

**ALASKA DEPARTMENT OF FISH AND GAME**  
**STAFF COMMENTS FOR PROPOSALS 88, 100, 129-130, 134-137, 139-140,**  
**142-143, 145-146, 148 and 190 -192**

**STATEWIDE REGULATIONS PROPOSALS**

**ALASKA BOARD OF GAME MEETING**

**ANCHORAGE, ALASKA**

**MARCH 21-28, 2025**



The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Game meeting, March 21-28, 2025 in Anchorage, Alaska, and are prepared to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

**PROPOSAL 88 – 5 AAC 92.034. Permit to take and use game for cultural purposes.** Add Wood bison to the species that may be taken for cultural purposes.

**PROPOSED BY:** Minto-Nenana Fish and Game Advisory Committee

**WHAT WOULD THE PROPOSAL DO?** The proposal would add Wood bison to the list of game that can be taken by permit and used within this state for the teaching and preservation of historic or traditional Alaskan cultural practices, knowledge, and values.

**WHAT ARE THE CURRENT REGULATIONS?**

**5 AAC. 92.034. Permit to take and use game for cultural purposes.** The commissioner may issue a permit for the taking, and use within this state, of game for the teaching and preservation of historic or traditional Alaskan cultural practices, knowledge, and values, only under the terms of a permit issued by the department upon application. A permit may not be issued if the taking of the game can be reasonably accommodated under existing regulations. For purposes of this section, "game" includes

- (1) deer;
- (2) moose;
- (3) caribou;
- (4) black bear;
- (5) mountain goat;
- (6) small game;
- (7) furbearers;
- (8) any migratory bird for which a federal permit has been issued; and
- (9) musk oxen in Unit 18.

Wood bison are a newly reintroduced species to Alaska; the board has not made a customary and traditional use determination for the species, nor are there existing seasons or bag limits for them. All hunting, both state and federal, is currently closed as the herds are establishing their home ranges and growing to eventually allow harvest.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted interested persons or organizations would be able to apply for a permit to take Wood bison for cultural purposes.

**BACKGROUND:** The goal of the Wood Bison Project is to restore viable, free-ranging wood bison populations to portions of their former range in Alaska, which can contribute to the ecological, cultural, economic and social well-being of people and communities across the state. Wood bison are descendants of the large-horned bison of the Pelistocene epoch. Skeletal remains and historical accounts show that wood bison were once widely distributed in Interior Alaska and were likely present for most of the last 10,000 years. All wood bison released in 2015 and 2022

came from or are the decedents of bison from Elk Island National Park in Canada which is the source population of all newly established wood bison herds in the last 50 years. The department has an agreement with Parks Canada to obtain surplus wood bison through at least 2028. The department has worked extensively with communities and interest groups to determine where wood bison restoration efforts will focus next.

According to Alaska Native oral history, the last wood bison in Alaska were shot around 1918 along the Yukon river between Tanana and Fort Yukon. The department has led an effort to restore wood bison to portions of their former range for the last 30 years. There is currently one wild wood bison population in Alaska and there is expected to be two wild populations by May of 2025.

This proposal would allow cultural and educational permits to be issued by the department for wood bison. For example, groups could apply to the department to take several people out and harvest a wood bison as long as it is used as an opportunity to teach. Curriculum could include hunting strategy, butchering techniques, preparation and preservation of the bounty, how to treat the animal with respect, etc. The number of cultural and educational permits that are issued depends on harvestable surplus available and the department's discretion. In the case of wood bison, the department could issue these permits with guidance and input from the site-specific wood bison public planning team (made up of 30+ interest groups including the proposal authors and local AC's). The Lower Tanana Wood Bison Planning Team has discussed the limited use of this type of permit

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal.

Because of the 10(j) rule for Alaska wood bison, wood bison can be harvested through sustainable hunting practices. Since the state has been designated as the lead for managing wood bison harvest, wood bison will be harvested under the legal boundaries of the state regulations. A side note is that ANILCA, which gives the FSB its authority, specifically does not apply to ESA listed species, so technically the FSB cannot make regulations governing the harvest of wood bison while they are listed.

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If adopted this proposal, it might open the door for people of all walks of life (rural and urban) to have something like a single shared hunt where a group of hunters went out and harvested a single bison together and many people learned about how to cut it up and prepare it, and many people could be involved in a large event to consume the bison. This could go a long way in bringing conflicting groups together. The main opposition to wood bison restoration stems from the inherent conflicts between different groups of humans associated with allocation of this public trust resource.

There is currently no harvestable surplus for Wood bison in either the Innoko or Minto herds. A primary goal of restoring Wood bison in Alaska is to provide the opportunity for harvest. But it will be many years before this regulation will be up for proposals again. If wood bison populations grow in either herd, and this regulation is available, it may be a tool that could be used to harvest a very small number of bison.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 100 – 5 AAC 92.05. Special provisions for Dall sheep and mountain goat drawing permit hunts.** Limit nonresident sheep hunting opportunity statewide so that nonresident harvest does not constitute more than 35% of total sheep harvest from any game management subunit as follows:

**PROPOSED BY:** Resident Hunters of Alaska

**WHAT WOULD THE PROPOSAL DO?** The proposal would limit nonresident sheep hunting opportunity statewide in a manner whereby nonresident harvest does not constitute more than 35% of the total sheep harvest from any game management subunit.

**WHAT ARE THE CURRENT REGULATIONS?** Nonresidents currently hunt many areas of the state using general season harvest tickets. Some areas provide opportunity through drawing permits that have an existing allocation between residents and nonresidents and others that have an allocation between guided nonresidents and non-guided nonresidents. See 5 AAC 85.055 for seasons and bag limits and 5 AAC 92.057 for allocations of drawing permit hunts. Currently there are no allocations for general season harvest ticket sheep hunts. Also see 2024-2025 Alaska Hunting Regulations, and 2024-2025 Alaska Drawing Permit Hunt Supplement for additional information.

The board has made positive customary and traditional use (C&T) findings for sheep as follows: Unit 11, with an amount necessary for subsistence (ANS) of 60-75; Unit 19, with an ANS of 1-5; Units 23 and 26A, that portion west of the Etivluk River (DeLong Mountains), with an ANS of

0-9; Unit 23, Baird Mountains, with an ANS of 18-47; Units 23 and 26A, that portion east of the Etivluk River (Schwatka Mountains), with an ANS of 2-4; and Units 23, 24, 25A, and 26 (Brooks Range), with an ANS of 75-125.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, the board will need to create additional sheep drawing hunts in all areas that are currently open as general season harvest ticket hunts in order to limit nonresident sheep hunters to 35% of the annual harvest for individual subunits. This is because general season harvest tickets are not limited for any general season hunts. The department would rely on historical average harvests to estimate the anticipated total harvest. There would be no changes to existing allocations found in 5 AAC 92.057.

**BACKGROUND:** Board policy (2017-222-BOG) indicates that allocation for specific hunts will be decided individually, based upon historical patterns of nonresident and resident use over the past 10 or more years. The board has allocated hunting opportunity previously between resident and nonresident hunters by modifying season dates or by allocating permits. Similar requests for board changes in allocation of sheep hunting opportunity or harvest have been addressed previously by the board at meetings covering Regions II, III, IV, V and statewide.

Of the hunts managed by general season harvest ticket, nonresident sheep hunters accounted for 20% of the sheep hunters between regulatory year (RY) 2014 and RY2023. On average they harvested 42% of the sheep and there were an average of 384 nonresidents participating annually.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocation of sheep hunting opportunity between resident and nonresident hunters. Limiting nonresidents to 35% of the available harvest may increase the number of legal rams available to residents and may increase resident success rates in some cases. There is no other similar harvest guideline in regulation and the department will need to look to previous season averages to develop recommendations for the number of permits to make available for nonresidents in each area. If the board adopts the proposal the department requests guidance on how many years of harvest data to analyze to determine the number of permits to be issued in each area. The board may also want to consider deferring this proposal to the regional meetings so the individual areas can be discussed at the regularly scheduled board meetings for each area.

**COST ANALYSIS:** Adoption of this proposal will result in additional costs to the department in the form of creating and implementing numerous new hunts.

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**PROPOSAL 190– 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Modify the resident and nonresident hunt structure for sheep in Unit 19C.

**PROPOSED BY:** Unit 19C Sheep Working Group

**WHAT WOULD THE PROPOSAL DO?** This proposal would close Unit 19C to all sheep hunts except the RS380 subsistence hunt (Oct 1 – Apr 30) during regulatory year (RY) 25. Following this 1-year closure there would be a temporary draw hunt (one ram with full-curl horn or larger) for two regulatory years (RY26 and RY27) for both residents and nonresidents. Eighty percent of permits would be allocated to residents and 20% to nonresidents, with a 5% cap for second degree kindred (2DK) nonresident hunters coming out of the nonresident allocation. The resident relative would also be required to notch their harvest ticket to include the 2DK harvest, meaning the animal harvested by the 2DK hunter also counts toward the bag limit of the resident accompanying the nonresident.

The proposal also requests that Unit 19C be used as the pilot program for the guide concession program, to be implemented by 2028. In 2028, if the guide concession program for Unit 19C is in place, then resident and nonresident fall sheep hunting will return to harvest ticket hunts (GS000).

**WHAT ARE THE CURRENT REGULATIONS?** Currently there is no youth hunt or nonresident sheep hunting opportunity in Unit 19C through RY27. These hunts will reopen in RY28. The resident general season (GS000) and the winter subsistence (RS380) remain open.

<b>Units and Bag Limits</b>	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
Unit 19(C)		
RESIDENT HUNTERS:		
1 ram with full-curl horn or larger, by youth hunt only; or	No open season	
1 ram with full-curl horn or larger; or	Aug. 10 - Sept. 20	
1 sheep with ¾-curl horn or less; the take of rams with both horns broken, lambs, or ewes with lambs, is prohibited; by registration permit only	Oct. 1 - April 30 (Subsistence hunt only)	

NONRESIDENT HUNTERS:

1 ram with full-curl horn or larger, every 4 regulatory years, by youth hunt only; or

No open season

1 ram with full-curl horn or larger, every 4 regulatory years

No open season

There is a positive customary and traditional use finding in Unit 19 with an amount reasonably necessary for subsistence (ANS) of 1-5 sheep (5 AAC 99.025 (10)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal were adopted, the fall general season (GS000) for both residents and nonresidents would be closed in RY25. Following the one-year general season closure there would be a limited draw hunting opportunity during the fall for two years (RY26 and RY27) for both residents (80% of allocated permits) and nonresidents (20% of allocated permits), and nonresidents accompanied by resident relatives within second-degree of kindred would be capped at receiving no more than 5% of the permits.

Unit 19C would be selected as the pilot unit for the guide concession program. If the guide concession program is in place in Unit 19C for RY28, all general season sheep hunts would reopen with a harvest ticket and full curl management as it was prior to the passage of Proposal 204 in March 2023. If no guide concession program is in place, the board will need to determine how to offer sheep hunting opportunity in Unit 19C in RY28 and beyond.

This proposal makes no changes to the current regulations for the winter subsistence hunt (RS380).

**BACKGROUND:** In March 2023, the board deliberated on Proposal 204 to close all sheep hunting in Unit 19C for a five-year period. The proposal was amended to close only the youth hunt for residents; and both the youth hunt and regular fall-season hunt for nonresidents for a five-year period. The youth hunt for residents and both the youth and regular fall-season hunts for nonresidents will reopen in RY28.

Unit 19C has two sheep hunts open in RY25: a general season for residents with full curl horn restrictions from August 10–September 20; and a winter registration permit hunt (RS380) for residents only, with a bag limit of one ram with  $\frac{3}{4}$  curl horn or smaller, excluding rams with both tips broken during October 1 – April 30. While the fall sheep season does provide for subsistence opportunity, the winter registration hunt was structured specifically to provide subsistence opportunity consistent with the pattern of customary and traditional uses.

The first consistent sheep surveys conducted in portions of Unit 19C began in 2010. Beginning in 2019 sheep numbers began to decline. By 2023, the department observed only 38% of the 2010-2019 average sheep population. The most significant declines were in the eastern portion of the unit where the department observed 10% of the 2010-2019 average sheep population. These declines were most likely the result of difficult winter conditions associated with heavy snow fall, winter rain events creating ice on snow, and late springs. The most recent 2024 survey showed little change in the adult age classes from 2023, but surveys recorded higher numbers of lambs observed (70 in 2023 and 120 in 2024).

Most sheep hunting takes place during the fall general season. During the last decade (RY13–RY22), for both resident and non-resident hunting opportunities, residents composed 49% of all sheep hunters in Unit 19C, with an average of 84 resident hunters per year. Nonresidents in that same period composed 51% of sheep hunters with an average of 85 hunters per year. In RY22, the last year open to nonresidents, the number of nonresident hunters declined from the 2018 high of 109 hunters to 56. In RY22 the number of resident hunters declined from the 2018 high of 109 hunters to 38. In RY23, the first year of resident-only hunting, there were 49 resident hunters. In RY24 there were 46 resident hunters.

Over the 10-year period (RY13–RY22) when hunting was open to nonresidents, an average of 85 sheep were harvested per year. Nonresident harvests accounted for 68% of all sheep harvested. Resident harvest accounted for 32% of all sheep harvested. Resident success rates averaged 33%. Nonresident success rates averaged 68%. The overall average success rate, all hunters combined, was 50%. In RY22, nonresidents harvests declined from the RY18 high of 81 to 26 sheep harvested. In RY22, resident harvest declined from the RY17 high of 46 sheep harvested to three sheep harvested by residents. In RY23 residents harvested 5 sheep. In RY24 residents harvested 10 sheep.

Total annual sheep harvest in Unit 19C has varied significantly since the 1980s. Total harvest increased from the 1980s through the 1990s and peaked at 127 sheep in 1995. Harvest then decreased during the late 1990s and averaged approximately 65 sheep annually from 2000-2010. Beginning in 2011, harvest steadily increased until RY18, when all hunters combined harvested 120 sheep. Since RY18, harvest has decreased to a low of 29 sheep in RY22. This represents a 40-year low and a 75% decrease in harvest over a four-year period. Although sheep survey data are not available for much of the above period, the cyclical nature of peaks and valleys observed in the harvest data likely reflects similar trends in sheep abundance.

Since the 1980s, residents accounted for about 33% of annual harvest while nonresidents took 67% of the harvest. This is similar to the most recent 10-year average prior to the RY23 closure to nonresidents. The proportion of sheep harvested by residents and nonresidents has remained relatively similar across years despite the fluctuations in total harvest described above.



Dall sheep in this area are managed using the conservative full-curl ram harvest management strategy. The full-curl strategy is conservative because it focuses harvest pressure on: 1) older-aged animals, 2) males-only, and 3) a small segment of the population. Dall sheep rams, on average, become full-curl at 8 years of age or older. Previous research has shown these older rams have higher natural mortality rates than younger aged rams. Additionally, limiting harvest to males-only reduces the impact of harvest on the overall population because male survival rates have a lower impact on population growth compared to female survival rates. Finally, the full-curl strategy is extremely conservative because full-curl animals compose a very small portion of most sheep populations. As a result, the number of animals that are legally available to hunters is a small portion of the population and this imposes a self-limiting factor on overharvest of the population. Taken collectively, the full-curl harvest strategy limits harvest to only older-aged rams and is thus a conservative, self-limiting strategy that allows for maximum hunter opportunity while simultaneously preventing overharvest and has minimum impacts on population growth.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal as it addresses allocation. If the board chooses to reopen nonresident hunting under the proposed structure, to meet the board’s statutory responsibility to the subsistence law, it should consider whether subsistence regulations continue to provide a reasonable opportunity for subsistence uses.

If the board adopts the proposal, it will need to consider how many drawing permits the department should issue. The board will also need to determine if the 5% cap on nonresidents accompanied by resident relatives within second-degree of kindred is 5% of the 20% that go to nonresidents, or if it is 5% of the total number of permits available. If it is 5% of the 20% that go to nonresidents, a minimum of 100 permits will need to be issued in order for a single permit to be awarded to nonresidents accompanied by relatives within the second-degree of kindred.

**COST ANALYSIS:** Assessing the financial (costs) of this program is difficult because of the many unknowns associated with the proposed guide concession program. The Alaska Legislature passed a bill in the 2024 legislative session creating the concession program but did not include funding. For the 2025 legislative session, there is funding included in the Alaska Department of Natural Resources budget and for a staff position in the department. However, this funding has not been approved as of the development of this A&R.

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**PROPOSAL 192 - 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.** Modify the resident and nonresident hunt structure for sheep in Unit 19C.

**PROPOSED BY:** Resident Hunters of Alaska

**WHAT WOULD THE PROPOSAL DO?** This proposal would keep general season (Aug. 10 – Sept 20) resident sheep hunting opportunity (GS000) under the current harvest ticket structure.

Nonresident opportunity from Aug 10 – Sept 20 would only be reinstated if a drawing permit hunt is implemented. Currently, there is no nonresident hunting opportunity in Unit 19C through Regulatory Year (RY) 2027. There are no proposed changes to the winter subsistence hunt (RS380).

**WHAT ARE THE CURRENT REGULATIONS?** Currently there is no youth hunt or nonresident sheep hunting opportunity in Unit 19C through RY27. These hunts will reopen in RY28. The resident general season (GS000) and the winter subsistence (RS380) remain open.

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Unit 19(C)		
RESIDENT HUNTERS:		
1 ram with full-curl horn or larger, by youth hunt only; or	No open season	
1 ram with full-curl horn or larger; or	Aug. 10 - Sept. 20	
1 sheep with ¾-curl horn or less; the take of rams with both horns broken, lambs, or ewes with lambs, is prohibited; by registration permit only	Oct. 1 - April 30 (Subsistence hunt only)	
NONRESIDENT HUNTERS:		
1 ram with full-curl horn or larger, every 4 regulatory years, by youth hunt only; or		No open season
1 ram with full-curl horn or larger, every 4 regulatory years		No open season

There is a positive customary and traditional use finding in Unit 19 with an amount reasonably necessary for subsistence (ANS) of 1-5 sheep (5 AAC 99.025 (10)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal were adopted, there would be no change to the general hunting season (GS000) for resident hunters in Unit 19C. Nonresident general season opportunity would remain closed

unless a drawing permit hunt is implemented. If implemented, this would reopen Unit 19C to nonresident hunting with the board determining permit allocation. There is currently no nonresident hunting opportunity in Unit 19C until RY28.

There would be no change to the current regulations for the winter subsistence hunt (RS380).

**BACKGROUND:** In March 2023, the board deliberated on Proposal 204 to close all sheep hunting in Unit 19C for a five-year period. The proposal was amended to close only the youth hunt for residents; and both the youth hunt and regular fall-season hunt for nonresidents for a five-year period. The youth hunt for residents and both the youth and regular fall-season hunts for nonresidents will reopen in RY28.

Unit 19C has two sheep hunts open in RY25: a general season for residents with full curl horn restrictions from August 10–September 20; and a winter registration permit hunt (RS380) for residents only, with a bag limit of one ram with  $\frac{3}{4}$  curl horn or smaller, excluding rams with both tips broken, during October 1 – April 30. While the fall sheep season can provide for subsistence opportunity, the winter registration hunt was structured specifically to provide subsistence opportunity consistent with the pattern of customary and traditional uses.

The first consistent sheep surveys conducted in portions of Unit 19C began in 2010. Beginning in 2019 sheep numbers began to decline. By 2023, the department observed only 38% of the 2010-2019 average sheep population. The most significant declines were in the eastern portion of the unit where the department observed 10% of the 2010-2019 average sheep population. These declines were most likely the result of difficult winter conditions associated with heavy snow fall, winter rain events creating ice on snow, and late springs. The most recent 2024 survey showed little change in the adult age classes from 2023, but surveys recorded higher numbers of lambs observed (70 in 2023 and 120 in 2024).

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Dall sheep in this area are managed using the conservative full-curl ram harvest management strategy. The full-curl strategy is conservative because it focuses harvest pressure on: 1) older-aged animals, 2) males-only, and 3) a small segment of the population. Dall sheep rams, on average, become full-curl at 8 years of age or older. Previous research has shown these older rams have higher natural mortality rates than younger aged rams. Additionally, limiting harvest to males-only reduces the impact of harvest on the overall population because male survival rates have a lower impact on population growth compared to female survival rates. Finally, the full-curl strategy is extremely conservative because full-curl animals compose a very small portion of most sheep populations. As a result, the number of animals that are legally available to hunters is a small portion of the population and this imposes a self-limiting factor on overharvest of the population. Taken collectively, the full-curl harvest strategy limits harvest to only older-aged rams and is thus a conservative, self-limiting strategy that allows for maximum hunter opportunity while simultaneously preventing overharvest and has minimum impacts on population growth.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal as it addresses allocation. If the board chooses to reopen nonresident hunting under the proposed structure, to meet the board’s statutory responsibility to the subsistence law, it should consider whether subsistence regulations continue to provide a reasonable opportunity for subsistence uses.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 191 - 5 AAC 92.540(3)(I)(ii). Controlled Use Areas.** Define the beginning and terminus of the Nine Mile trail in the Ladue River Controlled Use Area (LRCUA).

**PROPOSED BY:** The Alaska Wildlife Troopers

**WHAT WOULD THE PROPOSAL DO?** Define in regulation the beginning, terminus, and scope of the Nine Mile Trail, within the LRCUA. The new proposed regulation would add sub-section (iii) to 5AAC 92.540(3)(I), expanding upon motorized land vehicle restrictions as explained in sub-section (ii). 5AAC 92.540(3)(I)(iii). The Nine Mile Trail as referenced in this regulation refers to the single primary ATV trail beginning along the Taylor Highway at coordinates (1) N63 24.233 x W142 28.422, entering the western portion of the defined controlled use area at coordinates (2) N62 23.879 x W142 9.073, and terminating at coordinates (3) N62 32.420 x W141 27.995. Only the single primary trail including connected bypasses no more than 20 feet.

**WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 92.540(3)(I)(ii) identifies motorized access restrictions within the LRCUA.

(ii) the area is closed to the use of any motorized land vehicle for hunting, including the transportation of hunters, their hunting gear, or parts of game, from August 24 through September 20; however, this provision does not prohibit motorized access, or transportation of game, on the Nine Mile and Liberty Creek trails, the Alaska-Canada border, or the Boundary Cutoff of the Taylor Highway, or the transportation into the area of game meat that has been processed for human consumption.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

If adopted, this proposal would define the beginning and terminus coordinates, as well as the extent, of the Nine Mile Trail in regulation to clarify those originally adopted by the board of game in March 2008. Although the trail is currently authorized for use with access restrictions, specifying the beginning and terminus coordinates would create enforceable regulations, provide clarity to hunters, and improve compliance.

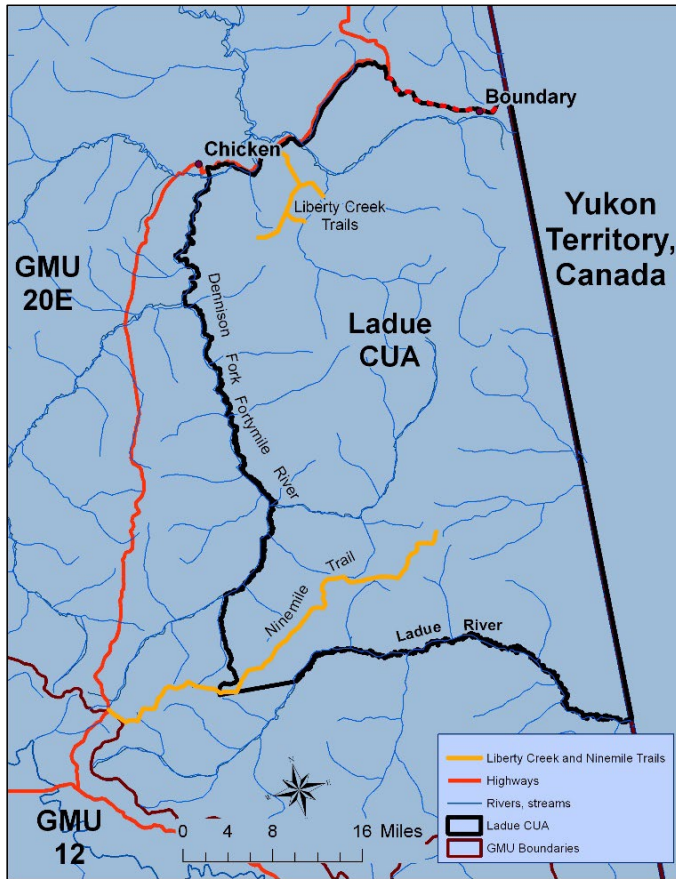


Figure 2: Map of designated trails within the LRCUA, including The Nine Mile Trail, as presented to the Board of Game, Proposal 93, 2008.

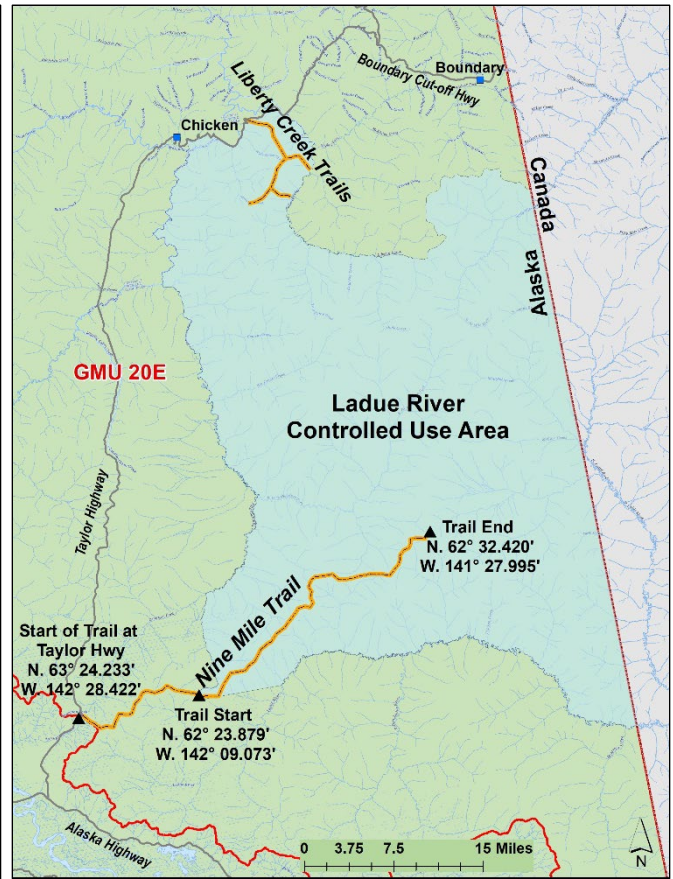


Figure 1: Map of designated trails within the LRCUA, including beginning and end coordinates for The Nine Mile Trail, as marked with signage by ADF&G and proposed in Proposal 191, 2025.

**BACKGROUND:** In 1994, the LRCUA was established by the board of game to limit the expansion of motorized land vehicle trails and mitigate the impacts of unregulated access on the low-density moose population and their habitat in the southeastern portion of Unit 20E. In 2008, the Board of Game amended travel restrictions within the LRCUA to update and clarify access dates and designate trails for motorized land access. Motorized travel was limited to trails currently listed in 5 AAC 92.540(3)(I)(ii), although the beginning and the terminus of these trails were not specifically defined in regulation. However, the department’s presentation for proposal 93 to the board included a map developed by ADF&G, with input and support from the Upper Tanana Advisory Committee, illustrating the locations of designated trails that allow motorized access within the LRCUA (Fig. 1). The proposal was adopted by the board at their March 2008 meeting with the intended configuration of the Nine Mile Trail as depicted on the map in the department’s presentation (Fig. 1).

In recent years, the Nine Mile Trail has experienced an increase in traffic due to the re-establishment of a gold mining operation beyond the terminus depicted on the 2008 map (Fig. 1). Although several signs have been placed at the terminus of the trail since 2008, in fall of 2023 it was discovered the sign was absent. The surge in traffic has expanded motorized access off and beyond the established trail, resulting in newly developed branches as well as continuations

outside of the original intended extent of the trail system. This situation has led to complaints by moose hunters who adhere to the intended trail and who have witnessed new hunters violating the access regulations by proceeding past the terminus and onto unauthorized trail extensions not authorized by the board. Although ADF&G remarked the Nine Mile Trail in 2024 with signs at the beginning and terminus of the trail (Fig. 2), the absence of clearly defined delineations for the trail in regulation, has made it difficult for Alaska Wildlife Troopers to properly enforce travel restrictions in the LRCUA.

**DEPARTMENT COMMENTS:** The department **SUPPORTS** this proposal as it clarifies existing motorized restrictions within the LRCUA in regulation, which will allow Alaska Wildlife Troopers to effectively enforce these restrictions.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 129 – 5 AAC 92.085. Unlawful methods of taking game; exceptions.** Establish a minimum caliber for taking big game.

**PROPOSED BY:** Robert Hammond

**WHAT WOULD THE PROPOSAL DO?** Establish a minimum standard of centerfire rifle cartridges for taking big game as follows:

Legal rifle cartridges for big game must have a barrel bore of at least .25 inches and be chambered to fire a centerfire cartridge of not less than two inches overall length including the bullet which is designed to expand.

**WHAT ARE THE CURRENT REGULATIONS?**

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

The following methods and means of taking big game are prohibited:

- (1) With the use of a firearm other than a shotgun, muzzleloader, or rifle or pistol using a center-firing cartridge

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:

- (10) a permittee may use only weapons and ammunition specified by the department. The department exercises its discretionary authority for this in the Delta bison hunts in Unit 20D, for that hunt, hunters using a rifle or handgun must ensure the firearm fire a minimum of a 175 grain bullet having a minimum of 2,800 ft/lb energy at the muzzle.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If the proposal is adopted, hunters would need to use a centerfire rifle cartridge of .25 caliber or larger with a cartridge of at least two-inches in length to hunt big game.

Costs to hunters may increase, if hunters have to purchase new firearms to be in compliance with the new requirement.

**BACKGROUND:**

Here is a review of the firearm regulations for the Yukon Territory and those states who have elk and/or moose hunts.

- Colorado- Rifles using center-fire cartridges of .24 caliber or larger, having expanding bullets of at least seventy (70) grains in weight, except for elk and moose where the minimum bullet weight is eighty-five (85) grains, and with a rated impact energy one hundred (100) yards from the muzzle of at least one thousand (1000) foot pounds as determined by the manufacturer's rating.
- Idaho- In any hunt, including any-weapons seasons, it is unlawful to pursue or kill big game animals with: any rimfire rifle, rimfire handgun, or muzzleloading handgun.
- Montana- There is no rifle or handgun caliber limitation or magazine/round capacity restrictions for the taking of game animals.
- North Dakota- Centerfire rifles of .25 caliber or larger are legal for elk and moose.
- Oregon- The minimum centerfire caliber to hunt elk, bighorn sheep, and Rocky Mountain goat is .24 caliber.
- Washington- Big game, except cougar, must be hunted with a minimum of .24 caliber (6mm) centerfire rifle. Cougar may be hunted with .22 caliber centerfire rifle. Rimfire rifles are not legal for big game.
- Wyoming- When hunting bighorn sheep, elk, moose, mountain goat or black bear by the use of a firearm, a hunter shall use any center-fire firearm of at least .24 caliber and firing a cartridge of at least two inches in overall length and using an expanding point bullet.
- Yukon- It is against the law to hunt big game with a rifle caliber less than .24 caliber.

A similar proposal was submitted during the 2016 statewide board meeting proposing a minimum caliber requirement of .243 for hunting moose. The department commented that if a minimum caliber were adopted by the board, that the adoption should be for all big game species and not just moose. The proposal did not pass.



In 2018 an Agenda Change Request was submitted to the board requesting to change 5 AAC 92.085 Unlawful methods of taking big game; for hunting moose. The proponent asked the board to establish a minimum caliber of .243 for hunting moose in Unit 18. The ACR was not accepted.

At the Western Arctic/Western region board meeting in 2020 the board addressed two similar proposals to establish a minimum caliber for hunting moose. The board did not pass one proposal and took no action on the other based on action taken on the first.

As noted above, the current regulations state that big game can be harvested by any caliber firearm as long as it is a center-firing cartridge. The board has established standards for some weapons, and the department educates hunters on advantages and disadvantages of various legal weapons and calibers. The decision as to which legal caliber is used to harvest game is left to the individual hunter and their capabilities.

Reducing wounding loss is a primary consideration for the taking of big game in all areas of the state. Small caliber cartridges leave little room for error in shot placement to ensure lethal results and off-target shots are likely to result in wounding loss. Alternatively, those favoring the use of small cartridges explain that when small calibers are used correctly, they can be effective in taking big game, including moose, and small calibers allow younger hunters a greater opportunity to hunt.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The board has differentiated between big game and small game and set weapon-specific standards accordingly.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 130** – 5 AAC 92.085. **Unlawful methods of taking big game; exceptions.**  
Establish a minimum caliber for taking moose.

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

**WHAT WOULD THE PROPOSAL DO?** Establish a minimum standard of centerfire rifle cartridges for taking moose as follows:

Prohibit the take of moose with firearms smaller than a .243 caliber rifle.

**WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 92.085. Unlawful methods of taking game; exceptions.  
The following methods and means of taking big game are prohibited:

- (2) With the use of a firearm other than a shotgun, muzzleloader, or rifle or pistol using a center-firing cartridge

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If the proposal is adopted, hunters would need to use a centerfire rifle cartridge of .243 caliber or larger to hunt moose.

Costs to hunters may increase, if hunters have to purchase new firearms to be in compliance with the new requirement.

**BACKGROUND:**

Here is a review of the firearm regulations for the Yukon Territory and those states who have elk and/or moose hunts.

- Colorado- Rifles using center-fire cartridges of .24 caliber or larger, having expanding bullets of at least seventy (70) grains in weight, except for elk and moose where the minimum bullet weight is eighty-five (85) grains, and with a rated impact energy one hundred (100) yards from the muzzle of at least one thousand (1000) foot pounds as determined by the manufacturer's rating.
- Idaho- In any hunt, including any-weapons seasons, it is unlawful to pursue or kill big game animals with: any rimfire rifle, rimfire handgun, or muzzleloading handgun.
- Montana- There is no rifle or handgun caliber limitation or magazine/round capacity restrictions for the taking of game animals.
- North Dakota- Centerfire rifles of .25 caliber or larger are legal for elk and moose.
- Oregon- The minimum centerfire caliber to hunt elk, bighorn sheep, and Rocky Mountain goat is .24 caliber.
- Washington- Big game, except cougar, must be hunted with a minimum of .24 caliber (6mm) centerfire rifle. Cougar may be hunted with .22 caliber centerfire rifle. Rimfire rifles are not legal for big game.
- Wyoming- When hunting bighorn sheep, elk, moose, mountain goat or black bear by the use of a firearm, a hunter shall use any center-fire firearm of at least .24 caliber and firing a cartridge of at least two inches in overall length and using an expanding point bullet.
- Yukon- It is against the law to hunt big game with a rifle caliber less than .24 caliber.

A similar proposal was submitted during the 2016 statewide board meeting, proposing a minimum caliber requirement of .243 for hunting moose. The department commented that if a

minimum caliber were adopted by the board, that the adoption should be for all big game species and not just moose. The proposal did not pass.

In 2018 an Agenda Change Request was submitted to the board requesting to change 5 AAC 92.085 Unlawful methods of taking big game; for hunting moose. The proponent asked the board to establish a minimum caliber of .243 for hunting moose in unit 18. The ACR was not accepted.

At the Western Arctic/Western region board meeting in 2020 the board addressed two similar proposals to establish a minimum caliber for hunting moose. The board did not pass one proposal and took no action on the other based on action taken on the first.

As noted above, the current regulations state that big game can be harvested by any caliber firearm as long as it is a center-firing cartridge. The board has established standards for some weapons, and the department educates hunters on advantages and disadvantages of various legal weapons and calibers. The decision as to which legal caliber is used to harvest game is left to the individual hunter and their capabilities.

Reducing wounding loss is a primary consideration for the taking of big game in all areas of the state. Small caliber cartridges leave little room for error in shot placement to ensure lethal results and off-target shots are likely to result in wounding loss. Alternatively, those favoring the use of small cartridges explain that when small calibers are used correctly, they can be effective in taking big game, including moose, and small calibers allow younger hunters a greater opportunity to hunt.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The board has differentiated between big game and small game and set weapon-specific standards accordingly. The board differentiates between big game species when it comes to standards for archery equipment for example, however having different standards for big game species does introduce a level of complexity that may not be warranted.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 134 – 5 AAC 92.069 Special provisions for moose and caribou drawing permit hunts.** Issue 90% of all moose drawing permits to Alaska residents.

**PROPOSED BY:** Douglas Malone

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal will allocate 90% of all moose drawing permits to State of Alaska residents.

## **WHAT ARE THE CURRENT REGULATIONS?**

### **5 AAC 92.069. Special provisions for moose and caribou drawing permit hunts.**

(a) In a moose drawing permit hunt specified in this section, a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; until June 30, 2015, the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, for the applicable guide use area during the season the drawing permit is valid;

(3) the department shall enter in a non-guided nonresident drawing all other complete applications from nonresidents.

(b) The department shall issue moose drawing permits as follows:

(1) in Units 21(D) and 24, the Koyukuk Controlled Use Area,

(A) the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(B) an applicant for a guided nonresident drawing permit may apply for only one permit per application period;

(C) after the successful applicants have been selected by drawing, the department shall create an alternate list by drawing the remaining names of applicants for a specific hunt and placing the names on the alternate list in the order in which the names were drawn;

(D) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(E) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the department shall issue permits by registration at the Fairbanks division of wildlife conservation office, to the next succeeding non-guided nonresident, awarded in the order in which the names were drawn, until the alternate list is exhausted;

(2) in Unit 21(D), outside the Koyukuk Controlled Use Area, if the drawing permit hunt is allocated between residents and nonresidents, the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of

50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(3) in Unit 21(B), that portion within the Nowitna River drainage upstream from the Little Mud River drainage and within the corridor extending two miles on either side of and including the Nowitna River, the drawing permit hunt is allocated 50 percent to residents and 50 percent to nonresidents; the department shall issue a maximum of 75 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 25 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of nonresidents applying for permits for either nonresident hunt is insufficient to award the required percentage, the department may award the remaining available nonresident drawing permits to the other nonresident hunt;

(4) in Unit 23, that portion south of the north bank of the Kobuk River and Melvin Channel downstream of the Kobuk Valley National Park boundary below the Kallarichuk River mouth, the Selawik River drainage, the Kauk River drainage, and the Baldwin Peninsula; the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents;

(5) in Unit 21(E), a maximum of 30 percent of the nonresident drawing permits will be issued to hunters using a registered guide, and a minimum of 70 percent of the nonresident drawing permits to hunters not using a registered guide; and

(6) in Unit 19(C), that portion west of the South Fork of the Kuskokwim River, east of the Windy Fork of the Kuskokwim River and north of a line between 62° 24.00' N. lat., 154° 7.00' W. long. and 62° 30.00' N. lat., 153° 32.00' W. long.; the department shall issue 70 percent of the available nonresident drawing permits to hunters who use a registered guide, and 30 percent of the available nonresident drawing permits to hunters who do not use a registered guide.

(c) The department shall issue caribou drawing permits as follows: in Unit 20(A) 15 percent of the available drawing permits will be issued to nonresidents and 85 percent of the available drawing permits will be issued to residents. The department shall issue 50 percent of the nonresident permits to hunters who use a registered guide, and 50 percent of the nonresident permits to hunters who do not use a registered guide.

Current nonresident moose drawing permit opportunity can be found in the 2025-2026 Alaska Drawing Permit Hunt Supplement.

Moose season and bag limits can be found in 5 AAC 85.045.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, residents will be guaranteed 90 percent of the available moose drawing permits, and nonresidents will be limited to 10 percent of the moose drawing permits offered

annually. The allocations between residents and nonresidents found in 5 AAC 92.069 would all be changed to a 90/10 split, without exception, between residents and nonresidents.

**BACKGROUND:** The board has findings that help them determine how to allocate game in specific areas (2017-222-BOG). The allocation percentages found in 5 AAC 92.069 were set following the guidelines in those findings. Some hunters wish to set a cap on the number of permits available to nonresidents at a statewide level rather than following the guidelines laid out in the board findings.

Most moose hunting opportunities for residents is provided for through general season harvest tickets, followed by registration permits. In many places where residents hunt with a harvest ticket or registration permit, nonresidents are hunting with a drawing permit, which makes comparison of the interest in each hunt area difficult. It also makes it difficult to determine the number of nonresidents that are interested in hunting moose in Alaska. Most of the moose drawing permit hunts that are open to both residents and nonresidents without an existing allocation are on military bases, located within or very close to highly populated areas such as Anchorage and Fairbanks, and are not typically what hunters consider trophy moose hunting areas. Some of the hunts are also those open only to qualified disabled veterans and youth hunters.

Table 134.1 shows the number of nonresident and nonresident alien moose locking tags sold annually from 2017 to 2024. The numbers should be viewed with caution as not all locking tags sold result in a moose being harvested and hunters can use locking tags for a lesser-value animal. Also, nonresidents hunting moose with a general season harvest ticket or with a registration permit would have been required to have one of these tags as well.

Table 134.1 Nonresident and Nonresident Alien Moose Locking Tags Sold Annually.

	2024	2023	2022	2021	2020	2019	2018	2017
<b>Nonresident</b>	2916	3034	2833	2918	2131	2555	2352	1553
<b>Alien</b>	25	38	26	13	7	32	36	29

Table 134.2 shows the percentage of residents and nonresidents that applied for moose drawing permits annually from 2017 to 2024. These numbers should also be viewed with caution. The board and department have added and removed moose drawing permit hunts throughout these years and adjusted the number of permits available each year based on most recent population data. As a result, the figures in the table represent a general idea of annual interest in moose drawing permit hunts, which is influenced by the hunts available and the number of permits offered for each of those hunts.

Table 134.2. Percent Annual Resident and Nonresident Moose Drawing Permit Applications.

	2024	2023	2022	2021	2020	2019	2018	2017
<b>Residents</b>	94%	95%	95%	96%	96%	97%	98%	97%
<b>Nonresidents</b>	6%	5%	5%	4%	4%	3%	2%	3%

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this issue of allocation between resident and nonresident hunters.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 135 – 5 AAC 92.050 Required permit hunt conditions and procedures.**

Allocate 10 percent of big game permits to nonresidents, in hunts that have at least 10 permits available.

**PROPOSED BY:** Craig Van Arsdale

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal will allocate 10% of all big game drawing permits to nonresident hunters in hunts that have no fewer than 10 permits available. In hunts that have less than 10 permits available, no nonresident permits will be issued.

**WHAT ARE THE CURRENT REGULATIONS?**

Additional special drawing permit provisions including existing allocations between residents and nonresidents (both guided and un-guided) for Dall’s sheep and mountain goat, brown bear, and moose and caribou can be found in 5 AAC 92.057, 5 AAC 92.061, and 5 AAC 92.069, respectively.

Current nonresident big game drawing permit opportunity can be found in 2025-2026 Alaska Drawing Permit Hunt Supplement.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, it will set the nonresident permit allocation at 10%, without exception, for all drawing permit hunts that do not already have an allocation in regulation and it will only be applicable when there are 10 or more permits available. When a hunt has nine or fewer permits offered, no nonresident permits will be issued.

**BACKGROUND:** The board has findings that help it determine how to allocate game in specific areas (2017-222-BOG). The allocation percentages found in 5 AAC 92.069 were set following the guidelines in those findings.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this issue of allocation

between resident and nonresident hunters, however the department is **OPPOSED** to the level of complexity the proposal would introduce for implementing the associated new regulations. The department anticipates difficulty administering the proposed regulation, specifically, when there are less than 10 permits available, because many drawing permit hunts currently have less than 10 permits available. For example, many goat hunts in units 7, 14, and 15 have less than 10 permits available. These individual hunts were created using the department's discretionary authority found in 5 AAC 92.052 and were created specifically to allow maximum hunting opportunity by issuing the number of permits appropriate in each survey area. In this specific example, nonresident hunting opportunity would be removed entirely.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

\*\*\*\*\*

**PROPOSAL 136 – 5 AAC 92.050(a)(2)(A) and (H). Required permit hunt conditions and procedures.** Limit bison and musk ox drawing permit hunts to once in a lifetime, and only allow applicants to apply once per hunt.

**PROPOSED BY:** Russel Hawkins

**WHAT WOULD THE PROPOSAL DO?** This proposal would limit a person to being able to win a bison and musk ox drawing permit hunt only once in a lifetime, and only allow applicants to apply for one drawing permit hunt for bison and one drawing permit hunt for musk ox per application period.

**WHAT ARE THE CURRENT REGULATIONS?** Resident hunters may harvest one bison every 10 regulatory years by drawing permit. A resident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit for 10 years. Nonresident hunters may harvest one bison by drawing permit. A nonresident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit.

Applicants may submit up to six applications per species per regulatory year; and may apply for the same hunt more than once (all six choices per species can be for one hunt).

The number of permits that may be issued per household are not limited. No more than 2 hunters desiring to hunt together may apply as a party, whether they are from the same household or not.

The application fee for bison and muskox is set by the legislature in statute, and is \$10 per choice, for a maximum of \$60 for bison and \$60 for muskox. The application fee is the same for residents and nonresidents, although applicants are required to have a current or future year hunting license at the time of application. License fees for nonresidents are substantially higher



than the fee for residents (currently \$35 for residents, \$130 for nonresidents, and \$600 for nonresident aliens).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal would eliminate the eligibility of a resident to win more than one bison permit in a lifetime regardless of whether they successfully harvest or not. This would align resident eligibility with that of nonresidents. Adoption of this proposal would also eliminate the possibility of a resident to win more than one musk ox permit in a lifetime. In addition, it would require the department to adjust administration of the drawing process for bison and musk ox permits to accommodate reducing the number of drawing hunt applications allowed for these species from six to one.

**BACKGROUND:** The department has conducted Alaska bison hunts since 1950. Since 2000 the department has awarded a total of 3,852 bison drawing hunt permits. Sixty- three individuals (1.6%) have drawn a bison permit more than 1 time since then. Two of these 63 individuals may have drawn 3 permits. Also, since 2000, it is possible that approximately 140 bison permits could have been drawn by members of the same household, though there is no mechanism for applicants to list members of a household. The average number of annual applicants for bison permits has been 28,712 since 2000 (high of 56,226 in 2023; low of 11,549 in 2006).

In January 2008, the Board of Game approved changing the eligibility for bison permits for residents from 1 permit every 5 years to 1 permit every 10 years, and to 1 permit in a lifetime for nonresidents. Since this change went into effect in regulatory year (RY) 09, nineteen individuals (16 residents and 3 nonresidents) have won more than one bison permit.

Though the first musk ox drawing permit hunt was authorized in 1974, nonsubsistence harvest opportunities for musk ox have been limited. Since 2000, the department has awarded 1,537 musk ox drawing hunt permits. Fifty- nine individuals (<4%) have drawn a musk ox permit more than 1 time since 2000. Five of these 59 individuals may have drawn 3 permits. Also, since 2000, it is possible that approximately 82 musk ox permits could have been drawn by members of the same household, though there is no mechanism for applicants to list members of a household. The average number of annual applicants for musk ox permits has been 4,243 since 2000 (high of 18,352 in 2023; low of 1,011 in 2005).

The drawing hunt application fee for bison and musk ox is \$10. In RY24, the department received 56,182 applications for bison drawing hunt permits and 18,339 applications for musk ox drawing hunt permits.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this allocation issue because the proposal does not create nor address a conservation concern. Application fees for drawing permits are set by the legislature and the board does not have the authority to increase those fees.

**COST ANALYSIS:** Adoption of this proposal would not result in significant additional costs for the department.

\*\*\*\*\*

**PROPOSAL 137 – 5 AAC 92.050 Required permit hunt conditions and procedures.** Change the drawing permit application process.

**PROPOSED BY:** Gary Feaster

**WHAT WOULD THE PROPOSAL DO?** Options provided by the author of this proposal will alter several drawing permit award processes for high interest species like Dall’s sheep, bison, musk ox, caribou, elk, and mountain goat.

**WHAT ARE THE CURRENT REGULATIONS?**

Current permit regulations can be found in 5 AAC 92.050 and are also printed in the 2025-2026 Alaska Drawing Permit Hunt Supplement.

**5 AAC 92.050. Required permit hunt conditions and procedures.**

(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

(A) apply for more than six drawing permit hunts for the same species per regulatory year;

(B) repealed 7/1/2016;

(C) apply for more than one moose drawing permit for a nonresident in Unit 23 per regulatory year; or

(D) hold more than one drawing permit for the same species per regulatory year;

(3) the commissioner shall void all applications by one person for more than six hunts for the same species, and all applications by one person for more than one moose hunt for a nonresident in Unit 23;

(4) permit issuance:

...

(E) the department may issue additional drawing hunting permits or Tier II subsistence hunting permits for specific hunts, in excess of the number established by other regulation, in order to correct administrative error in processing permit applications that has resulted in the denial of a permit to an applicant entitled to receive one;

(F) an individual who is a successful applicant for a specific drawing permit hunt is ineligible to apply for a permit for that specific hunt the following year;

(G) an individual who is a successful applicant for a Koyukuk Controlled Use Area moose drawing permit is ineligible to apply for a Koyukuk Controlled Use Area moose drawing permit the following year;

(H) a resident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit for 10 years; a nonresident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit;

(I) no more than one Unit 13 Tier I subsistence permit for caribou may be issued per household every regulatory year; the head of household, as defined in 5 AAC 92.071(b), and any member of the household obtaining a Unit 13 Tier I subsistence permit in a regulatory year for caribou may not hunt caribou or moose in any other location in the state during that regulatory year;

(J) in hunts where 10 or more drawing permits are awarded, and in a situation where the final drawing permit is to be awarded and two applicants have applied as a party, the department may issue an additional permit in excess of the number of permits otherwise authorized by regulation, to allow both applicants of the party to receive a permit;

...

(M) for each resident registration permit issued by the department under (L) of this paragraph, the department will reduce the number of drawing permits available in the same area for the same early season elk hunt by one;

(5) except as provided in (6) of this subsection, a permit is nontransferable; however, the department may reissue an invalidated Tier II subsistence hunting permit to the highest-ranked applicant remaining in the original pool of eligible applicants;

(6) the commissioner may reissue or transfer a permit as follows:

(A) a permit may be transferred for scientific purposes;

(B) a person that is on active duty, National Guard or Reserves status in a branch of the military under United States Department of Defense and who is under orders of a state's governor or the President of the United States for deployment to a combat zone, for purpose of humanitarian aid, peace-keeping, increased security, homeland defense, defense support of civil authority, or evacuation of United States citizens and that has been issued a

(i) drawing permit, and is prevented from using the drawing permit due to being out of the state on active duty, may be reissued the same drawing permit when the person returns to this state from active duty under this subparagraph, under procedures set out in the applicable permit hunt supplement;

...

(D) drawing hunt permit may, upon request, have the permit transferred to a qualified substitute in the event of the original permit holder's death, as provided for in AS 16.05.404 and AS 16.05.420(c).

...

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED:** If adopted this proposal may provide additional opportunities for hunters to participate in drawing permit hunts for highly sought after species. However, the probability of drawing a permit is impacted by both interest (number of drawing permit applications) and the number of permits available.

**BACKGROUND:** There has been interest from the public to improve the odds of drawing a permit for several highly sought after species and hunts. It is understandable that drawing permit applicants get frustrated submitting applications for hunts, year after year, without ever being drawn for a permit; however, this is a function of random drawing. The number of applicants for a hunt and the number of permits available to be drawn are the determining factors for an applicant's chance to be receive a permit. The results of the 2024-2025 hunts listed in the 2025-2026 Alaska Drawing Permit Hunt Supplement indicate that <1% of the applicants were drawn for fifty-six of the 361 permit hunts. This was due to the high number of applications received. As noted in the proposal, interest in drawing hunts has increased over time. It is difficult to anticipate how application numbers will change due to the number of people that want to hunt, and the number of new applicants each year. Interest can also be influenced by reduced opportunity in other areas of Alaska due to harvestable surplus declines or when harvest is not appropriate because of abundance.

The number of permits available for a hunt depends on the harvestable surplus of the species population in the hunt area. The number of available permits are regularly updated in both times of abundance and decline because the department has a mandate to manage game species for sustained yield. Weather, harvest, disease, and other factors can all impact the harvestable surplus, and ultimately the number of permits offered for a hunt. At times, drawing hunts are cancelled altogether because of significant abundance declines.

Many of the suggestions offered in proposals throughout the years have been to create and implement a bonus or preference points system. An Ad hoc survey of western state wildlife officials resulted in recommendations to avoid such programs given the difficulty in administering the programs, little change in outcome for applicants, and the fact that once administered it is extremely difficult if not impossible to move away from the system. To explore implementation feasibility, department staff drafted a possible implementation process and estimate ~1500-2000 hours of staff time would be required to complete a program to implement this proposal. A dollar estimate is not available at this time but would include both staff time and a significant expansion (complete new build) of the current hunt management system to support such a venture. Many of the populations managed partially by drawing hunts also have registration and general season hunt opportunity included in hunt management to maximize hunting opportunity. The department recognizes these opportunities may not be of the highest interest to hunters, but with few species-specific or area-specific exceptions, most hunting opportunities throughout the state are available without a drawing permit.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. All the options provided by the author are allocative and do not present a biological concern. The department **OPPOSES** the excessive cost and time needed to build and program a computer system to process applications, award permits, and track bonus or preference points, without an indication it will significantly improve an individual's chances of being awarded a permit. As noted, hunters have submitted numerous proposals attempting to improve the odds of drawing a permit for highly sought after species, but the probability of drawing a permit is driven by the number of applications and permits available; this proposal does not, and cannot, control those factors. The number of permits available to draw are based on the harvestable surplus available for management within sustained yield for a species population.

Because of the complex nature of changes to these regulations, if the board chooses to adopt this or a similar proposal, the department requests a delayed implementation such as until the next statewide proposal meeting.

**COST ANALYSIS:** Adoption of this proposal may result in additional unbudgeted for expenses for the department depending on the final regulatory language. Some of the options provided in this proposal will not result in significant costs to the department.

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**PROPOSAL 139 – 5 AAC 92.150. Evidence of sex and identity.** Change the evidence of sex requirements for species with horns.

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

**WHAT WOULD THE PROPOSAL DO?** The proposal would remove the requirement for evidence of sex to remain naturally attached for horned animals, and would instead specify that horns are evidence of sex for animals with horns. The proposal also makes it clear that the horns may be transported simultaneously with the last load of meat, which is currently allowed.

**WHAT ARE THE CURRENT REGULATIONS?**

**5 AAC 92.150. Evidence of sex and identity.**

(a) Horns of a Dall sheep must be salvaged.

(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, 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.

(c) If a big game bag limit includes an antler size or configuration restriction, both antlers

must be salvaged. A person possessing a set of moose antlers with less than the required number of brow tines on one antler shall leave the antlers naturally attached to the unbroken, uncut skull plate. If antlers or horns must be salvaged, they may not be altered before the completion of all salvage requirements, unless alteration is required under permit conditions. In Unit 1(B), that portion of Unit 1(C) south of Port Hobart, including all Port Houghton drainages, and Unit 3, a damaged, broken, or altered antler is not considered a spike-fork antler as defined in 5 AAC 92.990.

(d) In those areas where sealing is required, until the hide has been sealed by a representative of the department, no person may possess or transport the hide of a bear that does not have the penis sheath or vaginal orifice naturally attached to indicate conclusively the sex of the bear.

(e) In those areas where sealing is required only for the skull of a bear, a person who possesses or transports the meat of a bear must keep sufficient portions of the external sex organs naturally attached to indicate conclusively the sex of the bear until the skull of the bear has been sealed by a representative of the department.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, goats and muskox would be treated more similarly to sheep; and horns of both goats and muskox would be required to be salvaged. Successful goat and muskox hunters in hunts limited to one sex would no longer be required to salvage evidence of sex.

**BACKGROUND:** When existing salvage requirements were created most goat and muskox hunts were not restricted to a single sex, although most sheep hunts at the time were limited to only one sex. The existing regulation requires some goat hunters and some muskox hunters to salvage the evidence of sex and to keep it naturally attached to the part of the animal required to be salvaged. This requirement does not exist for sheep largely because in many areas only rams may be harvested and the bag limit for most sheep is a full-curl ram. The difference in horns between a ewe and a full-curl ram is quite distinct. Those same distinctions are not as noticeable for goats and muskox. It can be quite difficult, if not impossible, at times to tell the difference between a nanny and billy goat, and a bull and cow muskox. This is further complicated because all age-classes of goats and muskox are legal animals.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal, but encourages the board to examine salvage and evidence requirements for each species individually. It may not be appropriate to use horns as a requirement as evidence of sex for species where both sexes have horns. Adoption of the proposal may remove the ability for AWT to accurately determine sex while contacting successful hunters in the field

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 140 – 5 AAC 92.150. Evidence of sex and identity.** This proposal would eliminate the evidence of sex requirement for big game having bag limits restricted to one sex.

**PROPOSED BY:** Lance Nelson

**WHAT WOULD THE PROPOSAL DO?** This proposal would eliminate the evidence of sex requirement for big game having bag limits restricted to one sex. The proponent also mentions changing the definition of evidence of sex to include horns or antlers, presumably for all horned or antlered game, but it is unclear if the proposer intended it be included for this proposal.

**WHAT ARE THE CURRENT REGULATIONS?**

**5 AAC 92.150. Evidence of sex and identity.**

(a) Horns of a Dall sheep must be salvaged.

(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, 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.

(c) If a big game bag limit includes an antler size or configuration restriction, both antlers must be salvaged. A person possessing a set of moose antlers with less than the required number of brow tines on one antler shall leave the antlers naturally attached to the unbroken, uncut skull plate. If antlers or horns must be salvaged, they may not be altered before the completion of all salvage requirements, unless alteration is required under permit conditions. In Unit 1(B), that portion of Unit 1(C) south of Port Hobart, including all Port Houghton drainages, and Unit 3, a damaged, broken, or altered antler is not considered a spike-fork antler as defined in 5 AAC 92.990.

(d) In those areas where sealing is required, until the hide has been sealed by a representative of the department, no person may possess or transport the hide of a bear that does not have the penis sheath or vaginal orifice naturally attached to indicate conclusively the sex of the bear.

(e) In those areas where sealing is required only for the skull of a bear, a person who possesses or transports the meat of a bear must keep sufficient portions of the external sex organs naturally attached to indicate conclusively the sex of the bear until the skull of the bear has been sealed by a representative of the department.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal would eliminate the requirement to keep sex organs naturally attached to show the sex of a game animal in a hunt with a bag limit that is restricted to one sex. A different

regulation for determining sex of a harvested game animal (except for sheep and deer with antlers naturally attached to the entire carcass) would need to be adopted by the board.

The proposed alternative of determining sex of a game animal through DNA testing would greatly increase the amount of time necessary for an authorized Alaska Department of Fish and Game employee or Department of Public Safety officer to ensure bag limit compliance. The difference in the amount of time it takes to visually inspect a carcass and the amount of time it would take to sample tissue, handle, catalog, and ship the sample, test the sample, and receive the results is substantial. Details for possession and/or storage of the meat while waiting for test results and identification of the funding source to pay for the testing of thousands of harvested animals would need to be determined by the department and the Alaska Wildlife Troopers (AWT).

A change to the definition of evidence of sex to include horns or antlers would require an exception for caribou. The sex of caribou is not reliably identified by the presence of antlers.

**BACKGROUND:** Currently, hunters taking a game animal in areas restricting the take to one sex must leave sufficient portions of the external sex organs naturally attached to clearly indicate the sex of the animal. A primary reason for this regulation is protection of female animals in a population. Females represent the reproductive component of a population and regulation of female harvest is essential in sustained yield management. For example, without this regulatory tool, a female moose carcass and a set of antlers and/or detached external sex organs can be presented as a male moose carcass. Leaving evidence of sex naturally attached, usually to a hind quarter, minimizes the potential for non-compliance of bag limits in sex-restricted hunts.

The use of DNA as suggested by the proponent will require submission of one to two inch portion of skeletal muscle tissue to a laboratory. For example, the UC-Davis Veterinary Laboratory can run a test to determine sex identification at the cost of \$44 per test and a turnaround time of 15 days. The samples must be frozen and mailed on ice overnight.

The proponent mentioned the risk of meat spoilage due to leaving male sex organs attached to hindquarters. Division of Wildlife Conservation has no data on spoilage of meat due to this reason.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal because it would remove the ability of AWT to determine legality in the field and would make in-season enforcement impossible. Currently AWT and department staff can take photos of evidence of sex, or lack of evidence, and can issue citations quickly. Requiring samples to be taken and tracked for chain of custody could take weeks and introduce questions about proper handling of the samples.



Changing the definition of evidence of sex to include horns or antlers as suggested is also problematic because the head is not required to be salvaged in many hunts and antlers are only required to be salvaged in antler restricted hunts. The department is OPPOSED to such a change.

**COST ANALYSIS:** Adoption of this proposal would result in additional costs to the department for processing DNA tests.

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**PROPOSAL 142** – **5 AAC 92.031. Permit for selling skins, skulls, and trophies.** Eliminate the requirement for a permit to sell legally harvested big game trophies.

**PROPOSED BY:** Russell Knight

**WHAT WOULD THE PROPOSAL DO?** The proposal would eliminate the need for a permit to sell a legally harvested big game trophy.

**WHAT ARE THE CURRENT REGULATIONS?**

**5 AAC 92.031. Permit for selling skins, skulls, and trophies.**

(a) A licensed taxidermist may sell an unclaimed, finished skin or trophy under a permit issued by the department after the finished skin or trophy has been held unclaimed for six months, and after the taxidermist sends notice of intent to sell, by registered mail at least 15 days before the sale, to the last known address of the person who ordered the taxidermy work.

(b) A court appointed or duly authorized estate executor, or a referee in a bankruptcy, may sell a game skin or trophy in a bankruptcy or probate action if that person first obtains a permit from the department.

(c) Repealed 7/1/2008.

(d) Repealed 7/1/2008.

(e) Repealed 7/1/2008.

(f) A person who has obtained ownership of a big game trophy as a result of a divorce may sell that big game trophy only if that person first obtains a permit from the department after providing the department with a list of the big game trophies being sold and a divorce decree documenting ownership.

(g) A person may sell, advertise, or otherwise offer for sale a skull or hide with claws attached of a brown bear harvested in an area where the bag limit is two brown bears per regulatory year only after first obtaining a permit from the department. Any advertisement must include the permit number assigned by the department, and the department will permanently mark all hides and skulls intended for sale. All bears sold under this permit must be reported to the Department within the time frame specified on the permit.

(h) A person may sell a lawfully harvested and prepared big game trophy if that person first obtains a permit from the department.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the public would not need a permit to sell a lawfully harvested and prepared big game trophy. The department would no longer be able to track how many trophies are sold for reasons other than those sold as part of a bankruptcy, divorce, estates in probate, and taxidermists with unclaimed trophies.

**BACKGROUND:** A permit is required before any big game trophy can be sold. At the Statewide 2022 Board of Game meeting, the board adopted the existing regulation which

allowed all trophies to be sold, not just those that were sold as a result of bankruptcy, divorce, estates in probate, or trophies that were in the possession of taxidermists and never claimed.

Currently, persons wishing to sell trophies for any reason must first submit a complete application. A permit is typically issued within 30 days of receiving the complete application. Permits are valid for six months but may be renewed unlimited times and there is no fee for the permit or to apply for the permit.

Prior to the board making it legal to sell all trophies with a permit, the most common reason the department received requests to sell trophies was from estates that were not in probate (Table 142.1). Probate is required when a person dies and owns property that does not automatically pass to someone else; many widows and widowers were left with trophies that could not be sold.

Table 142.1 Number of permits issued to sell big game trophies (2019-2024).

	2024	2023	2022	2021	2020	2019
<b>Divorce</b>	0	0	1	0	2	2
<b>Bankruptcy</b>	0	0	0	0	0	0
<b>Probate</b>	6	11	12	8	10	7
<b>Other</b>	87	102	29	NA*	NA*	NA*

\*Other was not an option until 2022.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. By requiring a permit for each trophy sale, the department has a general idea if there is an interest in for-profit hunting. The regulations allowing all trophies to be sold has been in effect since July 2022; as a result, the department has limited data available to establish a baseline trend in trophy sales for reasons other than bankruptcies, divorces, estates in probate, and taxidermists' needs.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 143** – **5 AAC 92.200. Purchase and sale of game.** Allow the sale of legally harvested big game trophies.

**PROPOSED BY:** Russell Knight

**WHAT WOULD THE PROPOSAL DO?** The proposal would allow the sale of all big game trophies and most skulls, and would allow big game trophies to be bartered.

**WHAT ARE THE CURRENT REGULATIONS?**

**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, advertise, or otherwise offer for sale:

(1) any part of a brown bear, except an article of handicraft made from the fur of a brown bear, and except skulls and hides with claws attached of brown bears harvested in areas where the bag limit is two bears per regulatory year by permit issued under 5 AAC 92.031;

(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, or unsealed fisher taken in Units 1 - 5, 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;

(9) the gallbladder of a bear.

(c) A person may not barter, advertise for barter, or otherwise offer for barter

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

(2) 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;

(3) the gallbladder of a bear.

(d) Notwithstanding (b)(2) and (3) of this section, a licensed taxidermist, estate executor, divorced person, or bankruptcy referee, may sell a skin or trophy by permit issued under 5 AAC 92.031, and the state may sell a skin or trophy as excess property. A person may purchase and possess an animal skin or trophy sold under this subsection. However, a person may not resell a skin or trophy purchased from a seller under this subsection.

(e) the barter of subsistence-taken game meat is subject to the following:

(1) the following individuals and businesses are prohibited from engaging in the barter of game meat taken for subsistence uses:

(A) a person or business holding a license under AS 43.70 or AS 43.75, or its employee, to engage in the commercial sale of the food items or nonedible items provided by the barter exchange; and

(B) a person or business licensed under AS 43.70 or AS 43.75, or its employee, to engage in providing the services provided by the barter exchange;

(2) the terms of this subsection do not restrict barter of furs and furbearers, or barter of handicrafts;

(3) a person may not barter a big game animal horn or antler that is still attached to any part of the skull, or a big game animal skull, except the skull of a black bear, wolf, or wolverine;

(4) in this subsection, "commercial" means for profit or disposal in commercial channels.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the public would not need a permit to sell a lawfully harvested and prepared big game trophy. The department would no longer be able to track how many trophies are sold for reasons other than those sold as part of a bankruptcy, divorce, estates in probate, and taxidermists with unclaimed trophies.

**BACKGROUND:** A permit is required before any big game trophy can be sold. At the Statewide 2022 Board of Game meeting, the board adopted the existing regulation which allowed all trophies to be sold, not just those that were sold as a result of bankruptcy, divorce, estates in probate, or trophies that were in the possession of taxidermists and never claimed. Most people found those requirements burdensome.

Persons wishing to sell trophies for any reason must first submit a complete application. A permit is typically issued within 30 days of receiving the complete application. Permits are valid for six months but may be renewed unlimited times and there is no fee for the permit or to apply for the permit.

Prior to the board making it legal to sell all trophies with a permit, the most common reason the department received requests to sell trophies was from estates that were not in probate (Table 143.1). Probate is required when a person dies and owns property that does not automatically pass to someone else; many widows and widowers were left with trophies that could not be sold.

Table 143.1. Number of permits issued to sell big game trophies (2019-2024).

	2024	2023	2022	2021	2020	2019
<b>Divorce</b>	0	0	1	0	2	2
<b>Bankruptcy</b>	0	0	0	0	0	0
<b>Probate</b>	6	11	12	8	10	7
<b>Other</b>	87	102	29	NA*	NA*	NA*

\*Other was not an option until 2022.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. By requiring a permit for each trophy sale, the department has a general idea if there is an interest in for-profit hunting. The regulations allowing all trophies to be sold has been in effect since July 2022; as a result, the department has limited data available to establish a baseline trend in trophy sales for reasons other than bankruptcies, divorces, estates in probate, and taxidermists' needs.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 145 – 5 AAC 92.029. Permit for possessing live game.** Add Eurasian eagle owl to the list of animals allowed to be possessed without a permit.

**PROPOSED BY:** Bennett Wong

**WHAT WOULD THE PROPOSAL DO?** This proposal would add Eurasian eagle owls to the list of animals that can be possessed without a permit.

**WHAT ARE THE CURRENT REGULATIONS?**

(a) Except as otherwise provided in this chapter, or in AS 16, no person may possess, import, release, export, or assist in importing, releasing, or exporting, live game, unless the person holds a possession permit issued by the department. (b) The following species, not including a hybrid of a game animal and a species listed in this subsection, may be possessed, imported, exported, bought, sold, or traded without a permit from the department but may not be released into the wild:

Common Name	Scientific Name
Dog	<i>Canis familiaris</i>
Cat	<i>Felis catus</i>
Sheep	<i>Ovis aries</i>
Goat	<i>Capra hircus</i>
Cattle	<i>Bos taurus</i>
Oxen	<i>Bos spp.</i>
Horse	<i>Equus caballus</i>
Guinea pig	<i>Cavia porcellus</i>
Reindeer (except feral reindeer)	<i>Rangifer tarandus Var.</i>
Llama	<i>Lama peruana</i>
Alpaca	<i>Lama pacos</i>
One-humped camel	<i>Camelus dromedarius</i>
Ass	<i>Equus asinus Var.</i>
Mule	<i>Equus asinus x caballus</i>
Swine	<i>Sus scrofa Var.</i>
European ferret	<i>Mustela putorius furo</i>

European rabbit	<i>Oryctolagus cuniculus</i> Var.
White rat	<i>Rattus norvegicus</i> Var. <i>albinus</i>
Mice: white, waltzing, singing, shaker, piebald	<i>Mus musculus</i> Var.
Fat-tailed gerbil	<i>Pachyuromys duprasi</i>
Gerbil	<i>Gerbillus</i> spp.
Hamster (golden)	<i>Mesocricetus auratus</i>
Chinchilla	<i>Chinchilla laniger</i>
Cavy	<i>Cavia aperea</i>
Hedgehog, African Pygmy	<i>Erinaceus albiventris</i>
Chicken	<i>Gallus gallus</i> Var.
Pigeon	<i>Columia livia</i> Var.
Any Turkey species	Subfamily Meleagridinae
Any Pheasant, Junglefowl or Coturnix species	Subfamily Phasianidae
Any Guineafowl species	Subfamily Numidinae
Canary	<i>Serinus canaria</i> Var.
Parrot, parakeet, cockatiel, macaw, and other members of the Family Psittacidae not prohibited by federal or international law	Family Psittacidae
Toucan	Family Ramphastidae
Any New World Quail species (including Bobwhite)	Subfamily Odontophoridae
Mynah	<i>Acridotheres</i> spp.
Any Peafowl species	<i>Pavo</i> spp.
Any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service determines does not require a federal permit for private ownership	
Chukar partridge	<i>Alectoris chukar</i>
Button "quail"	Family Turnicidae in the order Gruiformes
Any nonvenomous reptile (crocodile, alligator, snake, turtle, or lizard)	Class Reptilia
Members of the bird families Fringillidae, Turdidae, Zosteripidae, Pycnonotidae, Timaliidae, and Ploceidae of non- Holarctic origin.	
Members of the bird families Columbidae and Trogonidae of non- nearctic origin.	
Elk (except feral and wild elk)	( <i>Cervus elaphus</i> )

Bison (except feral and wild bison) (*Bison bison*)  
Muskoxen (except feral and wild muskoxen) (*Ovibos moschatus*)

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Eurasian eagle owls would be allowed to be kept as a pet within the state of Alaska if this proposal were adopted.

**BACKGROUND:** The Eurasian eagle owl (*Bubo bubo*) is not currently on the Endangered or Threatened species list. However, according to the Peregrine Fund, populations have drastically declined during the first half of the 1900s and reintroduction programs have taken place.

The Eurasian eagle owl is a raptor species. Raptors take a considerable amount of knowledge and skill to maintain humanely. Further, all owls can contract and carry Highly Pathogenic Avian Influenza (HPAI). Adding this bird to the clean list may result in uneducated owners inhumanely handling the birds as well as an increased risk of higher HPAI infection rates in the state.

The Eurasian eagle owl is not native to Alaska, but would likely be able to survive in the Alaskan wilderness due to similar habitat in its native area. This may greatly impact prey species populations (known to eat small mammals such as voles as well as other birds including other raptors) and create competition with native predator species.

Currently, only educational facilities are authorized to own raptors and raptors are also managed federally. All educational facilities must meet basic requirements including having a veterinarian, maintaining feeding/behavior/medical logs, and creating enrichment plans.

**DEPARTMENT COMMENTS:** The department **OPPOSES** this proposal. The Eurasian eagle owl is a complex raptor with significant health and behavior needs. It should not be available to the public as a pet. Further, if the owl were to escape from the owner, it is possible that it would mate/interact with wild raptor populations increasing risk of native raptor decline and disease, and could potential compete with native raptors for food.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 146 - 5 AAC 92.029. Permit for possessing live game.** Allow the release of sterilized, feral cats into the wild.

**PROPOSED BY:** J. Rintala

**WHAT WOULD THE PROPOSAL DO?** The proposal would allow the release of sterilized feral cats into the wild.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.029 allows cats (*Felis catus*) to be possessed without a permit and prohibits them from being released into the wild.

**5 AAC 92.029. Permit for possessing live game.** (a) Except as otherwise provided in this chapter, or in AS 16, no person may possess, import, release, export, or assist in importing, releasing, or exporting, live game, unless the person holds a possession permit issued by the department. (b) The following species, not including a hybrid of a game animal and a species listed in this subsection, may be possessed, imported, exported, bought, sold, or traded without a permit from the department but may not be released into the wild:

Common Name	Scientific Name
...	
Cat	<i>Felis catus</i>
...	

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Sterilized feral cats could legally be released to the wild, except where prohibited by local governments.

**BACKGROUND:** Trap-Neuter-Release (TNR) programs are implemented throughout the US, often at the municipality level, in an effort to stabilize or reduce feral/community cat populations as an alternative to the trap/euthanize option. Proponents of TNR programs argue that this option is cost-efficient, sustainable, and a humane alternative for managing feral cat colonies by increasing the number of neutered cats, decreasing unwanted litters, reducing shelter and animal control costs and increasing vaccination rates of cats.

The American Association of Wildlife Veterinarians (AAWV), American Society of Mammalogists (ASM), and many in the scientific community oppose TNR programs. Repeated studies show TNR programs are ineffective at controlling feral cat populations. One study calculated between 71-94% of cats in a single feral colony would need to be neutered for the program to be effective and also that this percentage of sterilization has rarely been achieved. While TNR programs vaccinate cats during the trap/neuter process, they do not address that effective vaccination of an animal requires multiple booster shots throughout the duration of the animal's life. Feral cats that become trap shy would be extremely hard to recapture and administer additional doses to.

Disease risks associated with feral cats pose threats to public health. Cats can carry rabies, toxoplasmosis, cat bite cellulitis, cat-scratch disease, cutaneous larva migrans (hookworms), visceral larva migrans (roundworms), fleas, and flea-borne diseases. These diseases can be transmitted to humans through direct contact with the animal (scratch/bite) or through the environment (fecal contamination of dirt). If contracted, human symptoms from these diseases range from mild infection to death. Toxoplasmosis alone has been linked to many human diseases/disorders, including Parkinson's, autism, schizophrenia, Alzheimer's, psychosis,



suicide, and personality changes. Additionally, feral cat colonies can serve as a disease-vector for other animals, such as raccoons, opossums, coyotes, foxes, and others, that are attracted to the available food source.

ADF&G and other government agencies are charged with the management, conservation, and preservation of native flora and fauna. Multiple scientific studies have shown that cats have an innate behavior to hunt and feral cats kill millions of wild birds and small mammals annually, regardless of cat ownership status, vaccination, reproductive potential, or on the availability of food. Studies also show significant reductions in native bird and rodent diversity near feral cat colonies compared to similar habitat without the presence of feral cats.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal because of disease transmission, public health concerns, and because feral cats kill millions of wild birds and small mammals annually.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 148 – 5 AAC 92.110. Control of predation by wolves.** Impose certain conditions on the Commissioner’s ability to implement an intensive management plan following its adoption by the Board of Game.

**PROPOSED BY:** Kneeland Taylor

**WHAT WOULD THE PROPOSAL DO?** The proposal imposes certain conditions on the Commissioner’s ability to implement an intensive management (IM) plan by adding the bold and underlined language below to the existing regulation.

Specifically, the proposal limits the department to being able to implement the plan only (i) when the commissioner finds that the board has found that consumptive use of the big game prey population is a preferred use and that depletion of the big game prey population or reduction of the productivity of the big game prey population has occurred and may result in a significant reduction in the allowable human harvest of the population; (ii) if the commissioner authorizes the use of aircraft and/or the take of wolves from aircraft the same day airborne that the objectives set for the population have not been achieved and that predation is an important cause for the failure to achieve the objectives set by the board and that a reduction of predation can reasonably be expected to aid in the achievement of the objectives or that a disease or parasite of a predator population is threatening the normal biological condition of the predator population or if left untreated, would spread to other populations; and (iii) before proceeding with

implementing the plan, the department must publicly notice the determination and findings, and give the public the opportunity to comment.

(e) 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: **but only**

**(i) if the commissioner finds that the conditions specified in AS 16.05.255(e) apply at that time; and**

**(ii) in the event the commissioner determines to authorize the use of aircraft and/or the taking of wolves from aircraft the same day airborne, the commissioner also finds that the conditions specified in AS 16.05.783(a) apply at that time. Before proceeding with implementation, prior public notice of the commissioner's determination and findings must be given, and the public given the opportunity to comment as provided in the Administrative Procedure Act** and may, by regulation, amend the plan to apply additional restrictions in light of circumstances existing at the time of implementation.

## **WHAT ARE THE CURRENT REGULATIONS?**

### **AS 16.05.255. Regulations of the Board of Game; management requirements.**

...

(e) The Board of Game shall adopt regulations to provide for intensive management programs to restore the abundance or productivity of identified big game prey populations as necessary to achieve human consumptive use goals of the board in an area where the board has determined that

(1) consumptive use of the big game prey population is a preferred use;

(2) depletion of the big game prey population or reduction of the productivity of the big game prey population has occurred and may result in a significant reduction in the allowable human harvest of the population; and

(3) enhancement of abundance or productivity of the big game prey population is feasibly achievable utilizing recognized and prudent active management techniques.

(f) The Board of Game may not significantly reduce the taking of an identified big game prey population by adopting regulations relating to restrictions on harvest or access to the population, or to management of the population by customary adjustments in seasons, bag limits, open and closed areas, methods and means, or by other customary means authorized under (a) of this section, unless the board has adopted regulations, or has scheduled for adoption at the next regularly scheduled meeting of the board regulations, that provide for intensive management to increase the take of the population for human harvest consistent with (e) of this section. This subsection does not apply if the board

(1) determines that intensive management would be

(A) ineffective, based on scientific information;

(B) inappropriate due to land ownership patterns; or

(C) against the best interest of subsistence uses; or

(2) declares that a biological emergency exists and takes immediate action to protect or maintain the big game prey population in conjunction with the scheduling for adoption of those regulations that are necessary to implement (e) of this section.

**Sec. 16.05.783. Same day airborne hunting.** (a) A person may not shoot or assist in shooting a free-ranging wolf or wolverine the same day that a person has been airborne. However, the Board of Game may authorize a predator control program as part of a game management plan that involves airborne or same day airborne shooting if the board has determined based on information provided by the department

(1) in regard to an identified big game prey population under AS 16.05.255(g) that objectives set by the board for the population have not been achieved and that predation is an important cause for the failure to achieve the objectives set by the board, and that a reduction of predation can reasonably be expected to aid in the achievement of the objectives; or

(2) that a disease or parasite of a predator population

(A) is threatening the normal biological condition of the predator population; or

(B) if left untreated, would spread to other populations.

(b) This section does not apply to

(1) a person who was airborne the same day if that person was airborne only on a regularly scheduled commercial flight; or

(2) an employee of the department who, as part of a game management program, is authorized to shoot or to assist in shooting wolf, wolverine, fox, or lynx on the same day that the employee has been airborne.

(c) A person who violates this section is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both. In addition, the court may order the aircraft and equipment used in or in aid of a violation of this section to be forfeited to the state.

(d) When the Board of Game authorizes a predator control program that includes airborne or same day airborne shooting, the board shall have the prerogative to establish predator reduction objectives and limits, methods and means to be employed, who is authorized to participate in the program, and the conditions for participation of individuals in the program.

(e) The use of state employees or state owned or chartered equipment, including helicopters, in a predator control program is prohibited without the approval of the commissioner.

(f) In this section,

(1) “free-ranging” means that the animal is wild and not caught in a trap or snare; and

(2) “game management program” means a program authorized by the Board of Game or the commissioner to achieve identified game management objectives in a designated geographic area.

**5 AAC 92.110. Control of predation by wolves.** (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 wolf population reduction or wolf population regulation program. The commissioner or the commissioner's designee, including contracted agents of other governmental agencies, may reduce wolf populations in an efficient manner, by any means, but as safely and humanely as practical, including the use of a helicopter.

(b) Repealed 3/10/2006.

(c) Repealed 10/1/93.

(d) Repealed 3/10/2006.

(e) 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.

(f) If the board authorizes issuance of public aerial shooting permits or public land and shoot permits as a method of wolf removal, the commissioner may, at any time while the plan is in effect, implement land and shoot or aerial shooting by order of the department. A permit may be issued under 5 AAC 92.039. The department may monitor programs involving the use of aircraft from the air.

(g) To the extent practicable, a person taking wolf under a wolf population reduction or wolf population regulation program must retrieve the wolf so that maximum economic and scientific value may be realized from each wolf.

(h) Poison may not be used to take a wolf, except that carbon monoxide cartridges may be used to humanely euthanize wolf young in the den in areas under a predation control implementation plan.

(i) The killing of wolf young in the den, commonly known as "denning", is prohibited, unless the commissioner authorizes the killing of wolf young in the den in areas under a predation control implementation plan.

(j) Repealed 5/16/2010.

(k) The commissioner shall stop the taking of wolves under the implementation plan and, if necessary, stop other taking 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.

(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

(1) animal propagation;

(2) scientific studies;

(3) stocking conducted under AS 16.05.050;

(4) issuance of permits for collection of animals under AS 16.05.340(b);

(5) the isolated taking of animals necessary for immediate protection of wildlife populations or the general public or property under AS 16.05.020; or

(6) issuance of any other department permits authorized by state or federal law.

(m) A wolf population reduction or wolf 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.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the department will need to take additional steps prior to implementing IM plans, some of which are duplicative or conflict with current regulations.

If adopted, there will be conflicting regulations for the department to follow. All the existing IM objectives for caribou and moose IM populations are a range and most of the IM plans instruct the department to manage for the midpoint of the objectives. Current regulations allow maximum flexibility for the department to implement IM to keep both the harvest and population within the range of objectives set by the board. This proposed regulation conflicts with the existing regulations that instruct the department to manage within those ranges.

The proposal would also require the department to publicly notice for comment when the department intends to implement aerial wolf control. This aspect may impact the timeliness of implementing an IM program.

Adoption of the second part of the proposal is only applicable to IM plans where wolves are the specified predator species, and is not applicable to IM plans that include bears.

**BACKGROUND:** Currently, the department looks to existing regulations at 5 AAC 92.108 to confirm that the board has found that consumptive use of the big game prey population is a preferred use and that depletion of the big game prey population or reduction of the productivity of the big game prey population has occurred and may result in a significant reduction in the allowable human harvest of the population.

AS 16.05.255(e) instructs the board to adopt regulations to provide for IM programs to restore the abundance or productivity of big game prey populations that have been identified as necessary to achieve human consumptive use goals set by the board. The board identifies those populations and sets both population and harvest objectives in 5 AAC 92.108. Managing large populations intended to provide high levels of harvest for an exact number is impossible. Therefore, the board has set a range for both the population and harvest objectives and, in most regulations, instructed the department to manage for the midpoint of those objectives. IM population status impacts allowable uses of the population including whether nonresident harvest is appropriate, authorized methods and means for hunting (separate from control), and the guiding provisions allowed for predator populations in active IM areas (AS 08.54.750(e)). The ability of the department to implement control programs based on the midpoint of the range

gives the department the ability to manage based on the most current population and harvest data. It also gives the public the greatest opportunity to know what the applicable regulations are at any given time in each area.

The Administrative Procedure Act (APA) and the requirements for public notice and comment periods are only applicable to the development of regulations.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal. The department has been tasked by the legislature, in statute, to intensively manage populations for high levels of human consumptive use. The current process of renewing intensive management plans, when the population is within objectives, allows the department the ability to implement IM without having to submit a proposal to the board outside of the regular cycle of board meetings for regions. It appears the proponent wants the department to let the plans expire until the IM prey populations are below objectives, at which point the department would need to submit a proposal or possibly an Agenda Change Request out of cycle to establish the regulations to allow the department to implement IM. This could diminish the effectiveness of the IM process, jeopardizing the department's ability to meet its statutory mandate by taking valuable time which would negatively impact the prey population and result in an avoidably lengthy rebound period. Current regulations allow the department the ability to implement IM as needed, as the legislature intended. The department's day-to-day management of wildlife and administration of regulations adopted by the board are not subject to the Administrative Procedure Act. The department publishes feasibility studies on its website related to predator control programs, along with a host of other information, to make such information available to the public.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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