

# Statewide Regulations

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38. Modify the falconry regulations and the Alaska Falconry Manual to meet the federal standards for certification by the USF&WS.
39. Modify the state falconry regulations and the Alaska Falconry Manual to comply with new federal falconry standards.
40. Allow nonresident falconers to capture raptors in Alaska.
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43. Review and modify nuisance beaver permits to allow beaver flow devices.
44. Modify the ADF&G discretionary authority for Governor's tags.

### **Sale of Big Game, Big Game Trophies**

45. Align state regulations on subsistence bartering with statutory authority.
46. Allow the sale of big game trophies.
47. Allow the sale of trophies acquired through legal action such as divorces.
48. Prohibit the sale of bear parts harvested on National Park Service lands.
49. Require logbooks for taxidermists and provide authority to the Alaska Wildlife Troopers to inspect taxidermy paperwork.

### **Discretionary Permit Conditions**

50. Review and potentially repeal discretionary hunt conditions and procedures applied to permit hunts across the state
51. Allow ADF&G to require the latitude and longitude of kill locations on a harvest report for drawing and registration hunts.
52. Clarify ADF&G discretionary authority to require antler locking tags for certain permit hunts.

### **Archery, Crossbow Regulations**

53. Establish statewide standards for crossbow equipment used to take big game.
54. Expand the definition of bow to include crossbows.
55. Create a regulatory definition for crossbow.
56. Adopt crossbow standards and allow disabled hunters to use crossbows in archery hunts
57. Allow archers to use mechanical/retractable broadheads for all big game.
58. Allow archers to use mechanical/retractable broadheads for all big game
59. Require the use of a lightednock on arrow for moose and bear hunting

60. Clarify legal type of compound bow.
61. Modify the requirement for legal bow:

### **Permits, Permit Allocations**

62. Restrict the number of drawing permits a resident may apply for.
63. Increase the number of drawing permits for each species that a person may apply for.
64. Limit drawing permits to only two permits per year
65. Limit drawing permit winners to only two permits per year.
66. Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters.
67. Limit drawing permits to 10 percent for nonresidents, no nonresident permits if less than 10 permits available.
68. Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters
69. Establish bonus point/preference system for draw hunts.
70. Allow nonresident deployed military personnel to defer drawing permits.

### **Statewide Big Game Seasons**

71. Open resident seasons one week before nonresident seasons in all intensive management areas.
72. Open big game general seasons seven days earlier for residents, five days earlier in drawing hunts.
73. Open all big game seasons one week earlier for residents than nonresidents.
74. Open all big game seasons one week earlier for residents than nonresidents.
75. Open early youth hunt for all big game, ten days before other seasons; require hunter education.
76. Open early youth hunt (10-17 years) for all big game statewide and require accompanying adult to forfeit bag limit.
77. Require hunters to use only one type of method; either firearm or bow; require a tag.

### **Statewide Sheep Seasons and Permit Allocations**

78. Open resident sheep seasons seven days earlier than nonresident seasons.
79. Open resident seasons one week before nonresident seasons for Dall sheep hunting.
80. Change the nonresident season and amount of permits available.
81. Allow an earlier Dall sheep hunting season for residents.
82. Begin the resident sheep season seven days earlier than nonresidents.
83. Begin the resident sheep seasons ten days earlier than nonresident seasons.
84. Open resident sheep seasons five days earlier than nonresident seasons.
85. Begin resident Dall sheep seasons five days earlier.
86. Begin the youth hunting season for Dall Sheep five days earlier than residents.

87. Convert all nonresident sheep seasons to drawing permit hunts and limit to 5 percent of total permits.
88. Convert all nonresident sheep seasons to drawing permit and limit to 10 percent of total permits
89. Convert all sheep hunts to drawing only, 90% for residents.
90. Allocate two percent of all sheep drawing permits to nonresidents, close nonresident season if harvestable surplus is less than 50.
91. Nonresident next of kin sheep tags come out of the resident pool in Units where there are a limited number of nonresident sheep tags.

### **Statewide Other Game Seasons**

92. Allow only the use of traps and snares for taking wolf and wolverine. Prohibit the use of firearms except for dispatching trapped animals.
93. Allow only the use of traps and snares for taking wolf and wolverine on National Park Service lands and prohibit the use of firearms except for dispatching trapped animals.
94. Prohibit the taking of wolf, fox, wolverine, or coyote during May, June and July on National Park Service lands.
95. Open several management areas to the taking of small game by the use of falconry.
96. Open areas to archery hunting, if shotguns are allowed.

### **Methods and Means**

97. Prohibit the use of artificial light for taking game on all lands managed by the National Park Service.
98. Prohibit the use of hand held electronics in taking game.
99. Hunters using a licensed transporter cannot harvest an animal on the same day being transported.
100. Allow the use of laser sight, electronically-enhanced night vision scope, or artificial light for taking coyotes.
101. Allow same day airborne taking of coyotes statewide.
102. Prohibit the use of pack animals other than horses while hunting goat or sheep.
103. Prohibit the use of felt soled wading boots while hunting game.
104. Prohibit the use of deer or elk urine for use in taking game.

### **Sealing and Bag Limits**

105. Clarify the definition of wounded as it applies to the restrictions to bag limits.
106. Count wounded muskox, bison, sheep and goat that are not recovered as bag limit.
107. Eliminate the statewide bag limit for black bear.
108. Prohibit the harvest of cubs and sows accompanied by cubs on National Park Service (NPS) lands.
109. Clarify and remove complicated and restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting.

### **Evidence of Sex, Transfer & Possession**

- 110. Require the hunter to keep sex attached to the meat if it (the skull) needs to be sealed.
- 111. Clarify the sex organs, or portions of, that must remain attached for proof of sex.
- 112. Eliminate the evidence of sex regulation.
- 113. Remove the reference to federal agent under the transfer and possession regulation.

### **Black Bear Baiting**

- 114. Allow black bear to be taken same day airborne within 1/4 mile of bait station.
- 115. Eliminate the personally accompany requirement for guides using bait stations and require a guide-client agreement.
- 116. In addition to the 10 bait sites in total, guides and assistant guides may also have two personal sites each; guides and assistant guides may hunt all sites for personal use without guide client agreements.
- 117. Remove the requirement for guides to personally accompany resident clients at a black bear bait station.
- 118. Clarify and modify the permit for hunting black bear with the use of bait and scent lures
- 119. Establish a codified location for permitted black bear bait stations and establish seasons for all of Alaska.
- 120. Eliminate black bear baiting as a method requiring a predator control permit in predator control areas.
- 121. Prohibit black bear baiting on all National Park Service lands.
- 122. Allow the use of scent lures for black bear baiting while floating.
- 123. Allow the use of scent lures for black bear baiting while floating.

### **Trapping**

- 124. Require trap identification for all Units on lands managed by the National Park Service.
- 125. Require a 72 hour trap check for all traps and snares set on National Park Service lands.
- 126. Prohibit the trapping of black bears in all National Park Service managed lands.
- 127. Prohibit the taking of a black bear by trap or snare.
- 128. Establish a tag and fee to allow trappers to retain incidental catch.

### **Intensive Management**

- 129. Clarifies responsibilities of Department of Fish and Game commissioner.
- 130. Authorizes a predator control program in Unit 26(B).
- 131. Authorize a brown bear control program in Unit 19A.

### **Miscellaneous**

- 132. Modify the Agenda Change Request Policy.

**ALASKA BOARD OF GAME**  
**Statewide Regulations, Cycle B Schedule**  
**January 13 – 17, 2012**  
**Anchorage Hilton Hotel**  
**Anchorage, Alaska**

**~TENTATIVE AGENDA~**

**NOTE: This Tentative Agenda is subject to change throughout the course of the meeting.** This Tentative Agenda is provided to give a general idea of the board's anticipated schedule. The board will attempt to hold to this schedule; however, the board is not constrained by this Tentative Agenda. Persons wishing to testify must sign-up by the deadline. Public testimony will continue until those present at the meeting are heard; the board will continue working through its agenda immediately upon conclusion of public testimony. The following time blocks are only an estimate.

**Friday, January 13, 8:30 AM**

OPENING BUSINESS

Call to Order

Introductions of Board Members and Staff

Board Member Ethics Disclosures

Purpose of Meeting (overview)

STAFF AND OTHER REPORTS

PUBLIC AND ADVISORY COMMITTEE TESTIMONY (upon conclusion of staff reports)

**THE DEADLINE FOR SIGN-UP TO TESTIFY will be announced at the meeting.** Public testimony will continue until persons who have signed up before the deadline and who are present when called by the Chairman to testify, are heard.

**Saturday, January 14, 8:30 AM**

PUBLIC AND ADVISORY COMMITTEE TESTIMONY Continued

BOARD DELIBERATIONS (Upon conclusion of public testimony)

**Sunday, January 15 – Tuesday, January 17, 8:30 AM**

BOARD DELIBERATIONS Continued

MISCELLANEOUS BUSINESS, including petitions, findings and policies, letters, and other business (Upon conclusion of deliberations)

ADJOURN

**Special Notes**

- E. This agenda is TENTATIVE and subject to change during the meeting. A list of staff reports and a roadmap will be available at the meeting. Scheduled updates will be available on the Board of Game website.
- F. Meeting materials are available through the website at: [www.boardofgame.adfg.alaska.gov](http://www.boardofgame.adfg.alaska.gov) or by contacting the ADF&G Boards Support Office in Juneau at 465-4110.
- G. A live audio stream for the meeting is intended to be available at: [www.boardofgame.adfg.alaska.gov](http://www.boardofgame.adfg.alaska.gov)
- H. The State of Alaska Department of Fish and Game complies with Title II of the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this hearing and public meeting should contact 465-4110 no later than December 30, 2011 to make any necessary arrangements.



# Falconry, Other Permits

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**PROPOSAL 38 - 5 AAC 92.037. Permits for falconry.** Modify the falconry regulations and the Alaska Falconry Manual to meet federal standards for certification by the USF&WS as follows:

In consultation with the Department of Fish and Game, the Alaska Falconers Association drafted and have copied below the text of a new 5 AAC 92.037 which adopts many of the changes made at the federal level and, we believe, meets federal standards for certification by the USF&WS.

Again, with the help of the department, we have also drafted a new *Alaska Falconry Manual No. 9* to replace existing *Alaska Falconry Manual No. 8*. This new manual has been provided to the Boards Support Section in both “clean” and “track changes” versions. We propose the Board adopt *Alaska Falconry Manual No. 9* by reference in the new 5 AAC 92.037. A summary of changes from *Alaska Falconry Manual No. 8* – if thirteen pages containing 85 items can be considered a summary – is included inside the front cover of our draft *Alaska Falconry Manual No. 9*.

Our proposal changes state falconry regulations to become compliant with new federal falconry standards. This proposal eliminates the existing jointly issued federal-state permit and replaces it with a state-only permit, and amends existing state regulations regarding take, import/export, facilities, conservation education, rehabilitation, captive propagation, and other aspects of falconry. This proposal adopts the expanded federal list of bird species legally available to falconers, restricting that list to those species occurring naturally in Alaska, along with five species not indigenous to Alaska but in common use by falconers in the Lower 48 states and readily available from both wild sources and captive propagators.

## **5 AAC 92.037. Permit for falconry.**

(a) A permit [JOINTLY] issued by the department [AND THE UNITED STATES FISH AND WILDLIFE SERVICE] and a valid, current Alaska hunting license is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the *Alaska Falconry Manual No. 9* [8], dated July 1, 2012 [04]; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (f) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

(b) A person may not permanently export a raptor taken from the wild in this state unless the person has legally possessed that raptor, under an Alaska falconry permit, in this state for at least one year. Prior written approval of the commissioner is required before a raptor may be exported from or imported into this state, except as follows:

(1) a raptor legally possessed by an Alaska falconer may be temporarily exported from this state for a period not to exceed 12 months;

(2) an individual with a **valid, current** permit for falconry in another state or province may temporarily import a raptor, and use it for falconry under the terms of a temporary permit issued by the commissioner; an individual moving into this state may import a **species listed as a falconry** raptor under authority of a temporary permit, but **must apply for a falconry permit in this state within 30 days after the raptor arrives in this state. Upon approval of the falconry permit, the permit becomes valid with a hunting license. Conditions for the import of the raptor shall be determined by the department as specified in the *Alaska Falconry Manual*.**

(c) A falconer is liable for the actions of the raptor with respect to seasons, bag limits, and other applicable regulations. If a falconry bird takes game that may not be taken under established regulations, the falconer must leave the dead game where it lies, except that the raptor may feed upon the game before leaving the kill site.

(d) The commissioner may impose additional permit conditions as necessary.

[(E) THE FOLLOWING PROCEDURES AND CONDITIONS APPLY TO THE APPLICATION FOR AND ISSUANCE OF AMERICAN PEREGRINE FALCON AND ARCTIC PEREGRINE FALCON CAPTURE PERMITS (CAPTURE PERMITS) AND TO THE TAKING OF AMERICAN AND ARCTIC PEREGRINE FALCONS FOR THE PRACTICE OF FALCONRY:

(1) AN APPLICANT, WHO MUST POSSESS EITHER AN ALASKA MASTER CLASS FALCONRY PERMIT OR AN ALASKA GENERAL CLASS FALCONRY PERMIT WITH MORE THAN TWO YEARS OF EXPERIENCE IN THE PRACTICE OF FALCONRY AT THE GENERAL CLASS LEVEL, SHALL SUBMIT A COMPLETED APPLICATION ON A FORM PROVIDED BY THE DEPARTMENT;

(2) A PERSON MAY NOT SUBMIT MORE THAN ONE APPLICATION NOR RECEIVE MORE THAN ONE CAPTURE PERMIT DURING A CALENDAR YEAR;

(3) THE TOTAL NUMBER OF CAPTURE PERMITS ISSUED ANNUALLY BY THE DEPARTMENT WILL NOT EXCEED SIX, AND THE TOTAL NUMBER OF CAPTURE PERMITS ISSUED ANNUALLY BY THE DEPARTMENT FOR THE SAGAVANIRK TOK AND TANANA RIVERS WILL NOT EXCEED THREE FOR EACH AREA; CAPTURE PERMITS WILL BE ISSUED TO ALASKA GENERAL CLASS FALCONRY PERMITTEES WITH MORE THAN TWO YEARS OF EXPERIENCE IN THE PRACTICE OF FALCONRY AT THE GENERAL CLASS LEVEL ONLY IF SURPLUS CAPTURE PERMITS ARE AVAILABLE AFTER ISSUING CAPTURE PERMITS TO ALASKA MASTER CLASS FALCONRY PERMITTEES;

(4) IF THE NUMBER OF APPLICATIONS RECEIVED BY THE DEPARTMENT EXCEEDS THE NUMBER OF CAPTURE PERMITS AVAILABLE, THE CAPTURE PERMITS WILL BE ISSUED ON A LOTTERY BASIS USING THE FOLLOWING RANKING CRITERIA:

(A) FIRST - MASTER FALCONERS WITH NO PREVIOUS YEAR CAPTURE PERMIT;



(B) SECOND - MASTER FALCONERS WITH A CAPTURE PERMIT IN A PREVIOUS YEAR;

(C) THIRD - QUALIFIED GENERAL CLASS FALCONERS WITH NO PREVIOUS YEAR CAPTURE PERMIT;

(D) FOURTH - QUALIFIED GENERAL CLASS FALCONERS WITH A CAPTURE PERMIT IN A PREVIOUS YEAR;

(5) FOR THE SAGAVANIRKTOK AND TANANA RIVERS, A CAPTURE PERMIT WILL BE ISSUED FOR EACH OF THE FIRST THREE APPLICATIONS DRAWN UNDER (4) OF THIS SUBSECTION THAT SPECIFIES A PREFERENCE FOR TAKING A PEREGRINE FALCON FROM ONE OF THOSE AREAS;

(6) IF A PERMIT DRAWING IS OVERSUBSCRIBED AND A SURPLUS CAPTURE PERMIT BECOMES AVAILABLE, IT WILL BE ISSUED AS PROVIDED IN (4) AND (5) OF THIS SUBSECTION;

(7) A CAPTURE PERMIT IS NONTRANSFERABLE AND AN AMERICAN OR ARCTIC PEREGRINE FALCON MAY BE TAKEN ONLY BY THE PERSON NAMED ON THE CAPTURE PERMIT;

(8) A PERMITTEE

(A) SHALL NOTIFY THE DEPARTMENT'S FAIRBANKS REGIONAL OFFICE AT LEAST FIVE DAYS BEFORE TAKING AN AMERICAN OR ARCTIC PEREGRINE FALCON AND IDENTIFY THE INTENDED AREA AND TIME OF TAKE;

(B) SHALL, WITHIN FIVE DAYS AFTER TAKING AN AMERICAN OR ARCTIC PEREGRINE FALCON, INFORM THE DEPARTMENT'S FAIRBANKS REGIONAL OFFICE AND THE PERMITTEE'S REGIONAL FALCONRY REPRESENTATIVE OF THE DATE OF TAKING, THE LOCATION OF THE NEST SITE, AND THE NUMBER OF YOUNG IN THE NEST;

(C) SHALL, WITHIN FIVE DAYS AFTER TAKING AN AMERICAN OR ARCTIC PEREGRINE FALCON, INFORM THE DEPARTMENT'S FAIRBANKS REGIONAL OFFICE OF THE LOCATION OF ALL OTHER AMERICAN OR ARCTIC PEREGRINE FALCON NESTS VISITED, THE NUMBER OF YOUNG IN EACH NEST, AND OTHER INFORMATION REQUESTED BY THE DEPARTMENT; AND

(D) SHALL, WITHIN FIVE DAYS AFTER TAKING AN AMERICAN OR ARCTIC PEREGRINE FALCON, TURN IN TO THE PERMITTEE'S REGIONAL FALCONRY REPRESENTATIVE ANY LEG BAND RETRIEVED FROM AN AMERICAN OR ARCTIC PEREGRINE FALCON REMOVED FROM A NEST. ]

(f) In this section, "raptor" means any bird of the following species, **including all subspecies thereof**:

- (1) **turkey vulture (*Cathartes aura*)**;
- (2) **osprey (*Pandion haliaetus*)**;
- (3) **bald eagle (*Haliaeetus leucocephalus*)**;
- (4) **white-tailed eagle (*Haliaeetus albicilla*)**;
- (5) **Steller's sea-eagle (*Haliaeetus pelagicus*)**;
- (6) **northern harrier (*Circus cyaneus*)**;
- (7) **Asiatic sparrow hawk (*Accipiter gularis*)**;
- (8) [(1)] sharp-shinned hawk ( *Accipiter striatus* );
- (9) **Cooper's hawk (*Accipiter cooperii*)**;
- (10) [(2)] northern goshawk ( *Accipiter gentilis*);
- (11) **Harris's hawk (*Parabuteo unicinctus*)**;
- (12) **Swainson's hawk (*Buteo swainsoni*)**;
- (13) [(3)] red-tailed [OR HARLAN'S] hawk ( *Buteo jamaicensis* );
- (14) **ferruginous hawk (*Buteo regalis*)**;
- (15) **rough-legged hawk (*Buteo lagopus*)**;
- (16) [(4)] golden eagle ( *Aquila chrysaetos* );
- (17) **Eurasian kestrel (*Falco tinnunculus*)**;
- (18) [(5)] American kestrel ( *Falco sparverius* );
- (19) [(6)] merlin ( *Falco columbarius* );
- (20) **aplomado falcon (*Falco femoralis*)**;
- (21) [(8)] [AMERICAN] peregrine falcon ( *Falco peregrinus*);
- [(9) ARCTIC PEREGRINE FALCON ( *FALCO PEREGRINUS TUNDRIUS* );
- (10) PEALE'S PEREGRINE FALCON ( *FALCO PEREGRINUS PEALEI* );]
- (22) [(7)] gyrfalcon ( *Falco rusticolus* );
- (23) **prairie falcon (*Falco mexicanus*)**;
- (24) **western screech-owl (*Otus kennicottii*)**;
- (25) [(11)] great horned owl ( *Bubo virginianus* );
- (26) **snowy owl (*Bubo scandiacus*)**;
- (27) **northern hawk-owl (*Surnia ulula*)**;

- (28) northern pygmy-owl (*Glaucidium gnoma*);**  
**(29) barred owl (*Strix varia*);**  
**(30) great gray owl (*Strix nebulosa*);**  
**(31) long-eared owl (*Asio otus*);**  
**(32) short-eared owl (*Asio flammeus*);**  
**(33) boreal owl (*Aegolius funereus*);**  
**(34) northern saw-whet owl (*Aegolius acadicus*); and**  
**(35)** [(12)] a hybrid of the species in this subsection that is produced by a raptor breeder.

**History:** Eff. 7/5/85, Register 95; am 8/12/90, Register 115; am 2/28/96, Register 137; am 3/10/96, Register 137; am 6/8/96, Register 138; am 3/30/2002, Register 161; am 7/1/2004, Register 170; am 12/30/2004, Register 172

**Authority:** [AS 16.05.255](#)  
[AS 16.05.270](#)  
[AS 16.05.920](#)

[EDITOR'S NOTE: A COPY OF THE *ALASKA FALCONRY MANUAL* DESCRIBED IN 5 AAC [92.037\(A\)](#) IS AVAILABLE AT ANY REGIONAL OFFICE OF THE DEPARTMENT IN ANCHORAGE, FAIRBANKS, **PALMER**, NOME, AND DOUGLAS.]

**ISSUE:** In 2008, the U.S. Fish and Wildlife Service (FWS) substantively changed its regulations governing falconry and required the states to promulgate falconry regulations that are the same or stricter than the federal rules. Alaska must be certified by the FWS as meeting the federal standards by January 1, 2014, or falconry will be prohibited. The FWS eliminated the federal permit, but retained oversight responsibility for falconry.

Existing Alaska falconry regulations are largely compliant with the federal regulations. This proposal makes changes to bring Alaska into line with the new federal regulations, both adopting new freedoms and imposing additional restrictions, also largely consistent with existing state regulations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If the State of Alaska is not certified as compliant with federal falconry standards by January 1, 2014, falconry will not be permitted in Alaska.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No. The few falconers in Alaska exert no measurable impact on either wild raptor populations or numbers of the birds and mammals they pursue as quarry.

**WHO IS LIKELY TO BENEFIT?** Falconers will benefit from the continuation of falconry as a legal field sport, a relaxation of existing restrictions on species available and maximum

numbers of birds that may be held, streamlined reporting requirements, and the elimination of a federal permit fee.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** We considered adopting the federal changes wholesale as they were written, but they encompass many aspects of falconry either not applicable to Alaska or in conflict with department policy, Board of Game direction, department policy, or long-standing Alaska regulation. We preferred to custom-fit the new federal standards to the unique Alaska situation and created the new *Alaska Falconry Manual No. 9*.

**PROPOSED BY:** Alaska Falconers Association

**LOG NUMBER:** EG042811343

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**PROPOSAL 39 - 5 AAC 92.037. Permits for falconry.** This proposal changes state falconry regulations to comply with new federal falconry standards, eliminates a joint federal-state permit requirement and replaces it with a state-only permit and makes other adjustments regarding take, import/export, facilities, and other aspects of falconry.

(a) A permit [JOINTLY ISSUED BY THE DEPARTMENT AND THE UNITED STATES FISH AND WILDLIFE SERVICE] **and valid, current Alaska hunting license** is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the *Alaska Falconry Manual No. 9* [8], dated July 1, **2012** [2008]; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (f) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

(b) A person may not permanently export a raptor taken from the wild in this state unless the person has legally possessed that raptor, **under an Alaska falconry permit**, in this state for at least one year. Prior written approval of the commissioner is required before a raptor may be exported from or imported into this state, except as follows:

(1) a raptor **taken from the wild in Alaska and** legally possessed **under an Alaska falconry permit** [BY AN ALASKA FALCONER] may be temporarily exported from this state for a period not to exceed 12 months **by an Alaska falconer who has;**

**(A) met the definition of an Alaska resident in AS 16.05.415(a) for the previous two years,**  
**or**

**(B) legally possessed the raptor in Alaska for at least one year.**

(2) an individual with a **valid, current** permit for falconry in another state or province may temporarily import a raptor, and use it for falconry under the terms of a temporary permit issued by the commissioner; an individual moving into this state may import **an approved** [A] raptor **species** under authority of a temporary permit, but must apply for **an Alaska falconry permit** [A FALCONRY PERMIT IN THIS STATE] within 30 days after the raptor arrives in this state.

**Upon approval of the falconry permit, the permit becomes valid with a current Alaska hunting license. Conditions for the import of the raptor shall be determined by the department as specified in the Alaska Falconry Manual.**

(c) A falconer is liable for the actions of the raptor with respect to seasons, bag limits, and other applicable regulations. If a falconry bird takes game that may not be taken under established regulations, the falconer must leave the dead game where it lies, except that the raptor may feed upon the game before leaving the kill site.

(d) The commissioner may impose additional permit conditions as necessary.

(e) Before [TAKING AMERICAN OR ARCTIC] peregrine falcons for the practice of falconry, a permittee must possess either an Alaska master class falconry permit or an Alaska general class falconry permit and have more than two years of experience in the practice of falconry at the general class level.

(f) In this section, "raptor" means any bird of the following species:

(1) sharp-shinned hawk (*Accipiter striatus*);

(2) northern goshawk (*Accipiter gentilis*);

(3) red-tailed or Harlan's hawk (*Buteo jamaicensis*);

**(4) Swainson's hawk (*Buteo swainsoni*);**

**(5) Rough-legged hawk (*Buteo lagopus*);**

(6) [(4)] golden eagle (*Aquila chrysaetos*);

(7) [(5)] American kestrel (*Falco sparverius*);

(8) [(6)] merlin (*Falco columbarius*);

(9) [(7)] gyrfalcon (*Falco rusticolus*);

(10) [(8)] [AMERICAN] peregrine falcon (*Falco peregrines [ANATUM]*);

[(9) ARCTIC PEREGRINE FALCON ( *FALCO PEREGRINUS TUNDRIUS* );]

[(10) PEALE'S PEREGRINE FALCON ( *FALCO PEREGRINUS PEALEI* );]

(11) great horned owl (*Bubo virginianus*);

**(12) northern hawk-owl (*Surnia ulula*);**

**(13) snowy owl (*Bubo scandiacus*);**

(14) [(12)] a hybrid of the species in this subsection that is produced by a raptor breeder; [AND]

**(15) the following nonindigenous species: Harris' hawk (*Parabuteo unicinctus*), Cooper's hawk (*Accipiter cooperii*), Ferruginous hawk (*Bueto regalis*), prairie falcon (*Falco mexicanus*), Aplomado falcon (*Falco femoralis*); and**

**(16) any nonindigenous subspecies of northern goshawk (*Accipiter gentilis*) requires sterilization, except *Accipiter gentilis atricapillus* or *A.g. laingi*.**

Most falconry regulations are contained in the Alaska Falconry Manual. A draft, revised Alaska Falconry Manual and a document highlighting changes can be found at [www.BoardofGame.ADFG.Alaska.Gov](http://www.BoardofGame.ADFG.Alaska.Gov)

**ISSUE:** The U.S. Fish and Wildlife Service (FWS) finalized changes to the federal regulations governing falconry in 2008. State regulations governing falconry must meet the standards in the federal regulations by January 1, 2014. State regulations must be the same as or stricter than federal regulations. The FWS is eliminating the federal permit; however the FWS will still retain oversight responsibility.

Existing Alaska falconry regulations are largely compliant with the federal regulations. This proposal suggests changes to state regulations so they will be in full compliance with federal regulations, and, in a few instances, suggests additional restrictions largely consistent with current regulations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The State of Alaska will not be compliant with federal falconry standards. Falconry will not be permitted in Alaska after January 1, 2014 because of a lack of federal certification.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No. There are so few falconers in Alaska that their impact on the small game populations they hunt is not measureable. The total number of raptors captured from the wild in Alaska is also insignificant.

**WHO IS LIKELY TO BENEFIT?** Falconers will benefit from somewhat streamlined regulations and the lack of a federal permit fee.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

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

**LOG NUMBER:** ADFG042811F

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**PROPOSAL 40 - 5 AAC 92.037. Permits for falconry.** Allow nonresident falconers to capture raptors.

1. Nonresident falconers would be allowed to capture 3 gyrfalcons, 3 Peale’s peregrines, 2 anatum peregrines, 2 tundra peregrines, 3 merlins, 3 goshawks, 3 red-tailed hawks and 3 sharp-shinned hawks. While there is no biological justification for such a limited capture according to the “*Final Environmental Assessment: Take of Raptors from the Wild Under The Falconry Regulations...*, USFWS June 2007 (FEA)” concerning the insignificance of falconry harvest on raptor populations), an initial conservative capture quota may allay some Alaska falconers’ concerns over non-resident take. However, should the Alaska falconers and the Alaska Board of Game agree that the proposed non-resident, raptor capture quota is unnecessarily restrictive, AFC would support more liberal allowances.

2. Nonresident falconers would not be allowed to capture: eyass gyrfalcons in Game Management Units 13, 14 and 22; eyass goshawks in Unit 14C; eyass Arctic peregrines along the Sagavanirktok River; and eyass Anatum peregrines in Unit 20. Although AFC understands that very few wild raptors are captured by Alaska falconers, we believe the Unit restrictions reflect Alaska falconers’ concerns over outside competition in areas favored by residents.

3. Applications for a nonresident capture lottery would be submitted between February 1st and March 31st. A nonresident quota on take may necessitate a lottery.

4. Unless other concerns surface, all other take provisions or limitations applicable to residents, such as capture seasons and off limit areas like the Colville River corridor, would also apply to non-residents.

5. Native Tribal Lands within Alaska's borders would be off limits for non-resident raptor capture unless authorized by the Native Corporation. Some Alaska falconers have voiced concerns about non-residents attempting to capture raptors on Native Lands. This is no different from other States and we propose that such activities be clarified in Alaska's provisions. To assist capture, AFC is willing to create maps depicting all Alaska areas closed to non-resident capture of raptors.

**ISSUE:** For reasons outlined herein, the American Falconry Conservancy (AFC) respectfully requests that the Alaska Board of Game adopt provisions to allow non-resident falconers to capture raptors in Alaska and bring them to their home States for falconry.

AFC is an association of North American falconers dedicated to the right of practicing the art and sport of falconry and to the conservation of raptors based on sound science and the rule of law. AFC has actively pursued opening the doors to non-resident U.S. falconers for wild raptor take in the handful of States that previously did not or presently do not have such provisions.

Over the last several years AFC was successful in convincing resident falconers in Minnesota, South Dakota, Montana, Nebraska and Colorado to open their doors to non-residents, and provided technical assistance in achieving those ends. North Dakota has a legislative provision for non-resident take, but the Fish & Game Department needs to work out a regulatory framework for such provisions. To AFC's knowledge, the only States that do not have non-resident, raptor take provisions are West Virginia, Connecticut, Alaska and Hawaii. Hawaii is unique in that it has no falconry laws or regulations.

It is to Alaska that the falconry community now looks in hopes that the people of Alaska will invite their neighbors from other States to further share in Alaska's bountiful resources.

AFC has communicated with Alaska falconers to better understand their position on this subject. Some feel it is too complicated a proposition to undertake or are concerned about competition by non-residents in traditional resident capture areas; others are indifferent; and some agree that Alaska should be open to non-residents. This mirrors the same sentiments experienced in other States who recently adopted or are in the process of adopting non-resident, raptor capture provisions. The only difference AFC has observed between Alaska and other States is complacency within the falconry community in spearheading the process; to our knowledge neither Alaska nor at-large falconers have ever asked the Alaska Board of Game to open wild raptor take to non-residents.

Based on our conversations with members of the Alaska falconry community, AFC believes that if non-resident falconers were to concede to certain limits, Alaska falconers would be more comfortable embracing a non-resident, raptor capture program. With Alaska falconers' concerns in mind, AFC presents this proposal with the supporting justification for raptor capture by non-resident falconers:

The following points are presented in an effort to answer the broad question: If non-resident raptor take were to be implemented, what would this mean to the State of Alaska and Alaska falconers?

1.) No harm would come to raptor populations. Alaska has the largest populations of breeding raptors (among other raptor species, over 400 pairs of breeding gyrfalcons and 1000 pairs of

breeding peregrine falcons) in the U.S., so non-resident capture of a few birds is a biological non-issue. There are approximately 4250 authorized falconers in the United States (FEA, p. 34), compared to millions of fisherman and hunters. The majority are flying captive bred raptors. The demand for wild raptors by falconers is far too small to have any effect on raptor populations (See tables 1, 2, and 3 on, respectively, pages 10, 29, and 33 of the attached FEA). Also, FWS has a wild raptor take limit of 2 birds per falconer per year. In addition, to our knowledge no State has experienced harvest pressures from resident and/or non-resident falconers to the point where intervention was warranted by State fish & game departments. What is more, the Alaska Board of Game has emergency powers to restrict or eliminate harvest should a particular raptor population experience a decline to the point where it is threatened. Owing to our long history of devotion to the conservation and protection of raptors, AFC in particular and the falconry community in general would be the first to support such restrictions where and when warranted. Historically, falconers have been a valuable resource for raptor knowledge and conservation and actually lead the charge in saving the peregrine falcon from extinction in the lower 48 when the peregrine became endangered; it was a falconer who discovered how to breed raptors in captivity and it was predominately falconers who then bred and released peregrines in reintroduction and restoration efforts.

2.) Considering Alaska's large size and its vast and robust raptor populations, and taking into account the proposed raptor quota numbers in this proposal, AFC is confident non-resident capture of raptors would have no negative effect on either the raptor resource or the resident falconers of Alaska. If anything, the adoption of non-resident take provisions would broaden Alaska falconers' liberties and opportunities for the following reasons:

- a. Currently Alaska falconers are prohibited from capturing wild raptors from States that have non-resident, raptor capture reciprocity - you can capture in our State only if we can capture in yours - provisions (e.g. New Mexico, Montana, Alabama and Texas). Texas just recently adopted such reciprocity provisions, and other States are in the process of adopting such provisions. AFC is aware of at least one Alaska falconer who previously captured a red-tailed hawk from Texas. Also, around 2009-2010 Alaska falconers Mike Houser and Rio Bergman were warmly received by Oregon falconer Richard Hoyer who helped them trap red-tailed hawks in Oregon, which were then taken back to Alaska. Alaska would need to be open to falconers residing in reciprocity States if Alaska falconers wish to enjoy the raptor resource benefits of such States.
- b. Nonresidents are able to provide locations of raptors taken in Alaska, which provides additional data (e.g. eyrie (nesting) locations when eyasses (nestlings) are taken) on Alaska's raptor resource at no cost to the Alaska Department of Fish & Game.
- c. Additional revenue to the Department of Fish & Game would be beneficial. Like a nonresident big game permit, a \$200 permit fee would not be unreasonable. It should be noted, however, that most States' fees for non-resident, raptor capture are significantly lower and generally are on par with the administrative costs associated with issuing a capture license.
- d. As in all tourist type activities, additional revenue would be brought into Alaska's economy by visiting falconers, which would benefit Alaska small businesses and increase Alaska State tax revenues.



e. One good turn often earns another – it is human nature that the prospect of reciprocity often compels one to go out of their way to assist ones neighbor. This is especially true and invaluable in falconry, where more often than not a neighboring state falconer possesses a more intimate knowledge of the raptor resources in his or her State and is more inclined to share such knowledge with and offer assistance to a non-resident if that non-resident is able and willing to reciprocate.

In an effort to further investigate the effects of non-resident take, AFC's Non-resident Take Liaison, Dr. Jim Ingram, contacted a number of State wildlife agencies and reports the following: "I contacted several of the most popular states for non-residents to trap raptors to see how many permits were given out on average. Texas – 8-15 permits per year, most resulted in taking a Harris' Hawk; Kansas – 15 permits per year, mostly redtails, and sometimes prairie falcons; Wyoming – 21 permits per year issued on average with only 12 resulting in a take (average annual take for goshawks is 3; for merlins 1.8; and for gyrs 0.16); Wisconsin – 4-5 permits per year, mostly Cooper's hawks; Florida – 3 permits per year, mostly merlins. None of these states, or their falconry communities, reported problems with their raptor populations as a result of nonresident take."

In general AFC proposes that the same rights and privileges provided to residents be provided to non-residents, as the Privileges and Immunities Clause of the U.S. Constitution instructs; unless some State difficulty arises where a less discriminatory method is unavailable to the State, in which case the State has the right to serve its residents' interests above non-residents. The various States manage non-resident capture in a variety of ways. The following are offered for the Alaska Board of Game's consideration:

1. The State of New York requires a hunting license and the submission of a "Raptor Capture Authorization" form, along with a copy of the permittee's falconry license.
2. Oregon provides a State capture permit. The applicant merely submits a completed form, a copy of his falconry permit, and \$10.
3. Kansas, which AFC believes is a very good model for non-resident take regulations, requires a Kansas hunting license and authorization, in the form of a letter from the fish & game department.
4. Alabama requires a hunting license and that the non-resident's home State also provides the same opportunity to Alabama falconers.
5. Wyoming charges a fee of \$201.00 to nonresidents and requires authorization from the fish & game department.
6. Upon submission of an application and a copy of a valid falconry permit from the applicant's home State, Minnesota issues a raptor capture permit at no charge to the applicant.

One might ask why Alaska should adopt non-resident take provisions. The simple answer is that access to our natural resources is a national issue in the sense that all Americans wish to be able to enjoy the outdoors in any State of the union. It is understood that we are one country, with a Constitution that obligates us to one another. Each region of our nation has features that provide

unique opportunities and all Americans would like to have access to resources that appeal to them.

Alaska has very large numbers of, among others, 3 raptor species falconers are interested in accessing: gyrfalcons, peregrine falcons and goshawks. Table 1 on page 10 of the FEA informs us that the average annual nationwide harvest of these raptor species from 2003-05 was quite low (52.66 goshawks, 11.33 gyrfalcons and 10.66 peregrines) in relation to FWS's recommended annual harvest levels of 5 percent of the populations (450 goshawks, 82 gyrfalcons and 150 peregrines) and extremely low in relation to FWS's determination that "... many raptor populations can sustain eyass [nestling] or passage [juvenile] harvest rates of 10 percent to 20 percent, and sometimes higher" (See page 24 of Draft Environmental Assessment: Take of Raptors from the Wild Under The Falconry Regulations..., USFWS June 2006 (DEA)). The DEA also points out on page 5 that the take of nestling raptors by falconers provides "higher survival rates" compared to nestlings from unharvested nests. In addition, FWS falconry regulations only allow falconers to capture first year (juvenile) wild raptors, and individual general and master class falconers can take no more than two wild raptors per year.

It has been demonstrated that a non-resident capture of raptors would have no effect on the raptor resource or the falconers of Alaska. Since the raptor resource of Alaska far exceed any demand that falconers would place on it, and since the mortality rate (or surplus) of first year raptors is high, the adoption of non-resident, raptor take provisions would conform with the sustainable yield principles expressed in the preamble of the Alaska Department of Fish & Game's Mission. Also, it is clear that non-resident, raptor take conforms to the Department's mission of developing the use of natural resources "in the best interest of the economy and the well being of the people" no differently than other presently allowed non-resident activities; such as outdoor tourism and all other forms of wildlife harvest.

Beyond the unique resources Alaska possesses, non-residents are often just as interested in pursuing the adventure Alaska has to offer for the same reasons non-resident fisherman and hunters expend thousands of dollars to travel to one of the most beautiful regions in the world. Falconers can purchase readily available goshawks, peregrines and gyrfalcons from raptor breeders at a lower cost than travel expenses to Alaska, so the reason falconers desire a trip to Alaska is not solely for a bird, it is for the adventure. Like many field sports, the art and sport of falconry embraces the magic in the journey as much or more than the destination or the outcome, - it is the means, not the ends that counts. Experiencing nature and spending time in the wild regions is at the very core of the art of falconry and nowhere is this more evident than in Alaska. Non-residents will feel the cost of this experience is money-well-spent with fond and lifelong memories. Like the sport fisherman, who does not relate the value of the experience on a cost per pound basis, falconers view the taking of wild raptors as an exceptional experience to be cherished with awe.

Presently, Alaska falconers are welcome in most of the lower 48 to take raptors and to travel with their trained falconry birds to hunt quarry not readily available to them in Alaska, or when the winter is too harsh to fly raptors in their home territory. It is our hope that Alaska will welcome non-residents falconers to their State to more fully enjoy their bountiful raptor resource.

AFC thanks the Alaska Board of Game for their consideration and we continue to offer our assistance in this important matter.

**WHO IS LIKELY TO BENEFIT?**

**WHAT WILL HAPPEN IF NOTHING IS DONE?**

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** American Falconry Conservancy

**LOG NUMBER:** EG052011501

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*Note: The Board of Game approved an agenda change request to consider this proposal at the Statewide, 2012 meeting.*

**PROPOSAL 41 - 5 AAC 92.034. Permit to take game for cultural purposes.** Review the intended scope of this permit and amend as needed.

**ISSUE:** The Alaska Department of Fish and Game receives several requests each year for taking of game for educational purposes. These are generally related to cultural and educational camps for training of traditional methods of handling and preparing wild game. Recently, however, the department has received requests to harvest game with the intent of using the animal at a cultural event associated with Native corporation shareholder meetings either in or outside of Alaska. Though the department has been advised that the current wording of the regulation does not prohibit this use, this type of use was not discussed during deliberation of the regulation and it is unclear if this type of activity is within the intent of the Board of Game.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will continue to issue permits using the broader interpretation of the regulation, because they appear to fall within the scope of intent.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Those approved to receive these permits.

**WHO IS LIKELY TO SUFFER?** Those denied use of this permit.

**OTHER SOLUTIONS CONSIDERED:** Not seeking guidance through the regulatory process and addressing each request on an ad hoc basis.

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

**LOG NUMBER:** ADFG042811A

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**PROPOSAL 42 -- 5 AAC 92.033. Permit for scientific, educational, propagative, or public safety purposes.** Modify the current department authority for issuing public safety permits.

**5 AAC 92.033 Permit for scientific, educational, propagative, or public safety purposes.**

(a) Notwithstanding restrictions in 5 AAC 78 - 5 AAC 88, the department may issue a permit for the taking, possessing, importing, or exporting of game for scientific, educational, propagative, or public safety purposes.

(b) The department may issue a permit for taking specified [OF] big game animals for public safety purposes to an individual, including a state, municipal, or federal government official responsible for public safety, only as follows:

(1) the department shall evaluate all reported public safety problems involving big game brought to the department's attention, determine whether an actual threat to public safety is caused by a big game animal, and develop a list of all reasonable and practical solutions;

(2) if the department determines a threat to public safety can be resolved only by taking a big game animal under this section and no government official responsible for public safety is available, the department may issue a permit to a private individual;

(3) a permit that authorizes lethal taking of a big game animal issued to an individual other than a government official must be restricted to taking a specific, identified problem animal;

[ (4) A PERMIT ISSUED UNDER THIS SECTION MUST SPECIFY:

(A) NAME OF THE PERMITTEE AND AUTHORIZED SUBPERMITTEES;

(B) THE SPECIES OF THE BIG GAME ANIMAL THAT MAY BE TAKEN;

(C) THE TYPE OF TAKING THAT IS AUTHORIZED, SUCH AS HAZING, AVERSIVE CONDITIONING, LIVE TRAPPING, OR LETHAL TAKING;

(D) METHODS AND MEANS THAT MAY BE EMPLOYED;

(E) DURATION OF THE PERMIT;

(F) THE LOCATION OF PERMITTED ACTIVITIES;

(G) DISPOSITION OF GAME TAKEN; AND

(H) REPORTING REQUIREMENTS.]

**(c) The department may issue a general permit to an individual, including a state, municipal, or federal government official, to take big game for public safety purposes in the following areas:**

**(1) list of problem areas**

**(d) a permit issued under (b) or (c) of this section must specify:**

**(1) name of the permittee and authorized subpermittees;**

**(2) the species of the big game animal that may be taken;**

**(3) the type of taking that is authorized, such as hazing, aversive conditioning, live trapping, or lethal taking;**

**(4) methods and means that may be employed;**

**(5) duration of the permit;**

**(6) the location of permitted activities;**

**(7) disposition of game taken; and**

**(8) reporting requirements.**

**(e) general permits issued to other state, municipal, or federal government officials may be issued as part of cooperative agreements, detailing roles and responsibilities between or among the department and these agencies.**

**ISSUE:** During the March 2011 meeting in Wasilla the Board of Game had several public proposals requesting changes to defense of life and property salvage requirements for bears, and more liberal regulations for both bears and wolves posing public safety concerns near villages. The board reviewed this proposal as a record copy and asked that it be included in the statewide board meeting in January 2012.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Response to public safety situations will be delayed until staff can arrive on scene.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Specific problem animals can be dealt with locally and efficiently.

**WHO IS LIKELY TO BENEFIT?** Local communities that have specific animals causing problems.

**WHO IS LIKELY TO SUFFER?** Some members of the public may feel that all public safety issues should be dealt with by the department.

**OTHER SOLUTIONS CONSIDERED?** Continue to respond on a case by case basis.

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

**LOG NUMBER:** ADFG042811U

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**PROPOSAL 43 - 5 AAC 92.041. Permit to take beavers to control damage to property.**

Review and modify nuisance beaver permits to allow beaver flow devices.

I would prefer the species be reviewed between the two boards – Fisheries and Game to broadly update regulations related to beavers and beaver created habitat in relation to hunting and trapping regulations, but in the interim I propose the following:

5 AAC 92.041(2) is amended to read: a permit may only be issued at a time when, and for a place where, the commissioner has determined beavers are creating significant problems and that trapping otherwise authorized in 5 AAC 84 or **beaver flow devices are** [IS] unlikely to alleviate the problem;

Note: Beaver Flow Device Studies are available at <http://www.beaversww.org/beavers-and-wetlands/articles/beaver-flow-device-studies>.

**ISSUE:** 5 AAC 92.041 lacks options to alleviate perceived problems caused by beavers, other than trapping authorized in 5 AAC.84. Last updated in 1989, the regulation is based on outdated information. In the intervening years scientific research has added to our understandings of the

value of beavers to healthy ecosystems. In addition, several methods have become available to manage pond levels and otherwise mitigate flooding related in part or whole to beavers.

Alaska's trapping regulations on beavers should also be reviewed. However, the permit to kill beavers to control damage to property is the only Administrative Code section designated by the Board of Game (BOG) for public input at this time. Removal of beavers reduces fish rearing area and impacts the fisheries industry. Beaver created rearing habitat for juvenile fish is well documented in a University of Washington study that resulted in beavers being re-introduced and protected. In Oregon NOAA biologists are putting beaver skills to use on public lands to restore creeks and enhance salmon production. Oregon Fish and Wildlife biologists have begun a dialogue to better protect beavers.

I recommend that the board take responsibility to request information on research and activities in other states. Then the board may initiate a Joint Boards meeting with Fisheries to update the knowledge base and work toward resolution of the conflict between the goals of each board.

#### **WHAT WILL HAPPEN IF NOTHING IS DONE?**

- Alaska regulations will remain behind available scientific findings and beaver management techniques.
- Removal of beavers will destabilize beaver families and territorial relationships between families.
- A wide variety of plants, microscopic organisms, birds, and wildlife, dependent on beaver created habitat, will be dislocated or lost.
- Habitat for fish rearing will be diminished or lost.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No. It would preserve beavers and beaver created habitat for a wide variety of wildlife and fish.

#### **WHO IS LIKELY TO BENEFIT?**

- Those who support an examination of the impact on ecosystems and sustainability for all wildlife (including wildlife long characterized as pests).
- The fisheries industry and individual fishermen
- Duck Hunters
- Artists who photograph, paint, sculpt, carve and write about wildlife.
- Tourists and those who depend on tourism for income.
- Future generations.

**WHO IS LIKELY TO SUFFER?** An applicant for a permit, who may need to purchase materials in order to install a pond leveler, beaver baffler, or other device to mitigate flooding determined to be caused by beaver dams.

**OTHER SOLUTIONS CONSIDERED:** I considered requiring that the permit applicant's claim that flooding is caused by the beavers must be substantiated. Some land is low and often floods from run-off, or ditching next to roadways is not maintained. Roadways that rightfully should be kept raised are sometimes not maintained.

I rejected adding a substantiation requirement to the regulation. The existing regulation requires that a permit may only be issued where the commissioner has determined beavers are creating significant problems. If not already covered, I recommend the permit application request substantiation that beavers are the cause or primary cause of the problem. This would assist the commissioner in making the determination.

**PROPOSED BY:** Patricia O'Brien

**LOG NUMBER:** EG052611505

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**PROPOSAL 44 - 5 AAC 92.052. Discretionary permit hunt conditions and procedures.**

Add a new discretionary authority that would allow the department to define specific seasons and methods and means of hunting for recipients of Governor's tags.

**ISSUE:** The Alaska Legislature established a Governor's tag program that authorizes the Department of Fish and Game to provide up to two big game harvest tags for Dall sheep, musk oxen, brown bear, moose, caribou and wolf for sale through auction. This program is intended to generate revenue for both the wildlife conservation organization that auctions the tags and the department. As currently designed the recipients of these tags hunt within the general season dates associated with the specific hunt. It has been recommended to the department that the value of these tags would be significantly enhanced if these hunters were allowed to hunt during a period when the general seasons were not open, or other modifications to methods and means were allowed for use of these tags. Since the primary beneficiary of the revenue from these tags is the general conservation of Alaska's game species, all hunters benefit indirectly from this program. Because the annual harvest is limited to two animals of each species, the population impacts of any adjusted seasons is insignificant relative to the opportunities available to other hunters.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Department of Fish and Game will continue to use the same seasons and dates that have been established for recipients of Governor's tags.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Only two tags per species are awarded as Governor's tag and the harvest of these animals will have no impact on population or harvest management.

**WHO IS LIKELY TO BENEFIT?** Individuals that have received a Governor's tag.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** Seeking change to the legislation that created the program.

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

**LOG NUMBER:** ADFG042811W

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# Sale of Big Game and Big Game Trophies

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**PROPOSAL 45 - 5 AAC 92.200. Purchase and sale of game.** Align state regulations on subsistence bartering with statutory authority.

## **5 AAC 92.200. Purchase and sale of game.**

(a) In accordance with AS 16.05.920(a) and 16.05.930(e), the purchase, sale, or barter of game or any part of game is permitted except as provided in this section.

(b) Except as provided in 5 AAC 92.031, a person may not purchase, sell, [BARTER,] advertise, or otherwise offer for sale [OR BARTER]:

(1) any part of a brown bear, except an article of handicraft made from the fur of a brown bear;

(2) a big game trophy, or a black bear trophy of any kind;

(3) a big game animal skull, except the skull of a black bear, wolf, or wolverine, or a horn or antler that is still attached to any part of the skull;

(4) the antler of a caribou taken in Unit 23, unless the antler is a naturally shed antler or has been made into an article of handicraft;

(5) unsealed marten taken in Units 1-7, and 15, except as provided in 5 AAC 92.170(a);

(6) unsealed beaver taken in Units 1-11 and Units 13-17;

(7) unsealed land otter, lynx, wolf, or wolverine;

(8) the meat of big game and small game, except hares and rabbits; [HOWEVER, CARIBOU MAY BE BARTERED IN UNITS 22-26, BUT MAY NOT BE TRANSPORTED OR EXPORTED FROM THOSE UNITS];

(9) the gallbladder of a bear.

...

**ISSUE:** The regulation at 5 AAC 92.200 *Purchase and sale of game* may be in conflict with AS 16.05.930(e) in the absence of identified documentation on the record of waste of resource resulting from barter or documentation of circumvention of game management programs resulting from barter. The result of the regulation may be a prohibition on a legally-defined subsistence use.

Alaska Statute 16.05.930(e) states, “This chapter does not prevent the traditional barter of fish and game taken by subsistence hunting or fishing, except that the commissioner may prohibit the barter of subsistence-taken fish and game by regulation, emergency or otherwise, if a determination on the record is made that the barter is resulting in a waste of the resource, damage to fish stocks or game populations, or circumvention of fish or game management programs.”

The statutory definition of barter is “the exchange or trade of fish or game, or their parts, taken for subsistence uses (A) for other fish or game or their parts; or (B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature” (AS 16.05.940 (2))

The statutory definition of subsistence uses is “the noncommercial, customary and traditional uses of wild, renewable resources by a resident...for direct personal or family consumption as

food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption...” (AS 16.05.940 (33)).

Many Alaskan families survive by combining wild resource harvests with commercial wage employment. Oftentimes, but especially during times when cash is scarce, households exchange small amounts of subsistence resources for emergency fuel to heat their homes for a day, for transportation services, or for recently-arrived grocery items (fresh fruit), just to name a few examples.

Barter also provides many Alaskans with customary and traditional subsistence resources that currently are not, or may no longer be locally available, whether because of local area regulations, low hunt participation, difficult local environmental conditions (locally-observed climate changes), high local fuel costs, or any number of reasons.

Subsistence users may not realize that the limited noncommercial exchange of any type of meat except rabbits, hares, and caribou in GMUs 22–26 is actually against regulation.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Subsistence users who share subsistence products in a limited, noncommercial way would continue to inadvertently break the law when they give someone subsistence game in exchange for a boat ride into town, or for game not locally available, for example.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Alaska residents who routinely barter, in a limited, noncommercial way, game meat.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

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

**LOG NUMBER:** ADFG042811X

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**PROPOSAL 46 - 5 AAC 92.200. Purchase and sale of game.** Allow the sale of big game trophies.

Once a trophy is prepared for preservation as a trophy, the owner may sell, barter, or trade that trophy which the Board of Game recognizes as his personal property.

**ISSUE:** Restricting the sale of prepared trophies might have some prehistoric meaning to protect resources, cut down illegal harvest, etc. However, in 2012 trophies are tracked on paper by the hunter, then the commercial business preparing the trophy. Most have unique numbers. The likelihood that restricting sale of trophies will affect the same issue is very low.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Recognize a prepared trophy as personnel property and allowing the owner to do whatever he wishes to do.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Hunters, taxidermists, others who wish to limit the interference with the use and disposal of private property

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None

**PROPOSED BY:** Fairbanks Advisory Committee

**LOG NUMBER:** EG042811355

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**PROPOSAL 47 - 5 AAC 92.200. Purchase and sale of game.** Allow the sale of trophies acquired through legal action such as divorces.

Any game taken in Alaska that becomes the property of a person through legal action, i.e. divorce, death or other civil actions is allowed to dispose of the game through sale.

**ISSUE:** I inherited trophies from a divorce. I did not want them. I would like to sell them. I have a Dall sheep and a black bear hide. Please change your regulations for this category of owner of Alaska game.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Women who acquire game in a divorce are stuck with them or the disposal of them which is not cheap.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Less illegally taken game because they will be available from these sales of owners who acquired the game parts to resolve a debt or other unfortunate circumstance.

**WHO IS LIKELY TO BENEFIT?** Women and children and debtors.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** Tax write offs do not feed children of divorced women.

**PROPOSED BY:** Mary Jane Sutliff

**LOG NUMBER:** EG032411289

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**PROPOSAL 48 - 5 AAC 92.200. Purchase and sale of game.** Prohibit the sale of bear parts harvested on National Park Service lands.

(a) In accordance with AS 16.05.920 (a) and 16.05.930 (e), the purchase, sale, or barter of game or any part of game is permitted except as provided in this section.

(b) Except as provided in 5 AAC 92.031, a person may not purchase, sell, barter, advertise, or otherwise offer for sale or barter:

(1) any part of a brown bear, except as an article of handicraft made from the fur of a brown bear, and;

**i. any part of a bear, except an article of handicraft made from the fur of a bear, for any bears harvested on National Park Service managed lands. Specifically, the sale of black bear meat harvested on National Park Service managed lands under a trapping license may not be legally sold;**

**ISSUE:** The Alaska Administrative Code amendments in 2010 allowing the legal sale of black bear meat in Alaska if harvested using a trapping license. The only reason to allow the sale of black bear meat under a trapping license is to facilitate manipulation of the bear populations by creating incentives to increase the overall harvest of bears for the purpose of increasing harvest opportunities for moose and caribou. Such manipulation is contrary to the management policies of the National Park Service and cannot be allowed on park service managed lands.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Alaska Department of Fish & Game will have the legal authority to authorize the sale of black bear meat for bears harvested on National Park Service managed lands.

The legal sale of bear meat as harvest incentive is inconsistent with prudent and recognized bear management policy for National Park Service managed lands.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, the management of black bears on lands managed by the National Park Service will benefit by restricting state bear management regulations that are inconsistent with the management mandates of the National Park Service for maintaining natural diversity and abundance of wildlife on a landscape scale.

**WHO IS LIKELY TO BENEFIT?** The public as a whole will benefit by restricting state management policies on federal lands that are inconsistent with National Park Service management mandates.

**WHO IS LIKELY TO SUFFER?** A resident, nonresident, or alien trapper with a state issued trapping license that wishes to sell the meat of black bear harvested on National Park Service managed lands.

**OTHER SOLUTIONS CONSIDERED:** Restricting trapping and snaring of black bears on NPS managed lands. This option is rejected since the State of Alaska allows a trapper to harvest free roaming game using a firearm.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Association

**LOG NUMBER:** EG042811342

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*The Board of Game deferred this proposal as amended from the Southcentral Region meeting in March, 2011. It was previously listed as proposal 220.*

**PROPOSAL 49 - 5 AAC 92.XXX.** Provide authority to the Alaska Wildlife Troopers to inspect taxidermy businesses.

*Amended language adopted by the Board of Game at the 2011 Southcentral Region meeting:*

**(a) A person licensed as a taxidermist in the state that tans, mounts, processes or otherwise treats or prepares game or any part of game or a trophy, for monetary gain, including receiving game or parts of game for such purposes, shall maintain an accurate, up to date and detailed record on a log provided by the department that specifies all game that is acquired, possessed or stored for taxidermy purposes. Such record shall include at least the following:**

- 1. The date, name and address of the person from whom each specimen was received.**
- 2. The hunting license number of the person who took the animal if applicable.**
- 3. A description of each specimen or the description of the part received.**
- 4. The date, name and address of the person to whom each processed specimen is delivered.**

**(b) Immediate recording: Upon receiving a specimen or part thereof, the information required in (a) shall be immediately recorded.**

**(c) The log sheet required in (a) shall be retained for a period of five years.**

**(d) Items subject to inspection: in addition to the requirements identified under (a) of this section, the following items are subject to inspection.**

**1. If the Taxidermist or their employees are a designated sealer for the Department of Fish and Game, the paperwork and associated sealing documentation is subject to inspection.**

**(e) Inspection shall be reasonable: Department of Public Safety is authorized to conduct inspections for compliance with this section during normal business hours or between 9 a.m. to 5 p.m.**

*The new regulation would replace the previous proposal language which stated:*

“Representatives of the Department of Public Safety shall have free and unobstructed access to all taxidermy businesses licensed through the department to inspect fish, game, sealing paperwork and operational compliance with AS 16, AS 08 and regulations promulgated there under”.

**ISSUE:** New regulation in 5AAC 92 that would give authority to enforcement personnel to inspect Taxidermy businesses for compliance with Title 16, Title 08 and 5AAC. The addition to regulation would not extend our enforcement authority above what we are already granted through the Board of Fish. Currently, 5AAC 39.140(a) grants enforcement authority to inspect commercial fishing establishments and businesses. This regulation states in part...

“Representatives of the Department of Public Safety shall have free and unobstructed access to all fishing vessels, canneries, salteries and other land based or floating processing establishments to inspect catch, equipment, gear and operational compliance with AS 16 and regulations promulgated there under”.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If this is not solved, AWT will continue to have difficulty inspecting fish and game and compliance with regulations at licensed taxidermy businesses.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, Taxidermists are required to be licensed in the state if they are going to conduct taxidermy work. Regulations governing what taxidermists can and cannot do are very limited. AWT has dealt with cases where the taxidermist is "laundering" animals through their business. In some cases, Taxidermists use their business to seal illegal animals and forward them on to clients out of state. AWT has an interest in making sure this type of activity does not occur. This will benefit all resource users and ADF&G by making sure illegal animals do not have a venue to disappear.

**WHO IS LIKELY TO BENEFIT?** The public will benefit through enforcement of this regulation.

**WHO IS LIKELY TO SUFFER?** People likely to suffer will be Taxidermists who are using their business to break the law.

**OTHER SOLUTIONS CONSIDERED** None

**PROPOSED BY:** Alaska Wildlife Troopers

**LOG NUMBER:** EG112410249

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# Discretionary Permit Conditions

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## **PROPOSAL 50 -- 5 AAC 92.052. Discretionary permit hunt conditions and procedures.**

Review and potentially repeal discretionary hunt conditions and procedures applied to permit hunts across the state.

**5 AAC 92.052. Discretionary permit hunt conditions and procedures.** The department may apply any or all of the following additional conditions to a permit hunt, when necessary for management of the species hunted:

- (1) a permittee shall register at a designated station before entering, and upon leaving, the field; except as authorized under AS 16.05.405, a person may not hold more than one permit for the same species in a hunt area at one time;
- (2) a permittee shall demonstrate
  - (A) the ability to identify the species hunted;
  - (B) the ability to identify the permit hunt area;
  - (C) a knowledge of weapon safety and use;
- (3) a permittee shall attend an orientation course;
- (4) a permittee shall carry an operative radio while in the field;
- (5) a permittee who takes an animal under a permit shall deliver specified biological specimens to a check station or to the nearest department office within a time set by the department; the trophy value of an animal taken under a subsistence permit may be nullified by the department;
- (6) a permittee must be accompanied by a department representative;
- (7) only a specified number of permittees may hunt during the same time period, and a permittee may hunt only in a specified subdivision within the permit hunt area;
- (8) a permittee may not use specified mechanized vehicles for hunting big game or for transporting meat from the hunting area;
- (9) a permittee who cancels his or her plan to hunt shall notify the department at an office, and within a time limit, specified by the department;
- (10) a permittee may use only weapons and ammunition specified by the department;
- (11) before receiving a permit, the permittee shall acknowledge in writing that he or she has read, understands, and will abide by, the conditions specified for the hunt;
- (12) a permittee may hunt only during specified time periods;
- (13) a permit applicant must be at least 10 years old;
- (14) a permittee shall submit, on a form supplied by the department, information requested by the department about the hunt; the permittee shall submit this form to the department within the time limit set by the department;
- (15) the permit applicant must hold a valid Alaska hunting license; however, this does not apply to a resident under the age of 16; an applicant's hunting license number must be entered on the permit application; a resident under the age of 16 shall enter his or her age instead of a license number;
- (16) a hunter participating in a permit hunt that allows only the use of a bow and arrow must have completed a department - approved bowhunter education course;
- (17) a permittee may take only an animal of a sex specified by the department;

- (18) a person with physical disabilities, as defined in AS 16.05.940 , with a special permit to hunt with a motorized vehicle, must be accompanied by another hunter who has a valid hunting license and is capable of assisting the permittee in retrieving game taken by the permittee;
- (19) a person may be limited to one big game registration permit at a time in Units 1, 17, 20(E), 22 and 23;
- (20) the number of registration permits that may be issued per household for a specified big game hunt may be limited;
- (21) the permit hunt area authorized by the Board of Game may be subdivided into smaller permit hunt areas;
- (22) a permittee may transfer the permittee's Unit 13 subsistence permit to a resident member of the permittee's family, within the second degree of kinship; a person may not receive remuneration for the transfer of a permit under this paragraph;
- (23) except as otherwise provided, if a drawing permit hunt is undersubscribed, surplus permits may be made available at the division of wildlife conservation office responsible for management of the applicable hunt. Surplus permits are not subject to the limitations in 5 AAC 92.050(2) and (4)(F).
- (24) a permittee must dispose of parts of game not required to be salvaged as directed by the department;

**ISSUE:** The Board of Game has requested a review of the discretionary permit conditions the Department of Fish and Game applies to permit hunts. Use of these discretionary conditions allows the department to manage hunts to provide for maximum opportunity while still providing protection of the resource.

A summary document of the use of these conditions in comparison to the various permit hunts will be available for public review at the board website: [www.BoardOfGame.ADFG.Alaska.Gov](http://www.BoardOfGame.ADFG.Alaska.Gov).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will continue to use discretionary authority to manage game populations in permit hunts.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Loss of some of the authority may result in more conservative management and seasons.

**WHO IS LIKELY TO BENEFIT?** Hunters who do not wish to comply with permit conditions established by the department.

**WHO IS LIKELY TO SUFFER?** Hunters who are willing to comply with permit conditions in order to enjoy more hunting opportunity.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** The Board of Game

**LOG NUMBER:** ADFG042811M

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**PROPOSAL 51 - 5AAC 92.052. Discretionary permit hunt conditions and procedures.** Allow the Department of Fish and Game to require the latitude and longitude of kill locations on a harvest report for drawing and registration hunts.

The department may apply any or all of the following additional conditions to a permit hunt when necessary for management of the species hunted:

...

(14) a permittee shall submit, on a form supplied by the department, information requested by the department about the hunt, **including the degrees and minutes of latitude and longitude of the kill location**; the permittee shall submit this form to the department within the time limit set by the department;

**ISSUE:** More precise harvest distribution information for moose, particularly in antlerless hunts, is needed to more effectively manage harvest in relation to moose density, distribution, and access (e.g., roads, trails, river corridors, private property, etc.) of intensively managed moose populations in Units 20A and 20B.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will have continued difficulty addressing human conflicts and localized overharvest associated with intensively managing moose populations in Units 20A and 20B.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, this information will help to better distribute hunters and harvest, improving the quality of the permit hunts.

**WHO IS LIKELY TO BENEFIT?** Moose hunters in Units 20A and 20B.

**WHO IS LIKELY TO SUFFER?** Hunters who will be required to purchase detailed maps or GPS units to obtain locations.

**OTHER SOLUTIONS CONSIDERED?** We have asked hunters to voluntarily provide this information on their harvest reports, but participation has been low.

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

**LOG NUMBER:** ADFG042811S

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**PROPOSAL 52 - 5 AAC 92.052. Discretionary permit hunt conditions and procedures.** Clarifies department discretionary authority to require antler locking tags for certain permit hunts.

The department may apply any or all of the following additional conditions to a permit hunt, when necessary for management of the species hunted:

...  
**(25) a permittee shall attach a locking tag to an antler at the kill site;**  
...

**ISSUE:** This drawing permit hunt condition was implemented with the approval of Board of Game at the 2006 meeting and is used in the Galena area moose hunts. However, regulatory authority needs to be clarified.

Antler tags are issued to resident hunters who are awarded drawing permits in the Galena area. These hunters attach locking tags to their moose’s antlers, which differentiates those antlers from the antlers of moose harvested under a registration permit, which requires nullifying the trophy value of the antlers. This requirement prevents hunters from transferring antlers of a large bull taken on a registration permit to a drawing permit held by another hunter in order to circumvent nullification of trophy value of the antlers. Differentiating antlers of moose harvested under a drawing permit (locking tag required) from those taken under a registration permit (trophy value nullification required) ensures that hunters harvest their moose in the hunt area specified on their permits and that hunt conditions are followed.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Enforcement of the regulation will be compromised.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, enforcement authority will be clarified.

**WHO IS LIKELY TO BENEFIT?** Hunters who abide by permit conditions.

**WHO IS LIKELY TO SUFFER?** People who attempt to circumvent hunting requirements.

**OTHER SOLUTIONS CONSIDERED?** No action.

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

**LOG NUMBER:** ADFG042811I

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# Archery, Crossbow Regulations

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**PROPOSAL 53 - 5 AAC 92.085. Unlawful methods of taking big game; exceptions.** Establish statewide standards for crossbow equipment used to take big game.

**5 AAC 92.085. Unlawful methods of taking big game; exceptions.** The following methods and means of taking big game are prohibited in addition to the prohibitions in 5 AAC 92.080.

...

**(x) with a crossbow, unless the**

**(A) bow peak draw weight is 100 pounds or more; and**

**(B) bow has a minimum draw length of 14 inches from front of bow to back of string when in the cocked position; and**

**(C) arrow is tipped with a broadhead and is a minimum of 16 inches in overall length; and**

**(D) the broadhead:**

**(i) has fixed metal cutting blades at least 7/8 of an inch in diameter; and**

**(ii) is not barbed; and**

**(E) No optical scopes or electronic devices may be attached to the crossbow.**

**5 AAC 92.990 Definitions.**

**(x) “crossbow” means a bow, mounted on a stock, which mechanically holds the string at partial or full draw, that shoots projectiles, which are generally called bolts or quarrels.**

**ISSUE:** Currently there are no regulations that define the minimum crossbow equipment requirements for hunting. This leads to inconsistencies in the regulations since clear minimum requirements are defined for hunting with bows and muzzleloaders. The proposed guidelines equivalent to the requirement of other states have adopted for crossbows used to take large game such as elk and moose.

**WHAT WILL HAPPEN IF NOTHING IS DONE** Equipment that is inadequate to effectively harvest an animal humanly could be used to harvest Alaskan big game, increasing the wounding loss rate.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. This proposal will ensure that inadequate equipment will not be used to pursue big game.

**WHO IS LIKELY TO BENEFIT?** Hunters will benefit, game will be harvested in an ethical and efficient manner, and hunters will not lose wounded game due to inadequate equipment. Reducing the wounding loss rate leads to better management and increases future hunting opportunities.

**WHO IS LIKELY TO SUFFER?** People that have purchased crossbow equipment that does not meet these standards.

**OTHER SOLUTIONS CONSIDERED?** Status quo.

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

**LOG NUMBER:** ADFG042811N

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**PROPOSAL 54 - 5 AAC 92.085. Unlawful methods of taking big game; exceptions and 92.990. Definitions.** Expand the definition of bow to include crossbows.

Bow may include a crossbow or any device which has a gun-type stock or incorporates any mechanism that holds the bowstring at partial draw without the shooter's muscle power.

**ISSUE:** Reclassify crossbows as archery equipment.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** As our population ages, many people find they can no longer draw their hunting bows. Arthritis, shoulder impingements, injuries, loss of a hand, arm or fingers, all can contribute to a person losing the ability to draw a bow. Many of our returning Vets are in this category. These people don't want to be left out when it comes time to go hunting as many have previously been archers. A crossbow is simply a bow (Recurve or Compound) laid on its side, with a shoulder stock added. Yes crossbows have a trigger device, but trigger devices are currently being used by most archers, they are called releases. Crossbows shoot no farther than any other bow, and have no more power than any other bow, the only advantage is the ability to cock it prior to taking the shot, and the ability for people use it who are handicapped. Crossbows are now legal archery equipment in 22 states, with no restrictions. Crossbows are legal for handicapped in 25 states, during archery season as well as the general season. Three states of which Alaska is one have no provision for, or refuse to allow, crossbow use by handicapped during archery seasons. An average of two states per year are moving to allow crossbows to be used during their archery season. An current archery certification system would still be needed. People with current archery certification could be Grandfathered in.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, by permitting persons who would otherwise not be able to participate in the hunts to have a quality hunt as well. Allow more hunters into the field in what is now very restrictive and underutilized hunts. This would permit handicapped, as well as older hunters to once again enjoy the hunt they participated in before their injury or limitations brought on by aging.

**WHO IS LIKELY TO BENEFIT?** Our aging population, handicapped, and ounded Warriors. Young people that are not yet strong enough to pull a 40/50 lb bow.

**WHO IS LIKELY TO SUFFER?** No one. A few young physically fit people that are currently archers may perceive they are being hurt by allowing the use of crossbows during the archery

season. But these same people would also like to disallow the use of other types of archery equipment than the particular one they use.

**OTHER SOLUTIONS CONSIDERED:** Permitting people to use crossbows during the general season, which is a good idea. I rejected this idea since it restricts them from being able to hunt in areas like along the Dalton Highway Corridor, The Fairbanks Management Area, and all the archery hunts in the Anchorage area. I feel this would not be fair and too restrictive.

**PROPOSED BY:** Roggie Hunter

**LOG NUMBER:** EG042811364

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*Note: This proposal was deferred by the Board of Game from the 2010, Statewide meeting. It was previously listed as Proposal 46.*

**PROPOSAL 55 - 5 AAC 92.990 Definitions.** Create a regulatory definition for crossbow.

The board should develop a specific definition of what constitutes a crossbow and what are the minimum equipment requirements for crossbows used to hunt big game.

**ISSUE:** There is no definition of crossbows in the regulations. There are specific regulations for minimum bow weight and arrow and broadhead construction for archery seasons and areas, but no definitions of what is considered an adequate crossbow for hunting big game. The regulations say that crossbows may be used but do not define crossbows.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There is risk that someone could hunt big game in an open season with a very low powered or even a pistol crossbow.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This proposal may reduce the wounding loss of big game due to inadequate equipment being used.

**WHO IS LIKELY TO BENEFIT?** Hunters who have never hunted with a crossbow will benefit from being certain that they are using adequate equipment.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** John Frost

**LOG NUMBER:** SC-10W-G-016

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**PROPOSAL 56 - 5 AAC 92.085. Unlawful methods of taking big game; exceptions.** Adopt crossbow standards and allow disabled hunters to use crossbows in archery hunts

Allow disabled hunters to use a crossbow in restricted methods hunts as long as they have an archery certification and the crossbow has a 'minimum weight' (power) standard. (Set by the Board of Game). Identify crossbow methods and means.

**ISSUE:** Restriction on using crossbows in restricted methods hunts.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Disabled hunters in restricted methods hunts (archery) will not be allowed to participate.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No, but it definitely improves the quality for disabled archers by being able to participate.

**WHO IS LIKELY TO BENEFIT?** Disabled hunters.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Fairbanks Advisory Committee

**LOG NUMBER:** EG042911383

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**PROPOSAL 57 - 5 AAC 92.085 (c)(i). Unlawful methods of taking big game; exceptions.** Allow archers to use mechanical/retractable broadheads for all big game.

Under the section of: Restricted weapons hunts and regulations

Archery/Bow and Arrow

Equipment:

(c) the broad head is:

(1) a fixed, replaceable, or mechanical/retractable blade-type broad head when taking all big game animals, and

[(2) A FIXED OR REPLACEABLE BLATE TYPE BROADHEAD FOR TAKING BIG GAME ANIMANS, AND]

(2) not barbed

**ISSUE:** I would like the Board of Game to allow the use of mechanical/retractable blade broad heads in archery hunting for taking mountain goat, moose, elk, brown/grizzly bear, muskoxen, and bison. Currently, these are the only big game animals in Alaska for which mechanical/retractable blade broad heads are not allowed.

Many people prefer fixed-blade broad heads and they may use them. For those hunters that prefer mechanical/retractable blade broad heads, they are forced to change to fixed blade when hunting these animals. This change can be difficult. I believe that the advances in broad head technology in the last few years have addressed and eliminated the concerns that the first generation of mechanical broad heads presented. By making this change, you are allowing hunters the choice of equipment in which they feel the most comfort, confidence, and competence. Ultimately, this will lead to increased accuracy and decreased wounding loss.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Archery hunters will not have the choice of broad head type that best suits their style and comfort level. Many claim that mechanical/retractable blade broad heads fly more like field points, and are therefore more accurate when compared to a target practice situation. Fixed blade broad heads usually need to be "tuned" and don't fly like field points. Many amateurs are not skilled enough to tune their broad heads well, and as a result, are less accurate in the field. This could potentially lead to more wounding loss of animals.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** This could potentially lead to decreased wounding loss of animals.

**WHO IS LIKELY TO BENEFIT?** Archery hunters that prefer mechanical blade broad heads.

**WHO IS LIKELY TO SUFFER?** Archery hunters that prefer the use of mechanical blade broad heads.

**OTHER SOLUTIONS CONSIDERED:** Initially, I had the idea for this proposal for the purpose of moose hunting. However, after further consideration, I don't see any reason why this regulation could not be applied to all big game animals.

**PROPOSED BY:** Bob Ermold

**LOG NUMBER:** EG042611320

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**PROPOSAL 58 - 5 AAC 92.085(c)(ii). Unlawful methods of taking big game; exceptions.**

Allow archers to use mechanical/retractable broadheads for all big game

Arrows used for taking all big game animals must be tipped with a fixed replaceable or mechanical/retractable broadhead.

**ISSUE:** Currently mechanical/retractable broad head arrows are not allowed for taking mountain goat, moose, elk, brown/grizzly bear, muskoxen, and bison. Production improvements over the last several years have improved them making them more accurate, dependable and lethal. Many hunters feel they are equal to or better than many fixed broad heads.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Bow hunters will be denied the opportunity of using a dependable and extremely lethal broad head for taking larger big game animals.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Mechanical/retraceable broad heads have proved to be more or as accurate and lethal as conventional fixed blade broad heads.

**WHO IS LIKELY TO BENEFIT?** Bow hunters can benefit with quicker and cleaner animal kills.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None considered

**PROPOSED BY:** Terry Marquette

**LOG NUMBER:** EG042811354

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**PROPOSAL 59 - 5 AAC 92.080. Unlawful methods of taking game; exceptions.** Require the use of a lighted nock on the arrow for moose and bear hunting

Add a new section under “You may not hunt big game with a bow, unless”: **The arrow is equipped with a lighted nock on the end of the arrow for moose and all bear.**

**ISSUE:** Wounding loss and safety of hunters hunting with bow and arrow for bear and moose.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** It will be more difficult for hunters to determine arrow placement and penetration especially in poor light. The backup person may not know if they should shoot. Humans may be injured or killed by wounding bears and moose. Moose and bears that are wounded and not recovered will die and be wasted.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. A bear or moose wounded and not recovered that dies is wasted.

**WHO IS LIKELY TO BENEFIT?** All hunters.

**WHO IS LIKELY TO SUFFER?** Pope and Young members that think a lighted nock gives the hunter an unfair advantage even though Boone and Crockett does not.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Virgil Umphenour

**LOG NUMBER:** EG042911418

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**PROPOSAL 60 - 92.085. Unlawful methods of taking big game; exceptions.** Clarify legal type of compound bow.

The bow derives its propulsive energy solely from the bending and recovery of two limbs. It's already in the regulations book: "but may be derived from the mechanical advantage provided by wheels or cams so long as the available energy is stored in the bent limbs of the bow."

**ISSUE:** According to most modern compound bows they do not store the available energy in the bent limbs of a bow. The limbs on a modern compound bend very little if at all. The energy comes from the wheels and cams, allowing the shooter to hold a longer and steadier aim.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The continuous use of an illegal modernized compound hunting bow as a weapon.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Those who follow regulations and use legal gear for hunting.

**WHO IS LIKELY TO SUFFER?** Those who continue to use illegal weapons.

**OTHER SOLUTIONS CONSIDERED: PROPOSED BY:** Marvin Park

**LOG NUMBER:** EG051211489

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**PROPOSAL 61 - 92.085. Unlawful methods of taking big game; exceptions** Modify the requirement for legal bow.

Change regulation back to the way it use to be: Bow must shoot 1oz arrows with a distance of 175 yards.

**ISSUE:** Regulation for legal bow hunting. Compound bows do not store energy within the bent limbs of a bow. The limbs on many bows hardly bend at all. That is why they have cams and cables.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued us of restricted weapons that are not legal.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Those who shoot legal bows

**WHO IS LIKELY TO SUFFER?** Those who shoot compound bows with ultra light arrows

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Marvin Park

**LOG NUMBER:** EG051211490

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# Permits, Permit Allocations

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**PROPOSAL 62 - 5 AAC 92.050. Required permit hunt conditions and procedures.** Restrict the number of drawing permits a resident may apply for.

Residents may not apply for more than five drawing permit choices per regulatory year

**ISSUE:** There are approximately 177 drawing permit hunts available for moose statewide (based on 2010-2011 Drawing Permit Hunt Supplement). The problem is that drawing permit applicants are only allowed three hunt choices for moose hunts.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** It will remain very difficult for hunters to choose three moose hunts to apply for due to the high number of available hunts. Some drawing hunts will continue to be undersubscribed.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** N/A

**WHO IS LIKELY TO BENEFIT?** All residents of the state who apply for moose drawing permits. The Alaska Department of Fish and Game will benefit from increased revenue.

**WHO IS LIKELY TO SUFFER?** The ADF&G section that is in charge of processing drawing permit applications and conducting the draw.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Valerie Baxter

**LOG NUMBER:** EG042911394

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**PROPOSAL 63 - 5 AAC 92.050. Required permit hunt conditions and procedures.** Increase the number of drawing permits for each species that a person may apply for.

(a) The following conditions and procedures for permit issuance apply to each permit hunt:

...

(2) except as provided in 5 AAC 92.061 and 5 AAC 92.069, a person may not apply for more than six [THREE] different drawing permit hunts for the same species per regulatory year, submit more than one application for the same drawing permit hunt during a regulatory year, or apply for more than one moose drawing permit for a nonresident in Unit 23 per regulatory year; the commissioner shall void all duplicate applications, all applications by one person for more than six [THREE] hunts for the same species, and all applications by one person for more than one moose hunt for a nonresident in Unit 23; a person may not hold more than one permit for the same species per regulatory year;

**ISSUE:** The number of drawing permit hunts almost doubled from 185 in 1993 to 341 in 2011 with the largest increase (110) in the number of moose drawing permits, largely as a result of more antlerless moose hunting opportunity and creating smaller management units to better distribute hunters. As a result of these changes, the department has found that applications are not always distributed among the hunts evenly enough to distribute permits through the initial drawing process. Hunts that are undersubscribed in the initial drawing are in high demand when offered over the counter as leftover permits. For example, some Unit 20A and 20B antlerless moose hunts were undersubscribed in the drawing application process for 2011–2012 permits. However, a large number of faxed applications flooded ADF&G within 1 hour of permits being offered as leftover permits. The department believes that increasing the number of permit hunt applications per species allowed will help to resolve this problem, particularly for moose hunts.

The department does not believe the application fee would be a deterrent to hunter interest in applying for additional hunts; application fees have remained at \$5.00 since about 1977.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** More drawing permits will have to be issued as leftovers through a first-come first-served process.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Hunters who want to broaden their choices.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Allowing an unlimited number of applications.

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

**LOG NUMBER:** ADFG042811E

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**PROPOSAL 64 - 5 AAC 92.050(4)(J). Required permit hunt conditions and procedures.**

Limit drawing permits to only two permits per year.

When applying for drawing permits, an applicant must rank hunts applied for in order of preference. A maximum of two permits will be awarded per applicant per annual drawing.

Applicants may continue to apply for many permits, as the system is now, but will be limited to two permits if they happen to win more than two permits.

**ISSUE:** Some winners of multiple drawing permits are unable or unwilling to hunt all permits won in the drawing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Permit hunting opportunities will continue to go to waste. Often winners of three or more draw permits simply cannot participate in all the hunts, either because of time or money.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** All hunters who apply for drawing permits. The available permits will be awarded to a greater number of hunters. Fewer permits will go unused.

**WHO IS LIKELY TO SUFFER?** A hunter with plenty of time and money to allow them to hunt more than two drawing permits per season. According to ADF&G, 57 people won 3 or more permits during 2010, and 84 people won 3+ permits in 2011. This gives an idea of the **number** of hunters potentially affected, but it's a small proportion of the successful drawing winners.

**OTHER SOLUTIONS CONSIDERED:** Considered proposing a limit of 1 successful draw permit per applicant, but that seems too restrictive.

**PROPOSED BY:** Mark Masteller

**LOG NUMBER:** EG042511318

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**PROPOSAL 65 - 5 AAC 92.049. Permits, permit procedures, and permit conditions; and 92.050. Required permit hunt conditions and procedures.** Limit drawing permit winners to only two permits per year.

A limit of two permits for individual.

**ISSUE:** Numerous drawing permits to the same individual.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A select few will continue to benefit.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Better utilization of common property.

**WHO IS LIKELY TO BENEFIT?** The majority of Alaskan hunters.

**WHO IS LIKELY TO SUFFER?** A select few hunters.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Seward Fish & Game Advisory Committee

**LOG NUMBER:** EG042711327

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**PROPOSAL 66 - 5 AAC 92.050. Required permit hunt conditions and procedures.** Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters.

My proposed solution to this problem is to limit the number of drawing permits to out of state residents--10 percent to out of state hunters, 90 percent to Alaskan resident hunters.

**ISSUE:** Currently, Alaska residents are on equal footing with out of state residents in the distribution of drawing permits for all big game species. An Alaskan's chance of drawing a prized Dall sheep permit is no different than our out of state counterparts. This needs to be addressed, as this is not the conventional situation in most other Western states.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If this problem is not solved, Alaskans will continue to feel that their land and resources belong as much to themselves as they do to their out of state neighbors.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. For instance, the percentage of sublegal rams taken each year is typically higher for non-residents than residents. At least partially responsible for this is the guide, who is not liable in those situations. If the percentage of non-resident permits were limited, it is possible, if not probable, that older, larger legal rams may become more prevalent over time.

**WHO IS LIKELY TO BENEFIT?** Alaskans, who previously had a much smaller chance of drawing a permit.

**WHO IS LIKELY TO SUFFER?** Nonresidents--but I think suffer is not accurate. Non-residents will still have many non-drawing areas in which to hunt.

**OTHER SOLUTIONS CONSIDERED:** Excluding non-residents from drawing permits altogether is another solution to consider.. However, Alaskans want to reciprocate, and hunt in other states as well. It does not seem fair to completely exclude non-residents from certain areas, but limiting drawing permit areas is a reasonable compromise.

**PROPOSED BY:** Paul Ferucci

**LOG NUMBER:** EG042711332

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**PROPOSAL 67 - 5 AAC 92.050. Required permit hunt conditions and procedures.** Limit drawing permits to 10 percent for nonresidents, no nonresident permits if less than 10 permits available.

All drawing permit hunts will be a maximum of 10 percent for nonresidents. If there are fewer than ten permits for a hunt area, no nonresident permits will be issued.

**ISSUE:** Unlike most of the other western states that offer hunting opportunities to resident and nonresident hunters, those of us who choose to live in this state don't have any real advantage over a nonresident when applying for a drawing permit.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Residents of this state will compete with nonresidents for any permits on an even base.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Maybe not the quality of the resource itself but the opportunity to participate in the hunts would be increased for residents.

**WHO IS LIKELY TO BENEFIT?** Alaska resident hunters.

**WHO IS LIKELY TO SUFFER?** The only people I can see that might be negatively impacted by this proposal are the guides.

**OTHER SOLUTIONS CONSIDERED:** I would like to see 5 percent nonresident, but trying to keep this reasonable I chose 10 percent as a way to give Alaskan residents greater opportunity to be a successful applicant.

**PROPOSED BY:** Mark Albert

**LOG NUMBER:** EG042711331

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**PROPOSAL 68 - 5 AAC, Chapter 85. Hunting Seasons and Bag Limits.** Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters

That a maximum of 10 percent of drawing permits be awarded to "nonresidents"; assuring at least 90 percent of drawing permits be given to "resident hunters".

**ISSUE:** That a maximum of 10 percent for the Alaska "drawing permits" be awarded to "nonresident" hunters.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaska's resident hunters would continue to be at a disadvantage, to "resident hunters" in other Western States, in regard to access to its natural resources through the drawing permit process.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. This proposal would place Alaska resident hunters on

equal footing, with fellow Western States (90 percent resident- 10 percent non-resident) "drawing permit" game management practices...

**WHO IS LIKELY TO BENEFIT?** All western State sportsman will benefit from an equal access to their, and other States, "drawing permits".

**WHO IS LIKELY TO SUFFER?** No one. The standardization of access to drawing permits of most Western States will benefit all users...

**OTHER SOLUTIONS CONSIDERED:** None. This proposal would place most western states on equal footing, in regards to its, and other states' "drawing permit" programs...

**PROPOSED BY:** Vern Fiehler

**LOG NUMBER:** EG042611322

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**PROPOSAL 69 - 5 AAC 92.050. Required permit hunting conditions and procedures.**

Establish bonus point/preference system for draw hunts.

Please consider going to an extra chance per year not drawn based system. Each year you are unsuccessful you get an additional chance to a draw permit; thus, increasing your odds that you will eventually get a tag for that species. The new regulation would look something like this: Unsuccessful applicants of draw permits for a particular species would be awarded a bonus entry for each year they do not draw for that species beyond the current three chances.

For example, you put in for moose in DM123 and do not draw a permit. The following year you will be given an additional chance towards drawing a moose tag. This bonus chance could be used toward any moose draw permit or for an additional chance/chances on the same draw. This system would be simple to manage as successful applicants could be checked to make sure they did not put in for more chances than they should. If they did they would be disqualified.

**ISSUE:** Draw permits are too hard to get for easy access hunts. Some lucky people draw difficult to obtain hunts multiple years in a row, while others try for twenty years and never draw due to the low numbers of tags given out in popular hunts.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The ADF&G will lose money on draw permit applicants and loose the interest people putting in for these hunts, as people finally just give up trying for draw permits that are within easier access (low numbers given out).

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Having a system as this will improve the chances of those who do not draw a permit and decrease the odds that someone will draw hard to get permits multiple times.



**WHO IS LIKELY TO BENEFIT?** This proposal will benefit ADF&G by increasing the amount of revenue generated as applicants would be paying for additional chances following years they did not draw. It would also benefit the applicant as they would improve their chances of drawing a hard to draw permit. It would also make the draw permit

**WHO IS LIKELY TO SUFFER?** No one

**OTHER SOLUTIONS CONSIDERED:** I thought of having the extra chances tied to a particular hunt, but I think this would be a nightmare to manage.

**PROPOSED BY:** Eivind Brendtro

**LOG NUMBER:** EG09101072

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**PROPOSAL 70 – 5 AAC 92.050. Required permit hunt conditions and procedures.** Allow nonresident deployed military personnel to defer drawing permit.

Resident and nonresident military that draw an Alaska tag and then are deployed during the hunt timeframe are allowed to defer that permit to the following year.

**ISSUE:** That if a nonresident military draws a permit in Alaska and is then deployed overseas during the hunt period he is not allowed to defer his permit to the following year. Resident military are allowed to defer to the following year.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Nonresident military that have no control over being deployed, that are fighting and defending our country will miss out on their Alaska hunt of a lifetime.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Nonresident military, and Alaska guides

**WHO IS LIKELY TO SUFFER?** None

**OTHER SOLUTIONS CONSIDERED:** None

**PROPOSED BY:** Lance Kronberger

**LOG NUMBER:** EG042911415

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# Statewide Big Game Seasons

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**PROPOSAL 71 - 5 AAC Chapter 85. Seasons and bag limits.** Open resident seasons one week before nonresident seasons in all intensive management areas.

In every designated intensive management area of the state, the hunting seasons for all big game prey species will start one week earlier for residents than for nonresidents.

**ISSUE:** In every area of the state identified as an "intensive management area" (IM) for big game prey species, open the hunting season for residents of the state one week (7days) earlier than for nonresidents of Alaska. This would apply to all big game prey populations of animals in the designated IM areas.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Residents of Alaska will continue to have to compete with nonresidents to harvest big game animals that are the property of the residents of Alaska. The Intensive Management law specifies that the Board of Game shall adapt regulations that specify that resident "personal or family consumption has preference over taking (of big game) by non-residents" (AS 16.05.255). Additionally, the IM law specifies that the board must manage the big game prey populations primarily for food in areas designated as Intensive Management Areas. So, it is clear that the intent of the law is that the residents of Alaska should have a priority to harvest the prey population of animals in IM areas, to be used as a food source, instead of a "trophy".

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** For one thing, it would improve the "quality" of the hunt for both residents and non-residents, as it would reduce the competition for the same animals by residents and non-residents, both guided and unguided. Additionally, it would bring the State into compliance with the guidelines set forth in the intensive management law, by allowing the residents of the State a greater opportunity to harvest food for their family from a resource that belongs to them. Residents would have a greater opportunity to harvest prey animals, especially in areas with restricted quotas, antler restrictions, and/or horn growth restrictions, etc.

**WHO IS LIKELY TO BENEFIT?** Resident hunters, and their families, in the State of Alaska.

**WHO IS LIKELY TO SUFFER?** Nonresidents of the state, although they would be allowed to hunt in the IM areas, just a week later than residents. Additionally, there are many areas of the State that are not designated intensive management areas.

**OTHER SOLUTIONS CONSIDERED:** If the board continues to reject a resident preference for all big game hunting in the State of Alaska, following the lead of every other western state, then this issue will ultimately end up in the State Legislature.

**PROPOSED BY:** Larry Dalrymple

**LOG NUMBER:** EG042811366

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**PROPOSAL 72 - 5 AAC Chapter 85. Seasons and bag limits.** Open big game general seasons seven days earlier for residents, five days earlier in drawing hunts.

Alaskan residents can start hunting seven days before nonresident hunters on general hunts and five days earlier on drawing permit hunts. This would include areas with split seasons. Alaska residents would be free of the pressure caused by nonresidents.

**ISSUE:** Because of the ever increasing number of permit hunts, the reduction of areas to hunt without a permit and the lack of restrictions on the number of non-resident hunters allowed to hunt each year, Alaskan hunters feel they are being pressured out and away from hunting in their home state.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Each year more and more hunters are quitting hunting in their home state. Declining numbers of hunting licenses prove this. The worst result is fewer and fewer young people buy licenses each year.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Animal herds would be less pressured because non-residents would have less time in the field.

**WHO IS LIKELY TO BENEFIT?** Alaska residents would benefit by having greater access to the resources of their own state.

**WHO IS LIKELY TO SUFFER?** Nonresidents will complain- even though most other states have similar restrictions on non-residents.

**OTHER SOLUTIONS CONSIDERED:** 1.) Limited tag drawing for all nonresidents. This is not a bad idea. 2.) Greatly increase tag fees for non-residents - a legislative issue.

**PROPOSED BY:** Terry Marquette

**LOG NUMBER:** EG042811352

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**PROPOSAL 73 - 5 AAC Chapter 85. Hunting seasons and bag limits.** Open all big game seasons one week earlier for residents than nonresidents.

Hunting seasons in the State of Alaska for all large game, and in all hunting units will begin one week earlier for the “resident hunter” than the season for the “nonresident hunter”.

**ISSUE:** I would like the Board of Game to standardize a practice of the "resident" hunting season beginning one week earlier than the "nonresident" hunting season, these standardized

season's, would apply for all Alaska large game (no exceptions), in all Alaska game management units.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaska's resident hunters will continue to harvest a ever smaller percentage of Alaska's natural resources.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. My proposal would greatly improve the "quality of the hunt", for all who take part in Alaska's large game hunting.

**WHO IS LIKELY TO BENEFIT?** All sportsman, hunting in the State of Alaska, would benefit from less "hunter congestion" provided in the proposal.

**WHO IS LIKELY TO SUFFER?** The guide industry lobby might complain, but in time, I believe that they and their "nonresident" client's could benefit by the reduction of the "focused hunting pressure" we see in our current combined resident and nonresident, large game hunting season start dates.

**OTHER SOLUTIONS CONSIDERED:** At first I was going to submit a proposal for some of Alaska's large game and not others, but came to the conclusion, that this proposal would be a benefit to all units, and all large game hunts, in the State of Alaska...

**PROPOSED BY:** Vern Fiehler

**LOG NUMBER:** EG042611321

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**PROPOSAL 74 – 5 AAC Chapter 85. Hunting seasons and bag limits.** Open all big game seasons one week earlier for residents than nonresidents.

Nonresident hunting season will begin one week later than resident hunting season for all big game species.

**ISSUE:** Alaska residential preference for all big game hunting in Alaska. I would like to see an opening season date for non-residents of at least one week after the opening date for Alaska residents for all big game species in Alaska.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaska residents will continue to compete with non-resident hunters for a resource which is owned by the Alaska residents.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** It give Alaska residents improved opportunity to harvest the resources of Alaska in order to feed our families. It also relieves some congestion with air transport and river traffic.

**WHO IS LIKELY TO BENEFIT?** All residential big game hunters in Alaska. And all big game.

**WHO IS LIKELY TO SUFFER?** No one will suffer. Nonresidents will still have an opportunity for ample hunting times and the guides will still profit from the non-residents.

**OTHER SOLUTIONS CONSIDERED:** Cut the nonresidential hunting of big game in Alaska to a fraction, two percent, of residential hunters. This limits the revenue brought by non-resident hunters to the state, the transportation industry, local merchants and Alaska guides.

**PROPOSED BY:** Marty Laudert

**LOG NUMBER:** EG042911397

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**PROPOSAL 75 - 5 AAC Chapter 85. Seasons and bag limits.** Open early youth hunt for all big game, ten days before other seasons; require hunter education.

All large game hunts will open for youth hunters 10 days in advance of traditional dates. (Example for moose in most areas August 22 through September 20. For Dall sheep in Region III, August 1 through September 20.) Alaska preference season to open on traditional dates. Nonresident season to start 10 days after traditional dates. These youth hunters should also be required to have a Hunter Safety Card' No exception. Uncarded youth hunters would fall under resident hunting seasons as traditional. Preference points for Alaska residents in permit areas.

**ISSUE:** The problem that exists for youth hunters is most opening days conflict with the start of school and having to compete with other hunters. There is no real good "advantage" program to provide a real; good chance at a successful hunt. The problem exists for resident sheep hunters as well. I see the State of Alaska provides no advantage to it residents at all or what so ever. The Delta / Tok management area is a perfect example. Outfitters guiding nonresident hunters appears to be a priority of the existing Board of Game and to many Alaska residents and that is a problem. Alaska should be for Alaskans first. Every other state allows preference for its residents except Alaska.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** No one can put a price on the experience of spending time hunting with your father as a young boy. This is also true for the father spending time hunting with his son. The tradition of a father being able to take his son or daughter hunting and having a successful hunt could be gone by the wayside. For the problem of resident hunters competing with nonresident hunters on equal footing is not making any one happy except the outfitters that profit by guiding. Resident hunters I suppose will keep complaining and filling out proposals to the Board of Game. General hunt areas will become overcrowded with both residents and nonresidents. Nonresidents will continue to have a better success rate then residents. Hunters will continue to bottle neck prime areas. The favor of the people of Alaska hunter will eventually be full of desertion.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes I believe so. It would enhance the experience for the younger and older generation. It would allow valuable extra time in a much less crowded environment. This would greatly increase the chance of a successful hunt for a Youth Hunter. In

hunt able areas close to a person's residents (town) a person could actually stock a animal without someone else coming out of the bushes. This could also reduce the cost of a hunt, (you could have success in easily accessed areas) allow for kids to not miss as much school, Most families would harvest likely one animal and be done and out of the areas early. This would cut down on congestion. Father and son could find a place to park at the boat ramp in afternoon after school. As for the nonresident issue, the quality of the hunt for everyone Alaskan would be greatly increased. Just feeling like you have a advantage just because you live somewhere would make you feel special and appreciated, not overlooked.

**WHO IS LIKELY TO BENEFIT?** Mostly youth hunters, The parents of these hunters, All Alaskan resident hunters. Eventually all hunters would be inherently much safer. The State of Alaska would enjoy revenue from the influx of youth hunters taking Hunter Safety Classes. If the State had nonresidents pay money for equal opportunity in the field they would enjoy that revenue as well. Likely the folks that would like to carry on the tradition of making the precious memories of hunting trips with Dad get passed down through the generations.

**WHO IS LIKELY TO SUFFER?** No one, everyone wins.

**OTHER SOLUTIONS CONSIDERED:** I have not heard of or seen any solutions to these problems! My understanding is the board continues to ignore or reject any preferential treatment of Alaska resident hunters.

**PROPOSED BY:** Steve Hallsten

**LOG NUMBER:** EG042811373

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**PROPOSAL 76 - 5 AAC Chapter 85. Seasons and bag limits.** Open early youth hunt (10-17 years) for all big game statewide and require accompanying adult to forfeit bag limit.

Special season (dates to be determined by species) for resident youth hunters age 10-17. This will be an early season scheduled prior to the regular season hunting pressure. Youth must be accompanied by an experienced resident adult hunter who would forfeit their own tag for that regulatory year in order to give the youth a quality experience in the field.

**ISSUE:** Have a resident youth hunt for all species of big game in all Game Management Units which begins prior to the regular season and also before the start of the school year. This could be done on a registration basis for resident youth ages 10-17 years of age.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** In the state of Alaska, and all across the country, the number of hunters is declining. This is in part due to the fact that it is more difficult for young hunters to have a quality hunting experience when competing with older and more experienced hunters, along with declining numbers of game animals. If this trend is not reversed, revenue generated by license and tag fees will also decline as the ranks of older hunters are not replaced by the youth.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** This will increase youth involvement in hunting, which in turn will benefit the State with future hunting license purchases. Overall, harvest numbers should not suffer due to the adult participant forfeiting their tag.

**WHO IS LIKELY TO BENEFIT?** All resident families with children.

**WHO IS LIKELY TO SUFFER?** The adult hunters who are accustomed to the relative ease of harvesting unpressured early season game animals.

**OTHER SOLUTIONS CONSIDERED:** Putting all game species in all units on a drawing permit. This would improve the quality of all hunting by limiting the numbers of hunters afield. The down side is that hunting opportunities for everyone would be severely limited, while still not bringing the additional numbers of youth into the sport.

**PROPOSED BY:** Michael Dullen

**LOG NUMBER:** EG042911388

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**PROPOSAL 77 - 5 AAC 92.051. Discretionary trapping permit conditions and procedures.** Require hunters to use only one type of method; either firearm or bow; require a tag.

Adopt either a big game tag for caribou and moose or you get an archery tag or fire arm tag.

**ISSUE:** Increasing numbers of hunters in archery only hunts who are not dedicated to bow hunting.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued increase of people who are not dedicated to bow hunting will continue to hunt with bows.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Hunters who are dedicated to hunting with a bow and nothing else.

**WHO IS LIKELY TO SUFFER?** Hunters who hunt with a bow because they cannot use a rifle.

**OTHER SOLUTIONS CONSIDERED:** Enforce current regulations on modernized compound bows that do not store energy in the limbs of the bow. That is why they have wheels and cables.

**PROPOSED BY:** Marvin Park

**LOG NUMBER:** EG051211491

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# Statewide Sheep Seasons & Permit Allocations

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**PROPOSAL 78 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Open resident sheep seasons seven days earlier than nonresident seasons.

Sheep season dates:

Residents: August 5<sup>th</sup> – September 20<sup>th</sup>

Nonresidents: August 12<sup>th</sup> – September 20<sup>th</sup>

**ISSUE:** Season dates for Dall sheep. Change the traditional dates from August 10 – September 20 to August 5 – September 20 for residents, and August 12 – September 20 for nonresidents.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The conflict between resident hunters and nonresident hunters and their guides; public lands are a resource for all Alaskans. Alaskans should come first.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** This should eliminate the bottleneck of sheep hunters all trying to get in the field at the same time. A lot of the resident hunters will be leaving the field when the nonresident hunters are going out.

**WHO IS LIKELY TO BENEFIT?** Resident Alaskan sheep hunters and hopefully some young Alaskans.

**WHO IS LIKELY TO SUFFER?** Guides will complain but it will only be for a short time once this gets worked out there won't be a big rush to get in at the same time.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Wayne Valcq

**LOG NUMBER:** EG052011503

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**PROPOSAL 79 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Open resident sheep seasons seven days earlier than nonresident seasons.

Sheep season dates:

Residents - August 5 - September 20

Nonresidents - August 12 - September 20

Draw permit areas will start seven days earlier for residents; if there is a split season the second half will be shortened by seven days for nonresidents.

**ISSUE:** Would like to see more trophy Dall sheep for residents. Residents need a jump on the nonresidents.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaskan youth will never have a chance like their parents or grandparents to successfully hunt healthy population of Dall Sheep with large trophy rams. We need to get our young people out and have a quality hunt.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Residents will have a quality hunt. Nonresident hunters will have quality hunt also. There will be less conflicts between the two. Also we can get our young people a quality hunt.

**WHO IS LIKELY TO BENEFIT?** Alaskan residents and Alaskan youth Dall sheep population should improve also.

**WHO IS LIKELY TO SUFFER?** No one. Guides might think they are, but will work out better for then later on; there will be better quality hunts.

**OTHER SOLUTIONS CONSIDERED: PROPOSED BY:** Wayne Valcq

**LOG NUMBER:** EG050411448

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**PROPOSAL 80 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Change the nonresident season and amount of permits available.

Sheep season dates:

Residents: August 5<sup>th</sup>- September 20<sup>th</sup>

Nonresidents: August 12<sup>th</sup>-Sept 20<sup>th</sup>

Nonresident sheep hunters have to draw for a permit and area they want to hunt.

**ISSUE:** Nonresident sheep hunters could have to draw for a permit and an area. There should also be a cap on the permits.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Too many sub legal sheep taken by nonresident hunters. Many rams never reach their full potential.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** With less hunting pressure the rams will be allowed to reach their full potential.

**WHO IS LIKELY TO BENEFIT?** Everyone will benefit. There will be less crowding with residents hunting first and nonresidents later and with less nonresidents there will be bigger rams.

**WHO IS LIKELY TO SUFFER?** Guides who do not care about Alaska's resources.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Wayne Valcq

**LOG NUMBER:** EG052011504

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**PROPOSAL 81 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Open resident seasons one week before nonresident seasons for Dall sheep hunting.

The Alaska state residents have seven days to hunt before the nonresidents come in.

Residents: August 5 - September 20

Nonresidents: August 12 - September 20

**ISSUE:** Modify the season dates for Dall sheep. Original dates: August 10 - September 20.

New resident dates: August 6 - September 20; new nonresident dates: August 12th - September 20<sup>th</sup>.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If this problem is not solved the conflict between nonresidents and residents will continue. Nonresidents kill about 70 percent of the kills and residents kill about 30 percent.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** The quality of the hunt will be better and the Alaska rain will be more of a trophy for the Alaska residents.

**WHO IS LIKELY TO BENEFIT?** The Alaska state residents will benefit from this solution.

**WHO IS LIKELY TO SUFFER?** The out of state/nonresidents will suffer. They will complain but it's our state.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Ethan Graham

**LOG NUMBER:** EG050411444

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**PROPOSAL 82 - 5 AAC 85.055. Hunting Seasons and bag limits for Dall sheep.** Begin the hunting season for Dall sheep seven days earlier than nonresidents.

Resident hunting season for Dall sheep shall be August 3rd to September 20th. Nonresident hunting season shall be from August 10th to September 20th. Drawing permit areas will start 7 days earlier for Alaska residents and if there is a split season, the second half will be shortened

by 7 days for non-residents such that residents can start the second half 7 days prior to nonresidents.

**ISSUE:** The Board of Game needs to address the declining number of full curl legal rams available to Alaska residents. While sheep populations have been stable to slightly declining, the availability of legal rams, much less trophy rams, has been significantly reduced and is in serious decline. Success rates for resident sheep hunters will never be on par with non-residents if not allowed an earlier jump from the efficiency of their guides. To offset the advantage non-residents have due to the efficiency of guides, resident hunters should have an earlier opening.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaska resident hunters will continue to suffer from the mismanagement of this species. Alaskan youth will never have the opportunity afforded to their parents and grandparents to successfully hunt healthy populations of Dall sheep with ample populations of large rams. Alaska wildlife belongs to all Alaskans and these resources should be managed as such.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Resident hunters will have an improved quality of hunt and avoid conflicts with guides and their clients. Nonresident hunters will have an improved quality of hunt by avoiding conflicts with resident hunters. Transport services associated with sheep hunting will improve as this will lessen the bottleneck on transporters seen at the beginning of each season, especially during poor weather. This may also increase the safety of hunters and transporters by spreading out the season and users more. Current Alaska residents and future Alaskans may be more interested in hunting Dall sheep, its management, and the future of Dall sheep hunting if they had greater opportunity to locate and harvest a legal ram, much less quality rams.

**WHO IS LIKELY TO BENEFIT?** Alaska residents, Alaska youth, and future Alaskans. Dall sheep populations may also improve as more people may feel like they have a chance at successfully harvesting a quality ram and will be more interested in the management of the resource. This benefits Alaska, all of Alaska's game resources, and the Alaska Department of Fish and Game.

**WHO IS LIKELY TO SUFFER?** No one, though some will say non-resident hunters, non-resident guides, and resident guides may suffer. Harvest records, however, show that resident sheep hunters are much less successful than non-residents because of their guides. This is largely due to time guides can give to pre-season scouting, which is done mostly by fixed wing aircraft. While success rates for resident hunters will hopefully increase, there is little reason to think that non-resident success rates will decline significantly. Pre-season scouting will still be available to guides. Sheep populations will not suffer directly—again because resident hunter success rates are consistently low. Future sheep populations, however, may suffer and receive little support or interest, if today's youth and future generations cannot hunt healthy populations of sheep, as is currently the case. You will be hard pressed to find any Alaska resident—who is not a guide or associated with a guiding business—who does not favor this proposal. If not sure whether to favor Alaska residents over non-residents, please look at any other state and how they manage their resources for the benefit of their residents and not for the financial benefit of a few.

**OTHER SOLUTIONS CONSIDERED:** Close nonresident hunting of Dall sheep for five years or until healthy populations of sheep with sufficient populations of legal rams is re-established. Charge resident hunters non-resident harvest fees during this interim to offset any loss of funding from loss of non-resident tags. This would be the best management practice the board could do, as it would best serve current and future Alaska residents, and most of all, best serve the Dall sheep population as a whole. This solution was rejected based on past performance of the board where political and financial interests of a few, trumped the best interests of Alaska residents, Alaska game resources, and Alaska itself. Push the legislators to drop the requirement for non-residents to be guided for sheep. This solution was rejected based the political and financial interests of a few always seem to trump the best interests of Alaska residents, Alaska game resources, and Alaska itself.

**PROPOSED BY:** Jake Sprankle and James Von Holle

**LOG NUMBER:** EG042711336

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**PROPOSAL 83 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Begin the resident sheep seasons ten days earlier than nonresident seasons.

Have the sheep season start date earlier for resident hunters.

Sheep season for resident hunters would be August 1-September 20.

Sheep season for nonresident hunters would be August 10 -September 20.

\*In drawing permit areas the same dates should apply but nonresidents would only be able to participate in the first half

**ISSUE:** Conflict between resident and guides in the field while hunting sheep.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The conflict will get worse, result in less opportunity for residents and discourage youth from pursuing sheep hunting.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** My proposal will improve the quality of hunt for residents. It will provide a time for residents to hunt without worry about guide conflict. and maintain the whole season for residents who prefer to hunt later. it will also improve the quality of hunt for nonresidents (since most residents will take advantage of the earlier start date they should be out of the field before nonresidents start hunting).

This proposal with a longer resident season should not affect sheep population since the harvest is only full curl rams. I would encourage the review of regulations for other Western States; all of them give preference to their residents.

**WHO IS LIKELY TO BENEFIT?** All Alaskans.

**WHO IS LIKELY TO SUFFER?** No one. Guides (many of whom are nonresidents) will complain but they are profiting from a public resource that belongs to all Alaskans.

**OTHER SOLUTIONS CONSIDERED:** I considered proposing a split season for residents but rejected it since it was too complicated. I also considered proposing that all nonresidents be put on permits with a cap (such as 10 percent of total sheep hunters) with no guide required but rejected it because that would be legislative issue.

**PROPOSED BY:** Sharon Swisher

**LOG NUMBER:** EG042811334

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**PROPOSAL 84 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Open resident sheep seasons five days earlier than nonresident seasons.

Residents: August 5th to September 20th

Nonresidents: August 10th to September 20<sup>th</sup>

**ISSUE:** The Board of Game needs to address the serious problem of overcrowding at the start of the sheep season and the lack of legal rams for the resident hunters. Alaska wildlife is 1st and foremost for the Alaskan resident.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The conflicts between resident and non-resident hunters will continue to increase and the overall successful hunting experience for both user groups will decline.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Both the resident and the nonresident hunters will have an improved hunt by avoiding conflicts between the two groups. This will also improve safety by not having everyone rush into the field at the same time.

**WHO IS LIKELY TO BENEFIT?** All Alaskan residents.

**WHO IS LIKELY TO SUFFER?** In my opinion no one would suffer, but the non-resident and resident guides will say that they will suffer.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Leonard Jewkes

**LOG NUMBER:** EG042811369

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**PROPOSAL 85 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Begin resident Dall sheep seasons five days earlier.

In all sheep hunting seasons, the resident hunting season will begin five days earlier.

**ISSUE:** Sheep seasons should start earlier for residents then for nonresidents.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A limited resource will be given away to non-residents who have no claim to Alaskan resources.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, it will provide advantage to the residents of Alaska.

**WHO IS LIKELY TO BENEFIT?** Alaska residents.

**WHO IS LIKELY TO SUFFER?** Nonresidents.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Ray Heuer

**LOG NUMBER:** EG042811349

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**PROPOSAL 86 - 5 AAC 85.055. Hunting Seasons and Bag Limits for Dall sheep.** Begin the youth hunting season for Dall sheep five days earlier than residents.

Alaska resident youth hunting season for Dall sheep shall commence five days prior to the resident season, regardless of whether it is general, registration or draw permit. Alaska resident children are defined as any child 17 years of age or younger and who has lived in Alaska prior to January 1 of the year they will be hunting.

**ISSUE:** The Board of Game needs to address the lack of full curl legal rams available to Alaska residents as well as the future of hunting in Alaska as a whole. While sheep populations have been stable to slightly declining, the availability of legal rams, much less trophy rams, has been significantly reduced and is in serious decline. Success rates for resident sheep hunters will never be on par with non-residents if not allowed an earlier jump from the efficiency of their guides. Fewer and fewer youth are hunting and this is largely due to the degradation of game resources and lack of quality hunting opportunities for children 17 years of age and younger.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaskan youth will never have the opportunity afforded to their parents and grandparents to successfully hunt healthy populations of Dall sheep with ample populations of large rams. Alaskan resident hunters will decline and so will the support for good biological management of our game resources.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Resident youth hunters will have an improved quality of hunt experience which would increase their interest in the future of hunting, the future of game management in Alaska, and the future health of Dall sheep populations and its management. A five day jump would help them avoid conflicts with guides and their clients, and avoid competition from them as well as resident hunters. Transport services associated with sheep hunting will improve as this will lessen the bottleneck on transporters seen at the beginning of each season. This may also increase the safety of hunters and transporters by spreading out the season and users more.

**WHO IS LIKELY TO BENEFIT?** Alaska resident youth, and future Alaskans. Dall sheep populations may also improve as more youth would be interested in sheep management and game management as a whole. This benefits Alaska, all of Alaska's game resources, and the Alaska Department of Fish and Game as well.

**WHO IS LIKELY TO SUFFER?** No one, though some will say non-resident hunters, non-resident guides, and resident guides may suffer. Harvest records, however, show that resident sheep hunters are much less successful than non-residents because of their guides. I imagine harvest records by children 17 years and younger is much, much less as well. Non-resident success rates are higher largely due to amount of time their guides can give to pre-season scouting, which is done mostly by fixed wing aircraft. While success rates for resident youth hunters will hopefully increase, there is little reason to think that non-resident success rates will decline significantly. Pre-season scouting will still be available to guides. Sheep populations will not suffer directly, again because resident hunter success rates are consistently low. Future sheep populations, however, may suffer and receive little support or interest, if today's youth and future generations cannot hunt healthy populations of sheep as is currently the case.

**OTHER SOLUTIONS CONSIDERED:** Close nonresident hunting of Dall sheep for five years or until healthy populations of sheep with sufficient populations of legal rams is re-established. Charge resident hunters non-resident harvest fees during this interim to offset any loss of funding from loss of non-resident tags. This would be the best management practice the BOG could do, as it would best serve current and future Alaska residents, and most of all best serve the Dall sheep population as a whole. I rejected this solution based on past performance of the board where political and financial interests of a few, trumped the best interests of Alaska residents, Alaska game resources, and Alaska itself.

**PROPOSED BY:** Jake Sprinkle

**LOG NUMBER:** EG042711330

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**PROPOSAL 87 - 5 AAC 85.055. Hunting Seasons and Bag Limits for Dall Sheep.** Convert all nonresident sheep seasons to drawing permit hunts and limit to five percent of total permits.

All nonresident sheep tags will be issued on a permit drawing basis. The number of drawing permits and areas will be drawn up by the ADF&G. Nonresident participation in sheep hunts



cannot exceed 5 percent of the total number of sheep tags issued in Alaska (resident & nonresident).

**ISSUE:** Management of Dall sheep; too many of our sheep are being harvested by nonresidents being guided many times by nonresident guides. My cousin from Cincinnati booked a hunt with an out-of-state guide at the SCI convention. They flew him in to the Brooks Range, the next day they shot the 1<sup>st</sup> legal ram they saw from over 300 yards and had him out in less than 72 hours.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaska resident hunters will continue to suffer from the mismanagement of this species. Alaskan youth will never have the opportunity afforded to their parents and grandparents to successfully hunt healthy populations of Dall sheep with ample populations of large rams. Alaska wildlife belongs to all Alaskans and these resources should be managed as such.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Current Alaska residents and future Alaskans may be more interested in hunting Dall sheep, its management, and the future of Dall sheep hunting if they had greater opportunity to locate and harvest a legal ram, much less quality rams.

**WHO IS LIKELY TO BENEFIT?** Alaska residents, Alaska youth, and future Alaskans. Dall sheep populations may also improve as more people may feel like they have a chance at successfully harvesting a quality ram and will be more interested in the management of the resource. This benefits Alaska, all of Alaska's game resources, and the Alaska Department of Fish and Game.

**WHO IS LIKELY TO SUFFER?** Nonresident hunters, non-resident guides, and resident guides may suffer. Harvest records, however, show that resident sheep hunters are much less successful than non-residents because of their guides. While success rates for resident hunters will hopefully increase, there is little reason to think that non-resident success rates will decline significantly. Sheep populations will not suffer directly, again because resident hunter success rates are consistently low. Future sheep populations, however, may suffer and receive little support or interest, if today's youth and future generations cannot hunt healthy populations of sheep, as is currently the case.

**OTHER SOLUTIONS CONSIDERED:** Contact my legislators to push for dropping the requirement for non-residents to be guided. I rejected this solution since it appears the political and financial interests of a few, trump the best interests of Alaska residents, Alaska game resources, and Alaska itself

**PROPOSED BY:** James Von Holle

**LOG NUMBER:** EG042811335

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**PROPOSAL 88 - 5 AAC, Chapter 85. Seasons and bag limits.** Convert all nonresident sheep seasons to drawing permits and limit to 10 percent of total permits.

The new regulation would state that all nonresident sheep tags would go to a draw-only permit system. The total number of nonresident tags would be allotted geographically so as the total will not exceed 10 percent of the total number of hunters in the region, similar to other states' systems. To establish a number of nonresident tags, the board should use geographical data and previous harvest data as the numbers are fairly consistent from year to year.

**ISSUE:** The state shows little or no priority for resident sheep hunters in general harvest areas. The disproportionately high harvest rate for nonresidents (39.5 percent of total sheep taken from 2000-2009) in these areas is causing competition between guides, other guides, and residents. This is making finding legal sheep harder and detracting from everyone's experience due to aggressiveness from competing parties.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If this problem is not solved, hunt quality will continue to plummet and all sheep hunting will likely go to draw only, as has already occurred in the Chugach Range, and Alaska residents will unnecessarily lose their open harvest privileges'.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, this reduced harvest would relieve pressure on hard-guided areas and improve trophy quality by allowing more rams to reach their full potential for growth.

**WHO IS LIKELY TO BENEFIT?** Alaskan resident hunters, but also nonresidents hoping for a better quality sheep hunt, and it will give guides more sheep to choose from and less competition

**WHO IS LIKELY TO SUFFER?** Short term, guides will have fewer clients. As the market adjusts to reduced availability of non-resident hunts, the value of a guided hunt will increase.

**OTHER SOLUTIONS CONSIDERED:** Raise nonresident guide license price to 10X that of resident guides, this might not be under the Boards authority and it would be more effective to use the proposed changes.

**PROPOSED BY:** Tyler Freel

**LOG NUMBER:** EG042811346

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**PROPOSAL 89 - 5 AAC 85.055 . Hunting Seasons and Bag Limits for Dall sheep.** Convert all sheep hunts to drawing only, 90% for residents.

Hunting by drawing permit only. Residents are allotted 90 percent of the available permits. The state takes an active role managing our resource to provide trophy quality age structure and healthy ram population.

**ISSUE:** All nonresident and resident sheep tags will be issued by drawing permit basis only. The number of drawing permits and areas will be drawn up by ADF&G. Nonresident participation/permits will not exceed 10 percent of the total number of permits for any given area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The problem has already started. Competition between user groups is becoming more problematic creating additional conflicts and lessening the overall experience of the hunt. Unlimited mismanagement of a valuable renewable resource. Lost revenue to manage the resource responsibly by the state. Non-resident advantage in resource allotment, verses all other states that manage sheep harvest responsibly for the residents that own the resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes-improved the amount of legal rams available per hunter in the field. Improved age structure and trophy quality by reducing over harvest. increased revenue to manage the herd responsibly by ADF&G. Lessons crowding conflicts and improves hunting experience.

**WHO IS LIKELY TO BENEFIT?** Both residents and nonresident hunting groups will find the overall hunting experience will immediately improve, both with opportunities and less user conflicts. The biggest benefactor will be all residents of the state that expect ADF&G to manage this valuable resource responsibly.

**WHO IS LIKELY TO SUFFER?** Both residents and nonresident will need improved planning to participate in the drawing hunt process. Guides may have fewer clients to guide, but the hunt experience will improve. All user groups will ultimately have minimal suffering.

**OTHER SOLUTIONS CONSIDERED:** Statewide drawing permits only to hunt sheep. We should really consider in the long term going statewide. By changing Region III to drawing permit, this will allow some of the users to relocate or select a different hunt area if they were not successful drawing a permit.

**PROPOSED BY:** Doug Lammers

**LOG NUMBER:** EG042911399

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**PROPOSAL 90 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Allocate two percent of all sheep drawing permits to nonresidents, close nonresident season if harvestable surplus is less than 50.

In all Dall Sheep drawing permits a two percent allocation will be provided to nonresident hunters. In areas with a harvestable surplus of less than 50, no nonresident allocation would be available.

**ISSUE:** For all drawing hunts for Dall sheep, provide a nonresident allocation of two percent of the harvestable surplus. The remaining 98 percent of the allocations will be for resident hunters. In areas with harvestable surplus less than 50, no nonresident allocation would be available.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A limited resource will be given away to nonresidents who have no claim to Alaskan resources.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, it will provide advantage to the residents of Alaska to harvest Dall sheep without non-resident competition.

**WHO IS LIKELY TO BENEFIT?** Alaskan residents

**WHO IS LIKELY TO SUFFER?** Nonresidents

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Ray Heuer

**LOG NUMBER:** EG042811351

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**PROPOSAL 91 - 5 AAC 85.055 . Hunting Seasons and Bag Limits for Dall sheep.**

Nonresident next of kin sheep tags come out of the resident pool in Units where there are a limited number of nonresident sheep tags.

Nonresident next of kin sheep applicants would put in with the residents for allocated sheep tags. Plus there would be a cap on the number of next of kin that could draw that particular sheep hunt.

**ISSUE:** That nonresident next of kin sheep tags should come out of the resident pool in units where there is a limited number of nonresident sheep tags. (i.e.: Units 12, 13, & 14.)

In the last couple of years we have limited the percent of nonresident sheep tags in these areas with the 10 year average of nonresident guide use. Now we are having a large portion of the nonresident tags going to the next of kin making it very hard on the guides that work in these areas. It also does not come across very well to the guided non-resident that is thinking about applying in Alaska. Each nonresident that applies donates \$100 to the state just for a chance at drawing. I do not think we want to discourage the non-resident hunter in a way that he thinks he does not have a fair chance at getting a sheep tag. Most nonresident that apply in Alaska also apply in other states and accept that roughly 10 percent of the sheep tags go to guided hunters. I also think we need a cap on the number of next of kin non-residents that can draw out of the resident pool.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** With the Alaska population increasing we will see a large increase in the number on next of kin non-residents that are applying and

drawing allocated sheep tags. This will make it harder and harder for guides to operate in these areas thus not being able to get as many non-resident guided hunters to apply. This will financially hurt the guide industry, local air taxis, local services, and the Department of Fish & Game. Nonresident guided hunters are spending a lot more money within the state than nonresident next of kin hunters.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** By having the small percent of allocated nonresident sheep tags go to guided hunters it brings more money into the state and more money for the Department of Fish and Game. Thus allowing more money that the Department of Fish and Game can dedicate to sheep research and habitat.

**WHO IS LIKELY TO BENEFIT?** Guides would have a better chance at being able to operate in the draw areas and not have to go to non-draw areas and shoot the first legal ram they see. Guided nonresident hunters would have a better chance at drawing. It would also put the Alaska draw areas in a better light with the nonresident hunter encouraging them to continue to apply. Local services, Air Taxis, ADF&G, and guides all benefit when guided nonresident come to hunt Alaska.

**WHO IS LIKELY TO SUFFER?** The next of kin nonresident.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Lance Kronberger

**LOG NUMBER:** EG041411301

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# Statewide Game Seasons

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**PROPOSAL 92 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions.** Allow only the use of traps and snares for taking wolf and wolverine and prohibit the use of firearms except for dispatching trapped animals.

92.095 Unlawful methods of taking furbearers; exceptions

**(a)(20) the taking of a wolf or a wolverine by any means unless the animal is restrained by a steel trap or snare.**

**ISSUE:** Use of a firearm to harvest free roaming wildlife with a dual management classification as big game and a furbearer (wolf and wolverine) under the authority of a trapping license.

Individual harvest limits are far more liberal under a trapping license. Allowing a trapper to use the same methods to harvest wildlife as a hunter (i.e. free roaming wolf or wolverine harvested with a firearm) essentially invalidates the harvest management strategy established to manage harvest by sustained yield principles with a hunting license.

Allowable methods and means regarding the legal take under a trapping or a hunting license must be separate and distinct to be effective. Especially regarding the harvest of wolverine, which can sustain virtually no human harvest pressure without nearby refugia that provides no hunting or trapping pressure at all.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Excessive harvest of free roaming wolf and wolverine with a firearm. Invalidation of the states sustained yield harvest strategy for hunting harvest of wolf and wolverine under a hunting license.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, restricting the harvest of free roaming wolf and wolverine by firearm to a hunting license only take promotes the states hunting harvest management goals and recognized scientific wildlife management principles for wolves, and especially wolverines.

**WHO IS LIKELY TO BENEFIT?** Trappers and hunters that wish to have a stable and healthy wolf and wolverine populations. Other user groups that enjoy seeing wolf and wolverine in the wild. Allowing local populations to be decimated and "self regulated" ignores the needs and priorities of other user groups that are highly attracted to these two iconic species.

**WHO IS LIKELY TO SUFFER?** A trapper that does not have a hunting license.

**OTHER SOLUTIONS CONSIDERED:** Effective management of wolf and wolverine populations requires hunting and trapping harvest methods and means to be distinct and separate. There is no reason to justify allowing a trapper to harvest free roaming wolf and wolverine with a firearm. The very term "trapping" license infers that the animal is restrained.

Prudent management of firearm harvest strategies is the only option. In this instance, restricting the harvest of free roaming wolf and wolverine by firearm to a hunting license is the only option that makes any sense at all, unless you wish to basically decimate wolf or wolverine populations in specific areas.

**PROPOSED BY:** Science Now Project!

**LOG NUMBER:** EG051011483

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**PROPOSAL 93 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions.** Allow only the use of traps and snares for taking wolf and wolverine on National Park Service lands and prohibit the use of firearms except for dispatching trapped animals.

92.095 Unlawful methods of taking furbearers; exceptions.

**(b) The following methods and means of taking furbearers under a trapping license are prohibited in all Units on National Park Service managed lands, in addition to the prohibition found in 5 AAC 92.080;**

**A. the taking of a wolf or wolverine by any means unless the animal is restrained by a steel trap or snare. A trapper using a firearm can only dispatch a wolf or wolverine if it is caught in a trap or snare;**

**ISSUE:** Excessively liberal trapping regulations on lands managed by the National Park Service for two keystone predators, wolf and wolverine. The only reason to allow firearms to be used for trapping is to facilitate manipulation of the wolf and wolverine populations by increasing their overall harvest for the purpose of increasing harvest opportunities for moose and caribou. Such manipulation is contrary to the management policies of the National Park Service and cannot be allowed on park service managed lands.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Wolf and wolverine harvest methods will be excessively liberal for the take of free roaming wolf and wolverine by firearm under a trapping license.

The liberal take regulation of free roaming wolf and wolverine for take by a trapper using a firearm is not based on recognized wildlife management principles for maintaining natural abundance of wolf and wolverine.

Allowing the use of a firearm to harvest a free roaming wolf or wolverine effectively removes the distinction between trapping and hunting regulations. Trapping harvest limits are typically far more liberal than a corresponding hunting harvest limit for use of a firearm. There is no justification for effectively exempting the use of a firearm from "hunting only" harvest restrictions for free roaming wolf and wolverine. Trapping take of these iconic keystone species by a trapper should be restricted to animals that are restrained by trap or snare.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, restricting the harvest of free roaming wolf and wolverine by firearm to hunting license only take ensures the management justification for the



harvest regime adopted for hunting regulations is effective. This will ensure that wolf and wolverine populations are managed prudently and based on recognized scientific principles.

**WHO IS LIKELY TO BENEFIT?** Trappers and hunters that wish to have a stable and healthy wolf and wolverine populations. Other user groups that enjoy seeing wolf and wolverine in National Preserves and Monuments.

**WHO IS LIKELY TO SUFFER?** A trapper that does not have a hunting license.

**OTHER SOLUTIONS CONSIDERED:** Trapping and hunting harvest strategies method and means must be separate and distinct in the take of free roaming wolf and wolverine. No other option to best use management principles for trapping in National Park Service managed land exists.

**PROPOSED BY:** Jim Stratton, National Park Conservation Association

**LOG NUMBER:** EG050211435

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**PROPOSAL 94 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions.**

Prohibit the taking of wolf, fox, wolverine, or coyote during May, June and July on National Park Service lands.

92.095 Unlawful methods of taking furbearers; exceptions.

**(b) The following methods and means of taking furbearers under a trapping license are prohibited in all Units on National Park Service managed lands, in addition to the prohibitions found in 5 AAC 92.080;**

**A. the taking of wolf, fox, wolverine, or coyote during May, June or July;**

**ISSUE:** The taking of wolf, fox, wolverine, or coyote during May, June or July when the pelt is not prime and animals are denning with young. The only reason to allow trapping of wolf, fox, wolverine or coyote when the pelt is not prime (and, therefore, not having much value as fur) is to facilitate manipulation of those populations by increasing their overall harvest for the purpose of increasing harvest opportunities for moose and caribou. Further, these are denning months and trapping during these months could have a significant impact on the survivability of any pups which also has the impact of manipulating wildlife populations for the purpose of increasing harvest opportunities for moose and caribou. Such manipulation is contrary to the management policies of the National Park Service and cannot be allowed on park service managed lands.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The harvest of wolf, fox, wolverine, and coyote by trapping on National Park Service lands is prioritized for federally qualified subsistence trappers and has traditionally been authorized during months that offer the highest quality pelt for the trapper.

The National Park Conservation Association considers these species much more vulnerable to trapping during months associated with denning activities when home ranges are restricted and adults are tied to a specific location.

The harvest of adults during times of year that adult dependent pups are in the den or reliant on adults for teaching pups to hunt is inconsistent with recognized scientific wildlife management principles and represents a significant risk to the natural long term integrity of these species of animals.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, restricting the harvest of wolf, fox, wolverine, and coyote to months when the animals are not responsible for adult dependent young is consistent with scientific wildlife management principles that ensure the long term integrity of these wildlife populations.

Restricting the harvest of wolf, fox, wolverine, and coyote to months when the pelts are the highest quality also prioritizes the harvest of these species for federally qualified rural subsistence trappers that rely on high quality pelts to support their families financially. It is the best use of the resource for Alaskans.

**WHO IS LIKELY TO BENEFIT?** Federally qualified rural subsistence trappers that rely on abundant furbearer populations and high quality pelts to support their way of life. The National Park Service by acknowledging recognized scientific wildlife management principles for promoting the natural diversity of age class and population levels of these species.

**WHO IS LIKELY TO SUFFER?** Nobody. All user groups will benefit from managing the harvest of these species based on recognized scientific principles that promote the long term abundance of these species.

**OTHER SOLUTIONS CONSIDERED:** Trapping of wolf, fox, wolverine and coyote during months with adult dependent young is unacceptable on land managed by the National Park Service and no other harvest option during these months is available.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Association

**LOG NUMBER:** EG050211434

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*Note: The Board of Game approved an agenda change request to consider this proposal at the Statewide, 2012 meeting.*

**PROPOSAL 95 - 5 AAC 92.530(2)(iii) Eagle River Management Area; 92.530(4)(B)(i); Skilak Lake Loop Management Area; 92.530(6)(B)(i); Dalton Highway Management Area, 92.530(7)(B); Birchwood Management Area, 92.530(11)(B)(i); Healy-Lignite Management Area, 92.530(13)(B); and the Petersburg Management Area, and 92.530(24)(B).** Open several management areas to the taking of small game by the use of falconry.

Each area listed above would add language to the text of the regulation that would "open the management area to the take of small game by the use of falconry".

**ISSUE:** The Alaska Falconers Association is requesting the Board of Game to open those six management areas listed above to the taking of small game by the use of falconry. Agenda change request was submitted and approved at the March, 2011 meeting to deal with all six areas at one time.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Currently the Eagle River Management Area, Skilak Loop Management Area, Dalton Highway Corridor Management Area, Birchwood Management Area, Healy-Lignite Management Area, and the Petersburg Management Area allows hunting for small game by bow and arrow only. The remaining Management Areas in the State of Alaska allow small game to be taken by the use of falconry. If the board keeps these areas closed to the take of small game by falconry, opportunities to hunt small game by falconry in areas that exclude firearms will be lost.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Falconry, defined as the means of taking game by means of a trained raptor, is the method of take that has the least impact on the small game resource. Falconry is a highly regulated sport that is practiced by a small number of very dedicated individuals. Falconers practice their discipline under the guidance of the Alaska Falconry Manual, which is part of the Alaska Fish and Game Code. Falconers purchase hunting licenses and state and federal duck stamps. Falconers follow a strict set of guidelines including licensing, experience, acquiring and housing raptors, licensing new falconers through an apprentice program, and falconers are mandated to follow all of the hunting regulations. Falconers spend countless hours over several years to bring a raptor to a level where it can successfully take small game. Falconers, through their trained raptors, take very few game animals, and they leave a very small and quiet foot print on the landscape. They make it a point to avoid other hunters because their technique at harvesting game is incompatible with other resource users. There is almost no competition for the resource between falconry and other consumptive uses.

**WHO IS LIKELY TO BENEFIT?** Falconers and falconry birds will benefit if this proposal is adopted because, if approved, hundreds of miles of highway and many square miles of small game habitat will be opened to the harvest of waterfowl, ptarmigan, grouse, rabbits and other small game during the fall and winter months when these plentiful small game populations are not available in other places. Falconry birds can be flown at a plentiful and easily accessed small game resource for several more months each year.

**WHO IS LIKELY TO SUFFER?** We did not identify any other user groups that will suffer if falconry is approved as a legal method of harvesting small game in the Management Areas listed above.

Falconry is a very low impact discipline with a very limited success rate. Falconers strive to distance themselves and their birds from other hunters and resource users. Often time hours are spent looking for the right set of circumstances just to initiate one flight. Many times those circumstances do not manifest themselves and no flight on game occurs.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Alaska Falconers Association

**LOG NUMBER:** EG042111314

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**PROPOSAL 96 - 5 AAC 92.075. Lawful methods of taking game.** Open areas to archery hunting, if shotguns are allowed.

Simply state that any area that is open to hunting with shotguns for small game, waterfowl and/or furbearers is also open for hunting with archery equipment.

**ISSUE:** There are some areas (example Portage Closed Area in Unit 7 and probably others statewide) that are closed to hunting except for small game, furbearers and waterfowl using a shotgun. We believe that any area open to hunting for anything with a shotgun should also be automatically open for hunting with archery equipment. This is not clear in the regulations but may actually be the intent of the Board of Game.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Bowhunters may not be able to hunt in areas that would be perfectly safe and reasonable for them to hunt. It results in decreased hunting opportunity.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** It does not improve the quality of the actual resource. However it does improve access for more hunters to participate in the resource.

**WHO IS LIKELY TO BENEFIT?** Archery hunters. It should be noted that anyone can be an archery hunter. They are not necessarily a special interest group and welcome all comers.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Alaska Bowhunters Association

**LOG NUMBER:** EG050611481

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# Methods and Means

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**PROPOSAL 97 - 5 AAC 92.080. Unlawful methods of taking game; exceptions; 92.085 Unlawful methods of taking big game; exceptions; 92.090 Unlawful methods of taking fur animals; 92.095 Unlawful methods of taking furbearers; exceptions.** Prohibit the use of artificial light for taking game on all lands managed by the National Park Service.

**On all lands managed by the National Park Service, the use of artificial light to assist in the take of game, big game, fur, or a furbearer is illegal.**

**ISSUE:** The use of artificial light to aid in the taking of wildlife on National Park Service managed lands. The only reason to permit the use of artificial light is to increase the harvest of success of targeted species, like bears in their dens. Increasing the overall harvest is a manipulation of bear and other predator populations for the sole purpose of increasing the survival of moose and caribou. Such manipulation is contrary to the management policies of the National Park Service and cannot be allowed on park service managed lands.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There will not be clear regulatory language explicitly stating that the use of artificial light to assist in the take of wildlife on lands managed by the National Park Service is illegal.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, the use of artificial light is widely recognized as promoting the illegal harvest of wildlife. In addition, the use of artificial light to harvest wildlife on lands managed by the National Park Service has never been authorized. The use of artificial light to aid in the harvest of wildlife is unnecessary and is not consistent with fair chase ethics or long standing National Park Service wildlife management policy.

**WHO IS LIKELY TO BENEFIT?** All user groups.

**WHO IS LIKELY TO SUFFER?** Hunters that wish to shoot a bear in the den. The National Park Service currently does not allow the harvest of bears while in the den, so this restriction would not have an impact on those hunters. Opportunity to use artificial light in the denning of bears is authorized on state managed lands.

**OTHER SOLUTIONS CONSIDERED:** None. Authorizing the use of artificial light in the taking of wildlife on lands managed by the National Park Service is not an option.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Association

**LOG NUMBER:** EG050311438

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**PROPOSAL 98 - 5 AAC 92.080. Unlawful methods of taking game; exceptions.** Prohibit the use of hand held electronics in taking game.

Hunters may not use hand held electronics to aid in any part of taking game.

**ISSUE:** Increased use of technology to aid in the taking of game.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hunters will depend more and more on electronics to do their hunting.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Hunters who know how to hunt.

**WHO IS LIKELY TO SUFFER?** Those who are electronically dependent.

**OTHER SOLUTIONS CONSIDERED: PROPOSED BY:** Marvin Park

**LOG NUMBER:** EG051211492

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**PROPOSAL 99 - 5 AAC 92.085 (c)(i). Unlawful methods of taking big game; exceptions.** Hunters using a licensed transporter cannot harvest on the same day transported.

It is unlawful to harvest a big game animal on the same day the animal is located or spotted while being transported by a licensed transporter.

**ISSUE:** Illegal pursuit of big game by clients of transporters. It is illegal for a transporter to pursue game with a client. This would make it illegal for the client to pursue game with a transporter. This would be much easier for protection to enforce.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Clients are hunting with transporters. This has caused a dramatic increase in harvest levels of black bears and deer. If not solved, seasons and bag limits will be closed and/or lowered.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Populations would increase allowing for a more selective harvest of quality animals.

**WHO IS LIKELY TO BENEFIT?** All legal user groups of the resource including wildlife viewers and enforcement.

**WHO IS LIKELY TO SUFFER?** Those individuals who are already violating the intent of present statutes.

**OTHER SOLUTIONS CONSIDERED:** Total ban on harvest located with a transporter. Too restrictive. The suggested regulation allows for movement as same day airborne does.

**PROPOSED BY:** Brian Peterson

**LOG NUMBER:** EG042711325

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**PROPOSAL 100 - 5 AAC 92.080. Unlawful methods of taking game; exceptions.** Allow the use of laser sight, electronically-enhanced night vision scope, or artificial light for taking coyotes.

You may not take game by using laser sight, electronically-enhanced night vision scope or artificial light, **except in the taking of coyotes from October 1 through June 30.**

**ISSUE:** Rapidly expanding population of coyotes in Alaska that have become major predators of Alaska's wildlife.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A continuation of the reduction in populations of sheep, fox, hare, grouse and other wildlife in Alaska

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Reduces the population of coyotes which have become major predators of numerous game animals in Alaska

**WHO IS LIKELY TO BENEFIT?** All who enjoy Alaska's wildlife.

**WHO IS LIKELY TO SUFFER?** Those who would prefer to view only coyotes.

**OTHER SOLUTIONS CONSIDERED:** Predator control program by ADF&G - rejected for financial and political reasons.

**PROPOSED BY:** Delta Fish and Game Advisory Committee

**LOG NUMBER:** EG050611473

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**PROPOSAL 101 – 5AAC 92.095. Unlawful methods of taking furbearers; exceptions; and 92.090. Unlawful methods of taking fur animals; exceptions.** Allow same day airborne taking of coyotes statewide.

You may take coyotes the same day you have been airborne with no restriction on the distance you are from the aircraft.

**ISSUE:** Same day airborne hunting or land and shoot. Both would create an unfair disadvantage for the non-airborne hunters.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A continuation of the reduction in populations of sheep, fox, hare, grouse and other wildlife in Alaska

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Reduces the population of coyotes which have become major predators of wildlife in Alaska

**WHO IS LIKELY TO BENEFIT?** All who enjoy hunting and viewing Alaska's wildlife.

**WHO IS LIKELY TO SUFFER?** Those who would prefer to view coyotes only.

**OTHER SOLUTIONS CONSIDERED:** Coyote control program by ADF&G - rejected for financial and political reasons.

**PROPOSED BY:** Delta Fish and Game Advisory Committee

**LOG NUMBER:** EG050611478

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**PROPOSAL 102 - 5 AAC 92.085. Unlawful methods of taking big game; exceptions.**

Prohibit the use of pack animals other than horses while hunting sheep or goat.

The use of pack stock other than horses is prohibited while sheep or goat hunting.

**ISSUE:** Disease, primarily pneumonia, has caused major (up to 80-100 percent of the total herd in some cases) die off events in wild sheep populations in the lower 48 states. Once such a die off occurs, disease persists in the surviving animals and in many cases, the population is not able to recover.

To date, we have not documented such a large scale, pneumonia driven, die off in Alaska. There is currently an opportunity for proactive regulation to help prevent such an occurrence. This action will simultaneously aid in preventing the transmission of other domestic animal diseases to Alaska's wild sheep and goat herds.

Extensive studies conducted at Washington State University, and by the Idaho Game and Fish Department have demonstrated an empirical link between wild sheep contact with domestic livestock and these disease events.

Alaska's wild sheep and goat populations are at high risk as we have large populations of these ungulates dispersed across large expanses of contiguous habitat. Once introduced, disease could easily be transmitted across long distances as animals move through their home ranges. Further, Alaska animals are immunologically naive, as they have no prior exposure to these pathogens. As a result, the result of exposure to these diseases could be even more severe than that seen in bighorn sheep.

The use of domestic goats, llamas, and domestic sheep as pack animals or decoys while sheep and/or goat hunting represents an unacceptably high risk of disease transmission to wild ungulate populations, and the use of these animals in any form while hunting sheep or goats needs to be prohibited.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If this proposal doesn't pass, there is likely to be an increased use of pack goats, sheep, or llamas by sheep hunters, which will likely



increase the risk of contact between domestic stock and wild sheep or goats, which in turn will increase the risk of disease transmission to Alaska's sheep and/or goat populations. If disease transmission occurs, it will have substantial economic and aesthetic impact.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. If this regulation is adopted, it could prevent mass die offs that could eliminate any harvestable surplus in sheep or goat populations. This regulation will help to ensure long term population persistence and allow us to harvest according to the sustained yield principle, as well as to enjoy the aesthetic benefits of having healthy sheep and goat populations.

**WHO IS LIKELY TO BENEFIT?** Sheep and goat hunters, wildlife viewers, and wildlife enthusiasts.

**WHO IS LIKELY TO SUFFER?** Pack stock operators/hunters who choose to use pack animals other than horses.

**OTHER SOLUTIONS CONSIDERED:** We considered a health certification program for pack stock, but in many cases the specific microorganisms, diseases, and parasites responsible for these outbreaks are either undetectable at certain times of the year, or can persist at low levels in host animals and can be transmitted through feces, urine or aerosol means. Further, the naturally existing GI and respiratory tract flora in some domestic stock is pathogenic to wild sheep or goats.

**PROPOSED BY:** Daniel Montgomery

**LOG NUMBER:** EG042911404

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**PROPOSAL 103 - 5 AAC 85.080. Unlawful methods of taking game; exceptions.** Prohibit the use of felt soled wading boots while hunting game.

The use of footgear with soles of felt, or other absorbent fiber material, is prohibited while wading in freshwater stream in Alaska while hunting.

**ISSUE:** In 2009/2010 cycle, the Board of Fisheries adopted regulations to prohibit fisherman from using felt soled waders. To be consistent across the state, it is recommended that the Board of Game also consider prohibiting the use of these waders by hunters. Felt soled wading boots have been identified as a primary vector for transferring invasive species such as Whirling Disease, didymo (rock snot), mud snails, and zebra mussels. Adopting this proposal would reduce the likelihood that these problems will be spread by hunters within the state, or by visitors that may unknowingly bring or spread these species retained in moist felt soles of wading boots and waters.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Given the ever-growing number of locations being infected with invasive species, Alaska is at risk of being subject to similar outbreaks. In fact, didymo or rock snot has already been detected in streams near Juneau.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, by essentially ruling out one means of invasive species transmission, this proposal will help to maintain our fisheries at current levels or higher and will help ensure that State funds can be used to improve those fisheries rather than being used to fight invasive species outbreaks.

**WHO IS LIKELY TO BENEFIT?** All users of fish and game resources.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None

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

**LOG NUMBER:** ADFG042811BOF

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**PROPOSAL 104 - 5 AAC 92.080. Unlawful methods of taking tame; exceptions.** Prohibit the use of deer or elk urine for use in taking game.

The following methods of taking game are prohibited:

...

(7) with the aid of a pit, fire, artificial light, laser sight, electronically enhanced night vision scope, radio communication, cellular or satellite telephone, artificial salt lick, explosive, expanding gas arrow, bomb, smoke, **deer or elk urine**, chemical (excluding scent lures **other than deer or elk urine**), or a conventional steel trap with an inside jaw spread over nine inches, except that

(A) a rangefinders may be used;

(B) a killer style trap with a jaw spread of less than 13 inches may be used; and

(C) artificial light may be used;

(i) for the purpose of taking furbearers under a trapping license during an open season November 1 - March 31 in Units 7 and 9–26;

(ii) by a tracking dog handler with one leashed dog to aid in tracking and dispatching a wounded big game animal;

(iii) to aid in tracking, recovering, and dispatching a wounded game animal without the use of a motorized vehicle;

...

**ISSUE:** The infectious agent of Chronic Wasting Disease (CWD), a fatal disease of deer, elk, moose, and likely caribou, is a mutant protein or “prion” that can be passed in urine. Because CWD is not present in Alaska, it is in the best interest of Alaska’s wildlife to prohibit use of any substance that could bring this disease into the state. This mutant protein can bind to soils and remain infectious for many years and there is no known way to destroy the prions in the soil. Some captive deer facilities producing urine products for hunting have not complied with

mandatory disease prevention and monitoring regulations. Their products may, as a result, be capable of transmitting diseases such as CWD. Other states and provinces have already enacted regulations to prevent the import and use of doe urine.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Chronic Wasting Disease could be brought to the state and spread through urine used as scent lures. Since the prions bind to the soil, the risk of transmission remains for many years and there is no known mitigation or way to destroy the prions in the soil.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, deer, elk, moose, sheep, goat, and caribou populations will be afforded some protection against this disease being brought into the state. As more states detect CWD in their wild cervid populations each year, an Alaska free of CWD will put our cervids at a premium for hunters.

**WHO IS LIKELY TO BENEFIT?** Wildlife hunters and those who eat wild game.

**WHO IS LIKELY TO SUFFER?** Hunters who prefer to use deer urine as a scent lure.

**OTHER SOLUTIONS CONSIDERED?** No action. Allowing artificial urine for scent lures; however, this would cause great difficulty for Alaska Wildlife Troopers because there is no way in the field to tell artificial urine from natural urine.

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

**LOG NUMBER:** ADFG042811R

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# Sealing and Bag Limits

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**PROPOSAL 105 - 5 AAC 92.130. Restrictions to bag limit.** Clarify the definition of wounded as it applies to the restrictions to bag limits:

Statewide, for any animal in which the Board of Game believes that a wounded animal should count against the bag limit for that species, simply insert the word MORTALLY in front of wounded in the regulation. So the new regulation would read "**any animal mortally wounded and not recovered must count against the bag limit**".

**ISSUE:** The Board of Game has been slowly expanding the concept that any animal wounded must be considered "taken" and counted in your bag limit. A "wounded" animal thus becomes a restriction on your bag limit. This regulation started with bear in Southeast Alaska but has slowly been spreading (most recently to elk in Unit 8). This regulation discriminates against bowhunters because bowhunters are more likely to know if they have (even superficially) wounded a game animal because bowhunters shoot a visible projectile, at close range and they often recover their projectile and can check it for any (even slight) sign of blood. Firearms hunters never retrieve their projectiles and often don't know if they may have hit an animal superficially or not. Thus a bowhunter who has nicked an animal must quit hunting (if the bag limit is one) while a rifle hunter who has nicked an animal probably won't realize it and will there for continue to hunt.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Ethical bowhunters may continue to be required to stop hunting even if they have only superficially wounded an animal. While a rifle hunter may have gut shot an animal at 400 yards and not seen it flinch or fall down and after assuming that he missed will be able to continue hunting.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Bowhunters and even firearms hunters who determine that they have only superficially wounded an animal.

**WHO IS LIKELY TO SUFFER?** Guides who want to declare a hunt finished as soon as a shot is fired.

**OTHER SOLUTIONS CONSIDERED:** Simply eliminate the concept statewide that a wounded animal be considered part of your bag limit. We rejected this because we believe ethically and morally that any animal mortally wounded and lost should indeed count against a hunters bag limit. Obvious examples of this would be a goat shot on a steep cliff that falls into a glacial river or a duck that is knocked out of the sky with a shotgun or any big game animal struck solidly in a body cavity with an arrow or bullet but not recovered should be considered part of your bag limit. The ethical hunter will of course continue to hunt specifically for that mortally wounded animal until all hope is lost for recovery.

**PROPOSED BY:** Alaskan Bowhunters Association

**LOG NUMBER:** EG042911424

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**PROPOSAL 106 - 5 AAC 92.130. Restrictions to bag limit.** Count wounded muskox, bison, sheep and goat that are not recovered as the bag limit.

When referencing either muskox, buffalo, Dall sheep or mountain goat, the term bag limit shall be expanded to include any wounded game that is not recovered.

**ISSUE:** Clarification of the term bag limit when applied to Dall sheep, buffalo, muskox and mountain goat.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Poor hunting practices will continue, and we may see unnecessary decline in the populations of these animals.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Reducing the odds that harvested game will have prior wounds since hunters would no longer be able to wound unlimited numbers of animals prior to achieving their bag limit. This change would help the Department of Fish and Game more accurately track the affects of hunting on these populations. This change would encourage safer hunting practices.

**WHO IS LIKELY TO BENEFIT?** Game populations and hunters.

**WHO IS LIKELY TO SUFFER?** Unprepared or ill-prepared hunters.

**OTHER SOLUTIONS CONSIDERED:** Redefining bag limit to include wounded big game of any species. I opted for a more narrow revision that I believe has a better chance of passing. Redefining bag limit to include wounded big game of any species in any non-subsistence hunt. Rejected for same reason as above. Redefining bag limit to include wounded big game of any species in any draw permit hunt. Redefining bag limit to include wounded but not recovered buffalo. Redefining bag limit to include wounded but not recovered muskox. Redefining bag limit to include wounded but not recovered Dall sheep. Redefining bag limit to include wounded but not recovered mountain goat.

**PROPOSED BY:** Michelle Niland

**LOG NUMBER:** EG033111291

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**PROPOSAL 107 - 5 AAC 85.015. Hunting seasons and bag limits for black bear.** Eliminate the statewide bag limit for black bear.

No statewide black bear limit. Bears are managed by area, so each Unit would have their own limits.

**ISSUE:** Under-utilization of abundant black bear population.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Over-population of black bear; underutilization of black bear.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Allows for a fuller utilization of abundant black bear.

**WHO IS LIKELY TO BENEFIT?** Those wishing to harvest black bear.

**WHO IS LIKELY TO SUFFER?** Those who don't want hunting.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Steve Flory

**LOG NUMBER:** EG050311442

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**PROPOSAL 108 - 5 AAC 92.260 Taking cub bears and female bears with cubs prohibited.**  
Prohibit the harvest of cubs and sows accompanied by cubs on National Park Service (NPS) lands:

5 AAC 92.260 Taking cub bears and female bears with cubs prohibited

...

**on lands managed by the National Park Service, a person may not take an adult dependent bear cub or a female bear accompanied by an adult dependent bear cub.**

**ISSUE:** The potential harvest of adult dependent bear cubs and female bears accompanied by adult dependent bear cubs on National Park Service managed lands in Alaska. The only reason to allow harvest of adult dependent bear cubs and female bears accompanied by adult dependent bear cubs is to facilitate manipulation of the bear populations by increasing the overall harvest of bears for the purpose of increasing harvest opportunities for moose and caribou. Such manipulation is contrary to the management policies of the National Park Service and cannot be allowed on park service managed lands.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Individual Park superintendants will continue to promulgate temporary regulations revoking the harvest of adult dependent bear cubs and female bears accompanied by adult dependent bear cubs.

Bear harvest regulations will be unnecessarily complicated by not clearly defining in the state harvest regulations that the harvest of adult dependent bear cubs and female bears accompanied by adult dependent bear cubs on National Park Service managed lands is illegal.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, harvesting adult dependent bear cubs and female bears accompanied by adult dependent bear cubs is not a recognized scientific bear management policy for maintaining natural population composition and overall population levels of bear populations.

Harvesting adult dependent bear cubs and female bears accompanied by adult dependent bear cubs is inconsistent with National Park Service management mandates and is not considered ethical by the vast majority of the public.

**WHO IS LIKELY TO BENEFIT?** The public who prefer Alaska's National Preserves to manage bear population for natural age class composition, diversity and population levels.

**WHO IS LIKELY TO SUFFER?** Hunters who prefer to hunt black bears while they are denning or those that wish to sell cub pelts to the taxidermy industry.

**OTHER SOLUTIONS CONSIDERED:** Harvesting adult dependent bear cubs and female bears accompanied by adult dependent bear cubs on National Park Service managed lands is unacceptable. No alternative exists.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Association

**LOG NUMBER:** EG050211433

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**PROPOSAL 109 - 5 AAC 85.015. Hunting seasons and bag limits for black bear.** Clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting.

**Units 6-26 (except Unit 6C & D and 14C) Residents and nonresidents: No Closed Season**

**Units 6-26 (except 6D & C and the coastal areas of 15&7 as defined at the March 2011 Board of Game meeting) Residents and nonresidents:**

**Bag Limit - 3 bears**

**All intensive management areas where black bears are recognized as contributing to the decline of prey species:**

**Bag Limit - No Limit**

**ISSUE:** Black bear seasons and bag limits should be standardized as much as possible. Black bears are the most underutilized big game species in most areas of greater Alaska. Healthy populations harvested far below maximum sustained yield should allow for liberalization in most areas. Liberalization of black bear seasons and bag limits has shown to have little or no effect on sustainability in non-coastal areas. A three bear bag limit leaves enough room for the board to draw attention to areas in which bear numbers need to be reduced by establishing “no limit” bag limit in certain Intensive management areas.

This proposal consists of several consensus items from a black bear resource users’ group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.



The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast Alaska is intended to be excluded we will state a specific area for the regulation (Units 6-26, etc.).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Regulations will be needlessly complicated. Opportunities will not be realized for hunters that wish to take more bears than currently allowed. Increased harvest in some IM areas will continue only by burdensome predator control permits.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Bear hunters will have less confusing regulations and more options as to the time and numbers of bears they may take.

**WHO IS LIKELY TO SUFFER?** Those opposed to bear hunting. Those opposed to unlimited take in Intensive Management areas. Those that prefer complicated regulations.

**OTHER SOLUTIONS CONSIDERED:** No limit on black bears in all non-coastal areas. Five bear bag limit.

**PROPOSED BY:** The Greater Alaska Black Bear Committee

**LOG NUMBER:** EG051911496

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# Evidence of Sex, Transfer & Possession

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**PROPOSAL 110 - 5 AAC 92.150. Evidence of sex and identity.** Require the hunter to keep sex attached to the meat if it (the skull) needs to be sealed.

(d) In those areas where sealing is required, until the hide **or skull** has been sealed by a representative of the department, no person may possess or transport the **un-tanned** hide of a bear **taken in that area; or the meat of a bear taken in that area at times when only meat salvage is required**; that does not have the penis sheath or vaginal orifice naturally attached **to the hide or sufficient portions of the external sex organs remain attached to the meat** to indicate conclusively the sex of the bear.

**ISSUE:** This proposal could be considered housekeeping. Some areas of the state now have the option to either salvage the hide or the meat of a black bear at certain times of the year. Obviously evidence of sex cannot remain attached to the hide if only the meat or meat and skull are salvaged.

The Board of Game (board) has already allowed for meat salvage only in some areas. The intent of this proposal would require the hunter to keep sex attached to his meat if it (the skull) needs to be sealed. And make him keep the skull if only the meat is salvaged (and not the hide) so ADF&G has something to seal. The word "un-tanned" has been added just to make clear that once tanning is done tags are no longer required. The language "sufficient portions of the external sex organs remain attached to the meat" is the same as used for moose.

This proposal consists of consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially Greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (Units 6-26, etc.).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hunters that only salvage meat will be in violation of the law.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Bear hunters that choose to hunt bears for meat only.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** The Greater Alaska Black Bear Committee

**LOG NUMBER:** EG051911493

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**PROPOSAL 111 - 92.150. Evidence of sex and identity.** Clarify the sex organs, or portions of, that must remain attached for proof of sex.

(b) If the taking of a big game animal, except sheep, is restricted to one sex, a person may not possess or transport the carcass of an animal unless sufficient portions of the external sex organs remain attached to indicate conclusively the sex of the animal **(the penis sheath need not remain attached, but a testicle or the penis or the vulva must remain naturally attached)**, except that antlers are considered proof of sex for a deer if the antlers are naturally attached to an entire carcass, with or without the viscera; however, this section does not apply to the carcass of a big game animal that has been cut and placed in storage or otherwise prepared for consumption upon arrival at the location where it is to be consumed.

**ISSUE:** Leaving the external sex organs naturally attached to the meat is a poor practice. It is important to properly cool game meat, so the hide must be removed. This regulation requires a hunter to skin around the sex organs and leave them naturally attached to the meat. This practice increases waste of game meat by introducing bacteria onto game meat through contact with the external sex organs.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hunters will continue to waste game meat to satisfy a regulator requirement. The recommended language is not the perfect solution, but it is the next best thing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, the amount of meat wasted should be greatly reduced.

**WHO IS LIKELY TO BENEFIT?** All users of the resource.

**WHO IS LIKELY TO SUFFER?** No one will suffer, and enforcement will still be able to identify sex of the game animal.

**OTHER SOLUTIONS CONSIDERED:** -

**PROPOSED BY:** Ray Heuer

**LOG NUMBER:** EG042911405

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**PROPOSAL 112 - 5 AAC 92.150. Evidence of sex and identity.** Eliminate the evidence of sex regulation.

Simply remove the "evidence of sex" regulation. It is no longer necessary because in fact there is DNA evidence of sex naturally attached to each and every morsel of tissue on an animal. If a wildlife trooper seriously suspects that a hunter is trying to kill a bull moose five miles from

motorized transportation and then kill a cow or calf close to transportation and bring out the bull horns and the cow meat, that officer could simply ask for a tiny sample of meat from every chunk and a bit of bone off of the skull plate. These items could be sent to a lab for verification that the sex was appropriate and the meat was all from the same animal. If not the hunter would pay not only his fines but also the cost of the tests. If it all matched then the state would absorb the cost of the test.

**ISSUE:** Keeping "evidence of sex" naturally attached to one quarter is a nuisance regulation that has outlived its usefulness.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hunters will continue to be burdened by the necessity to keep evidence of sex attached. They will possibly be prosecuted for a technical violation which has nothing to do with fair chase, legal harvest or wanton waste.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Many hunters have been taught that the sex organs should be removed immediately because they may taint the meat.

**WHO IS LIKELY TO BENEFIT?** All hunters, because they will have better meat, slightly less weight to carry out of the field and no chance of being harassed by enforcement personnel if they forgot to leave the evidence of sex attached or accidentally cut it off while butchering in possibly adverse conditions.

**WHO IS LIKELY TO SUFFER?** State enforcement individuals who delight in finding any little excuse to write a citation.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** John Frost

**LOG NUMBER:** EG050611480

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**PROPOSAL 113 - 5 AAC 92.135. Transfer of possession.** Remove the reference to federal fish and wildlife agent under the transfer and possession regulation.

(c)A person giving, shipping, or receiving game or parts of game shall allow inspection of that game or parts of game upon request from a peace officer or the state [OR FEDERAL FISH AND WILDLIFE AGENT.]

**ISSUE:** The federal agencies enforcement personnel are involved in issues like “transfer of possession”-a state of Alaska requirement. Under new federal policy, wherein such policy seems to beget agency assimilated regulations from other federal agencies and the state, these regulations contradict both federal and state law (ANILCA, Alaska Statehood Act, etc.). The board should remove any authority to enforce state hunting and/or trapping regulations from federal agencies.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The federal agencies will continue to substitute “policy” for requirement under federal law. No federal enforcement of state hunting and trapping regulations is authorized by the Board of Game.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Alaskans who are expecting the federal agencies to follow the law and not a “policy”

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None

**PROPOSED BY:** Fairbanks Advisory Committee

**LOG NUMBER:** EG042811358

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# Black Bear Baiting

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**PROPOSAL 114 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures.** Allow black bear to be taken same-day-airborne within 1/4 mile of bait station.

Black bear may be taken same day airborne provided the hunter is within a 1/4 mile of an established and registered bait station site which that hunter is legally permitted to use.

**ISSUE:** Eliminate the same day airborne restriction for all bait station black bear hunts.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The same day airborne restriction for bait station hunters only unnecessarily delays hunting opportunity. Aircraft do not offer the possible advantage to spot and hunt individual animals when the hunter is utilizing aircraft to access a predetermined bait location. This aircraft restriction has already been removed for black bear hunters within predator control areas.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Added hunting opportunity and reduction in hunting delays and expense.

**WHO IS LIKELY TO BENEFIT?** Hunters wanting to access remote sites to bait and hunt black bear.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED: PROPOSED BY:** Joe Schuster

**LOG NUMBER:** EG102910131

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**PROPOSAL 115 - 5 AAC 92.044(6). Permit for hunting black bear with the use of bait or scent lures.** Eliminate the personally accompany requirement for guides using bait stations and require a guide-client agreement.

5 AAC 92.044(6) a person may not give or receive remuneration for the use of a bait station, including barter or exchange of goods; however, this paragraph does not apply to a registered guide-outfitter, class-A assistant guide, or assistant guide [WHO PERSONALLY ACCOMPANIES A CLIENT] **if a signed guide-client agreement is used for each hunter that uses a site.**

**ISSUE:** Clarification on the outfitting of bait stations hunts. Change the wording in 5AAC 92.044(6) from, "... who personally accompanies a client at a bait station site;" to language similar to that in sections (4) and (11) of "... if a signed guide-client agreement is used for each hunter that uses a site".

There is not a guide requirement for hunting black bear. Section (6) of the regulation suggests that there is a guide requirement. Establishing and maintaining a bait station site for clients is an “in-field” service that a guide outfitter should be able to provide. The wording in sections (4) and (11) suggest that such “outfitting” is permitted. To comply with the wording in sections (4) and (11) for a signed guide-client agreement, a guide can check the box for an “Outfitted Hunt” at the top of the Guide Hunt Record Form.

This contradictory language compounded by overlapping predator control regulations has caused much confusion within industry and enforcement. Clarification is needed. Outfitting of black bear hunts is something the Alaska guides should be permitted to do.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued confusion by guides and enforcement as to what activities are permitted. Loss of hunting opportunity.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Clarification is needed so that legal hunts may be contracted.

**WHO IS LIKELY TO BENEFIT?** Alaska Guides will be better able to compete with Canadian Outfitters who have no guide accompaniment requirements. Resident and non-resident hunters will have an increased range of services which they can contract from a guide.

**WHO IS LIKELY TO SUFFER?** Canadian Outfitters.

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Joe Schuster

**LOG NUMBER:** EG102910129

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**PROPOSAL 116 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures.** In addition to the 10 bait sites in total, guides and assistant guides may also have two personal sites each; guides and assistant guides may hunt all sites for personal use without guide client agreements.

A registered guide-outfitter may register 10 bait sites at the same time and the assistant guides may help place and maintain those 10 baits **in addition to the two baits each they may register for personal or business use. The guide or assistant guides may/or may not hunt the 10 baits personally or with friends without a guide client agreement.** (Take your pick but make it clear.)

**ISSUE:** Black bear baiting. The Registered Guide-Outfitter may register 10 baits. The Department of Fish and Game (ADF&G) has adopted an interpretation that I believe is in conflict with the Board of Game’s intent. 1) ADF&G says that the assistant guides baits (2 bait sites each) are counted as part of the 10 baits registered under the guides’ name. There was never any discussion or mention about counting the assistant guides baits as part of the 10 baits. I



believe this is wrong and this needs to be clarified. Record Copy (RC) 129 from a past board meeting specifically states: “...a registered guide may register 10 baits..... must have a guide client agreement...” The way I read it the guide nor assistant nor friends can hunt any of those 10 baits without a guide-client agreement. ADF&G believes that since no “money”, or remuneration is involved in that type of hunt, there is no contract required and therefore the guide, assistant guide or friend can hunt those 10 baits. The board did discuss the “problem” of giving a guide 10 baits that could then be used to hunt personally. The boards’ comments were against that scenario because it would be an unfair advantage over everyone else. I thought that was clear. As such, if the guide, assistants or friends could not hunt the 10 baits given to the guide for business clients only, then the guide and assistant or friends could register personal baits that they could hunt. And therefore according to long established regulations they could allow guided and personally accompanied clients to hunt those baits as well under the exemption to the remuneration clause. That is to say, if there is no remuneration for use of the bait, anyone, including a guide’s client, can hunt it. What does not make sense to me is that after the McGrath study that proved black bear were in fact the major predator of newborn moose calves in the interior, and the recent decisions to list black bears as furbearers and to allow trapping; why are we putting the brakes on any guide operation that targets black bear in the interior considering that a guided hunt brings in much more money to the State and ADF&G than a trapped black bear ever could? Black bear hunting over bait is an effective and efficient way to provide targeted harvest opportunity which is desired and needed over most of the interior. The 10 baits should be considered a starter package of baits. If the guide needs more then he and his assistant can use the two permits each for additional baits. I have asked for clarification and correction and I have not received it by the deadline to submit proposals. Therefore I am forced to ask the board to clarify.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The board’s intent will not be implemented. The board needs to direct F&G to implement the boards intent. The board’s intent needs to be clear to the public, guides and ADF&G. We will continue to have to deal with black bear through other more controversial means. This is an area where small time and part time guides can make a difference in the overall game abundance. And considering the current plan that the Big Game Commercial Services Board and the Department of Natural Resources are currently pursuing to eliminate 50 percent or more of the guides through the Guide Use Area Concession Plan, this is a freebie to keep them in business and make a difference for all Alaskans. We have a huge problem up on the Yukon River areas with black bears and moose and moose calf survival. If the board chooses to keep the guide’s hands tied then there is little chance the feds will loosen up their restrictions on the number of guides permitted in the Yukon Flats Refuge. Many areas and the locals/villagers of the Interior do not actively hunt black bear. They do not harvest bear for the meat for traditional reasons. There is the problem. Guides do harvest meat with paying clients. A program to show how to cook and preserve black bear meat “may” provide a meat source acceptable to the area residents and encourage them to harvest and salvage black bear meat.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The implications and ramifications are clear.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED:**

**PROPOSED BY:** Smokey Don Duncan

**LOG NUMBER:** EG050611466

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**PROPOSAL 117 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures.** Remove the requirement for guides to personally accompany resident clients at a black bear bait stations.

Make an exemption to the current regulations: .Except that a resident hunter does not need to be personally accompanied at the bait site. And/or: A registered guide may place and maintain bait on behalf of a contracted resident hunter that only that resident hunter or their companions can hunt.

**ISSUE:** A guide/assistant guide must personally accompany a resident hunter at the black bear baits site. Many residents wish to hunt black bear over bait but they do not wish to pay for a guide to personally accompany them. The resident hunter would like to be able to have the guide place and maintain their bait prior to their arrival or to have a bait ready to go that they did not have to be guided on. The guide requirement unnecessarily adds costs to the residents.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Residents will continue to not hire a guide because the price is too high.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Resident hunters.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** This proposed solution will work. The correct system will have accountability for Fish and Wildlife Protection and the Department of Fish and Game as far as who placed the baits and who is responsible for the bait. Many resident hunters desire a solution like this. It will create more opportunity for hunters and guides. This is a win-win solution. The Board of Game has historically felt that the “guide personally accompany” the client was very important. That requirement drives away resident hunters from hiring a guide. It is no longer needed. Guides need the work, and some resident hunters do desire a change and ask for it repeatedly.

**PROPOSED BY:** Smokey Don Duncan

**LOG NUMBER:** EG050611463

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**PROPOSAL 118 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures.** Clarify and modify the permit for hunting black bear with the use of bait and scent lures.

(a) A person may not establish a black bear bait station to hunt black bear with the use of bait or scent lures without first obtaining a permit from the department under this section.

(b) [IN ADDITION TO ANY CONDITION THAT THE DEPARTMENT MAY REQUIRE UNDER 5 AAC [92.052](#),] a permit issued under this section is subject to the following provisions:

(1) a person may establish a black bear bait station only if that persons obtains a permit under this section;

**(A) the permit shall consist of a brightly colored, numbered metal locking tag provided by the department. Permittees are encouraged to mark their station with a sign identifying it as a black bear bait station.**

**(B) a permittee must provide either a detailed physical description OR GPS coordinates for each bait site unless more restrictive measure have been adopted by the board.**

(2) in Units 6(D), 7, 14(A), 14(B), 15, 16(A), and 20(B), a person must complete a bear hunter clinic given by the department before that person may obtain a permit from the department under this section;

(3) a person must be at least 16 years of age to be issued a permit;

(4) a person may not have more than two bait stations established with bait present at any one time, [EXCEPT THAT IN UNITS 12, 19, 20, 21, 24, AND 25, A REGISTERED GUIDE-OUTFITTER MAY REGISTER UP TO 10 BAIT STATION SITES AT A TIME AND MAY EITHER PERSONALLY OR THROUGH LICENSED CLASS-A ASSISTANT OR ASSISTANT GUIDES, ESTABLISH AND MAINTAIN THOSE SITES SIMULTANEOUSLY, IF A SIGNED GUIDE-CLIENT AGREEMENT IS USED FOR EACH HUNTER THAT USES ANY OF THE SITES;] **except a registered guide-outfitter may establish up to ten stations at a time in Unit's 6-26. The department may restrict the location of individual bait sites to eliminate conflicts with prior established stations.**

(5) a person may not use bait or scent lures within

(A) one-quarter mile of a publicly maintained road, trail, or the Alaska Railroad;

(B) one mile of a house or other permanent dwelling; or

(C) one mile of a developed campground or developed recreational facility;

(6) **~~(Delete)~~** [A PERSON MAY NOT GIVE OR RECEIVE REMUNERATION FOR THE USE OF A BAIT STATION, INCLUDING BARTER OR EXCHANGE OF GOODS; HOWEVER, THIS PARAGRAPH DOES NOT APPLY TO A LICENSED GUIDE-

OUTFITTER WHO PERSONALLY ACCOMPANIES A CLIENT AT THE BAIT STATION SITE;]

(7) a person using bait or scent lures shall clearly identify the site with the **metal locking tag provided by the department in a prominent location. And the permittee must record the tag number on the back of the hunting license.** [A SIGN READING "BLACK BEAR BAIT STATION" THAT ALSO DISPLAYS THE PERSON'S HUNTING LICENSE NUMBER, AND THE PERMIT NUMBER;]

(8) only biodegradable materials may be used as bait; if fish or game is used as bait, only the head, bones, viscera, or skin of legally harvested fish and game may be used, except that in Units 7 and 15, fish or fish parts may not be used as bait;

(9) in areas where the bag limit is greater than one bear, the department may limit the number of bears taken over bait as condition of the permit;

a permittee must remove bait, litter, and equipment from the bait station site when hunting is completed.

(10) [IN THE UNIT 16 PREDATION CONTROL AREA DESCRIBED IN 5 AAC [92.125\(D\)](#) , EXCEPT FOR A LICENSED GUIDE-OUTFITTER, A PERSON MAY NOT GIVE OR RECEIVE REMUNERATION FOR THE USE OF A BAIT STATION, INCLUDING BARTER OR EXCHANGE OF GOODS; A LICENSED GUIDE-OUTFITTER MAY REGISTER UP TO 10 BAIT STATION SITES SIMULTANEOUSLY, AND EACH OF THAT GUIDE-OUTFITTER'S CONTRACTED ASSISTANT GUIDES MAY REGISTER UP TO TWO BAIT STATION SITES SIMULTANEOUSLY; A SIGNED GUIDE-CLIENT AGREEMENT IS REQUIRED FOR EACH HUNTER THAT USES ANY OF THE SITES; ]

(11) in Units 1 - 5, before a person establishes a black bear baiting station and places bait at the baiting station, that person shall, at the time of registration, provide to the department the location, in a global position system (GPS) format of latitude and longitude, of the baiting station on a form provided by the department.

(12) **a person may only use and maintain a site with written permission from the permittee. Written permission must be carried in the field and include: the names of the permittee and hunter; date of permission granted, bait station number located on the ADF&G issued metal locking tag; and both parties hunting license numbers.**

(13) **a permittee may hunt black bears at a registered bait station the same day airborne provided he is 300 feet from the aircraft and physically hunting only at a permitted station.**

(14) **a permittee may hunt black bears at a registered bait station with archery gear without an IBEP certification.**

(15) **Additional restrictions not mentioned above are subject to approval by the Board of Game.**

**ISSUE:** This proposal consists of several consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not approved by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially Greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (Units 6-26, etc.).

(b) Justification: Black bear bait stations are widely used by thousands of people in Alaska. Bear baiting permit stipulations should be vetted through a full public process. Although ADF&G has held discretionary authority for permits in Alaska this language was added just a few years ago to the bear baiting permit to make clear ADF&G held this authority.

(1)(A) Justification: Bear bait permits and signs are notoriously fragile when faced with the claws or teeth of a curious bear. Hundreds of signs annually are ripped to shreds. These signs litter Alaska's forests and provide a burden for hunters and law enforcement. The tendency for bears to destroy signs makes it nearly impossible for enforcement to ticket for unmarked bait sites. Ironically hunters are constantly worrying about getting a ticket when bears keep taking their signs down. A small metal locking tag will make it much less likely for a bear to remove the bait sight marker.

(1)(B) Justification: ADF&G area offices have had different criteria for describing a bait site location. Suddenly requiring GPS coordinates, in addition to a physical description has caught hunters off guard in some areas. Other area offices will not accept a GPS point and have justified this by saying it is too easy to make one up. The public needs a clear criteria to determine what information they need to establish a bait station.

(4) Justification: Many areas of the state have already established a provision to allow a guide to establish ten bait stations to serve his or her clients. This will standardize the regulation in Greater Alaska. The language regarding who may maintain the bait stations is redundant as it is addressed in another portion of this proposal so should be deleted. Language requiring signed guide-client agreements is also redundant in that all guided hunters must, under BGCSB regulations, must have a signed guide-client agreement. This regulation will also give ADF&G area managers the authority to restrict the guide's baits to avoid conflict with other, already established, bait hunters in a specific location.

(6) Justification: The Big Game Commercial Services board has established a definition to require guided clients to be personally accompanied as within 100 yards. Therefore this regulation is redundant and further restricts a guide's activity in the field. It is already illegal under statute to take compensation for any hunting services in the field without holding a valid Registered Guide/Outfitter License.

(7) Justification: This requires the metal locking tag mentioned in (1) (A) be placed in a visible location at the site rather than the previous requirement for a sign. We would also ask that the department encourage the use of a sign at the beginning of the trail leading to each bait site. We do not feel the need for a mandatory sign in addition to the metal locking tag due to the fragile nature of signs mentioned above. Ownership of a bait station can be established by recording the tag on the hunting license and on permit paperwork at ADF&G.

(11) Justification: It is now covered under (b) (4)

(13)Justification: Forgery of written permission is too easy. Requiring a hunter to record the hunting license of the permittee as well as his own will require the hunter to have at least contacted the permittee. The permittee's hunting license number will no longer be displayed on a bait station sign. The locking tag number will be recorded to verify the hunter is at the correct bait site. This will also allow a hunter to maintain a site for the permittee with written permission. This had previously been prohibited by ADF&G through discretionary permitting authority. With rising fuel costs it is sensible for bear baiters to work with a partner and maintain each other's sites on an alternating basis. The original permittee will ultimately be responsible for final clean up. **5 AAC 92.052. Discretionary permit hunt conditions and procedures** does not give the authority to ADF&G to require written permission to hunt another person's site, nor does it give the authority to disallow a person from helping another maintain his site. This addition to regulation will codify the authority ADF&G has taken upon its self in the past.

(14) Justification: The board has already allowed for this provision in many areas. Flying the same day provides no advantage to hunters hunting over a bait station. This regulation may encourage hunters with airplanes to use them and spread out rather than baiting along the road and river systems.

(15)Justification: ADF&G, through it's discretionary authority, has required IBEP certification for Archery hunters to take bears over bait in certain GMU's 7, 14, 15,16. There is no certification needed to take bears with any other weapon in these area (spear, crossbow, rifle, pistol, muzzleloader, etc.) There is also no certification needed to take bears, or any other species with archery equipment in these areas as long as they are not taken with bait. This is a rule that singles out archery bait hunters in the most controlled big game hunting situation in Alaska. We did discuss IBEP for all archery hunters statewide, but until the BOG is willing to consider this option, archery bait hunters should not be singled out. **5 AAC 92.052. Discretionary permit hunt conditions and procedures** does not give the authority to ADF&G to require IBEP certification **except** in 92.052(16) *a hunter participating in a permit hunt that allows only the use of a bow and arrow must have completed a department-approved bowhunter education course;*

There are no black bear baiting situations in Alaska that allow "only the use of bow and arrow". This addition to regulation will codify the authority (or lack of) ADF&G has taken upon its self in the past.

(16) Justification: ADF&G has surprised bait hunters in some areas with their “discretionary permit authority”. These changes (not regulations) are usually made with little or no public input and in some cases cost hunters an entire season of hunting. The BOG process is the proper forum for changes that affect so many people.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hunters will continue to be confused by the disparity between codified regulations and “requirements” in the annual “handy-dandy” version of the regulations. Bait hunters will continue to be needlessly restricted in Greater Alaska. The most under utilized big game resource in most areas of greater Alaska will continue to go un-used.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Bear hunters that choose to hunt bears with the use of bait.

**WHO IS LIKELY TO SUFFER?** No one

**OTHER SOLUTIONS CONSIDERED?** None

**PROPOSED BY:** The Greater Alaska Black Bear Committee

**LOG NUMBER:** EG081111508

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**PROPOSAL 119 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures.** Establish a codified location for permitted black bear bait stations and establish seasons for all of Alaska.

(b) (xx) Bear baiting permits are valid for the following seasons.

**(A) In Units 1-5 spring black bear baiting permits will be valid April 15 - June 15 as long as there is an open black bear hunting season and unless baiting has been prohibited in an area by the Board of Game.**

**(B) In Units 6-26 spring black bear baiting permits will be valid April 1 - June 30 as long as there is an open black bear hunting season and unless baiting has been prohibited in an area by the Board.**

**(C) In Units 6-26 fall black bear baiting permits will be valid August 1 - October 15 as long as there is an open black bear hunting season and the board has authorized a fall baiting season.**

**ISSUE:** This regulation may be better served as a new 5AAC number of its’ own. Although the board has recently passed modifications to black bear bait seasons in several Units there does not appear to be a place in codified regulations for these season dates. Black bear baiting seasons were traditionally set by ADF&G as a discretionary permit condition. In recent years the public

has taken interest in black bear baiting seasons and presented several proposals to the board. Most of these proposals were presented as modifications to 5AAC 85.015 although bait seasons are not hunting seasons but permit dates. The board has passed several of these proposals in the last four years but it appears they have not been included in regulation. These modifications to regulation, presented by the public and passed by the board should be included somewhere in regulation.

This regulation will align spring and fall bear baiting season in most of Alaska. Spring seasons will be standardized in Southeast Alaska and in Greater Alaska. Fall seasons will also be standardized. Since fall baiting seasons are somewhat unusual in Alaska the board must authorize seasons in specific areas. All four areas where fall baiting is allowed currently have very different seasons.

This Proposal consists of several consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska statewide but especially greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (Unit 6-26, etc.).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hunters will continue to be confused by the disparity between codified regulations and "requirements" in the annual "handy-dandy" version of the regulations. The public will continue to come to the Board with proposals that do not have a proper place in regulation. Baiting seasons will be variable and confusing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No

**WHO IS LIKELY TO BENEFIT?** Bear hunters that choose to hunt bears with the use of bait.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** The Greater Alaska Black Bear Committee

**LOG NUMBER:** EG051911494

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**PROPOSAL 120 - 5 AAC 92.115. Control of predation by bears.** Eliminate black bear baiting as a method requiring a predator control permit in predator control areas.



(a) Notwithstanding any other provision in this title, the commissioner or the commissioner's designee may, in accordance with this section, and consistent with any applicable predation control implementation plan adopted by the board, conduct a bear population reduction or bear population regulation program.

(b) Repealed 3/10/2006.

(c) Repealed 3/10/2006.

(d) After the board has adopted a predation control implementation plan, the commissioner may, at any time during the period for which the plan is in effect, determine whether to implement the plan and may, by regulation, amend the plan to apply additional restrictions in light of circumstances existing at the time of implementation.

(e) If the board authorizes the issuance of permits for use of aircraft as a method of bear removal, the commissioner may, at any time while the plan is in effect, implement a program authorizing the use of aircraft by order of the department. A permit may be issued for a specified limited time period after which reissuance is required. The department may monitor programs involving the use of aircraft from the air.

(f) Unless specifically exempted by the board, a person taking bear under a bear population reduction or bear population regulation program must retrieve the bear hide and skull so that maximum economic and scientific value may be realized from each bear.

(g) Poison or aerial shooting may not be used to take bears.

(h) An activity involving a bear population reduction or bear population regulation program potentially involving federal lands will not apply to lands managed and administered by the National Park Service or United States Fish and Wildlife Service unless approved by the applicable agency and, to the maximum extent possible, must be coordinated with all appropriate federal agencies.

(i) The commissioner shall stop the taking of bears under the implementation plan and, if necessary, stop other instances of taking of bears in the affected area for the remainder of the regulatory year, when plan objectives adopted by the board for that area have been reached for that year.

(j) This section applies only to a specific program designed to reduce or regulate bear populations for the purpose of managing wild prey populations. This section does not apply to other responsibilities of the commissioner, such as activities relating to animal propagation, scientific studies, stocking conducted under [AS 16.05.050](#), issuance of permits for collection of animals under [AS 16.05.340](#)(b), the isolated taking of animals necessary to protect the animal populations or the general public under [AS 16.05.020](#), or issuance of any other department permits authorized by state or federal law.

(b) A bear population reduction or bear population regulation program established under this section is independent of, and does not apply to, hunting and trapping authorized in [5 AAC 84 - 5 AAC 85](#).

- (c) **The use of bait for hunting black bears shall not be considered a method for predation control. Black bear baiting in predator control areas shall be conducted under general hunting seasons, methods, means and bag limits. Increased bear bag limits and baiting seasons will be held under general hunting regulations. Non-traditional take such as the taking of sows with cubs and cub bears; the taking of brown bears over bait; and the taking of bears at bait stations via snaring shall be permitted under predation control permits only.**

**ISSUE:** The intent of this proposal is to separate a widely accepted method of hunting (black bear baiting) from more controversial predator control activities. The act of baiting would not be considered control but some of the other provisions currently allowed under the control-bait permit would still require a control permit such as snaring, killing cubs, killing brown bears over bait, unlimited take, etc. The Board of Game would still have the discretion to allow more or fewer baits in IM areas under general hunting methods.

Traditional bear baiting has been used as a predator control method for only the last few years in designated predation control areas in Alaska. The Department of Law has consistently advised the board to keep regular baiting and control separate. These regulations have forced ALL resident black bear hunters to obtain predator control permits to participate in bait hunting in their traditional hunting areas. Mass confusion has resulted in both the public and ADF&G employees issuing the permits. Bear bait hunting and predation control have not been kept separate enough to eliminate confusion by the public or ADF&G staff.

Black bear bag limits and baiting seasons could be liberalized without issuing predation control permits. Predation control permits should be issued for those that would like to participate in the taking of sows with cubs, cubs, and under snaring and trapping methods. This approach would drastically reduce the total predator control permits issued, and eliminate all predator control permits for establishing bait stations for normal hunting purposes. A reduced number of predator control permits issued will ease the workload on ADF&G staff. Eliminating predation control permits for hunting black bears over bait will eliminate public confusion and the perception of baiting as an extreme method of take.

Ordinary baiting should be allowed in all predator control areas with a traditional bear bait permit for both residents and nonresidents.

- a. Currently, residents may only register a bait site with a control permit while nonresidents can obtain traditional baiting permits.
  - i. This keeps residents from allowing anyone (resident or not) to hunt their site without also getting a control permit
  - ii. This keeps young resident children from hunting with their parents over bait (under 10 years of age in Unit 16, under 16 years of age in unit 19D)

Black bear baiting should **NOT** be considered a method of predator control. Predator control permits should be issued for extraordinary circumstances, bear baiting is not an extraordinary circumstance.

- b. Black bear baiting is a widely accepted method of hunting in Alaska and may be tarnished if labeled “predator control” in some areas.
- c. Predator control permits should be issued only for the purposes of **snaring over bait, the taking of sows with cubs of the year and cubs of the year, and taking of brown bears over bait.**
- d. There should be a “default” bag limit, under normal hunting regulations of “**NO LIMIT**” within black bear control areas.
- e. In all other cases “Predator Control” labels and permits are reserved for exceptional methods and means (airborne hunting, bear snaring, brown bear baiting, etc.)

This proposal consists of consensus items from a black bear resource users’ group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially Greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (unit 6-26, etc.).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Mass public confusion will persist. Bear baiting may be viewed as an extreme method because predator control permits are required in some areas.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Bear baiters will all benefit in the long run. Regulations will be more manageable. Public perception will not be preserved. All residents will be able to participate as they have for decades. ADF&G will also spend less man-hours issuing hundreds of predation permits.

**WHO IS LIKELY TO SUFFER?** No one

**OTHER SOLUTIONS CONSIDERED?** Status quo

**PROPOSED BY:** The Greater Alaska Black Bear Committee

**LOG NUMBER:** EG041111509

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**PROPOSAL 121 - 5 AAC 92.044 Permit for hunting black bear with the use of bait or scent lures.** Prohibit black bear baiting on all National Park Service lands.

5 AAC 92.044 Permit for hunting black bear with the use of bait or scent lures.

**11) on all lands managed by the National Park Service, a person may not establish a black bear bait station for the use of bait or scent lures to aid in the harvest of a black bear by any means.**

**ISSUE:** Food conditioning by baiting of black bears in units of the National Park System. The indiscriminate nature of bear baiting attracts all age classes and conditions them to bait while hunters typically only target a trophy bear. As such, underage or other non-target bears eat at a bait station, become conditioned to bait, but are not hunted - leaving a bait conditioned bear to continue to roam in a unit of the national park system, an area where other uses of the wilderness are encouraged. Not only is this a dangerous situation for other recreational users, but the very nature of baiting is to increase the overall harvest of bears for the purpose of increasing harvest opportunities for moose and caribou. Such manipulation is contrary to management policies of the National Park Service and cannot be allowed on park service managed lands.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Black bear populations in Alaska's National Preserves and Monuments are food conditioned by baiting activities. This creates an unacceptable public safety risk. Establishing bait stations may alter the natural behavior of black bears within National Park Service managed lands and are inconsistent with National Park Service management mandates to protect natural bear behavior.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, restricting the baiting of black bears on National Park Service managed lands in Alaska provides a natural population of bears for a hunter, promoting the highest standards of fair chase ethics.

**WHO IS LIKELY TO BENEFIT?** The public that prefers to camp, hike and recreate in areas where bears are not conditioned to human or pet foods.

**WHO IS LIKELY TO SUFFER?** Hunters with restricted mobility. Due to the opportunities for hunters with restricted mobility to hunt on state and private managed lands in Alaska, the impact is minimal in comparison to the significant public safety risk associated with the use of bait to attract bears in a National Preserve or Monument.

**OTHER SOLUTIONS CONSIDERED:** Food conditioning of black bears is inconsistent with National Park Service management mandates and no alternative exists other than completely restricting the activity.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Assoc.

**LOG NUMBER:** EG050311436

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**PROPOSAL 122 - 5 AAC 92.085. Unlawful methods of taking big game; exceptions.** Allow the use of scent lures for black bear baiting while floating.

The following methods and means of taking big game are prohibited in addition to the prohibitions in 5AAC 92.080.

(4) with the use of bait for ungulates and with the use of bait or scent lures for any bear except that black bears may be taken with the use of bait or scent lures as authorized by a permit issued under 5 AAC 92.044, **and a person drifting in a boat or raft may use scent lures to attract bears while actively floating. Scent lures must be secured in a scent proof container when the boat or raft is no longer in motion;**

**ISSUE:** Using scent lures for spring black bear hunting while rafting. (Moving the “bait station” as the float is in progress)

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There is an opportunity for spring black bear hunting while floating Region III rivers. Hunters would like to be able to use scent lure while floating without establishing a single point “bait station” that could be registered. The board needs to change the registration requirement for float hunters. Opportunity to harvest black bears can be greatly improved for float hunters if they could use scent lures.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Black bear hunters who would like remote access by floating.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Fairbanks Advisory Committee

**LOG NUMBER:** EG042811361

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**PROPOSAL 123 - 5 AAC. 92.085(4). Unlawful methods of taking big game; exceptions.** Allow the use of scent lures for black bear baiting while floating.

Page 27 of the 2010 – 2011 Hunting Regulations, remove: "You may also use scent lures with a baiting permit."

**ISSUE:** Remove the restriction of using scent lures while floating rivers during the spring. Currently scent lures can only be used during the spring in conjunction with a registered bear bait station. No bait could be used, just a scent lure. A scent lure such as an air dispersal type or the type that burns can be set up on a boat or raft while floating a river. This scent could reach down river and attract bears to the river banks, adding to the ability to take bears. As bears come to the

river banks looking for the source of the scent it gives the hunter the opportunity to look the bear over and determine if it is a legal bear, or one they want to harvest.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Bear populations will continue to grow and many opportunities to harvest spring black bears will be lost.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** All people that like to float rivers. It would give people that do not have the time to set up and maintain a bait station the ability to draw bears in using scent lures as they float down rivers or around lakes.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** No other solutions were considered.

**PROPOSED BY:** Roggie Hunter

**LOG NUMBER:** EG042811365

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# Trapping

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## **PROPOSAL 124 - 5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.**

Require trap identification for all Units on lands managed by the National Park Service.

(a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

(7) taking a wolf or coyote with a steel trap, or with a snare smaller than  $\frac{3}{32}$  inch diameter in

**(C) In all units on lands managed by the National Park Service from April to October.**

**(b) The following methods and means of taking furbearers under a trapping license are prohibited in all Units on National Park Service managed lands, in addition to the prohibition found in 5 AAC 92.080;**

**A. using a trap or snare, unless the trap or snare has been individually marked with a permanent metal tag upon which is stamped or permanently etched the trapper's name and address, or the trapper's permanent identification number, or is set within 50 yards of a sign that lists the trapper's name and address, or the trapper's permanent identification number; the trapper must use the trapper's Alaska driver's license number or state identification card number as the required permanent identification number; if a trapper chooses to place a sign at the trapping or snaring site rather than tagging individual traps or snares, the sign must be at least 3 inches by 5 inches in size, be clearly visible, and have numbers and letters that are at least one-half inch high and one-eighth inch wide in a color that contrasts with the color of the sign;**

**ISSUE:** Excessively liberal trapping regulations on lands managed by the National Park Service. Current state trapping regulations, which are adopted for use on federal lands by federal regulation, don't require trap designation. To ensure that state trapping rules are adhered to on lands managed by the National Park Service, trap identification needs to be adopted for lands managed by the National Park Service.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Best use management principles for trapping of furbearers will not be implemented statewide for National Park Service managed lands.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, implementing best use principles for trapping minimizes user group conflicts, minimizes incidental non-targeted by catch or injury to non-harvested animals, and ensures trapping is conducted in a manner that promotes the highest level of public acceptance and effective enforcement of existing regulations.

**WHO IS LIKELY TO BENEFIT?** Trappers who wish to trap in National Park Service managed lands. Best use management principles for trapping are essential for minimizing user group conflicts in National Preserves and monuments, areas that are managed to promote a wide range of recreational uses.

**WHO IS LIKELY TO SUFFER?** Trappers that consider marking their traps or using appropriate gear types for specific animals during specific times of year as burdensome.

**OTHER SOLUTIONS CONSIDERED:** No other option to best use management principles for trapping in National Park Service managed lands exist.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Association

**LOG NUMBER:** EG042811341

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**PROPOSAL 125 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions.**  
Require a 72 hour trap check for all traps and snares set on National Park Service lands.

92.095 Unlawful methods of taking furbearers; exceptions.

**(b) The following methods and means of taking furbearers under a trapping license are prohibited in all Units on National Park Service managed lands, in addition to the prohibitions found in 5 AAC 92.080;**

**A. the setting of a trap or snare, unless the trap or snare is checked at least once every 72 hours from the time of the initial setting, except a longer check time may be approved by the National Park Service to address a severe weather event or a safety risk situation;**

**ISSUE:** Liberal general trap check requirements on lands managed by the National Park Service.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Furbearers may be left in traps or snares for periods of time that are unacceptable. Currently the State of Alaska does not have a statewide trap check requirement for trappers taking furbearers on lands managed by the National Park Service.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, implementing a 72 hour trap check reduces the time in which a furbearer can damage the quality of the pelt by struggling in a trap or snare to free itself. In addition, implementing a 72 hour trap check reduces furbearer loss in traps or snares due to scavenging by other animals once the animal has died.

**WHO IS LIKELY TO BENEFIT?** Trappers who wish to harvest the highest quality pelts and wish to minimize loss of pelts to scavenging. Trappers that wish to conduct themselves in the highest ethical standards regarding public perception of the industry when trapping in National Preserves or Monuments.



**WHO IS LIKELY TO SUFFER?** Trappers that are weekend trappers and wish to have their traps active during the work week. Options exist for trappers on state land if they wish to only check their traps once per week.

Trappers that are faced with a severe weather or safety risk situation. This can be addressed by the trapper by calling the National Park Service to request a trap check time extension in a specific area for a specific time period due to a severe weather event or a safety risk situation.

**OTHER SOLUTIONS CONSIDERED:** No other option to best use management principles for trapping in National Park Service managed lands exist.

**PROPOSED BY:** Jim Stratton, National Park Conservation Association

**LOG NUMBER:** EG050211432

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**PROPOSAL 126 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions.**

Prohibit the trapping of black bears in all National Park Service managed lands.

92.095 Unlawful methods of taking furbearers; exceptions.

**(b) The following methods and means of taking furbearers under a trapping license are prohibited in all Units on National Park Service managed lands, in addition to the prohibitions found in 5 AAC 92.080;**

**A. the taking of a black bear;**

**ISSUE:** The potential authorization of the Board of Game for the establishment of trapping season for black bears on lands managed by the National Park Service. The indiscriminate nature of any potential trapping/snaring of black bears is solely to increase the overall harvest of black bears and does not contribute to the fair chase hunt of animals for food or trophy purposes. Increasing the overall harvest is a manipulation of black bear populations for the sole purpose of increasing the survival of moose and caribou. Such manipulation is contrary to the management policies of the National Park Service and cannot be allowed on park service managed lands. This proposal requests that the Alaska Administrative Code clearly restrict trapping of black bears on lands managed by the National Park Service, statewide.

The trapping of a black bear represents a considerable risk to public safety. Snaring of black bears is a harvest method that can restrain non-target species, such as brown bears, as well as the cubs of both brown and black bears.

A snare designed to hold a black bear may not be sufficient to restrain a brown bear if a member of the public inadvertently approached a snared brown bear.

Should an adult dependent cub be restrained, the public safety risk presented by the free roaming female adult bear, or other siblings, is significant to both the public and the trapper. This is unjustifiable on lands managed by the National Park Service where broad user group recreation activities are encouraged.

The snaring of bears also is associated with the baiting of bears which food conditions both black and brown bears and may negatively impact natural behavior patterns of bears where baiting is allowed. Again, this is unjustifiable on lands managed by the National Park Service where broad user group recreation activities are encouraged.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Board of Game will have the authority to adopt a trapping season for black bears at a regional Board of Game meeting for lands managed by the National Park Service.

At the October 2010 Board of Game meeting, representatives of the Department of Fish and Game testified that the trapping of black bears on lands managed by the National Park Service was not the intention of the department at that time.

This proposal requests that the Alaska Administrative Code clearly restrict trapping of black bears on lands managed by the National Park Service, statewide.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, restricting the harvest of black bears by trapping promotes effective targeted harvest of black bears on National Park Service managed lands. Hunters traditionally prefer large, mature, age class bears. Snaring of bears is indiscriminate and can easily restrain female dependent cubs and non-target species, such as brown bears.

Restricting the harvest of black bears on National Park Service managed lands to the "fair chase" pursuit of a free roaming black bear is consistent with National Park Service management mandates to protect the natural diversity and abundance of black bears and to maximize public safety.

**WHO IS LIKELY TO BENEFIT?** The public that prefer to recreate in areas where public safety is a high priority. The National Park Service which is mandated to manage black bear populations based on recognized scientific principles. The snaring of black bears has never been authorized on National Park Service lands in Alaska.

**WHO IS LIKELY TO SUFFER?** A trapper that wishes to snare a black bear instead of hunting a free roaming black bear. Options for baiting, and possibly the snaring of black bears, exist on state managed lands in Alaska. Should a trapper prefer to snare or bait a black bear, ample opportunity exists on other lands in Alaska.

**OTHER SOLUTIONS CONSIDERED:** Trapping of black bears presents such a high risk of snaring non-target wildlife and presents such a substantial public safety risk, no other option to best use management principles for trapping on National Park Service managed lands exist.

**PROPOSED BY:** Jim Stratton, National Parks Conservation Association

**LOG NUMBER:** EG042911406

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**PROPOSAL 127 - 5AAC 92.095(a)(20). Unlawful methods of taking furbearers; exceptions.**  
Prohibit the taking of a black bear by trap or snare.

(a) The following methods and means of taking furbearer under a trapping license are prohibited, in addition to the prohibitions in 5AAC 92.080:

**(20) The taking of a black bear by trap or snare**

**ISSUE:** The 2010 decision to list black bears as a furbearer, the ongoing liberalizations to bear snaring in Unit 16, and the dramatic changes to the Bear Management Policy this year is of great concern to many Alaskans.

Authorizing a black bear trapping season in interior Alaska, especially in areas bordering National Parks & Preserves is totally inappropriate and will invariably have a negative impact on bear populations in our National Parks & Preserves as well as present an unacceptable safety risk to the public. Bear snaring in areas of high use is not only dangerous, but is not the best and highest use of this resource. Wildlife viewing is an important part of our state's economy and brings valuable economic development to many communities and businesses around the state.

Though touted as safe, humane and effective way to kill bears, we, along with thousands of Alaskans would disagree. Bear snaring has not been legal in Alaska since statehood for many good reasons, including the following:

**Safety:** Allowing bear snaring stations as close as 1/4 of a mile from residences, roads and trails is anything but responsible and safe. There is no way for the public to know where bear snaring is taking place. The Department of Fish and Game currently does not provide a map or locations where bear snaring bait stations are located thereby putting the public at risk of inadvertently encountering a free-roaming adult or sibling of a bear caught in a snare as they recreate during the summer. The only time of year that is conducive to snaring bears correspond directly with the same time of year all types of recreationalists and tourists are in the wilderness enjoying other activities such as hiking, fishing, camping, and berry picking. As bear snaring areas expand, the danger grows that someone will be hurt; either a trapper, their 10 year old child, (who is now allowed to accompany the adult), or an innocent bystander who happens to be in the wrong place at the wrong time. Snaring is indiscriminate. Young bears with mothers can be trapped. The dangers presented by a free roaming adult bear with her cub caught a snare are unacceptable.

**Humane:** The practice of baiting a bear and snaring it is anything but humane. Testimony I heard from Department of Fish and Game officials at a recent Board of Game meeting that bears caught in snares simply sit down and take a nap after being snared is very difficult to believe, (and since the Department of Fish and Game has been circumspect in providing information to public, most of us do not know what actually happens at these sites). Unless there is someone attending the site, (which is not required) and can kill the bear immediately upon capture, we seriously doubt that a bear doesn't suffer as a result of being snared. Indeed, the ADF&G had to kill a brown bear due to injuries received from struggling to free itself in just a few hours of being caught in a snare in Unit 16. The fair chase ethic that many Alaskans abide by is affronted by the practice of bear snaring. Bears have been, and remain, an iconic species that deserves better treatment than this.

Effective: Bear snares are quite indiscriminate, allowing the capture of brown bears, sows with cubs and cubs. This method of culling is not only socially unacceptable but is inconsistent with prudent wildlife management. Bears have a relatively low reproductive rate and the taking of sows with cubs and cubs has been universally discouraged over the years. With the singular focus of the Department of Fish and Game to boost ungulate populations, there is still little evidence that intensive management works over the long term. Many areas where intensive management has been conducted has resulted in reduced twinning rates, reduced growth of calves, increased age of first reproduction, and poor body condition including starvation in extreme situations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** It is likely that bears will become a diminished resource as a result of the new policy. More people and pets will be faced with a public safety issue. The tourism industry will suffer. The classification of bears as furbearers is a wasteful and inappropriate use of the resource. Bears could become food-conditioned thereby creating a potential hazard for people.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes, bear snaring is indiscriminate method of take. A trapper can still harvest a bear under a trapping license by using a firearm and bait station to attract a free roaming bear. Under this method, a trapper can be selective in harvesting the bear and avoid taking non target species and cubs or females with cubs. Bear snaring is a wanton waste of our resources.

**WHO IS LIKELY TO BENEFIT?** Alaskans and visitors who value wildlife and sound biological management of our wildlife resources, and who want the opportunity to view wildlife in our national and state parks.

**WHO IS LIKELY TO SUFFER?** No one will suffer. This practice only promotes waste and disrespect for wildlife.

**OTHER SOLUTIONS CONSIDERED:** Removing black bears as a furbearer. Awaiting the statewide meeting that addresses this issue.

**PROPOSED BY:** Alaska Center for the Environment

**LOG NUMBER:** EG050611479

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*Note: The Board of Game does not have authority to establish fees.*

**PROPOSAL 128 - 5 AAC 92.051. Discretionary trapping permit conditions and procedures.** Establish a tag and fee to allow trappers to retain incidental catch.

Trappers would be allowed three incidental catch tags per regulatory year. Tags to be purchased from ADF&G for \$10 each. Trappers would then be allowed to retain the incidentally caught animal.

**ISSUE:** Incidental take of furbearers

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Trappers occasionally catch a non-target species during the closed season for that species. (i.e.: lynx when fox season is open).

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED?** Yes. Trappers are reluctant to bring out a non-target furbearer, or to turn it in, due to possible enforcement action. This regulation insures that all furbearers would be salvaged.

**WHO IS LIKELY TO BENEFIT?** Trappers

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED:** None.

**PROPOSED BY:** Paxson Fish and Game Advisory Committee

**LOG NUMBER:** EG110410161

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# Intensive Management

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*Note: The Board of Game approved an agenda change request to consider this proposal at the Statewide, 2012 meeting.*

**PROPOSAL 129 - 5 AAC 92.001. Applications of this chapter. 92.110. Control of predation by wolves. 92.115. Control of predation by bears.** Clarifies responsibilities of Department of Fish and Game commissioner.

**5 AAC 92.001. Application of this Chapter.** Except as specifically provided otherwise, the regulations in this chapter apply statewide to subsistence hunting, general hunting, and trapping, as applicable. **This chapter does not apply to other responsibilities of the commissioner, such as activities relating to animal propagation, scientific studies, stocking conducted under AS 16.05.050, issuance of permits for collection of animals under AS 16.05.340(b), the isolated taking of animals necessary for immediate protection of wildlife populations or the general public or property under AS 16.05.020, or issuance of any other department permits authorized by state or federal law.**

**5 AAC 92.110. Control of predation by wolves.**

...

(l) This section applies only to a specific program designed to reduce or regulate wolf populations for the purpose of managing wild prey populations. This section does not apply to other responsibilities of the commissioner, such as activities relating to animal propagation, scientific studies, stocking conducted under AS 16.05.050, issuance of permits for collection of animals under AS 16.05.340(b). the isolated taking of animals necessary [TO] **for immediate [PROTECT] protection of [THE ANIMAL] wildlife** populations or the general public **or property** under AS 16.05.020, or issuance of any other department permits authorized by state or federal law.

...

**5 AAC 92.115. Control of predation by bears.**

...

(j) This section applies only to a specific program designed to reduce or regulate bear populations for the purpose of managing wild prey populations. This section does not apply to other responsibilities of the commissioner, such as activities relating to animal propagation, scientific studies, stocking conducted under AS 16.05.050, issuance of permits for collection of animals under AS 16.05.340(b). the isolated taking of animals necessary [TO] **for immediate [PROTECT] protection of [THE ANIMAL] wildlife** populations or the general public **or property** under AS 16.05.020, or issuance of any other department permits authorized by state or federal law.

...

**ISSUE:** Board of Game adoption of 5 AAC 92.110 and 92.115 created legal uncertainty concerning the commissioner's authority to take wolves and bears in certain circumstances without the Board adopting an intensive management plan under 5 AAC 92.125. Authority for the commissioner to take action independent of the Board was granted by the legislature in Alaska Statutes 16.05.020, 16.05.340(b) and 16.05.050. These statutes allow activities relating to animal propagation, scientific studies, animal collections, and taking of animals for protection of wildlife populations, the general public or property. These authorities need to be clarified.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The commissioner may be reluctant to take wolves and bears in situations where protection of wildlife prey populations or the general public is necessary because of concerns about legal action by those opposed to predator removal.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Wildlife populations in danger of extirpation due to wolf and bear predation will be protected, allowing future use by all Alaskans.

**WHO IS LIKELY TO BENEFIT?** Alaskans personally endangered by bears and wolves and Alaskans wanting to use wildlife prey populations in the future will benefit.

**WHO IS LIKELY TO SUFFER?** Those opposed to taking bears and wolves will suffer.

**OTHER SOLUTIONS CONSIDERED?** Continuing with the current regulation was considered.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-02S-G-00)  
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*Note: The Board of Game approved an agenda change request to consider this proposal at the Statewide, 2012 meeting.*

**PROPOSAL 130 - 5 AAC 92.125. Intensive Management Plans.** Authorizes a predator control program in Unit 26B.

- ( ) **Unit 26(B) Predation Control Area:** The Unit 26(B) predation control area is established;
- (1) the purpose of the program is to allow for removal of brown bears to reduce predation on muskoxen;
- (2) notwithstanding any other provisions in this title, the commissioner may:
  - (i) establish a Muskoxen Conservation Area (MCA) in Unit 26(B) in the area that brown bears are preying on muskoxen;
  - (ii) determine the appropriate level of brown bear removal in the MCA;
  - (iii) estimate the nutritional condition of muskoxen in the MCA;
  - (iv) estimate the appropriate size of the muskoxen population in MCA;
  - (v) develop a strategy that details the activities that will accomplish the purpose of this plan;
  - (vi) submit an annual report to the Board of Game detailing progress and activities;
- (3) notwithstanding any other provisions in this title, the commissioner may reduce the brown bear population in Unit 26(B) by means and direction included in the Board of Game Bear



Conservation, Harvest, and Management Policy (2011-186-BOG) including the following methods and means under a public control permit developed by the department;

(i) legal animal is any brown bear, including sows and cubs;

(ii) no bag limit;

(iii) same-day-airborne taking of brown bears if the permittee is at least 300 feet from the aircraft;

(iv) sale of unmounted, tanned brown bear hides if the sale tag remains attached;

(4) notwithstanding any other provisions in this title, the commissioner may authorize the use of state employees or state-owned or chartered equipment, including helicopters, as a method of brown bear removal under AS 16.05.783;

**ISSUE:** This placeholder proposal establishes an Intensive Management Plan in Unit 26B to allow for removal of brown bears to reduce predation on muskoxen, preventing their further decline and possibly promoting an increase. The full plan will be posted on the Board web site [www.BoardofGame.ADFG.Alaska.Gov](http://www.BoardofGame.ADFG.Alaska.Gov) in November 2011.

The muskox population in northeastern Alaska has recently declined to low numbers. During 1969 and 1970, 64 muskoxen were reintroduced to northeastern Alaska after this species disappeared in the late 1800s or early 1900s. The population increased, and by the mid 1990s, approximately 700–800 muskoxen inhabited northeastern Alaska and northwestern Canada. Beginning in 1999, the muskox population began to decline and by the late 2000s, only about 350 muskoxen inhabited the same area, with approximately 200 in Unit 26B and adjacent areas. Hunting for muskoxen on the eastern North Slope in Alaska was allowed only by permit. ADF&G first opened a hunting season in Unit 26C in 1982 and in Unit 26B in 1990. By regulatory year 2006–2007, all hunting seasons for muskoxen in the northeastern Alaska were closed.

To evaluate potential causes of the muskoxen decline, ADF&G initiated a study in 2007 to assess calf production, age-specific survival rates, causes of mortality, and nutritional status in northeastern Alaska. The population declined from 196 muskoxen during 2007 to 184 during 2010, with brown bear predation identified as the predominant cause of mortality. Of 56 calves and 42 adult muskoxen known to have died during this period, 43 calves and 33 adults appeared to have been killed by brown bears. Additional deaths were due to disease (10 calves, 1 adult), accidents (drowning and motor vehicles; 2 calves and 7 adults), and starvation (1 calf and 1 adult). Analyses of muskox health and body condition suggested that a variety of pathogens are prevalent in this population, and that low levels of copper in the diet may be contributing to reduced immune system function. However, disease was not indicated as a common primary cause of death.

The severity of the decline of the northeastern Alaska muskox population and the speed with which the decline occurred (67% reduction during 1999–2006) indicated the critical nature of the situation and suggested that a proactive response was needed to prevent the population from declining further. The Board of Game opened the fall 2010 brown bear season 15 days earlier in Unit 26B. In addition, during an October 2010 Board of Game meeting, brown bear seasons were liberalized, beginning February 2011 in a portion of Unit 26B, to increase bear harvest in the vicinity of muskoxen groups. This plan will provide the structure and framework to allow the

department to address the problem should it become necessary to reduce the effects of brown bear predation on muskoxen.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Muskoxen numbers in Unit 26B may decline to a very low number, jeopardizing population viability, reducing the opportunity for viewing, and reducing population recovery potential.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The muskox population is likely to stabilize or increase.

**WHO IS LIKELY TO BENEFIT?** People who enjoy viewing muskoxen by a relatively inexpensive method will benefit. If the population increases hunting opportunity could be restored.

**WHO IS LIKELY TO SUFFER?** People opposed to predation control programs.

**OTHER SOLUTIONS CONSIDERED?** Maintain the existing liberalized brown bear hunting season and monitor its effectiveness or propose further liberalization.

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

**LOG NUMBER:** ADFG042811D

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*Note: The Board of Game accepted an agenda change request to consider this proposal at the Statewide, 2012 meeting.*

**PROPOSAL 131 - 5 AAC 92.125. Intensive Management Plans.** Add bear population reduction to the Unit 19A predation control program.

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(e) **Unit 19(A) Predation Control Area:** the Unit19(A) Predation Control Area is established and consists of those portions of the Kuskokwim River drainage within Unit 19(A), encompassing approximately 9,969 square miles; this predator control program does not apply within National Park Service on National Wildlife Refuge lands unless approved by the federal agencies; notwithstanding any other provision of this title, and based on the following information, the commissioner or the commissioner’s designee may conduct a wolf population reduction or wolf population regulation program **and a black bear and brown bear population reduction or population regulation program** in the Unit 19(A) Predation Control Area:

(1) the discussion of wildlife population and human use information is as follows:

(A) prey information is as follows:

(i) a Central Kuskokwim Villages moose management area (MMA) is established within the Unit 19(A) Predation Control Area encompassing approximately 3,913 square miles generally within the Holitna, Hoholitna, and Stony River drainages; the purpose of the MMA is to focus intensive management activities, including

predator control and habitat management, in a relatively small area where moose are accessible to hunters, rather than spread this effort over the entire game management unit; wolf **and bear** control will be conducted only within the MMA and the department will have the discretion to adjust its size and shape up to 40 percent (approximately 4,000 square miles) of Unit 19(A).

...

(C) **notwithstanding any other provisions in this title, the commissioner may reduce the black and brown bear populations within the MMA by means and direction included in the Board of Game Bear Conservation and Management Policy (2006-164-BOG), dated May 14, 2006, and incorporated by reference, including the following methods and means under a department developed control permit:**

- (i) **legal animal is any black or brown bear, including sows and cubs;**
- (ii) **no bag limit;**
- (iii) **same-day-airborne taking of black or brown bears if the permittee is at least 300 feet from the aircraft;**
- (iv) **sale of unmounted, tanned or untanned black or brown bear hides if the sale tag remains attached;**
- (v) **use of foot snares;**

...

**ISSUE:** This is a placeholder proposal to facilitate board consideration of black and brown bear population reduction in the Unit 19A predation control area. A full text of proposed codified changes will be posted on ADF&G's web site by December 2011.

Wolf control has been conducted within Unit 19A since July 2004 to benefit the moose population. Within the focus area of Unit 19A, wolf numbers have been reduced by at least 60% below the precontrol level during each year since 2005, which should be sufficient to reduce wolf predation on moose. However, no increase in the number of moose is apparent. Based upon research in nearby Unit 19D (East), bear predation likely is an important factor slowing a moose increase. Adding bear removal to the predation control program should help address this issue.

Late winter moose density estimates within the eastern portion of Unit 19A in 2005 were 0.28 observable moose/mi<sup>2</sup> (± 17%, 90% CI); in 2008 it was 0.44 observable moose/mi<sup>2</sup> (±28%, 90% CI); and a preliminary estimate in 2011 was 0.25 observable moose/mi<sup>2</sup> (± 18%, 90% CI). No significant trend in moose densities has been detected.

A fall moose composition survey in November 2010 revealed a low calf:cow ratio of 19 calves:100 cows. In Unit 19D East, bear predation was the major factor in summer calf survival.

In Unit 19A, low calf:cow ratios during some years suggests that bear predation is important here as well.

The Unit 19A grizzly bear population is estimated at 200 bears with an average annual harvest of 15 bears and the black bear population is estimated at 2,475–2,970. We do not require black bear harvest reporting, but harvests are believed to be low. For both species, current harvests are likely not having an effect on population size.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Moose calf survival is likely to remain low during most years, delaying recovery of the moose population.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Those who support faster moose population recovery, particularly hunters who have not been able to hunt moose from this population because of closures are likely to benefit.

**WHO IS LIKELY TO SUFFER?** Those who do not support predation control as a means to achieve higher prey populations likely will not support this proposal.

**OTHER SOLUTIONS CONSIDERED?** A proposal to allow the public to trap bears using foot snares in Unit 19A will be before the Board in March 2012.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-02S-G-00)

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# Miscellaneous

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*Note: The Board of Game accepted an agenda change request to consider this proposal at the Statewide, 2012 meeting.*

**PROPOSAL 132 - 5 AAC 92.005. Policy for changing board agenda.** Modify the Agenda Change Request policy.

**92.005. Policy for changing board agenda.** (a) The Board of Game, will, in its discretion, change its schedule for considering proposed regulatory changes **in response to an agenda change request, submitted on a form provided by the board,** in accordance with the following guidelines:

(1) a request to consider a proposed regulatory change outside the board's published schedule must [BE IN WRITING AND MUST] specify the change proposed and the reason it should be considered out of sequence;

**(2) the board will accept an agenda change request only**

**(A) for a conservation purpose or reason;**

**(B) to correct an error in a regulation; or**

**(C) to correct an effect on a hunt that was unforeseen when a regulation was adopted;**

**(3) the board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling;**

**(4) [(2)] a request must be sent to the executive director of the boards support section at least 60 [45] days before a scheduled meeting unless the board allows an exception to the deadline because of an emergency;**

(3) the executive director shall attempt to obtain comments on the request from as many board members as can be contacted; and [(4)] if a majority of the board members contacted approve the request, the executive director shall notify the public and the department of the agenda change **and when the board will consider the proposed regulatory change requested;**

**(a) The board will, in its discretion, change its schedule for consideration of proposed regulatory changes as reasonably necessary for coordination of state regulatory actions with federal agencies, programs, or laws.**

**ISSUE:** Under the current Agenda Change Request (ACR) policy, the deadline for submitting a request to the Board of Game is 45 days prior to each board meeting. This deadline provides a short time period for obtaining approval from the board in order to meet the 30 day legal deadline to notify the public of proposed regulatory changes. In the past, there have been situations that risked the ability to meet the 30 day public notice requirement. Setting an ACR deadline that is 60 days in

advance of the meeting should eliminate the risks of not meeting the legal deadline for notifying the public.

In addition to the proposed deadline change, the proposal also requires the ACR to be based upon specific reasons including conservation purposes; to correct an error in regulation; to correct an effect on a hunt that was unforeseen when the regulation was adopted; and for coordination of regulatory actions with federal agencies and laws. It also specifies that the board will not accept requests that are allocative in nature unless new information is found by the board to be compelling. This additional language was discussed and supported by the members of the board process committee, which met in April, 2011. The added language outlines the justification for submitting agenda change requests which will provide the board with the necessary information for their consideration of the request.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The board will continue using the current policy which provides a short time frame for the public notification process. Requests for agenda changes that lack justification will continue to be submitted.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** N/A

**WHO IS LIKELY TO BENEFIT?** The public will benefit by receiving notification of regulatory changes further in advance of meetings, and those wanting to submit ACRs will have better guidance for providing the necessary information to the board for their consideration.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Change the deadline to a time period greater than 60 days.

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

**LOG NUMBER:** ADFG042811ACR

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