

PLEASE READ CAREFULLY
REVIEWER LETTER

June 2005

DEAR REVIEWER:

The Alaska Board of Game will consider the attached book of regulatory proposals at a special meeting, to be held June 4-5, 2005 at the Captain Cook Hotel, in Anchorage, Alaska. The proposals generally concern changes to the regulations governing hunting seasons and bag limits for caribou and moose in GMUs 11 and 13; establishment of community harvest hunt areas; required permit hunt conditions and procedures; community subsistence harvest hunt and permit conditions; salvage of game meat, furs and hides; establishment of subsistence harvest areas and conditions; and Tier II subsistence hunting permit point system. Members of the public, organizations, advisory committees, and staff have participated in the drafting of these proposals, and incorporate the board's amendments and intent language adopted at the board's Spring March 2005 meeting.

The proposals are presented as brief statements summarizing the intended regulatory changes. In cases where confusion might arise or where the regulation is complex, proposed changes are also indicated in legal format. In this format, bolded and underlined words are **additions** to the regulation text, and capitalized words or letters in square brackets [XXXX] are deletions from the regulation text.

You are encouraged to read all proposals presented in this book. Some regulations have statewide application and some regulations may affect other regions of the state. Also, some proposals recommend changes to multiple areas or regions.

The proposals are not in roadmap order for the meeting. Prior to the meeting, the board will generate and make available to the public, a roadmap for deliberations. The roadmap may be changed up to and during the meeting.

Before taking action on these proposed changes to the regulations, the board would like your written comments and/or oral testimony on any effects the proposed changes would have on your activities.

After you review the proposals, please send written comments to:

ATTN: BOG COMMENTS
Alaska Department of Fish and Game
Boards Support Section
PO Box 25526
Juneau, AK 99802-5526
Fax: 907-465-6094

Public comment, in combination with ADF&G staff presentations, provides biological and socioeconomic data to form decisions by the Board of Game. Comments may be submitted at any time until the public testimony period for that proposal and/or its subject matter is closed at the meeting and the board begins deliberations. As a practical matter, you are encouraged to mail or fax your written comments to the above Juneau address no later than 5:00 p.m. on May 20, 2005, to ensure inclusion in the board workbook. All comments received after that time will be presented to board members at the time of the meeting, but will not be printed in the board workbook. Written comments will also be accepted during the board meeting, and public testimony at the meeting during the public testimony portion of the agenda is always appreciated.

When providing written comments on the proposals in this proposal book, please consider the following simple tips to help ensure board members and the public more fully understand recommendations to the board:

Timely submission: Submit written comments by fax or mail at least two weeks prior to the meeting. Written comments received at least two weeks prior to the meeting are printed and cross referenced in the members' board workbooks. **Written comments on the June 2005 proposals must be received by 5:00 p.m. May 20, 2005 for inclusion and cross referencing to proposals in the board workbooks.** The written comments and cross references to proposals helps board members during the meeting. Written comments received after the two-week period will be included as "late comments" and are not cross referenced. Materials received during the meeting also are not cross referenced. Submit 20 copies of written comments provided during a board meeting to help avoid delay in distribution to board members by Board Support Section staff. Visit <http://www.boards.adfg.state.ak.us/> to view updated information about written comment deadlines, meeting calendars and meeting notices for the June 2005 meeting.

List the proposal number and state whether the comments support, oppose or recommend amendment(s): Include proposal number(s) in written comments, and specifically state whether the comments support, oppose, or recommend amendments to the proposal. This will help ensure written comments are correctly noted for the board members. If the comments support a modification in the proposal, please indicate "support as amended" and provide a preferred amendment in writing.

Provide an explanation: The board benefits greatly from understanding the pro and cons of each proposal. A brief description consisting of a couple of sentences is sufficient. Briefly explain why the written comments support, oppose or recommend amendment of the proposal. Board actions are based on a complete review of the factors involved in each proposal, not a mere tally of comments in support or opposition.

Write clearly: Comments will be photocopied. Use 8 1/2" x 11" paper and leave reasonable margins on all sides, allowing for hole punches on the left margin. Whether typed or handwritten, use dark ink and write legibly. **If commenting on more than one proposal, do NOT use a separate page for each proposal.**

Use the correct address or fax number: **Mail** written comments to Board Comments, ADF&G, P.O. Box 25526, Juneau, AK 99802, or **fax** them to 907-465-6094.

Advisory Committees: In addition to the above, please make sure the Advisory Committee meeting minutes reflect why the committee voted as it did. If the vote was split, include the minority opinion. A brief description consisting of a couple of sentences is sufficient. Detail the number in attendance (e.g., 12 of 15 members) and indicate represented interests, such as subsistence, guides, trappers, hunters, wildlife viewers, etc.

Submitting written comments during the board meeting: Provide 20 copies of written comments to the board secretary, who officially stamps and logs them into the record, and distributes them to the board members.

Additional copies of this proposal book are available at most offices of the Department of Fish and Game, online at: <http://www.boards.adfg.state.ak.us> and at libraries throughout the state.

A tentative agenda for the June 2005 Board of Game meeting is shown on page x. A roadmap detailing the tentative order in which proposals will be considered will be available in May 2005 at <http://www.boards.adfg.state.ak.us/>

Updated status of the meeting: After the board meeting begins, a recorded telephone message will provide current updates on the board's agenda and schedule. Dial (800) 764-8901 (in Juneau, call 465-8901).

Additional accommodations: Persons with a disability needing special accommodations in order to comment on the proposed regulations should contact the Boards Support Section at (907) 465-4110 no later than May 20, 2005 to make any necessary arrangements.

Landa Bailly, Executive Director
Alaska Board of Game
Alaska Department of Fish and Game
465-4110

**ALASKA BOARD OF GAME
TENTATIVE MEETING SCHEDULE
for 2005/2006 Meeting Cycle
as of March 13, 2005**

	<u>Dates & Location</u>	<u>Topic</u>
Fall 2005	November 11 – 15, 2005 Place to be announced Proposal Deadline: Tentatively Aug. 6, 2005 Written Comment Deadline: October 28, 2005	Arctic and Western Region and Statewide “A” List
Spring 2006	Date to be announced Place to be announced Proposal deadline to be announced Written comment deadline: Two weeks prior	Interior Region
Fall 2006	Date to be announced Place to be announced Proposal Deadline: To be announced Written Comment Deadline: Two weeks prior	Southeast Region

For information about the Board of Game, contact:

Alaska Department of Fish and Game
Boards Support Section
PO Box 25526
Juneau, Alaska 99802-5526
Phone: (907) 465-4110
Fax: (907) 465-6094

Web address: <http://www.boards.adfg.state.ak.us>

ALASKA BOARD OF GAME MEETING CYCLE

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. Each region will be discussed on a two-year cycle. When the regional area is before the board, the following regulations are open for consideration within that region:

- Trapping Seasons and Bag Limits -- All species
- General and Subsistence Hunting Seasons and Bag Limits -- All species
(Except antlerless moose hunts as noted below)
- Wolf Control Implementation Plans
- Bag Limit for Brown Bears
- Areas Closed To Hunting
- Closures and Restrictions in State Game Refuges
- Management Areas
- Controlled Use Areas
- Areas Closed To Trapping

Regulations specific to an area (e.g., Permits for Access to Round Island) will be taken up when the board is scheduled to consider regulations in that region.

Proposals for changes to regulations pertaining to reauthorization of antlerless moose hunts, 5 AAC 85.045, and brown bear tag fee exemptions, 5 AAC 92.015, will be taken up annually, at spring meetings.

The Board of Game does not consider proposals to statewide regulations in every meeting cycle. Instead, the Board of Game reviews statewide regulations on a four-year cycle, distributed between fall meetings, every other year. The list of statewide regulations and the associated "Cycle A" and "Cycle B" meeting schedule is set forth on the next page of this publication.

<u>Regulations for:</u>	<u>Will be considered:</u>		
SOUTHEAST REGION	Fall 2004	Fall 2006	Fall 2008
Game Management Units: 1, 2, 3, 4, 5			
SOUTHCENTRAL & SOUTHWEST REGIONS	Spring 2005	Spring 2007	Spring 2009
Game Management Units: 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17			
All GMUs: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts			
ARCTIC AND WESTERN REGIONS	Fall 2005	Fall 2007	Fall 2009
Game Management Units: 18, 22, 23, 26A			
INTERIOR REGION	Spring 2006	Spring 2008	Spring 2010
Game Management Units: 12, 19, 20, 21, 24, 25, 26B, 26C			
All GMUs: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts			
STATEWIDE REGULATIONS (Chapter 92)	Fall 2005	Fall 2007	Fall 2009
Cycle "A" and Cycle "B" addressed in alternating two year periods			

Alaska Board of Game Statewide Regulations Schedule

STATEWIDE REGULATIONS: 5 AAC 92

CYCLE “A”: Fall 2005, 2009, 2013, 2017, etc.

- .001 Application of this Chapter
- .002 Liability for Violations
- .003 Hunter Education and Orientation Requirements
- .004 Policy for Off-Road Vehicle Use for Hunting and Transporting Game
- .005 Policy for Changing Board Agenda
- .010 Harvest Tickets and Reports
- .011 Taking of Game by Proxy
- .012 Licenses and Tags
- .016 Muskoxen Tag Fees
- .018 Waterfowl Conservation Tag
- .019 Taking of Big Game for Certain Religious Ceremonies
- .020 Application of Permit Regulations and Permit Reports
- .025 Permit for Exporting a Raw Skin
- .027 Permit for Exporting Big Game Trophies
- .028 Aviculture Permits
- .029 Permit for Possessing Live Game
- .031 Permit for Selling Skins and Trophies
- .033 Permit for Scientific, Educational, Propagative, or Public Safety Purposes
- .034 Permit to Take Game for Cultural Purposes
- .039 Permit for Taking Wolves Using Aircraft
- .047 Permit for Using Radio Telemetry Equipment
- .104 Authorization for Methods and Means Disability Exemptions
- .106 Intensive Management of Identified Big Game Prey Populations
- .110 Control of Predation by Wolves
- .165 Sealing of Bear Skins and Skulls
- .170 Sealing of Marten, Lynx, Beaver, Otter, Wolf, and Wolverine
- .200 Purchase and Sale of Game
- .210 Game as Animal Food or Bait
- .220 Salvage of Game Meat, Furs, and Hides
- .230 Feeding of Game
- .250 Transfer of Muskoxen for Scientific and Educational Purposes
- .450 Description of Game Management Units
- .990 Definitions

STATEWIDE REGULATIONS: 5 AAC 92

CYCLE “B”: Fall 2007, 2011, 2015, 2019, etc.

- .035 Permit for Temporary Commercial Use of Live Game
- .037 Permit for Falconry
- .040 Permit for Taking of Furbearers with Game
- .041 Permit to Take Beavers to Control Damage to Property
- .043 Permit for Capturing Wild Furbearers for Fur Farming
- .049 Permits, Permit Procedures, and Permit Conditions
- .050 Required Permit Hunt Conditions and Procedures
- .051 Discretionary Trapping Permit Conditions & Procedures
- .052 Discretionary Permit Hunt Conditions and Procedures
- .062 Priority for Subsistence Hunting; Tier II Permits
- .068 Permit Conditions for Hunting Black Bear with Dogs
- .070 Tier II Subsistence Hunting Permit Point System
- .075 Lawful Methods of Taking Game
- .080 Unlawful Methods of Taking Game; Exceptions
- .085 Unlawful Methods of Taking Big Game; Exceptions
- .090 Unlawful Methods of Taking Fur Animals
- .095 Unlawful Methods of Taking Furbearers; Exceptions
- .100 Unlawful Methods of Hunting Waterfowl, Snipe, Crane
- .130 Restrictions to Bag Limit
- .135 Transfer of Possession
- .140 Unlawful Possession or Transportation of Game
- .150 Evidence of Sex and Identity
- .160 Marked or Tagged Game
- .260 Taking Cub Bears & Female Bears with Cubs Prohibited
- .400 Emergency Taking of Game
- .410 Taking Game in Defense of Life or Property

BOARD OF GAME

MEMBER'S NAME AND ADDRESS	TERM EXPIRES
Mike Fleagle, CHAIR 3821 W. 67 th Avenue Anchorage, Alaska 99502	3/1/2007
Ron Somerville, VICE CHAIR 4506 Robbie Road Juneau, Alaska 99802	3/1/2005*
Pete Buist PO Box 71561 Fairbanks, Alaska 99707	3/1/2005*
Ben Grussendorf 1221 Halibut Point Rd. Sitka, AK 99835	3/1/2007
Cliff Judkins PO Box 874124 Wasilla, Alaska 99687	3/1/2006
Sharon McLeod-Everette PO Box 81213 Fairbanks, Alaska 99708	3/1/2006
Ted Spraker 33350 Skyline Drive Soldotna, Alaska 99669	3/1/2005*

Alaska Board of Game members may also be reached at:
ALASKA DEPARTMENT OF FISH AND GAME
Boards Support Section
P.O. Box 25526
Juneau, AK 99802-5526
PHONE: (907) 465-4110 FAX: (907) 465-6094

NOTE: Anyone may provide written comments on proposals published in this proposal booklet. To be published in the Board of Game's Spring 2005 Board workbook, written comments must be received via fax or postal service by Boards Support Section personnel no later than 5:00 p.m. May 20, 2005. A postmark is not sufficient. Fax or mail your written comments to Boards Support Section personnel at any of the fax numbers or office addresses provided at <http://www.boards.adfg.state.ak.us/> or as listed on page viii. Written comments on the proposals contained in this proposal booklet sent to individual board members or to ADF&G personnel, and not to Boards Support Section personnel, will not be published in the Board of Game's June 2005 board workbook.

* Alaska Statute 16.05.221 (c) provides in part: "Members of the Board of Game serve staggered terms of three years and . . . each member serves until a successor is appointed."

Boards Support Section

Alaska Department of Fish and Game
PO Box 25526
Juneau, AK 99802
(907) 465-4110
(907) 465-6094 Fax

HEADQUARTERS

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Board of Game

Landa Baily, Executive Director 465-6098
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For updated information on the progress of an ongoing Board of Fisheries or Board of Game meeting, call: Juneau 465-8901; outside Juneau 1-800-764-8901.

Website address: <http://www.boards.adfg.state.ak.us>

Note: Western Region area advisory committees are assigned to Boards Support Section staff as follows:

Central Bering Sea A.C. – Joe Chythlook
Central Kuskokwim A.C. – Interior Region

Lower Kuskokwim A.C. – Joe Chythlook
Lower Yukon A.C. – Sherry Wright

Alaska Board of Game

GUIDELINES FOR PUBLIC TESTIMONY & ADVISORY COMMITTEE TESTIMONY

Persons planning to testify before Board of Game hearings must fill out a blue PUBLIC TESTIMONY SIGN-UP CARD and turn it in to the board's staff. Individuals may testify on behalf of an organization and may also provide personal testimony. Persons providing written material for the board members must provide at least **20 copies** to the staff; and **submit with your blue testimony card. Provide a name and date on the first page of written material and identify the source of graphs, if included in materials.**

When the board chairman calls your name, please go to the table; state your name and whether you represent a group or organization. When you are finished speaking, please wait for any questions board members may have regarding your comments.

When you testify you may not ask questions of the board members or of department staff. This is your chance to make comments on proposals before the board members. If board members and/or department staff need clarification, they will ask you questions. A person using derogatory or threatening language to the board will not be allowed to continue speaking.

Please do not read your testimony or your written materials to the board members. Instead, state for the record that you have provided written materials, providing the appropriate public comment number or record copy number, and thereafter refer to the important highlights in those written materials. Your highlighting the "who," "what," "why," and "where," aspects of your materials pertaining to a particular proposal or policy will facilitate the board members' understanding of your specific analysis and concerns.

Generally, the board allows individuals and organizations five minutes for oral testimony. The board chairman will announce the length of time for testimony.

Advisory Committee representatives are usually allowed 15 minutes to testify, and should restrict testimony to relating what occurred at the advisory committee meeting(s). Testimony should be a brief summary of the minutes of the meeting; copies of the minutes should be available for the board members. An Advisory Committee representative's personal opinions should not be addressed during Advisory Committee testimony.

PLEASE NOTE: The time limit on testimony does NOT include questions the board members may have on an individual's or Advisory Committee representative's testimony.

DRAFT ALASKA BOARD OF GAME
Special Meeting on Subsistence and Tier II
June 4 - 5, 2005
Captain Cook Hotel, Anchorage, Alaska

TENTATIVE AGENDA

NOTE: This Tentative Agenda is subject to change throughout the course of the meeting. This Tentative Agenda is provided to give a general idea of the board's anticipated schedule. The board will attempt to hold to this schedule; however, the board is not constrained by this Tentative Agenda. Persons wishing to testify must sign-up by the deadline. Public testimony will continue until those present at the meeting are heard; the board will continue working through its agenda immediately upon conclusion of public testimony. The following time blocks are only an estimate. Updated agendas will be posted in the meeting room, or call 1-800-764-8901, or 465-8901 in Juneau, for a recorded message on daily progression through the meeting.

Saturday June 4, 2005, 8:30 AM

OPENING BUSINESS

- Call to Order; Introductions of Board Members and Staff
- Board Member Ethics Disclosures
- Purpose of Meeting (overview)

STAFF AND OTHER REPORTS: (A complete list will be available at the meeting.)

PUBLIC AND ADVISORY COMMITTEE ORAL TESTIMONY: Oral public testimony will begin immediately upon conclusion of staff reports.

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

BOARD DELIBERATIONS: At conclusion of oral public testimony.

Sunday June 5, 2005, 9:00 AM

Continue/Conclude Board deliberations.

MISCELLANEOUS BUSINESS: Including Petitions, Findings, Resolutions, Letters, & Other

ADJOURN

SPECIAL NOTES

A. This agenda is TENTATIVE and subject to change during the meeting. A list of staff reports and a roadmap will be available at the meeting. Scheduled updates will be available on the board's recorded message phone. Phone Number: 1-800-764-8901; in Juneau call 465-8901.

B. Advisory Committee representatives may present their reports either at the beginning or end of the "Oral Public Testimony." The committee representative should notify the board secretary whether they prefer to present their report at the beginning or end of public testimony.

C. The State of Alaska Department of Fish and Game complies with Title II of the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this hearing and public meeting should contact 465-4110 no later than May 20, 2005 to make any necessary arrangements.

NOTE TO REVIEWER: The board's Subsistence Implementation Committee's ongoing work on this important issue may result in further meetings between the time of publication of this proposal book and the board's special meeting in June 2005 in Anchorage. Please monitor <http://www.boards.adfg.state.ak.us> for additional information.

PROPOSAL 1 - 5 AAC 85.025. Hunting seasons and bag limits for caribou; 5 AAC 85.045. Hunting seasons and bag limits for moose; 5 AAC 92.050. Required permit hunt conditions and procedures; 5 AAC 92.072. Community subsistence harvest hunt and permit conditions; 5 AAC 92.074. Community Harvest Hunt Areas; 5 AAC 92.220. Salvage of game meat, furs, and hides; and 5 AAC 92.XXX. Subsistence Harvest Areas and Conditions.

5 AAC 85.025. Hunting seasons and bag limits for caribou. (a)

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
<p>(8)</p> <p><u>Unit 13 within the Copper River/ Cantwell Subsistence Harvest area</u></p> <p><u>SUBSISTENCE HUNTERS:</u> <u>1 caribou by subsistence harvest permit only</u></p> <p><u>OTHER RESIDENT HUNTERS:</u> <u>1 caribou by drawing permit only; up to XXX permits may be issued</u></p> <p><u>NONRESIDENT HUNTERS:</u></p> <p><u>Remainder of Unit 13</u></p> <p><u>ALL HUNTERS:</u> <u>1 caribou by drawing permit only; up to XXX permits may be issued</u></p> <p>[UNIT 13 1 CARIBOU PER REGULATORY</p>	<p><u>Aug. 10 – Sept. 20</u> <u>Oct. 21 – Mar. 31</u></p> <p><u>Aug. 10 – Sept. 20</u></p> <p><u>Aug. 10 – Sept. 20</u></p> <p><u>Aug. 10 – Sept. 20</u></p> <p>AUG. 10-SEPT. 20 (SUBSISTENCE HUNT ONLY)</p>	<p><u>No open season.</u></p> <p><u>Aug. 10 – Sept. 20</u></p> <p>NO OPEN SEASON</p>

YEAR BY TIER II PERMIT ONLY; UP TO 10,000 PERMITS MAY BE ISSUED; THE COMMISSIONER SHALL CLOSE THE SEASON BY EMERGENCY ORDER WHEN UP TO 5,000 CARIBOU HAVE BEEN TAKEN BY TIER II HUNTERS]

OCT. 21-MAR. 31
(SUBSISTENCE HUNT ONLY)

...

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

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(9)		
Unit 11		
<u>SUBSISTENCE HUNTERS:</u>		
1 bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on one side, <u>by subsistence harvest permit only</u>	<u>Sept. 1 – Sept. 20</u> [AUG. 20 – SEPT. 20]	[AUG. 20 – SEPT. 20]
<u>OTHER RESIDENT HUNTERS:</u>		
<u>1 bull with spike-fork antlers or 50-inch antlers or antlers with 4 or more brow tines on one side</u>	<u>Sept. 1 – Sept. 20</u>	
<u>NONRESIDENT HUNTERS:</u>		
<u>1 bull with 50-inch antlers or antlers with 4 or more brow tines on one side</u>		<u>Sept. 1 – Sept. 20</u>

...

(11)

[UNIT 13

1 MOOSE PER REGULATORY YEAR, ONLY AS FOLLOWS:

1 BULL BY TIER II SUBSISTENCE HUNTING PERMIT; UP TO 150 PERMITS MAY BE ISSUED; OR

AUG. 15-AUG.31 (SUBSISTENCE HUNT ONLY)

NO OPEN SEASON

1 BULL WITH SPIKE-FORK ANTLERS OR 50-INCH ANTLERS OR ANTLERS WITH 4 OR MORE BROW TINES ON ONE SIDE]

SEPT. 1-SEPT. 20

NO OPEN SEASON

Unit 13 within the Copper River/ Cantwell Subsistence Harvest area

SUBSISTENCE HUNTERS:

1 bull by Tier II subsistence hunting permit; up to 150 permits may be issued; or

Aug. 15-Aug. 31 (Subsistence hunt only)

1 bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on one side, by subsistence harvest permit only

Sept. 1 – Sept. 20

OTHER RESIDENT HUNTERS:

1 bull with spike-fork antlers or 50-inch antlers or antlers with 4 or more brow tines on one side

Sept. 1 – Sept. 20

NONRESIDENT HUNTERS:

No open season.

Remainder of Unit 13

RESIDENT HUNTERS:

1 bull with spike-fork antlers or 50-inch antlers or antlers with 4 or more brow tines on one side

Sept. 1 – Sept. 20

NONRESIDENT HUNTERS:

Sept. 1 – Sept. 20

**1 bull with 50-inch antlers
or antlers with 4 or more
brow tines on one side
by drawing permit only
up to XXX permits may be
issued;**

5 AAC 92.050. Required permit hunt conditions and procedures. (a) The following conditions and procedures for permit issuance apply to each permit hunt:

...

(5) except as provided in (6) of this subsection, **and in 5 AAC 92.072**, a permit is nontransferable; however, the department may reissue an invalidated Tier II subsistence hunting permit to the highest-ranked applicant remaining in the original pool of eligible applicants;

(6) at the discretion of the commissioner, a permit may be transferred for scientific purposes only;

(7) immediately after killing a big game animal for which a permit is required, the permittee, [OR] **the permittee's** [HIS OR HER] proxy under 5 AAC 92.011, **or a community harvest hunter under 5 AAC 92.072**, shall cancel the permit by removing the permit day and month on which the kill was made, without obliterating or destroying any other day and month printed on the permit;

(8) a person who has been issued a permit, [OR] that person's proxy under 5 AAC92.011, **or a community harvest hunt administrator under 5 AAC 92.072**, shall return the permit harvest report to the department within the time period stated on the permit; in addition to other penalties provided by law for failure to report harvest, and except as provided in (c) of this section, if a permittee or the permittee's proxy fails to provide the required report for a drawing permit, registration permit, Tier I subsistence permit, or Tier II subsistence permit, the permittee may be ineligible to be issued a drawing, registration, Tier I subsistence, or Tier II subsistence permit during the following regulatory year;

5 AAC 92.072. Community subsistence harvest hunt area and permit conditions. (a) The commissioner or the commissioner's designee may, under this section and 5 AAC 92.052, issue a community-based subsistence harvest permit and harvest report for big game species where the Board of Game (board) has established a community harvest hunt area under (b) of this section and 5 AAC 92.074.

(b) The board will consider proposals to establish community harvest hunt areas during regularly scheduled meetings to consider seasons and bag limits for affected species in a hunt area. Information considered by the board in evaluating the proposed action will include:

(1) a geographic description of the hunt area;

(2) the sustainable harvest and current subsistence regulations and findings for the big game population to be harvested;

(3) a custom of community-based harvest and sharing of the wildlife resources harvested in the hunt area; [AND]

(4) other characteristics of harvest practices in the hunt area, including characteristics of the customary and traditional pattern of use found under 5 AAC 99.010; **and** [.]

(5) whether a specific allocation should be made to the community harvest hunt, and the details of any such allocation.

(c) If the board has established a community harvest hunt area for a big game population, residents may elect to participate in a community harvest permit hunt in accordance with the following conditions:

(1) a hunt administrator representing a group of residents may apply to the department for a community harvest permit by identifying the community harvest hunt area and the species to be hunted, and by requesting community harvest reports sufficient to supply the estimated number of individuals who will subscribe to the community harvest permit; the hunt administrator

(A) must record and maintain a record of the names of residents subscribing to the community harvest permit and the residents hunting license number, permanent hunting identification card number, or birth date for residents under 16 years of age;

(B) must issue harvest reports to hunters who have subscribed to the community harvest permit, but may not issue more individual harvest reports than the sum of the individual bag limits of the number of the residents who have subscribed to the permit;

(C) must request additional harvest reports for a community harvest permit from the department during a hunting season if the number of people subscribing to the hunt exceeds the original estimate;

(D) must collect validated harvest reports from hunters following the take of individual game animals, record harvest information for individual animals taken, and collect biological samples or other information as required by the department for management;

(2) a resident of the community who elects to subscribe to a community harvest permit

(A) may not hold a harvest ticket or other state hunt permit for the same species where the bag limit is the same or for fewer animals during the same regulatory year, however a person may hold harvest tickets or permits for same-species hunts in areas with a larger bag limit following the close of the season for the community harvest permit;

(B) may not subscribe to more than one community harvest permit for a species during a regulatory year;

(C) must have in possession when hunting and taking game a community harvest report issued by the hunt administrator for each animal taken;

(D) must validate a community harvest report immediately upon taking an animal; and

(E) must report harvest and surrender validated harvest reports to the hunt administrator within 5 days, or sooner if required by the department, of taking an animal and transporting it to the place of final processing for preparation for human use and provide the hunt administrator with information and biological samples required under terms of the permit. \

(d) Seasons for community harvest permits will be the same as those established for other subsistence harvests for that species in the geographic area included in a community harvest hunt area. The total bag limit for a community harvest permit will be equal to the sum of the individual bag limit for a community harvest permit will be equal to the sum of the individual bag limits established for other subsistence harvests for that species in the hunt area. Seasons and bag limits may vary within a hunt area according to established subsistence regulations for different game management units or other geographic delineations in a hunt area.

(e) Establishment of a community harvest hunt area will not constrain nonsubscribing residents of the community from participating in subsistence harvest activities for a species in that hunt area using individual harvest tickets or other state permits authorized by regulation, nor will it require any individual harvest tickets or other state permits authorized by regulation, nor

will it require any resident of the community eligible to hunt under existing subsistence regulations to subscribe to a community harvest permit.

(f) The department may disapprove an application for a community subsistence harvest permit from a hunt administrator who has previously failed to comply with requirements in (c)(1) of this subsection.

(g) The department may approve an application for a community subsistence harvest permit in which residents of communities, who have received individual subsistence permits such as Tier II permits or subsistence hunt registration permits, propose to pool their permits in accordance with this section. If such an application is approved, the individual permits must be delivered to the hunt administrator and thereafter be treated in accordance with all requirements for harvest reports in this section. Specific individual permit conditions which conflict with the requirements of this section supersede the conflicting requirements of this section.

...

5 AAC 92.074. COMMUNITY HARVEST HUNT AREAS. (a) The commissioner may issue community subsistence harvest permits for designated big game species in the area specified in this section

(b) **Chalkyitsik Community Harvest Area** for moose: That portion of Unit 25(B) including the drainage of the Salmon Fork River and drainage of the Black River downstream from Bear Mountain Creek, that portion of Unit 25(D) including the Black River drainage, upstream from Englishshoe Bar, the portion of the Porcupine River drainage from the lower mouth of Curtis Slough upstream to the upper mouth of Rock Slough, and the drainage of the Grass River north of the south bank of the Grass River east of 144° 15' W. longitude.

(c) Yukon Flats Community Harvest Area for black bears: Includes all of Unit 25(D).

(d) Copper River/Cantwell Subsistence Community Harvest Area for caribou and moose: The area consisting of Unit 11, Unit 13B east of the Maclaren River, Unit 13C, Unit 13D east of the Nelchina River, Tazlina Lake and Tazline Glacier, and 13E west of the Parks Highway and the area bounded by a line from the middle fork of the Chulitna River easterly through Caribou Pass to Soule Creek and Soule Lake, to the Brushkana Creek, down to Monahan Creek, down Monahan Creek to the Nanana River and up the Nenana River to the hydrological divide.

5 AAC 92.220. Salvage of game meat, furs, and hides. (a) Subject to additional requirements in 5 AAC 84 – 5 AAC85, a person taking game shall salvage the following parts for human use:

...

(d) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990. In addition,

(1) for moose and caribou taken before October 1 in Unit 9B), Unit 17, Unit 18, those portions of Unit 19(A) within the Holitna/Hoholitna Controlled Use Area, Unit 19(B), and Unit 23, the edible meat of the front quarters and hindquarters must remain naturally attached to the bone until the meat is transported from the field or is processed for human consumption;

(2) for caribou taken before October 1 in Unit 21(A), the edible meat of the front quarters and hindquarters must remain naturally attached to the bone until the meat has been transported from the field or is processed for human consumption;

(3) for moose taken before October 1 in Units 21 and 24, and for caribou taken before October 1 in Unit 24, the edible meat of the front quarters, hindquarters, and ribs must remain

naturally attached to the bone until the meat has been transported from the field or is processed for human consumption; [.]

(4) for moose and caribou taken within the Gulkana/Copper River Subsistence Harvest area, the edible meat of the front quarters, hindquarters, and ribs must remain naturally attached to the bone until the meat is transported from the field or is processed for human consumption.

...

5 AAC 92.XXX. Subsistence Harvest Areas and Conditions. (a) Subsistence Harvest Areas are established in the following areas with the following conditions:

(1) Copper River/Cantwell Subsistence Community Harvest area: The area consists of Unit 11, Unit 13A east of the Lake Louise road and Tyone River, Unit 13B east of the Maclaren River, Unit 13C, Unit 13D east of the Nelchina River, IkTazlina Lake and Tazlina Glacier, and 13E west of the Parks Highway and the area bounded by a line from the middle fork of the Chulitna River easterly through Caribou Pass to Soule Creek and Soule Lake, to the Bruskana Creek, down to Monahan Creek, down Monahan Creek to the Nena River and up to the Nenana River to the hydrological divide. the purpose of the Copper River/Cantwell Subsistence Harvest Area is to protect the Copper River/Cantwell Customary and Traditional Harvest and Use Pattern identified by the Board, which was developed and is still practiced by the original Ahtna residents of the area, and has been passed down to other, more recent, residents of the area and to other participants in the harvest and use pattern.

(A) The Board has established special subsistence permit seasons, with relatively liberal seasons and bag limits, for moose and caribou in the Copper River/Cantwell Subsistence Harvest area, in order to provide a reasonable opportunity for subsistence harvests by participants in the Copper River/Cantwell Customary and Traditional Harvest and Use Pattern.

(B) The Department has authority to attach a variety of conditions, as it deems necessary, to the moose and caribou subsistence permits referenced above under 5 AAC 92.052. In addition to those discretionary conditions, the Department shall attach the following conditions to these permits:

(i) a permittee is prohibited from taking any type of game or furbearer in any area of the state other than within the Copper River/Cantwell Subsistence Harvest area, for the remainder of the regulatory year.

(ii) the permittee may not use a snowmobile, a recreational vehicle, an off-road vehicle with a gross vehicle weight of greater than 8,000 pounds, or an aircraft, except in that portion of the preserve in Unit 11 from Drop Creek to Kotsina Creek, and to access a privately owned domicile located in the area, within the area for caribou or moose hunting purposes, including transportation of hunters, hunting equipment or harvested game to or from the field during open seasons for moose and caribou; and

(iii) the permittee must salvage, for human consumption or use, from moose and caribou taken within the area, all edible meat from the forequarters, hindquarters, ribs, neck, backbone and head, as well as the heart, liver, kidneys and the entire hide. Meat of the forequarters, hindquarters, and ribs must remain naturally attached to the bones until delivered to the place where it is processed for human consumption. Trophy value of the antlers will be destroyed by cutting through the skull plate, between the antlers.

(b) Depending upon the number of hunters that sign up for the subsistence area, the first portion of the hunt to be stopped will be the drawing permits, and if necessary, a reversion to the Tier II hunt.

(c) Signing up for the subsistence area during the application period of January to February opts a hunter out of the ability to hunt anywhere else in the state for the following regulatory year, July 1 – June 30. This includes applying for any drawing permit hunts or other Tier II hunts, except those located within the subsistence area, such as the bison and mountain goat hunts. A drawing permit is still required.

(d) Signing up for the subsistence area commits the entire household. Either the entire household opts in, or it opts out.

ISSUE:

WHAT WILL HAPPEN IF NOTHING IS DONE?

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

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

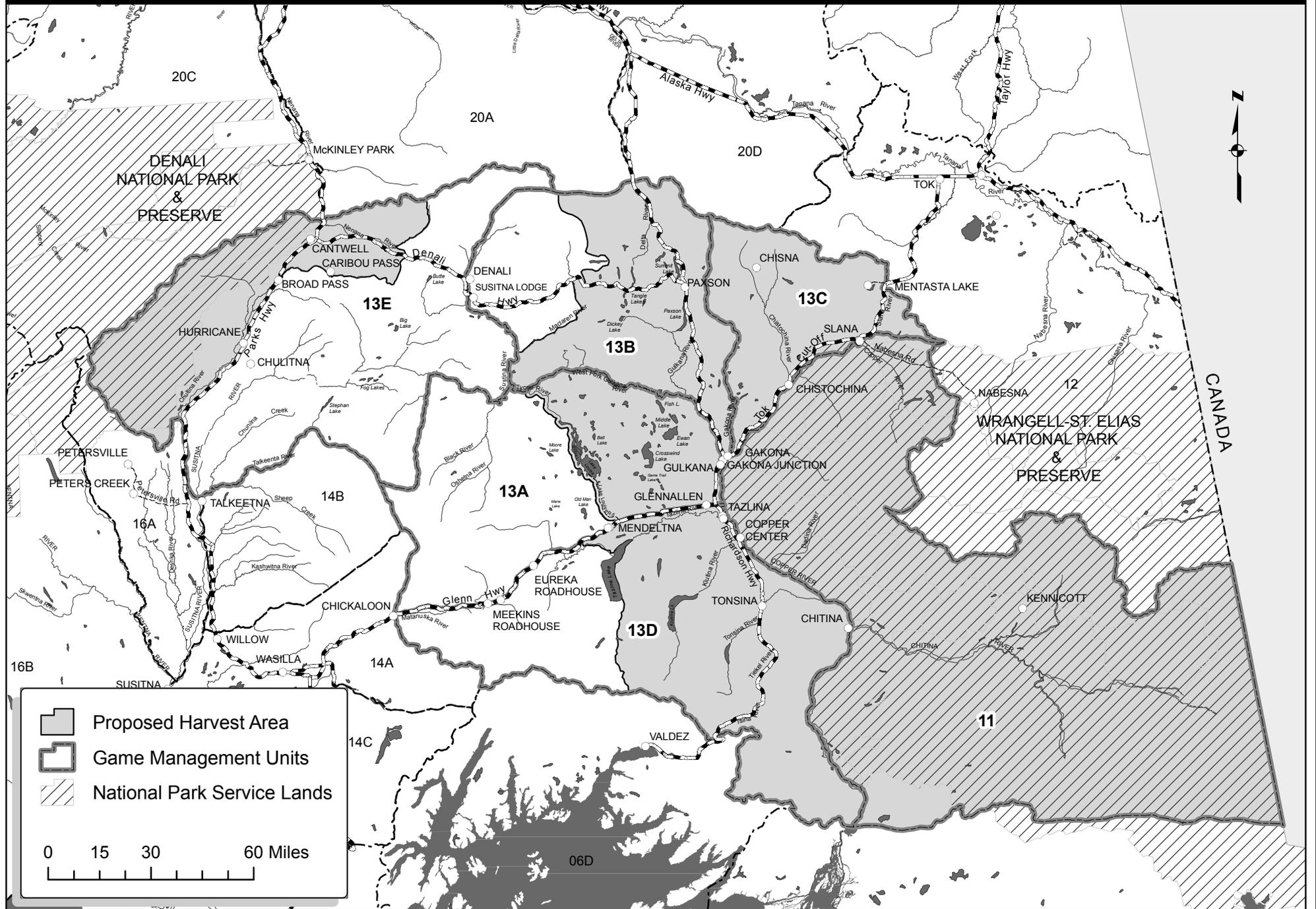
OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Department of Fish and Game, at the request of the board.

(HQ-05J-G-001)



Map A



-  Proposed Harvest Area
-  Game Management Units
-  National Park Service Lands

0 15 30 60 Miles

PROPOSAL 2 - 5 AAC 92.070. Tier II subsistence hunting permit point system. Modify the Tier II point scoring system, as follows:

5 AAC 92.070. Tier II subsistence hunting permit point system. (a) A Tier II subsistence permit applicant's "customary and direct dependence on the game population by the subsistence user for human consumption as a mainstay of livelihood" may provide up to **40** [60] points. It is measured by the following indicators and points:

(1) the number of years in which the applicant has hunted on or eaten from the game population, plus the number of years in which the applicant would have hunted on or eaten from the game population but did not because state regulations canceled the hunt on the game population during a given year or years, or because the state did not issue the applicant a permit to hunt on the game population for which the applicant applied; 1 point is given for each year, up to **30** [50] points; and

(2) the number of years in which a member of the applicant's household has hunted on or eaten from the game population, plus the number of years in which that member of the applicant's household would have hunted on or eaten from the game population but did not because state regulations canceled the hunt on the game population during a given year or years, or because the state did not issue that member of the applicant's household a permit to hunt on the game population for which that member of the applicant's household applied; **.333** [.2] points are given for each year, up to 10 points.

(b) The "ability of a subsistence user to obtain food if subsistence use is restricted or eliminated" may provide up to **60** [40] points. It is measured by the following indicators and points:

...

(2) the availability of food for purchase in the community where most of the applicant's household's store-bought food was purchased during the past year, which may provide up to **30** [10] points, as calculated by the department's current Tier II cost-of-food index; the number of points received by an applicant may not exceed the points calculated by the department using the cost-of-food index for the community nearest the applicant's residence; and

(3) the cost of gasoline in the community where most of the applicant's household's gasoline was purchased during the past year, which may provide up to **30** [10] points; the number of points received by an applicant may not exceed the points calculated by the department using the cost of gasoline for the community nearest the applicant's residence.

(c) An applicant's total score is the sum of points given under (a) and (b) of this section, up to a maximum of 100 points.

ISSUE: The majority of Tier II permits issued go to urban Alaskan and subsistence users from rural Alaska have repeatedly complained that they stand little or no chance in the process. The Board is concerned about balancing permits issued so that all subsistence users have an opportunity to participate.

WHAT WILL HAPPEN IF NOTHING IS DONE? People that truly depend upon caribou as a mainstay of livelihood will be prevented from obtaining a permit.

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

WHO IS LIKELY TO BENEFIT? People that truly depend upon Nelchina caribou for subsistence uses.

WHO IS LIKELY TO SUFFER? People who continue to embellish their use of the resource.

OTHER SOLUTIONS CONSIDERED? Several variations of point changes were considered.

PROPOSED BY: Alaska Department of Fish and Game at the request of the board
(HQ-05J-G-002)

PROPOSAL 3 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. Modify number of Tier II permits, and create drawing permit for caribou in GMU 13 as follows:

After the board revisits and determines a realistic amount necessary for subsistence, a regulation would read, for example, 500 caribou by Tier II permit and (the remaining number for the allowable harvest) by drawing permit. A Tier II qualified hunter is not eligible for a drawing permit.

ISSUE: The use of the entire “number able to produce” as the subsistence amount necessary for determining the number of Tier II permits for Nelchina Caribou harvest. A previous Board of Game adopted “all that can be provided” as the formula amount necessary (A.N.). A subsequent board, working the same process for moose in the same GMU, came to a number for A.N. that was related to the historic number of households and amount of game needed. If the A.N. for Tier II moose is working, then a relationship between use and a real number can be found for Nelchina caribou. Under the present system, no new Alaskan resident can ever hope to qualify for a Tier II caribou permit. They are certainly reserved under the present findings. Children of 40-plus year Alaskan residents cannot qualify for this hunt even if they have hunted and eaten from this population since they were born, as soon as they establish their own “household.”

WHAT WILL HAPPEN IF NOTHING IS DONE? Status quo of eligible caribou hunters. Other hunters will lose all interest in supporting the management of big game in this GMU because they can't participate.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Not applicable for subsistence considerations. The resource and its harvest would be unchanged by this proposal.

WHO IS LIKELY TO BENEFIT? Alaskans who can never qualify under the present A.N. finding.

WHO IS LIKELY TO SUFFER? Status quo.

OTHER SOLUTIONS CONSIDERED? Having the board change the Tier II criteria. Rejected because those discussions are already planned and it's almost impossible to not discriminate by zip

code asking any other question than “How long have you used/eaten resources from this population?”

PROPOSED BY: Fairbanks AC

(HQ-05J-G-003)

PROPOSAL 4 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. (a)

...

	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Units and Bag Limits		

...

(8)

[UNIT 13	AUG.10 – SEPT. 20 (SUBSISTENCE HUNT ONLY) OCT. 21 – MAR. 31 (SUBSISTENCE HUNT ONLY)	NO OPEN SEASON
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ONE CARIBOU PER REGULATORY YEAR BY TIER II PERMIT ONLY; UP TO 10,000 PERMITS MAY BE ISSUED; THE COMMISSIONER SHALL CLOSE THE SEASON BY EMERGENCY ORDER WHEN UP TO 5,000 CARIBOU HAVE BEEN TAKEN BY TIER II HUNTERS]

Unit 13 A, that portion west of the Little Nelchina River and Tyone Creek

1 bull caribou per regulatory year drawing permit only; up to XXX permits may be issued; or

**Sept. 1 – Sept.20
Oct. 21 Oct. 31**

**Sept. 1 – Sept. 20
Oct. 21 Oct. 31**

1 caribou per regulatory year by Tier II permit only; up to 2000 permits

Nov. 1 -Mar. 31

No open season

may be issued;

Remainder of Unit 13

1 caribou per regulatory
year by Tier II permit
only; up to 2000 permits
may be issued; or

Aug. 10 – Sept. 20
Nov. 1 -Mar. 31
(Subsistence hunt
only)

No open season

1 bull caribou by
drawing permit only; up to
XXX permits may be issued;

Oct. 21 Oct. 31

Oct. 21 Oct. 31

ISSUE:

WHAT WILL HAPPEN IF NOTHING IS DONE?

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

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: The board after adopting recommendations from Ahtna, Inc.

(HQ-05J-G-004)
