

ALASKA DEPARTMENT OF FISH AND GAME
STAFF COMMENTS FOR PROPOSALS 92-99, 101, 121, and 147
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 92 – 5 AAC 92.003. Hunter education and orientation requirements. Require all Dall sheep hunters to complete an online education course prior to hunting.

PROPOSED BY: Caleb Martin

WHAT WOULD THE PROPOSAL DO? This proposal would require all sheep hunters to complete an online education course on identifying a legal ram prior to hunting sheep.

WHAT ARE THE CURRENT REGULATIONS? There is currently no legal requirement for sheep hunters to educate themselves prior to going afield. The department has educational material available upon request at offices and online to help hunters determine whether a ram is legal or not.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Prospective sheep hunters would be required to complete an online education course before going afield.

BACKGROUND: In most years, animals less than 8 years of age or that have not reached the legal definition of full curl (referred to as sublegal animals) comprise between 5% and 10% of the total sheep harvest. While sublegal harvest is undesirable, this small fraction of an already conservative total harvest relative to population size is not likely to have a biological effect; unlike in mountain goats where high levels of nanny harvest have been demonstrated to alter population trajectory. The department has educational materials available at offices and online, and biologists are available in person in most offices to assist and educate sheep hunters.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. While a required education course may reduce the harvest of sublegal rams, the overall impact is unknown and difficult to assess. Previous experience with required courses intended to reduce the harvest of female mountain goats produced mixed results without clear indication of addressing the concern.

COST ANALYSIS: Adoption of this proposal would not result in additional costs for the department to administer the course and issue the certification.

PROPOSAL 93 – 5 AAC 92.171. Sealing of horns and antlers. Repeal the requirement to permanently seal sheep horns.

PROPOSED BY: Jesse Dunshie

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would eliminate the requirement for sheep horns to be permanently sealed with a metal plug.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.171. Sealing of horns and antlers.

(a) A person may not alter, possess, transport, or export from the state, the horns of a Dall sheep ram taken in any hunt where there is a horn configuration bag limit, the horns of a Dall sheep ram taken in Units 6-11 and Units 13-17, or the horns of a Dall sheep taken under a registration permit in Unit 19(C), unless the horns have been permanently sealed by a department representative within 30 days after the taking, or a lesser time if designated by the department; except the horns of a 3/4-curl or less sheep taken in the registration hunt in Units 25(A) and 26(C) do not need to be sealed.

Rams harvested in hunts that have horn restrictions are required to be permanently sealed. with a uniquely numbered metal plug that is placed in a hole drilled into the horn during the sealing process.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvested rams would still be checked and measured by department personnel but would receive a nonpermanent seal rather than a permanent one.

BACKGROUND: Sealing and associated permanent marking has been required in Alaska since 2005 and earlier in other Western United States and Canadian jurisdictions that offer sheep hunts. It is a standard practice and many taxidermists will not accept horns that have not been permanently marked. In addition, permanent marking has aided law enforcement personnel in several poaching investigations and the shavings resulting from drilling have been used in multiple scientific studies.

The department permanently seals sheep by drilling a hole into the horn and inserting a uniquely numbered metal plug into the hole. This method of “plugging” sheep is widely used and required in most U.S. states. The plug was developed by the Foundation for North American Wild Sheep. The plug is about an inch long and shaped like a nail, with a flat head approximately ½-inch in diameter. The hole is drilled with a countersink, so the head of the plug will be flush or slightly below the surface of the horn.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This method of permanently marking sheep ensures the department has seen each ram harvested and collected the necessary information to help manage these highly sought after animals. Horns are valuable to hunters, carvers, and collectors, and requiring them to be permanently sealed helps prevent exploitation of the resource and is an effective enforcement tool.

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

PROPOSAL 94 – 5 AAC 92.990. Definitions. Change the definition of full-curl ram to specify the angle in which to view the curl.

PROPOSED BY: Herb Mansavage

WHAT WOULD THE PROPOSAL DO? The words “when viewed squarely from the side at right angles to the center of the skull” would replace “whose tip of at least one horn has grown through 360-degrees of a circle described by the outer surface of the thorn” in the definition of “full-curl horn”.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.990(a)(30) "full-curl horn" of a male (ram) Dall sheep means that

(A) the tip of at least one horn has grown through 360° of a circle described by the outer surface of the horn, as viewed from the side, or

(B) both horn tips are broken; means the lamb tip is completely absent; horn tips that are chipped or cracked are not broken if any portion of the lamb tip is present; characteristics of the lamb tip include:

(i) a length of less than four inches,

(ii) the inside surface of the lamb tip is distinctly concave when compared to the remainder of the horn, and

(iii) the lamb tip is the section of a horn that is grown during the first six months of a sheep's life and is the section of horn distal of the first annulus, which is the swelling of the horn that forms during the first winter of life, or

(C) the sheep is at least eight years of age as determined by horn growth annuli;

Currently, a ram is judged to be full curl if the “...tip of at least one horn has grown through 360° of a circle, described by the outer surface of the horn, as viewed from the side.”

Department personnel apply three standardized methods of assessing horn curl to determine if a ram meets this definition. A ram is considered legal if it meets the criteria specified by any one of the three methods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would change the definition of a full curl ram so that the ‘stick method’ would be the only way to determine if a ram met the definition of full curl. This would effectively eliminate two of the three possible ways a ram could meet the criteria for legality.

BACKGROUND: Sheep horns do not always grow in such a way that a view from right angles to the center of the skull provides the optimal angle to assess whether a ram is legal. Due to natural variation in horn growth patterns, legality is best assessed by viewing the horn along the center axis of curl. The center axis of the curl varies from ram to ram and is not always square to

the side or perpendicular to the center of the ram's skull. The three standardized methods already in use allow hunters to account for natural variability in horn growth when assessing whether a ram is legally eligible for harvest.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. While rare, there are times when having multiple strategies to determine full-curl benefits the hunter and losing 1-2 options may result in a negative impact to the hunter. At this point, the animal has already been removed from the population and adoption of this proposal could result in more sheep being confiscated due to being considered sublegal. The three options of determining if a sheep is legal currently aid in ensuring those extremely difficult rams to judge are offered maximum opportunity to be legal while keeping with the spirit of protecting sheep populations by allowing only the harvest of full-curl rams.

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

PROPOSAL 95– 5 AAC 92.990(30). Definitions. Repeal the age criteria for full-curl horn rams.

PROPOSED BY: Jack Reakoff

WHAT WOULD THE PROPOSAL DO? The proposal would change the legal definition of “full-curl horn” of a male (ram) Dall sheep. Specifically, a full-curl ram would not be considered legal based on an age of eight as determined by horn growth annuli.

WHAT ARE THE CURRENT REGULATIONS?

The “full-curl horn” of a male (ram) Dall sheep means that

(A) the tip of at least one horn has grown through 360 degrees of a circle described by the outer surface of the horn, as viewed from the side, or

(B) both horn tips are broken; broken means the lamb tip is completely absent; horn tips that are chipped or cracked are not broken if any portion of the lamb tip is present; characteristics of the lamb tip include:

(i) a length of less than four inches,

(ii) the inside surface of the lamb tip is distinctly concave when compared to the remainder of the horn, and

(iii) the lamb tip is the section of a horn that is grown during the first six months of a sheep's life and is the section of horn distal of the first annulus, which is the swelling of the horn that forms during the first winter of life.

(C) the sheep is at least eight years of age as determined by horn growth annuli.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is unclear if removing the age component from the legal definition would reduce the overall number of sublegal take, which is currently low (annual average of 6%).

BACKGROUND: Sheep hunting in Alaska has predominately been 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, and previous research has shown that these older rams have higher natural mortality rates than younger aged rams. Therefore, when hunters harvest a full-curl ram, this has a lower impact on the population compared to harvesting a younger ram because there is a higher likelihood the older ram would have died of natural causes. Additionally, limiting harvest to males-only reduces the impact of harvest on the overall population because male survival rates have a drastically 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-limit 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.

Minimum count surveys throughout the state suggest there has been a 40-70% decline in sheep populations since the most recent highs which occurred during 2010-2012. The decline in abundance mirrors the declines reported by the National Park Service in Denali, Lake Clark, and Gates of the Arctic National parks, as well as reported declines in sheep numbers throughout the Yukon Territory and British Columbia. Severe weather, including prolonged springs and icing events, likely caused a near collapse of recruitment in some years, as well as increased adult mortality.

Weather-related sheep population declines are not without precedent. For example, Murie (1944) reported a robust population of Dall sheep in Denali National Park in 1928, but record snow fall and harsh winter conditions during the winters of 1928/1929 and 1931/1932 resulted in a sharp reduction in sheep abundance. A more contemporary example was observed in Unit 20A where sheep populations and harvest in this GMU were high until a weather-related population decline during the winter of 1992/1993. Managers chose to maintain the hunt structure as general harvest open to both residents and nonresidents. Although it took approximately 15-20 years to rebuild,

sheep populations and harvest returned to pre-decline levels and it is unlikely that the conservative harvest of full-curl rams during this period slowed the population recovery.

Although there is a liberal 42-day general season spanning August 10 -September 20, more than half of the harvest occurs within the first 10 days of the season. Sheep hunters have ample opportunity to hunt after the first 10 days of the season and avoid either real or perceived overcrowding. Sheep hunter participation in Alaska peaked in 1989 with 3,337 reported hunters and has averaged 2,478 (Range: 1,556 -3,012) for the years 2000-2023. There was a substantial drop in hunter participation in 2022 (n=1,816) and 2023 (n=1,556), which suggests that hunters are either self-regulating during the current low sheep population levels and/or were impacted by recent federal (e.g., Federal Subsistence Board closure of sheep hunting in portions of the Brooks Range) or state closures (e.g. Unit 19C closure for non-residents). Success rates for sheep hunters in Alaska from 2000-2023 have averaged 30.1% (Range: 21.9% - 34.8%).

Horn morphometric work by ADF&G has demonstrated that, on a statewide basis for the years 2016-2023, between 57% and 66% of the rams harvested each year were legally available for harvest at least one previous hunting season after attaining 360 degrees of curl. For general season sheep hunts managed under the current definition of full-curl from 2007-2023, an average of 7.3% (range:4.7% - 12.1%) of the rams harvested were less than 360° that had a lamb tip present (i.e., not double broomed), were ≥ 8 years of age. During this same time period, there was an average of 6 % (range: 2.5% - 9.9%) of the harvest that was illegal take of rams less than 8 years of age, with a lamb tip present, and with less than 360° of horn curl. However, this estimate is inflated because 226 of the 577 rams that failed to meet the full curl definition were harvested from Unit 11 where federally qualified hunters can take any ram on a state harvest ticket.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. There is no biological concern with the current hunt management structure and the full curl bag limit as currently defined. The department has no data on which of the three current criteria, or combination thereof, individual hunters use in the field to ultimately decide to harvest a ram. However, if field-determined age is a criteria often used, this proposal may reduce sublegal harvest. Alternatively, there are likely situations where hunters have mistakenly judged a ram to have obtained 360° of horn curl, but the ram does meet the age requirement.

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

PROPOSAL 96– 5 AAC 92.990(30). Definitions. Repeal the age criteria for full-curl horn rams.

PROPOSED BY: Western Interior Regional Advisory Council

WHAT WOULD THE PROPOSAL DO? The proposal would change the legal definition of “full-curl horn” of a male (ram) Dall sheep. Specifically, a full-curl ram would not be considered legal based on an age of eight as determined by horn growth annuli.

WHAT ARE THE CURRENT REGULATIONS?

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(iii) the lamb tip is the section of a horn that is grown during the first six months of a sheep's life and is the section of horn distal of the first annulus, which is the swelling of the horn that forms during the first winter of life.

(C) the sheep is at least eight years of age as determined by horn growth annuli.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is unclear if removing the age component from the legal definition would reduce the overall number of sublegal take, which is currently low (annual average of 6%).

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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.

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Weather-related sheep population declines are not without precedent. For example, Murie (1944) reported a robust population of Dall sheep in Denali National Park in 1928, but record snow fall and harsh winter conditions during the winters of 1928/1929 and 1931/1932 resulted in a sharp reduction in sheep abundance. A more contemporary example was observed in Unit 20A where sheep populations and harvest in this GMU were high until a weather-related population decline during the winter of 1992/1993. Managers chose to maintain the hunt structure as general harvest open to both residents and nonresidents. Although it took approximately 15-20 years to rebuild, sheep populations and harvest returned to pre-decline levels and it is unlikely that the conservative harvest of full-curl rams during this period slowed the population recovery.

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estimate is inflated because 226 of the 577 rams that failed to meet the full curl definition were harvested from Unit 11 where federally qualified hunters can take any ram on a state harvest ticket.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. There is no biological concern with the current hunt management structure and the full curl bag limit as currently defined. The department has no data on which of the three current criteria, or combination thereof, individual hunters use in the field to ultimately decide to harvest a ram. However, if field-determined age is a criteria often used, this proposal may reduce sublegal harvest. Alternatively, there are undoubtedly situations where hunters have mistakenly judged a ram to have obtained 360° of horn curl, but the ram does meet the age requirement.

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

PROPOSAL 97 – 5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Lengthen the time period hunters are restricted from using aircraft to locate sheep or direct hunters to sheep.

PROPOSED BY: Paul Forward

WHAT WOULD THE PROPOSAL DO? The proposal would lengthen the timeframe sheep hunters are prohibited from using aircraft to locate sheep or direct hunters to sheep by 10 days. The proposal would change the dates from the existing August 10 - September 20, to August 1 - September 20.

WHAT ARE THE CURRENT REGULATIONS?

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

...

(8) a person who has been airborne may not take or assist in taking a big game animal and a person may not be assisted in taking a big game animal by a person who has been airborne until after 3:00 a.m. following the day in which the flying occurred, and from August 10 through September 20 aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season, however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep. The Board of Game finding 2016-213-BOG , dated March 17, 2016, is adopted by reference. This prohibition does not prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.

Restrictions in this paragraph do not apply to

- (A) taking deer;
- (B) repealed 7/1/92;
- (C) a person flying on a regularly scheduled commercial airline, including a commuter airline;
- (D) repealed 7/1/2015;
- (E) repealed 7/1/2009;
- (F) repealed 7/1/2008;
- (G) a hunter taking a bear at a bait station with the use of bait or scent lures with a permit issued under 5 AAC 92.044, and if the hunter is at least 300 feet from the airplane at the time of taking;
- (H) a hunter taking a black bear in Unit 16 from October 1 through August 9 if the hunter is at least 300 feet from the airplane at the time of taking;

Youth hunts take place August 1 - August 5, and most general season sheep hunts take place August 10 - September 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, aircraft would no longer be able to be used to spot sheep during the youth hunt. Hunters would have a reduced time period to spot sheep prior to the opening of the sheep hunting season. It is possible sheep harvest success rates may decrease slightly as a result of extending the aircraft restrictions.

BACKGROUND: Effective in 2015, the board adopted a regulation stating that, from August 10 - September 20, aircraft may only be used by and for sheep hunters to place and remove hunter sand camps, maintain existing camps, and salvage harvested sheep. A person may not use or employ an aircraft to locate sheep or direct hunters to sheep during the open sheep hunting season. Effective in 2016, the board created the youth hunts for hunters aged 10-17 in all areas open to sheep hunting by general season harvest ticket. The board did not extend the aircraft restriction to cover the youth hunt.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is a methods and means issue. The proponent notes that adoption of the proposal may decrease aviation hazards during sheep season. However, adoption of the proposal may result in more hunters spotting sheep in July when the department is conducting sheep surveys. This may result in additional safety concerns in congested areas. 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 proposal is adopted.

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

PROPOSAL 98 – 5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Lengthen the time period hunters are restricted from using aircraft to locate sheep or direct hunters to sheep.

PROPOSED BY: Craig Van Arsdale

WHAT WOULD THE PROPOSAL DO? The proposal would lengthen the time frame sheep hunters are prohibited from using aircraft to locate sheep or direct hunters to sheep by 35 days. The proposal would change the dates from the existing August 10 - September 20, to August 1 - October 15.

WHAT ARE THE CURRENT REGULATIONS?

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

...

(8) a person who has been airborne may not take or assist in taking a big game animal and a person may not be assisted in taking a big game animal by a person who has been airborne until after 3:00 a.m. following the day in which the flying occurred, and from August 10 through September 20 aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season, however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep. The Board of Game finding 2016-213-BOG , dated March 17, 2016, is adopted by reference. This prohibition does not prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.

Restrictions in this paragraph do not apply to

- (A) taking deer;
- (B) repealed 7/1/92;
- (C) a person flying on a regularly scheduled commercial airline, including a commuter airline;
- (D) repealed 7/1/2015;
- (E) repealed 7/1/2009;
- (F) repealed 7/1/2008;
- (G) a hunter taking a bear at a bait station with the use of bait or scent lures with a permit issued under 5 AAC 92.044, and if the hunter is at least 300 feet from the airplane at the time of taking;
- (H) a hunter taking a black bear in Unit 16 from October 1 through August 9 if the hunter is at least 300 feet from the airplane at the time of taking;

Youth hunts take place August 1 - August 5, and most general season sheep hunts take place August 10 - September 20, some drawing permit hunts extend into October.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, aircraft would no longer be able to be used to spot sheep during the youth hunt or later season hunts. Hunters would have a reduced time period to spot sheep prior to the opening of the sheep hunting season. It is possible sheep harvest success rates may decrease slightly as a result of extending the aircraft restrictions.

BACKGROUND: Effective in 2015, the board adopted a regulation stating that, from August 10 - September 20, aircraft may only be used by and for sheep hunters to place and remove hunter sand camps, maintain existing camps, and salvage harvested sheep. A person may not use or employ an aircraft to locate sheep or direct hunters to sheep during the open sheep hunting season. Effective in 2016, the board created the youth hunts for hunters aged 10-17 in all areas open to sheep hunting by general season harvest ticket. The board did not extend the aircraft restriction to cover the youth hunt. The drawing hunts that extend into October were also in existence when the board adopted the existing aircraft restriction dates and the board chose not to extend the restriction to cover those as well. Unlike the youth hunts, and with the exception of the archery only hunt within the Dalton Highway Corridor Management Area, the later season sheep hunts are either drawing permit hunts or hunts in areas with a positive C&T finding that provide an opportunity for subsistence.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it a methods and means issue and does not create a biological concern. Adoption of the proposal may result in more hunters spotting sheep in July when the department is conducting sheep surveys. This may result in additional safety concerns for congested areas. 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 proposal is adopted.

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

PROPOSAL 99 – 5 AAC 92.085. Unlawful methods of taking big game; exceptions. Shorten the time period hunters are restricted from using aircraft to locate sheep or direct hunters to sheep, and modify aircraft use for the last 31 days of the season.

PROPOSED BY: Dan Montgomery

WHAT WOULD THE PROPOSAL DO? The proposal would shorten the timeframe sheep hunters are prohibited from using aircraft to locate sheep or direct hunters to sheep by 31 days. The proposal would change the dates from the existing August 10 - September 20, to August 10 - August 20. The proposal would modify the aircraft restrictions for the remaining 31 days of the season by not allowing the use of aircraft to intentionally approach any closer than 1500 feet or 500 yards from any sheep for the purpose of hunting them.

WHAT ARE THE CURRENT REGULATIONS?

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

...

(8) a person who has been airborne may not take or assist in taking a big game animal and a person may not be assisted in taking a big game animal by a person who has been airborne until after 3:00 a.m. following the day in which the flying occurred, and from August 10 through September 20 aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season, however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep. The Board of Game finding 2016-213-BOG , dated March 17, 2016, is adopted by reference. This prohibition does not prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.

Restrictions in this paragraph do not apply to

(A) taking deer;

(B) repealed 7/1/92;

(C) a person flying on a regularly scheduled commercial airline, including a commuter airline;

(D) repealed 7/1/2015;

(E) repealed 7/1/2009;

(F) repealed 7/1/2008;

(G) a hunter taking a bear at a bait station with the use of bait or scent lures with a permit issued under 5 AAC 92.044, and if the hunter is at least 300 feet from the airplane at the time of taking;

(H) a hunter taking a black bear in Unit 16 from October 1 through August 9 if the hunter is at least 300 feet from the airplane at the time of taking;

Youth hunts take place August 1 - August 5, and most general season sheep hunts take place August 10 - September 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, there would be no change to the aircraft restrictions for the first 11 days of the season. After that, aircraft could be used to locate sheep provided the aircraft did not intentionally approach to less than 500 yards of the sheep. It is possible harvest success rates may increase slightly as a result of relaxing the aircraft restrictions in the last 31 days of the season.

BACKGROUND: Effective in 2015 the board adopted a regulation that stated from August 10 - September 20, aircraft may only be used by and for sheep hunters to place and remove hunter sand camps, maintain existing camps, and salvage harvested sheep. A person may not use or employ an aircraft to locate sheep or direct hunters to sheep during the open sheep hunting

season. Effective in 2016, the board created the youth hunts for hunters aged 10-17 in all areas open to sheep hunting by general season harvest ticket. The board did not extend the aircraft restriction to cover the youth hunt.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is a methods and means issue and because it does not create a biological concern. The proposal could possibly result in an increase in the number of sheep harvested. In addition, the department does not manage nor have authority over airspace which makes implementation and/or enforcement of the 1500 ft. buffer difficult to apply and enforce.

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

PROPOSAL 101 – 5 AAC 92.106. Intensive management of identified big game prey populations. Add sheep to the list of species identified as important for providing high levels of human consumptive use.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? The proposal adds sheep to the list of species identified as important for providing high levels of human consumptive use and would establish the threshold of average annual historic human harvest values for the species. Adding sheep to 5 AAC 92.106 and establishing an annual harvest threshold will provide the framework for developing intensive management (IM) programs for Dall’s sheep.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.106. Intensive management of identified big game prey populations. For purposes of implementing AS 16.05.255(e) - (g), the Board of Game (board) will

(1) consider the following criteria when identifying big game prey populations that are important for providing high levels of human consumptive use:

(A) harvest size: the average annual historic human harvest meets or exceeds values as follows:

- (i) caribou: 100;
- (ii) deer: 500;
- (iii) moose: 100;
- (iv) sheep: XX;**

(B) accessibility to harvest;

(C) utilization for meat: a population that is used primarily for food; and

(D) level of hunter demand: as reflected by total hunter effort, number of applications for permits, or other indicators;

There are varying customary and traditional use findings (C&T) and associated amounts reasonably necessary (ANS) for subsistence uses for sheep across the state. Existing findings and ANS amounts are found in 5 AAC 99.025(a)(10).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the board would need to deliberate future proposals at regularly scheduled board meetings to determine which sheep populations or portions of populations were important for providing high levels of human consumptive use; and to establish the population objectives and harvest objectives for those populations the board finds have a positive IM finding.

BACKGROUND: The Legislature tasked the board in statute (AS 16.05.258(e)-(g)) with adopting regulations to provide for IM programs to restore the abundance or productivity of big game prey populations that the board identifies as necessary to achieve the human consumptive use goals established by the board in regulation. While there are other statutes that specify a particular species, AS 16.05.258 only speaks to big game prey populations thereby providing the board with the ability to determine which species qualify under AS 16.05.258. To further clarify the duties of the board, the Legislature tasked the board with identifying prey populations that are important for providing high levels of human consumptive use; the board has set an average annual historic human harvest size for the three current IM species (caribou, deer, and moose). The board created regulations for the purposes of implementing AS 16.05.258(e)-(g), identifying specific big game prey populations, or portions of populations, as important for providing high levels of harvest for human consumptive use, and to establish the population objectives and harvest objectives for those populations.

AS 16.05.258(e)-(g) allows for both predator and habitat management to restore big game prey population abundance. Regulations adopted by the board under that statute are specific to each population and can include a mix of varying degrees of both predator control and habitat enhancement.

Dall Sheep populations throughout Alaska and Northern Canada are currently below historic norms due primarily to severe winter weather events in 2020, 2021, and 2023. This population reduction, along with lost cohorts from 2012 and 2013 (also due to severe winter weather), has resulted in low harvest for the last 3 years. Declines in Dall sheep populations have been seen in hunted and unhunted lands throughout all eight mountain ranges in Alaska that contain sheep. Population recovery requires positive recruitment and good adult survival. Adult survival is largely driven by winter severity. Recruitment is driven by lamb production and survival. Lamb survival is the only one of these factors that we may be able to address significantly.

IM, from its inception as the IM law in 1994, has been directed toward high harvest of moose, caribou, and deer. These species are managed for high levels of consumptive use (i.e, harvest of meat for food for Alaskans). The state of Alaska achieves this high harvest level through harvesting these populations as close to maximum sustained yield as is possible. This is done by administering regulations that aim to keep populations within defined parameters. When possible, opportunity is offered to harvest females, bag limits of more than one, and seasons that allow for increased access. For Dall's Sheep, the state of Alaska does not manage for harvest that is near maximum sustained

yield. Regulations limit harvest to a small proportion of the population that only includes mature rams.

DEPARTMENT COMMENTS: The department submitted the proposal as a means of facilitating a discussion on the subject, and is NEUTRAL on adding sheep as an IM species.

This proposal is likely the first step to an in-depth assessment of managing sheep through IM. Sheep are not a species authorized for IM activities in 5 AAC 92.106; however, AS 16.05.255 is silent on individual species. The board will need to determine if sheep meet the requirements of the statute, and then determine the appropriate harvest threshold (e.g., annual take of moose is ≤ 100). Then the board will need to evaluate sheep populations statewide to determine a positive or negative IM finding.

IM authorities include habitat improvement and predator control. At this time it is unknown if sheep habitat improvement is possible or practical, nor is it clear that habitat is a limiting factor for low sheep abundance.

Predator removal considerations for sheep are extremely complex. In most Alaska IM programs the department focuses on two predator species; bears and wolves. Predation of sheep have been documented or theorized to be by wolves, bears, wolverine, coyote, and golden eagles. Contemplation of predator removal to benefit sheep is unique to the department, because it is not currently an IM species and research does not indicate predation is the leading factor contributing to low sheep numbers. Efforts should be made to ascertain predation levels by each of the species to focus efforts if predator removal is directed. There are federal regulatory challenges to removing golden eagles. Another hurdle is to determine how efficiently and safely remove predators identified as contributing to low sheep abundance.

Observations and historic fluctuations in sheep populations indicate low sheep abundance is due to extreme winter weather. As recently as winter 2025 deep snows are accumulating on various sheep ranges, and a number of rain on snow events have occurred. The impacts of habitat status and predation on sheep are unknown. The department has the authority to remove predators outside of established IM programs if research indicates predation is a leading contributor to declines in sheep populations or is preventing depressed populations from recovering.

COST ANALYSIS: Adoption of this proposal would result in additional costs for the department in the form of assessing each sheep population to aid the board in determining if the population warranted a positive or negative IM finding.

PROPOSAL 121 – 5 AAC 92.450. Description of Game Management Units. Split Unit 15C into two subunits.

PROPOSED BY: N.J. Hillstrand

WHAT WOULD THE PROPOSAL DO? The proposal would divide game management Subunit 15C into two subunits where that portion of Unit 15C south of Kachemak Bay, Sheep Creek, and Dinglestat Glacier would become the new Unit 15D.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.450. Description of game management units.

...

(15) Game Management Unit 15 consists of that portion of the Kenai Peninsula and adjacent islands draining into the Gulf of Alaska, Cook Inlet, and Turnagain Arm from Gore Point to the point where longitude line 150° 00' W. crosses the coastline of Chickaloon Bay in Turnagain Arm, including Kalgin Island, and including that area lying west of longitude line 150° 00' W. to the mouth of the Russian River, thence southerly along the Chugach National Forest boundary to the upper end of Upper Russian Lake; and including the drainages into Upper Russian Lake west of the Chugach National Forest boundary, and all seaward waters and lands within three miles of these coastlines;

(A) Unit 15(A) consists of that portion of Unit 15 north of the north bank of the Kenai River and the north shore of Skilak Lake;

(B) Unit 15(B) consists of that portion of Unit 15 south of the north bank of the Kenai River and the north shore of Skilak Lake, and north of the north bank of the Kasilof River, the north shore of Tustumena Lake, Glacier Creek, and Tustumena Glacier, and Kalgin Island;

(C) Unit 15(C) consists of the remainder of Unit 15;

...

Moose in Unit 15C are also identified for intensive management of identified big game prey populations (5AAC 92.106) with population and harvest objectives of 2,500–3,500 and 200–350, respectively.

Outside of the Anchorage-Matsu-Kenai nonsubsistence area (NSA), there are positive findings for the customary and traditional use of black bears, moose, and furbearers. The amount reasonably necessary for subsistence uses (ANS) for black bears is 20–60, 5–6 moose, and 90 percent of the harvestable portion of furbearers (5 AAC 99.025) (Figure 1). Adoption of this proposal would encompass the Subunit 15C lands outside of the Anchorage-Matsu-Kenai NSA in the proposed Subunit 15D (Figure 2).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would divide Subunit 15C into two separate subunits consisting of 15C and 15D, which would encompass that portion of Game Management Unit 15 south of Kachemak Bay, Sheep Creek, and Dinglestat Glacier. This described area would result in a land surface area of 2,743.72 square miles in Subunit 15C and 997.38 square miles in Unit 15D. If adopted, this would create the 3rd smallest land surface area of any game management unit or subunit in Alaska. The difference in land surface area between the current language delineation in Unit 15C

(red in Figure 1) and the proposed area of Unit 15D (dark red in Figure 2) would be 103.77 square miles.

BACKGROUND: Existing regulations treat the different geographical portions of Unit 15C differently where appropriate. The proposal describes subdividing Subunit 15C and creating a new Unit 15D south of Kachemak Bay, Sheep Creek, and Dinglestat Glacier (Figure 2). Delineation of Unit 15 into Units 15A, 15B, and 15C for some regulations occurred as early as regulatory year 1970 (Figure 1). Beginning in regulatory year 2011, language was adopted which altered non-resident and resident bag limits for black bear to 1 and 3, respectively, south of Bradley River, Bradley Lake, and Kachemak Creek in Unit 15C (5AAC 99.015). Broadly, this area encompasses what is also described as the Subunit 15C portion of the Kachemak Peninsula (Figure 2). This boundary is roughly consistent with the proximal boundary of a Uniform Coding Unit which the Alaska Department of Fish and Game uses to identify areas of harvest for some big game species. This allows for potential comparison of harvest occurring on the mainland portion of Unit 15C and that area south of Bradley River, Bradley Lake, and Kachemak Creek. Language describing further delineation of Unit 15C for certain hunts (e.g., TM549 – Tier II moose hunt and certain drawing and registration goat hunts) also exists.

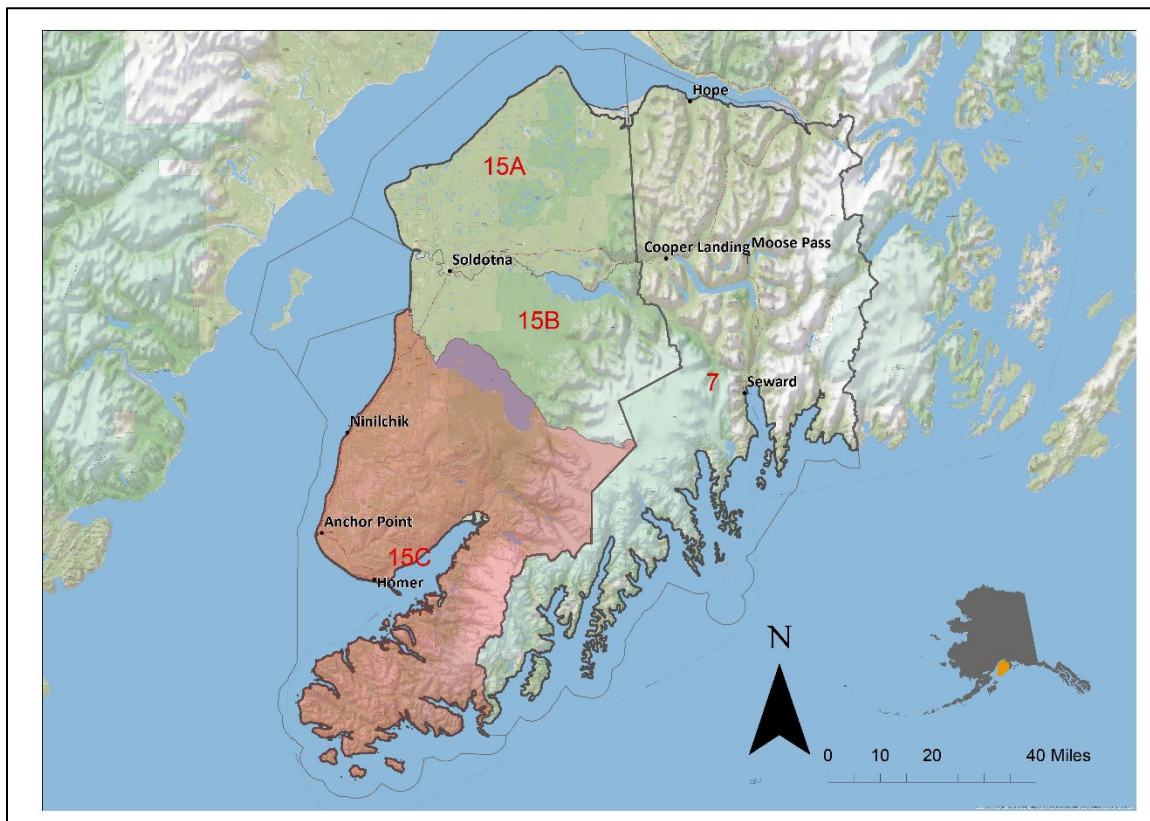


Figure 1. Map identifying the Kenai Peninsula and Subunits 15A, 15B, 15C, and Unit 7. Game Management Unit 15C highlighted in red.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal to split Unit 15C into two subunits and is unaware of difficulties managing the existing Unit 15C. This

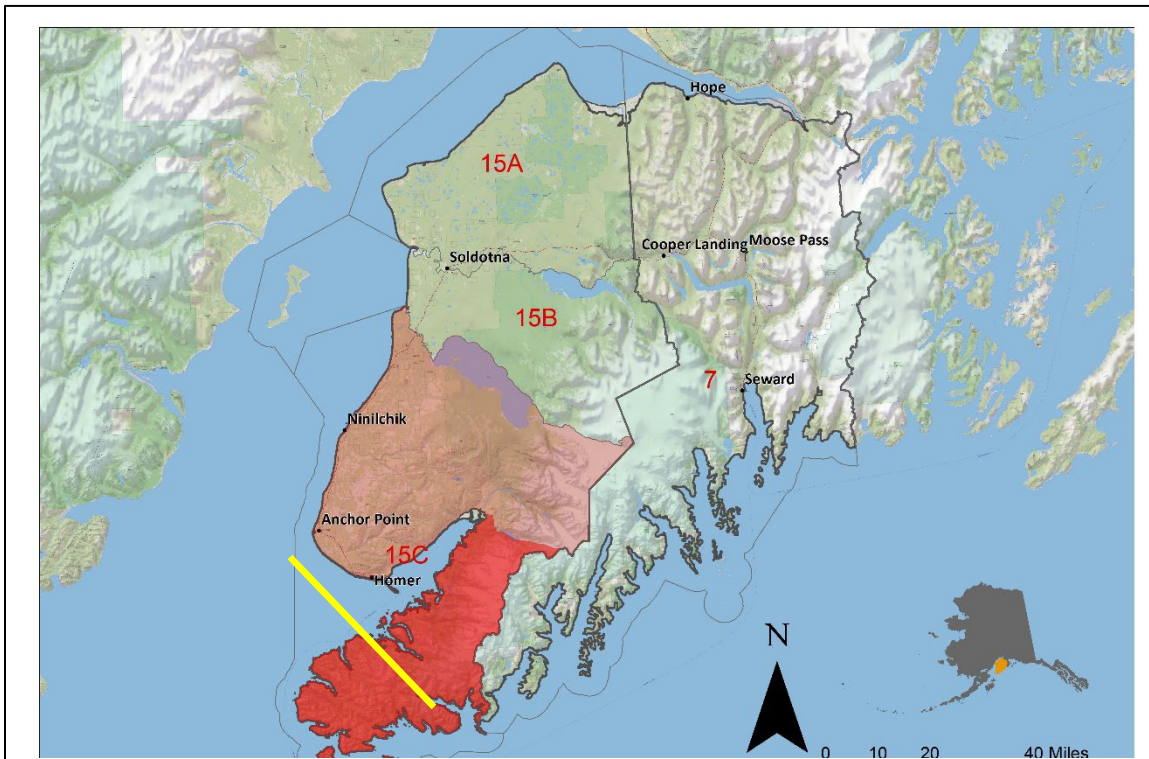


Figure 2. Map identifying the Kenai Peninsula and Game Management Units 15A, 15B, 15C, and Unit 7. Game Management Subunit 15C is highlighted in light red with that area south of Bradley River, Bradley Lake, and Kachemak Creek highlighted in darker red. The yellow line represents the approximate boundary of the Anchorage-Matsu-Kenai NSA with lands south of that line being outside of the NSA.

proposed change is unnecessary from a management perspective and could cause initial confusion among hunters and trappers as new maps and materials are produced.

The proposal does not describe changes to hunting, trapping, or waterfowl regulation. If adopted, hunting regulations would need to be established for the new Unit 15D; alternatively, the existing regulations would be applied to the new Unit 15D, for a net change of zero. Presently, trapping and waterfowl regulations do not delineate between subunits in Unit 15.

Adoption of this proposal could merit re-evaluation of intensive management objectives.

Regulatory language already adopted for differentiating non-resident and resident black bear bag limits in Unit 15C nearly matches the proposed area for Unit 15D excepting 103.77 square miles (5AAC 99.015). Therefore, this provides the board the ability to set applicable regulation on the

Kachemak Peninsula in Unit 15C separately from the remainder using established regulatory language. Effectively, this allows for independent regulatory treatment of the Kachemak Peninsula portion of Unit 15C and the remainder without establishment of a new subunit.

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

PROPOSAL 147 – 5 AAC 92.029 Permit for possessing live game. Delegate authority to the Commissioner of the Department of Fish and Game to manage the clean list.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Delegate regulatory authority from the Alaska Board of Game (board) to the commissioner of the Department of Fish and Game to maintain the list of species allowed to be possessed in Alaska without a permit, also known as the clean list.

WHAT ARE THE CURRENT REGULATIONS? 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 Dog Canis familiaris Cat Felis catus Sheep Ovis aries Goat Capra hircus Cattle Bos taurus Oxen Bos spp. Horse Equus caballus Guinea pig Cavia porcellus Reindeer (except feral reindeer) Rangifer tarandus Var. Llama Lama peruana Alpaca Lama pacos One-humped camel Camelus dromedarius Ass Equus asinus Var. Mule Equus asinus x caballus Swine Sus scrofa domesticus European ferret Mustela putorius furo European rabbit Oryctolagus cuniculus Var. White rat Rattus norvegicus Var. albinus Mice: white, waltzing, singing, Mus musculus Var. shaker, piebald Fat-tailed gerbil Pachyuromys duprasi Gerbil Gerbillus spp. Hamster (golden) Mesocricetus auratus Chinchilla Chinchilla laniger Cavy Cavia aperea Hedgehog, African Pygmy Erinaceus albiventris Chicken Gallus gallus Var. Pigeon Columba livia Var. Any Turkey species Subfamily Meleagridinae Any Pheasant, Junglefowl or Subfamily Phasianinae Coturnix species Any Guinea fowl species Subfamily Numidinae Canary Serinus canaria Var. Parrot, parakeet, cockatiel, Family Psittacidae macaw, and other members of the Family Psittacidae not prohibited by federal or international law Toucan Family Ramphastidae Any New World Quail species Subfamily Odontophorinae (including Bobwhite) Mynah Acridotheres spp. Any Peafowl species Pavo 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 Alectoris chukar Button "quail" Family Turnicidae in the order Gruiformes Any nonvenomous reptile Class Reptilia (crocodile, alligator, snake, turtle, or lizard) 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)(*Cervus elaphus*) Bison (except feral and wild bison)(*Bison bison*) Muskoxen (except feral and wild muskoxen)(*Ovibos moschatus*) Emu *Dromaius novaehollandiae*

(c) The department may not issue a permit for the capture, possession, import, or export of any game animal, including a hybrid of a game animal and a species listed in (b) of this section, for use as a pet, except that a person that possessed a chimpanzee as a pet before January 31, 2010 may obtain a permit from the department before July 1, 2010, in order to maintain possession of the chimpanzee in this state. The propagation of chimpanzees is prohibited in this state.

(d) Under this section, and in accordance with the definition of "game" in AS 16.05.940 (which includes feral domestic animals), a

(1) game animal defined as deleterious exotic wildlife or nonindigenous gallinaceous bird is feral if the animal is not under direct control of an owner, including being confined in a cage or other physical structure, or being restrained on a leash; the commissioner may capture, destroy, or dispose of any feral deleterious exotic wildlife or feral nonindigenous gallinaceous bird in an appropriate manner;

(2) musk oxen, bison, or reindeer that is lawfully owned, or an elk held under a valid game mammal farming license, that is not confined or is not under positive control is feral unless the animal is a free-ranging animal under a state or federal grazing lease; however,

(A) a person who can demonstrate ownership of the animal may pursue and capture the animal within 48 hours after the animal escapes from confinement, without needing to obtain a permit from the department;

(B) a person who can demonstrate ownership of the animal may pursue and capture the animal more than 48 hours after the animal escapes from confinement only if the person obtains a permit from the department;

(C) any free-ranging musk oxen, bison, reindeer, or elk for which ownership cannot be demonstrated is presumed to be game;

(D) for purposes of this paragraph, ownership of an animal can be demonstrated only by means of a clearly visible permanent brand, ear tag, or owner's mark on the body of the animal.

(e) Any of the above species of bird, mammal, or reptile that is endangered may not be held in private ownership without a permit from the United States Fish and Wildlife Service.

(f) Notwithstanding (b) of this section, the following species may be temporarily released for the purpose of hunting dog or falcon training, field trials, and tests:

(1) Pigeon (*Columbia livia* Var.);

(2) Pheasant, Jungle Fowl, or Coturnix (Subfamily Phasianinae);

(3) any Guinea fowl species (Subfamily Numidinae);

(4) any New World Quail species (including *Colinus*) (Subfamily Odontophorinae);

(5) any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service has determined does not require a federal permit for private ownership;

(6) Chukar Partridge (*Alectoris chukar*).

(g) A person using live game listed in (f) of this section for the purpose of hunting dog or falcon training, field trials, or tests

(1) may release the game only on the day of use and shall make reasonable efforts to capture, kill, or recover the temporarily released live game;

(2) may take the live game in connection with hunting dog or falcon training, field trial, and test activities; and

(3) must legally acquire, hold, and dispose of the live game in accordance with all other applicable state statutes and regulations.

(h) Upon application, the board will add a species to the list in (b) of this section if there is clear and convincing evidence that the species

(1) is not capable of surviving in the wild in Alaska;

(2) is not capable of causing a genetic alteration of a species that is indigenous to Alaska;

(3) is not capable of causing a significant reduction in the population of a species that is indigenous to Alaska;

(4) is not capable of transmitting a disease to a species that is indigenous to Alaska;

(5) does not otherwise present a threat to the health or population of a species that is indigenous to Alaska;

(6) is not captured from the wild for use as a pet;

(7) does not present a conservation concern in the species' native habitat outside of this state;

(8) can be reasonably maintained in good health in private ownership; and

(9) does not present a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals.

(i) The board will remove a species from the list in (b) of this section, if there is a preponderance of evidence that the species

(1) is capable of surviving in the wild in Alaska;

(2) is capable of causing a genetic alteration of a species that is indigenous to Alaska;

(3) is capable of causing a significant reduction in the population of a species that is indigenous to Alaska;

(4) is capable of transmitting a disease to a species that is indigenous to Alaska;

(5) otherwise presents a threat to the health or population of a species that is indigenous to Alaska;

(6) is captured from the wild for use as a pet;

(7) presents a conservation concern in the species' native habitat outside of this state;

(8) cannot be reasonably maintained in good health in private ownership; or

(9) presents a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will move authority to determine which live game may be legally possessed from the board to the commissioner; the commissioner would be responsible for evaluating requests for additions to the clean list. Instead of submitting proposals to the board to request permission to possess an animal not currently on the clean list, the public would submit proposals to the department. The department would then analyze each request and if it is determined an animal should be added to the list, the department would go through the process of updating the regulation accordingly.

Updating regulations outside of the board process is a lengthy process and requires strict adherence to the Administrative Procedures Act (APA). The APA requires adequate public

notice and includes an opportunity for the public to comment on a proposed regulation. Proposed regulations must also be approved by the Governor's office and Department of Law before being signed into law. The process can take six months or more to complete. The lengthy process for adopting regulations, combined with the review of the proposed species, means changes will not occur quickly.

BACKGROUND: Decisions on updating species which may be possessed in Alaska without a permit from the department has been wholly within the board's authority. The board hears proposals for this regulation during statewide regulatory cycles which currently occur every three years. The board is able to delegate its authority to the department and has done so in a few other instances. It does this in the form of board findings. Most recently, in 2019 the board delegated authority to the Commissioner to adopt regulations for hunting and trapping allowing the use of electronic licenses, permits, and other documentation authorized by the department. Similarly, in 2015 the board delegated authority to the commissioner to handle petitions for emergency regulations. In both these instances, the board did this to expedite the process of timely addressing issues which would otherwise take considerable time if they needed to follow the regular board process and cycle.

Currently, the department analyzes and prepares recommendations for these types of proposals the same way that it does for all proposals. The process involves spending a substantial amount of time researching the requested species, its uses, and associated concerns (e.g., disease, ability to survive in Alaska's environment). This information is presented to the board with a recommendation to adopt or oppose the inclusion of a species in 5 AAC 92.029. These analyses are conducted in a neutral manner with a focus on scientific and safety issues. Many of the requests are largely to keep live game (as defined by 5 AAC 92.029) as pets. While many of the species in the regulation are pets there is great consideration given for livestock and other agricultural uses.

The department presents the data and information to the board and the board makes the final decision on inclusion of the species. It is common to have 5-6 proposals for 5 AAC 92.029 at each statewide meeting.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. If adopted, the department will develop a policy for receiving, processing, and decision making for requests to possess game animals. Adoption of this proposal is unlikely to increase the approval rate for live game animal possession because the department will use the same criteria as the board to assess requests.

COST ANALYSIS: Adoption of this proposal is not anticipated to result in additional cost to the department. However, if the department accepts applications/proposals annually rather than every three years, this will take staff time from other duties.
