

ALASKA DEPARTMENT OF FISH & GAME

Boards Support Section
PO Box 115526
Juneau AK 99811-5526

PRSR 1st Class
US POSTAGE
PAID
Anchorage, AK
PERMIT #438



NOTICE OF PROPOSED CHANGES IN REGULATIONS
OF THE ALASKA BOARD OF GAME
&
ADDITIONAL REGULATIONS NOTICE
INFORMATION

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write:

- ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526.

The department's ADA Coordinator can be reached via phone at the following numbers: (VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, or (FAX) 907-465-6078.

- U.S. Fish and Wildlife Service, 4040 N. Fairfax Drive, Suite 300 Webb, Arlington, VA 22203
- Office of Equal Opportunity, U.S. Department of the Interior, Washington DC 20240.

For information on alternative formats and questions on this publication, please contact the Alaska Department of Fish and Game, Division of Boards Support at (907) 465-4110

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BOARD OF GAME

The Alaska Board of Game proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code, dealing with the use and taking of game. Regulations subject to board action are in 5 AAC 84, 85, 92, and 99. The subject matter areas to be addressed primarily concern hunting and trapping regulations for Game Management Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17, statewide reauthorization of antlerless moose hunts, brown bear tag fee exemptions, and classification of bears. The board will also address additional topics for other Game Management Units and statewide provisions as described below:

A. **TRAPPING SEASONS AND BAG LIMITS** in Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17, including but not limited to: Beaver, coyote, lynx, marten, muskrat, red fox, and wolverine.

B. **HUNTING SEASONS AND BAG LIMITS** in Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17 including but not limited to: Brown bear, black bear, bison, goat, coyote, caribou, Dall sheep, deer, elk, fur animals, goat, lynx, moose, wolf, and small game including ptarmigan, cranes, and sea duck. In addition: black bear in Unit 1, caribou in Units 18 and 19, moose in Unit 18 including the amount necessary for subsistence in Units 18, 19, and 21, and reauthorization of antlerless moose hunts in all Units.

C. **LICENSES, HARVEST TICKETS, HARVEST REPORTS, TAGS, FEES, AND PERMITS** in Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17, including, but not limited to: Permit for hunting black bear with the use of bait or scent lures; permit for selling skins, skulls, and trophies; antler destruction requirements; community subsistence harvest areas and conditions; special provisions for permit hunts including brown bear, Dall sheep, and goat; Tier II subsistence hunting permit point system and priority for Tier II permits for Unit 13; permit hunts for youth; permit for possessing live game; discretionary and required permit hunt conditions and procedures; harvest reports for deer in Unit 8; and hunter education requirements for taking goat. In addition, statewide provisions including permit point system and restrictions on permit applications and winners; IBEP certification requirement for archers taking black bear over bait, authorization of hunts for disabled veterans; harvest ticket requirements for taking black bear, and reauthorization of brown bear tag fee exemptions.

D. **METHODS AND MEANS** in Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17, including but not limited to: Lawful methods of taking big game, game, and furbearers including same day airborne restrictions; hunting of black bear and brown bear with bait; restrictions on the use of motorized land vehicles and aircraft while hunting; restrictions on the number of bullets allowed in guns; restrictions for shooting near roads and highways; and statewide restrictions for the use of full metal jacket bullets statewide.

E. **POSSESSION, TRANSPORTATION, AND USE OF GAME** in Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17, including but not limited to: Purchase and sale of game; sealing requirements including moose antlers, Dall sheep horns and black bear hides; salvage requirements of game meat, furs and hides; destruction of trophy value of game; evidence of sex and identity; restrictions to bag limit; and use of game as animal food or bait.

F. **RESTRICTED AREAS AND GAME MANAGEMENT UNITS:** In Units 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17, including but not limited to the following: Areas closed to hunting and trapping including the Chugach State Park management area; controlled use areas; closures and restrictions in state game refuges; and management areas.

G. **PREDATOR CONTROL IMPLEMENTATION PLANS AND INTENSIVE MANAGEMENT:** In Units 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 21 and 25, including but not limited to the following: Identified big game prey populations and objectives; control of predation by wolves and bears; predation control areas implementation plans; and methods, means and bag limits for taking predators.

You may comment on the proposed regulations, including the potential costs to private persons of complying with the proposed changes by submitting written comments to the Alaska Board of Game, Boards Support Section at P.O. Box 115526, Juneau, AK 99811-5526. Comments may also be submitted by fax to (907) 465-6094.

Written comments may be submitted to the Board of Game at any time before the proposal is taken up by the board in deliberations, but as a practical matter, written comments should be submitted to the Boards Support Section office at the above address or fax number by **5:00 p.m. February 13, 2009** to ensure inclusion in the board workbooks. Written comment over 100 single sided or 50 double sided pages in length from any one individual or group relating to proposals will not be accepted. Written comments submitted after February 13, 2009 will be limited to 10 single sided or 5 double sided pages in length from any one individual or group. Written comments that are submitted are public record and are subject to public inspection.

The public hearing portion of the meeting will begin immediately after staff reports and continue until everyone who has signed up and is present when called has been given the opportunity to be heard. Additional public hearings may be held throughout the meeting just before consideration and adoption of proposed changes in the regulations. An agenda will be posted daily during the meeting. The board will take oral testimony only from those who register before the cut-off time announced by the board chairman at the meeting. The length of oral statements may be limited to three to five minutes, or less.

TENTATIVE MEETING SCHEDULE
Dena'ina Civic & Convention Center
600 West 7th Avenue, Anchorage, Alaska
February 27-March 9, 2009
Southcentral and Southwest Regions

A live audio stream of the Board meeting is intended to be available on the Boards Support website at: <http://www.boards.adfg.state.ak.us/gameinfo/index.php>. Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110.

If you are a person with a disability who may need special accommodations in order to participate in this process, please contact Scott Crass at (907) 465-4110 no later than February 13, 2009 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact at the Boards Support Section at the above address, or at <http://www.boards.adfg.state.ak.us/gameinfo/index.php>.

Anyone interested in or affected by subsistence and general hunting or trapping regulations is hereby informed that, by publishing this legal notice the Board of Game may consider any or all of the subject areas covered by this notice. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.** Pursuant to AS 44.62.200, the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the hunting and trapping regulations as may be required to ensure the subsistence priority in AS 16.05.258.

After the public hearing, the Board of Game may adopt these or other provisions dealing with the same subject, without further notice, or amend, reject, supplement, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interest could be affected.

Statutory Authority: AS 16.05.255; AS 16.05.258; AS 16.05.270

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05.255; AS 16.05.256; AS 16.05.258; AS 16.05.407; AS 16.05.346; AS 16.05.340; AS 16.30.010 – .030; and AS 16.05.330.

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: January 23, 2009



Kristy Tibbles, Executive Director
Alaska Board of Game

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Board of Game
2. General subject of regulation: Southcentral and Southwest Region Regulations
3. Citation of regulations: 5 AAC 84, 85, 92, 98, and 99
4. Reason for the proposed action:
 - compliance with federal law
 - compliance with new or changed state statute
 - compliance with court order
 - development of program standards
 - other: Regularly scheduled topics for the Spring 2009 Board of Game meetings and other miscellaneous items. Implement, interpret, or make specific the provisions of AS 16.05– AS 16.30
5. Program category and RDU: Natural Resources and all RDUs
6. Cost of implementation to the state agency and available funding: It is not possible to estimate cost. However, this action is not expected to require an increased appropriation.
7. The name of the contact person for the regulations:

Name: Kristy Tibbles
Title: Executive Director, Boards Game
Address: Boards Support Section
Alaska Dept. of Fish and Game
PO Box 115526
Juneau, AK 99811-5526
Telephone: (907) 465-4110

8. The origin of the proposed action:
- staff of state agency
 - federal government
 - general public
 - petition for regulation change
 - other (please list)

9. Date: January 23, 2009

Prepared by: 
Kristy Tibbles
Executive Director, Board of Game
907-465-4110

The Board of Game accepted this proposal for consideration at the Spring 2009 meeting under the Agenda Change Request policy.

PROPOSAL 247 5 AAC 85.045(a)(16). Hunting seasons and bag limits for moose. Open a fall moose season in the area currently known as the Kuskokwim Closed Area:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(16) Unit 18, that portion easterly of a line from the mouth of the Ishkowiik River to the closest point of Dall Lake then to the easternmost point of Takslesluk Lake then along the Kuskokwim River drainage boundary to the Unit 18 border and north of and including the Eek River drainage	<u>Sept.1 - Sept. 10</u> [NO OPEN SEASON]	No open season
...		

ISSUE: Based on an agreement among advisory committees, village representatives and department staff recommending closure of moose hunting in the Kuskokwim River drainage for a period of 5 years, or until the population reached 1000 moose, the board created the Kuskokwim Closed Area where all moose hunting by resident and nonresidents was closed. The closure was implemented to allow the moose population to grow rapidly within the Kuskokwim drainage so that hunting opportunity would be better in the future. The closure began through action at the November 2003 board meeting and the 5-year period has elapsed. The moose population has increased to approximately 1000 moose. Due to these circumstances there is an opportunity to open the resident moose hunting season in this portion of Unit 18.

A population of approximately 1000 moose in the Kuskokwim area is sufficient to provide for a limited bull moose hunt. The board will be considering the amount necessary for subsistence (ANS; currently set at 80 – 100 for all of Unit 18) with deferred proposal 230 that requests a revised ANS for moose in Units 18, 19, 21A. The type of hunt that is established in the closed area (assuming that the closed area is eliminated) may depend on the outcome of the ANS review.

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunting opportunity for moose in this portion of Unit 18 will be lost until the regular Board of Game meeting cycle hears Region V proposals.

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

WHO IS LIKELY TO BENEFIT? Residents who wish to harvest moose.

WHO IS LIKELY TO SUFFER? Those residents who want a longer closure to further build up the harvestable surplus of moose.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Lower Kuskokwim Advisory Committee as prepared by the Department of Fish and Game
