion of Unit 20B decreased by approximately 48% between fall 2020 when the department estimated it at 2,386 moose (90% confidence interval 1,841–2,391) and 2023 when the department estimated it at 1,239 moose (90% confidence interval 827–1,651). This decrease was likely mostly due to the hard winter during 2021–2022. Following this decline, harvestable surplus (4% of the midpoint population estimate) was estimated at 50 bulls, which is below the ANS of 75–100 moose.

5 AAC 99.025 (c)(1) states that ANS includes the total amount of animals from a population that must be available for subsistence hunting in order to provide a reasonable opportunity for subsistence users hunting under State and Federal subsistence regulations. Furthermore, Alaska Statute 16.05.258(b)(4) states that if the harvestable portion of a population is not sufficient to provide a reasonable opportunity for subsistence uses, the appropriate board shall adopt regulations eliminating consumptive uses, other than subsistence uses. Therefore, since the estimated harvestable surplus is below the ANS in this portion of Unit 20B, and thus reasonable opportunity for subsistence uses is not being provided, eliminating nonresident moose hunting opportunity must be considered by the Board of Game since nonresident moose hunters are not subsistence users.

Moose management, as it relates to the ANS determinations, is complicated in western Unit 20B because the portion of Unit 20B outside the FNSA and outside the MFMA surrounds the MFMA

and is discontinuous in area. This regulatory structure (separate ANS determinations for each area) does not reflect the biological reality that moose from the same population move in and out of the MFMA and therefore between the areas with separate ANSs. In addition, because the area outside the MFMA does not follow drainages and includes disconnected polygons, hunting regulations created specific to this area are likely to be challenging to implement and for hunters to interpret.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F26-037)

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