

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012 for the purpose of reviewing additional information provided by ADF&G and the expectation that it be scheduled for the 2014 Statewide Regulations meeting.

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

1. Nonresident falconers would be allowed to capture 3 gyrfalcons, 3 Peale's peregrines, 2 anatum peregrines, 2 tundra peregrines, 3 merlins, 3 goshawks, 3 red-tailed hawks and 3 sharp-shinned hawks. While there is no biological justification for such a limited capture according to the "*Final Environmental Assessment: Take of Raptors from the Wild Under The Falconry Regulations...*, USFWS June 2007 (FEA)" concerning the insignificance of falconry harvest on raptor populations), an initial conservative capture quota may allay some Alaska falconers' concerns over non-resident take. However, should the Alaska falconers and the Alaska Board of Game agree that the proposed non-resident, raptor capture quota is unnecessarily restrictive, AFC would support more liberal allowances.
2. Nonresident falconers would not be allowed to capture: eyass gyrfalcons in Game Management Units 13, 14 and 22; eyass goshawks in Unit 14C; eyass Arctic peregrines along the Sagavanirktok River; and eyass Anatum peregrines in Unit 20. Although AFC understands that very few wild raptors are captured by Alaska falconers, we believe the Unit restrictions reflect Alaska falconers' concerns over outside competition in areas favored by residents.
3. Applications for a nonresident capture lottery would be submitted between February 1st and March 31st. A nonresident quota on take may necessitate a lottery.
4. Unless other concerns surface, all other take provisions or limitations applicable to residents, such as capture seasons and off limit areas like the Colville River corridor, would also apply to non-residents.
5. Native Tribal Lands within Alaska's borders would be off limits for non-resident raptor capture unless authorized by the Native Corporation. Some Alaska falconers have voiced concerns about non-residents attempting to capture raptors on Native Lands. This is no different from other States and we propose that such activities be clarified in Alaska's provisions. To assist capture, AFC is willing to create maps depicting all Alaska areas closed to non-resident capture of raptors.

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

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

Over the last several years AFC was successful in convincing resident falconers in Minnesota, South Dakota, Montana, Nebraska and Colorado to open their doors to non-residents, and

provided technical assistance in achieving those ends. North Dakota has a legislative provision for non-resident take, but the Fish & Game Department needs to work out a regulatory framework for such provisions. To AFC's knowledge, the only States that do not have non-resident, raptor take provisions are West Virginia, Connecticut, Alaska and Hawaii. Hawaii is unique in that it has no falconry laws or regulations.

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

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

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

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

1.) No harm would come to raptor populations. Alaska has the largest populations of breeding raptors (among other raptor species, over 400 pairs of breeding gyrfalcons and 1000 pairs of breeding peregrine falcons) in the U.S., so non-resident capture of a few birds is a biological non-issue. There are approximately 4250 authorized falconers in the United States (FEA, p. 34), compared to millions of fisherman and hunters. The majority are flying captive bred raptors. The demand for wild raptors by falconers is far too small to have any effect on raptor populations (See tables 1, 2, and 3 on, respectively, pages 10, 29, and 33 of the attached FEA). Also, FWS has a wild raptor take limit of 2 birds per falconer per year. In addition, to our knowledge no State has experienced harvest pressures from resident and/or non-resident falconers to the point where intervention was warranted by State fish & game departments. What is more, the Alaska Board of Game has emergency powers to restrict or eliminate harvest should a particular raptor population experience a decline to the point where it is threatened. Owing to our long history of devotion to the conservation and protection of raptors, AFC in particular and the falconry community in general would be the first to support such restrictions where and when warranted. Historically, falconers have been a valuable resource for raptor knowledge and conservation and actually lead the charge in saving the peregrine falcon from extinction in the lower 48 when the peregrine became endangered; it was a falconer who discovered how to breed raptors in captivity and it was predominately falconers who then bred and released peregrines in reintroduction and restoration efforts.

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

a. Currently Alaska falconers are prohibited from capturing wild raptors from States that have non-resident, raptor capture reciprocity - you can capture in our State only if we can capture in yours - provisions (e.g. New Mexico, Montana, Alabama and Texas). Texas just recently adopted such reciprocity provisions, and other States are in the process of adopting such provisions. AFC is aware of at least one Alaska falconer who previously captured a red-tailed hawk from Texas. Also, around 2009-2010 Alaska falconers Mike Houser and Rio Bergman were warmly received by Oregon falconer Richard Hoyer who helped them trap red-tailed hawks in Oregon, which were then taken back to Alaska. Alaska would need to be open to falconers residing in reciprocity States if Alaska falconers wish to enjoy the raptor resource benefits of such States.

b. Nonresidents are able to provide locations of raptors taken in Alaska, which provides additional data (e.g. eyrie (nesting) locations when eyasses (nestlings) are taken) on Alaska's raptor resource at no cost to the Alaska Department of Fish & Game.

c. Additional revenue to the Department of Fish & Game would be beneficial. Like a nonresident big game permit, a \$200 permit fee would not be unreasonable. It should be noted, however, that most States' fees for non-resident, raptor capture are significantly lower and generally are on par with the administrative costs associated with issuing a capture license.

d. As in all tourist type activities, additional revenue would be brought into Alaska's economy by visiting falconers, which would benefit Alaska small businesses and increase Alaska State tax revenues.

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

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

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

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

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

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

It has been demonstrated that a non-resident capture of raptors would have no effect on the raptor resource or the falconers of Alaska. Since the raptor resource of Alaska far exceed any demand

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

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

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

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

WHO IS LIKELY TO BENEFIT?

WHAT WILL HAPPEN IF NOTHING IS DONE?

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

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED:

PROPOSED BY: American Falconry Conservancy

LOG NUMBER: EG052011501

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012.

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

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

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

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

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

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

WHO IS LIKELY TO SUFFER? No one.

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

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG042811W

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012.

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

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

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

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

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

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

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED: None

PROPOSED BY: Fairbanks Advisory Committee

LOG NUMBER: EG042811355

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012.

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

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

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

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

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

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

WHO IS LIKELY TO SUFFER? No one.

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

PROPOSED BY: Mary Jane Sutliff

LOG NUMBER: EG032411289

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012.

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

Units 6-26 (except Unit 6C & D and 14C) Residents and nonresidents: No Closed Season

Units 6-26 (except 6D & C and the coastal areas of 15&7 as defined at the March 2011 Board of Game meeting) Residents and nonresidents:

Bag Limit - 3 bears

All intensive management areas where black bears are recognized as contributing to the decline of prey species;

Bag Limit - No Limit

ISSUE: Black bear seasons and bag limits should be standardized as much as possible. Black bears are the most underutilized big game species in most areas of greater Alaska. Healthy populations harvested far below maximum sustained yield should allow for liberalization in most areas. Liberalization of black bear seasons and bag limits has shown to have little or no effect on sustainability in non-coastal areas. A three bear bag limit leaves enough room for the board to draw attention to areas in which bear numbers need to be reduced by establishing “no limit” bag limit in certain Intensive management areas.

This proposal consists of several consensus items from a black bear resource users’ group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast Alaska is intended to be excluded we will state a specific area for the regulation (Units 6-26, etc.).

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations will be needlessly complicated. Opportunities will not be realized for hunters that wish to take more bears than currently allowed. Increased harvest in some IM areas will continue only by burdensome predator control permits.

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

WHO IS LIKELY TO BENEFIT? Bear hunters will have less confusing regulations and more options as to the time and numbers of bears they may take.

WHO IS LIKELY TO SUFFER? Those opposed to bear hunting. Those opposed to unlimited take in Intensive Management areas. Those that prefer complicated regulations.

OTHER SOLUTIONS CONSIDERED: No limit on black bears in all non-coastal areas. Five bear bag limit.

PROPOSED BY: The Greater Alaska Black Bear Committee

LOG NUMBER: EG051911496

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012.

PROPOSAL 119 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures. Establish a codified location for permitted black bear bait stations and establish seasons for all of Alaska.

(b) (xx) Bear baiting permits are valid for the following seasons.

(A) In Units 1-5 spring black bear baiting permits will be valid April 15 - June 15 as long as there is an open black bear hunting season and unless baiting has been prohibited in an area by the Board of Game.

(B) In Units 6-26 spring black bear baiting permits will be valid April 1 - June 30 as long as there is an open black bear hunting season and unless baiting has been prohibited in an area by the Board.

(C) In Units 6-26 fall black bear baiting permits will be valid August 1 - October 15 as long as there is an open black bear hunting season and the board has authorized a fall baiting season.

ISSUE: This regulation may be better served as a new 5AAC number of its' own. Although the board has recently passed modifications to black bear bait seasons in several Units there does not appear to be a place in codified regulations for these season dates. Black bear baiting seasons were traditionally set by ADF&G as a discretionary permit condition. In recent years the public has taken interest in black bear baiting seasons and presented several proposals to the board. Most of these proposals were presented as modifications to 5AAC 85.015 although bait seasons are not hunting seasons but permit dates. The board has passed several of these proposals in the last four years but it appears they have not been included in regulation. These modifications to regulation, presented by the public and passed by the board should be included somewhere in regulation.

This regulation will align spring and fall bear baiting season in most of Alaska. Spring seasons will be standardized in Southeast Alaska and in Greater Alaska. Fall seasons will also be standardized. Since fall baiting seasons are somewhat unusual in Alaska the board must authorize seasons in specific areas. All four areas where fall baiting is allowed currently have very different seasons.

This Proposal consists of several consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska statewide but especially greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If

Southeast is intended to be excluded we will state a specific area for the regulation (Unit 6-26, etc.).

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters will continue to be confused by the disparity between codified regulations and “requirements” in the annual “handy-dandy” version of the regulations. The public will continue to come to the Board with proposals that do not have a proper place in regulation. Baiting seasons will be variable and confusing.

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

WHO IS LIKELY TO BENEFIT? Bear hunters that choose to hunt bears with the use of bait.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: The Greater Alaska Black Bear Committee

LOG NUMBER: EG051911494

This proposal was considered by the Board of Game at the 2012 Statewide Regulations meeting. The board deferred it to the Interior Region meeting scheduled for March, 2012.

PROPOSAL 259 - 5 AAC 92.010. Harvest tickets and reports; 92.165. Sealing of bear skins and skulls; and 92.220. Salvage of game meat, furs, and hides. Streamline the reporting, sealing and salvage of black bears.

5AAC 92.010. Harvest tickets and reports.

...

(l) For black bear, a person may not hunt black bear in Units 1-~~5~~[7, 11-17, 19(D), AND 20], except when a permit is required, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket); **in Units 6-26 a person must first obtain a harvest report card (harvest tickets are not required).**

5 AAC 92.165. Sealing of bear skins and skulls. (a) Sealing is required for brown bear taken in any unit in the state, black bear of any color variation **need not be sealed unless sealing is required in designated areas for biological purposes by ADF&G area staff** [TAKEN IN UNITS 1 - 7, 11, 13 - 17, AND 20(B)], and a bear skin or skull before the skin or hide is sold. A seal must remain on the skin until the tanning process has commenced. A person may not possess or transport the untanned skin or skull of a bear taken in a unit where sealing is required, or export from the state the untanned skin or skull of a bear taken anywhere in the state, unless the skin and skull have been sealed by a department representative within 30 days after the taking, or a lesser time if requested by the department, except that

5 AAC 92.220. Salvage of game meat, furs, and hides. (a) Subject to additional requirements in 5 AAC 84 - 5 AAC 85, a person taking game shall salvage the following parts for human use:

...

(3) statewide from January 1 through May 31, the hide[, SKULL,] and edible meat as defined in 5 AAC 92.990, from June 1 through December 31, **either** the hide **or meat must be salvaged, in addition, the** skull of a black bear taken in a game management unit in which sealing is required, [AND FROM JUNE 1 - DECEMBER 31, THE SKULL AND EITHER THE HIDE OR EDIBLE MEAT OF A BLACK BEAR TAKEN IN UNIT 20(B);]

ISSUE: These changes are intertwined enough that we decided they should all be included in a single proposal even though they address three separate regulations. There are currently areas of the state that require sealing but not harvest reports or tickets; harvest tickets/reports but not sealing; some require both; and some require neither. There are also varying salvage requirements. These changes will not eliminate all reporting and salvage differences across all regions and units but it will greatly simplify the requirements to the public. Public compliance with regulations and reporting will be increased due to simplified regulations. This regulation change will clean up the current disparity in salvage, sealing, and harvest ticket/reporting.

Reporting: Black bear hunting in greater Alaska (GMU 6-26) will require a harvest report card but not harvest tickets. Sealing will be required only in those areas in which ADF&G area staff need biological data that can only be obtained by sealing. Units 1-5 will not change.

Salvage: Salvage requirements will be standardized statewide to require salvage of meat, and hide January 1-May 31 and meat or hide June 1-December 31. Skulls only need to be salvaged in areas where sealing is required.

This Proposal consists of several consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially Greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (unit 6-26, etc.).

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters will continue to be confused by the sealing/harvest ticket/none situation in greater Alaska. Hunters will be required to salvage poor quality hides while meat hunting in the late spring, summer and fall.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? Possibly; a hunter that is not required to salvage a hide and skull may be able to take better care of bear meat.

WHO IS LIKELY TO BENEFIT? Bear hunters will have less confusing regulations and more options as to the salvage of their animals.

WHO IS LIKELY TO SUFFER? No one

OTHER SOLUTIONS CONSIDERED? Allow the salvage of the meat OR hide year-round. Require sealing statewide but no harvest ticket/report.

PROPOSED BY: The Greater Alaska Black Bear Committee

LOG NUMBER: ADFGBOG259

The Board of Game approved an agenda change request to consider this proposal at the March 2012, Interior Region meeting.

Proposal 260 - 5 AAC 85.020. Hunting seasons and bag limits for brown bear. Open brown bear season yearly and lengthen spring season in Unit 9B.

Units and Bag Limits	Resident Open season (Subsistence and General Hunts)	Nonresident Open season
(8)		
...		
Unit 9B		
1 bear every regulatory year by registration permit	Sept. 1-May 31 (Subsistence hunt only)	No open season.
1 bear every 4 regulatory years by registration permit only	Sept. 20-Oct. 21 [(ODD YEARS ONLY)] May 10- 31 [25] [(EVEN YEARS ONLY)]	Sept. 20-Oct. 21 [(EVEN YEARS ONLY)] May 10- 31 [25] [(EVEN YEARS ONLY)]
1 bear every regulatory year by registration permit only within 5 miles of the communities of Port Alsworth, Nondalton, Iliamna, Newhalen, Pike Bay, Pedro Bay, Pope Vanoy Landing, Kakhonak, Igiugig, and Levelock	July 1-June 30 (General hunt only)	No open season.
...		

ISSUE: This proposal was submitted as a companion proposal for the board to consider while reviewing intensive management options to increase moose harvests in Unit 9B. The proposal liberalizes the brown bear season in Unit 9B by allowing resident and nonresident hunters to take brown bear every year (the current season only occurs every other year) and by extending the spring season by 6 days.

Brown bears in Unit 9 are a highly sought after species that are managed to maintain high density and a high quality population. However these management goals are at odds with

other mandates to provide harvest opportunity for moose because of the effect brown bear predation has on moose calf survival. Brown bears in Unit 9B occur at a lower density (50 brown bears per 1000 sq. km) than other portions of Unit 9 and do not achieve the same skull size as bear populations that are more coastal. In this regard, the Unit 9B brown bear population is more similar to the brown bear population observed in Unit 17.

Moose occur at low densities in Unit 9B, and the reported moose harvest has declined to 26 moose in 2010. Unreported harvests are difficult to assess, but appear to be variable and may be significant in some years. The reported harvest is below the intensive management harvest objective of 100-250 moose.

The moose population in Unit 9B is limited in part by the availability of moose habitat, predation, poor calf recruitment, and unreported harvests; however the relative importance of each of these factors is unknown at this time. Much of Unit 9B is poor moose habitat, however, where moose occur, they appear to be in excellent nutritional status based on winter calf weights and pregnancy rates obtained from a study near Lake Clark. While there are many factors that likely limit the moose population in Unit 9B, predation by brown and black bears is thought to be the most important source of mortality affecting moose calf survival and recruitment based on the low calf:cow ratios in autumn and comparison with similar areas (Unit 16).

Liberalizing the brown bear season in Unit 9B would provide hunters with additional opportunity to harvest brown bears and could benefit moose calf survival, particularly if bears are taken during the spring calving season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Moose harvest objectives for Unit 9B will not be achieved.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal may reduce the potential to harvest large brown bears from Unit 9B over time, but it is not expected to reduce the overall brown bear population significantly as observed in other areas. However if moose calf survival can be increased, more moose will be available for harvest in Unit 9B.

WHO IS LIKELY TO BENEFIT? Those who want to harvest more brown bears in Unit 9B.

WHO IS LIKELY TO SUFFER? Those who want brown bears to be managed as a trophy species in Unit 9B.

OTHER SOLUTIONS CONSIDERED? None

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFGBOG260

The Board of Game approved an agenda change request to consider this proposal at the March 2012, Interior Region meeting.

PROPOSAL 261 - 5 AAC 85.020. Hunting seasons and bag limits for brown bear. Modify the hunting season and bag limit for brown bear in Unit 9C.

Allow 1 brown bear per year (residents, no tag required; nonresidents, tag required.)
Registration permit required for residents and nonresidents.
Season dates for nonresidents: May 1 - June 30, and September 1 – October 31.
Season dates for residents: Open year round.

ISSUE: Predator to game ratio. When consideration was made to create a problem bear permit hunt along the Naknek drainage there was no discussion of reducing the present brown bear hunting season in the Naknek River drainage. What happened was the elimination of the yearly spring/fall hunt in the Naknek River drainage. (Previously the brown bear season in the Naknek River drainage ran from may 1 – June 30 and September 1 – October 31.) Reducing the bear hunting season is a step backwards in trying to correct the predator situation in Unit 9C. Because of Katmai national Park we are being over-run with bears as they spill out of the protected park.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued low number of big game animals (moose and caribou).

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

WHO IS LIKELY TO BENEFIT? Increased moose and caribou numbers.

WHO IS LIKELY TO SUFFER? Bears.

OTHER SOLUTIONS CONSIDERED? Getting rid of brown bear trophy area designation.

PROPOSED BY: The Naknek/Kvichak Advisory Committee

LOG NUMBER: ADFGBOG261

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the 2012 Interior Region meeting.

PROPOSAL 262 - 5 AAC 92.003. Hunter education and orientation requirements. Require hunter education for sheep hunting in the Red Sheep Creek and Cane Creek area in Unit 25A.

5 AAC 92.003. Hunter education and orientation requirements

(a) Beginning August 1, 2002, a person born after January 1, 1986 that is

...

(h) A person hunting within the RED SHEEP CREEK / CANE CREEK PORTION OF ARCTIC VILLAGE SHEEP MANAGEMENT AREA (AVSMA) OF GMU 25A must possess proof of completion of a department-approved hunter ethics and orientation course (to include land status and trespass information) upon hunting in this area.

ISSUE: Following the acceptance of the Agenda Change Request, the Federal Subsistence Board acted to close this area to non-federally qualified hunters.

Longstanding user conflicts between local and non-local users of the Red Sheep and Cane Creek drainages of the Arctic Village Sheep Management Area (AVSMA) in Unit 25A have resulted in repeated requests to close the area to sheep hunting to non-federally qualified subsistence hunters. Currently, proposals to close this area have been submitted to the Federal Subsistence Board and to the State Board of Game (Proposal 178) by the Eastern Interior RAC. Although the Department cannot support a closure under ANILCA as there is no conservation issue the Department has heard overwhelming testimony regarding user conflicts at recent Eastern Interior and North Slope Regional Advisory Council meetings. Conflicts the Department is aware of are primarily centered on trespass and littering on private allotments, and perceptions that non-local hunters using aircraft have displaced sheep from private allotments.

The Department of Fish and Game proposes to require an ethics and orientation class be completed prior to hunting in this area with the goal of minimizing user conflicts and retaining a state general season sheep hunt. This recommendation is the result of a mutually acceptable solution developed between the Department, the Eastern Interior Regional Advisory Council (EI-RAC), the Council of Athabascan Tribal Governments (CATG), and the Tanana Chiefs Conference (TCC). The goals of this proposal would be the following:

- Maintain a state general season sheep hunt in the Red Sheep and Cane Creek drainages of Unit 25A.
 - Provide information to users, including notification of land status to minimize user conflicts
 - Provide tools to law enforcement officials to cite for trespass and litter
- The Department currently envisions the following:
 - A onetime class modeled after the GMU23 Caribou requirement
 - Class delivered online
 - Required for all hunters
 - A curriculum developed in coordination with multiple entities including state and federal managers, subsistence division, enforcement, tribal, private land owners, users, and members of the affected RACs and ACs

- CATG has agreed to maintain a list of land owners and serve as a published point of contact for the general public to seek permission to use these lands. This solution serves to meet statutory requirements for notification of the public while protecting the privacy of landowners.

WHAT WILL HAPPEN IF NOTHING IS DONE? Ongoing user conflicts are expected to continue or escalate and calls to close the area to hunting will persist even in the absence of conservation concerns. Public trust in both state and federal staff will continue to erode causing negative perceptions. The Federal Subsistence Board recently closed this area for issues absent conservation concerns. This poor precedent erodes public trust in the process. If nothing is done the area is likely to remain closed unnecessarily resulting in lost opportunity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No change is expected to the quality of resources or products by adoption of this proposal.

WHO IS LIKELY TO BENEFIT? Land owners, Alaska residents who intend to exercise their right to access resources by hunting in this area.

WHO IS LIKELY TO SUFFER? Unethical hunters who are cited and fined for illegal activity may consider their experience suffering. Ethical hunters will incur a limited burden by taking a one hour one time class.

OTHER SOLUTIONS CONSIDERED? Do nothing: Solution rejected due to public outcry for resolve. Increase of enforcement efforts without changes to statute: Solution rejected due to expense of enforcement and complications associated with proper notice. Travel for enforcement is extremely expensive in this area. Upon contact by enforcement uncooperative violators may simply be notified of possible violation requiring further follow up. Require a permit to hunt and attach orientation to the permit: Solution rejected as unnecessary and burdensome. Absent conservation concerns, a yearly permit structure proves burdensome for both staff and users. A onetime class may easily be required absent a permit. Close the area to hunting to non-local or non-federally qualified subsistence users: Solution rejected given the absence of a conservation concern to warrant a closure under state or federal statutes or regulations within the jurisdiction of either the Federal Subsistence Board or Alaska Board of Game.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFGBOG262
