

PLEASE READ CAREFULLY

REVIEWER LETTER

DEAR REVIEWER:

September, 2010

The Alaska Board of Game will consider the attached book of regulatory proposals at a special meeting scheduled for October 8-12, 2010 at the Coast International In located in Anchorage, Alaska. The proposals concern changes to the regulations governing subsistence hunting for the Nelchina caribou herd. Additional topics include black bear trapping regulations; reauthorization of the predator intensive management plan for Unit 13; and brown bear hunting in Unit 26B. Members of the public, organizations, advisory committees, and department staff submitted these proposals, which are published essentially as they were received.

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.

The proposals are set forth in the Table of Contents, which is not the order they will be considered at the board meeting. Prior to the meeting, the board will generate and make available to the public the order of proposals to be deliberated by the board, also known as the “roadmap.” 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 reviewing the proposals, please send written comments to:

**ATTN: Board of Game Comments
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
Fax: 907-465-6094**

Public comment, in combination with Advisory Committee comments and department staff presentations, provide the Board of Game with useful biological and socioeconomic data to form decisions. 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 Thursday, September 30, 2010 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. Written comments will also be accepted during the board meeting and public testimony during the public testimony portion of the meeting is always appreciated. Written comments become public documents.

When providing written comments on the proposals in this proposal book, please consider the following 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. Comments received at least two weeks prior to the meeting are printed and cross referenced with proposals and included in the board members' workbooks. Written comments received after the two-week period will be provided to board members at the meeting and will not be cross referenced. Materials received during the meeting also are not cross referenced. If you provide written comments during a board meeting, submit 20 copies to Board Support Section staff, who will distribute your written comments to board members. If including graphs or charts, please indicate the source.

List the Proposal Number: Written comments should indicate the proposal number(s) to which the comments apply. Written comments should specifically state "support" or "opposition" to the proposal(s). 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.

Do Not Use Separate Pages When Commenting on Separate Proposals: If making comments on more than one proposal, please do not use separate pieces of paper. Simply begin the next set of written comments by listing the next proposal number.

Provide an Explanation: Please briefly explain why you are in support or opposition of the proposal. Board actions are based on a complete review of the facts involved in each proposal, not a mere calculation of comments for or against a proposal. Advisory committees and other groups also need to explain the rationale behind recommendations. Minority viewpoints from an advisory committee should be noted in advisory committee minutes along with the majority recommendation. The board benefits greatly from understanding the pro and cons of each issue. A brief description consisting of a couple of sentences is sufficient.

Write Clearly: Comments will be photocopied so please use 8 1/2" x 11" paper and leave reasonable margins on all sides, allowing for hole punches. Whether typed or handwritten, use dark ink and write legibly.

Use the Correct Address or Fax Number: Mail written comments to Board of Game Comments, ADF&G, P.O. Box 115526, Juneau, AK 99811-5526; fax them to 907-465-6094; or deliver them to a Regional Boards Support Office.

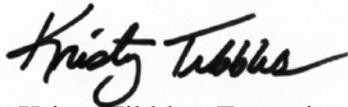
Advisory Committees: In addition to the above, please make sure the Advisory Committee meeting minutes reflect why the committee voted as it did. If the vote was split, include the minority opinion. A brief description consisting of a couple of sentences is sufficient. Detail the number in attendance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

Pertinent policies and findings, proposals, written comment deadlines, meeting calendars and notices for the Board of Game meetings are posted on the Board Support website at <http://www.boards.adfg.state.ak.us/> .

A tentative agenda for the October Board of Game meeting is shown on page xiv. A roadmap detailing the tentative order in which proposals will be made available in late September, 2010 at www.boards.adfg.state.ak.us/gameinfo.

A link to a live audio broadcast of the meeting is intended to be available at: www.boards.adfg.state.ak.us/gameinfo/ throughout the meeting. This link will not function when the board is not in session. Board actions will also be posted on the website shortly after the meeting.

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 September 30, 2010 to make any necessary arrangements.



Kristy Tibbles, Executive Director
Alaska Board of Game
Alaska Department of Fish and Game
(907) 465-4110

ALASKA BOARD OF GAME
October 8-12 Meeting
Nelchina Caribou &
Black Bear Trapping Regulations

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**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. Persons providing written material for the board members must provide at least **20 copies** to the staff; and **submit with your blue testimony card**. Do not wait until it is your turn to testify to submit written material, as it may not be distributed to the board in time for your testimony. **Provide a name and date on the first page of written material and identify the source of graphs or tables, if included in materials.**

When the chairman calls your name, please go to the microphone; state your name and whom you represent. At the front table, a green light will come on when you begin speaking. A yellow light will come on when you have one minute remaining. A red light will indicate that your time is up. When you are finished speaking, please stay seated and wait for any questions board members may have regarding your comments.

If you wish to give testimony for more than one group (i.e., yourself plus an organization, or advisory committee), you only need to turn in one sign-up card, listing each group you will be representing. When you begin your testimony, state for the record the group you are representing. Keep your comments separate for each group. For example: give comments for the first group you are representing, then after stating clearly that you are now testifying for the second group, give comments for that group.

Please be aware that when you testify you may not ask questions of board members or of department staff. This is your chance to make comments on proposals before the board. 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.**

Generally, the board allows five minutes for oral testimony, whether you testify for yourself or on behalf of an organization. The board chairman will announce the length of time for testimony at the beginning of the meeting.

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, and 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 for you.

**ALASKA BOARD OF GAME
Meeting Schedule
2010/2011 Cycle**

Tentative

Dates	Topic	Location
October 8-12, 2010 (5 days) Proposal Deadline – September 2, 2010 Written Comments – September 30, 2010	Nelchina Caribou and Bear Trapping Regulations	Anchorage
November 5-9, 2010 (5 days) Proposal Deadline - August 13, 2010 Written Comments - October 22, 2010	Southeast Region	Ketchikan
March 4-10, 2011 (7 days) Proposal Deadline – October 29, 2010 Written Comments – February 18, 2011	Central/Southwest	Wasilla
March 26–30, 2011 (5 days) Proposal Deadline – October 29, 2010 Written Comments – March 11, 2011 *Note – Meeting begins on a Saturday	Southcentral	Anchorage

 For information about the Board of Game, contact:

Alaska Department of Fish and Game
 Boards Support Section
 P.O. Box 115526
 Juneau, AK 99811-5526
 Phone: (907) 465-4110
 Fax: (907) 465-6094

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 2012	Fall 2014	Fall 2016
Game Management Units: 1, 2, 3, 4, 5			
CENTRAL, SOUTHCENTRAL & SOUTHWEST REGIONS	Spring 2011	Spring 2013	Spring 2015
Game Management Units: 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 All Units: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts			
ARCTIC AND WESTERN REGIONS	Fall 2011	Fall 2013	Fall 2015
Game Management Units: 18, 22, 23, 26A			
INTERIOR REGION	Spring 2010	Spring 2012	Spring 2014
Game Management Units: 12, 19, 20, 21, 24, 25, 26B, 26C All Units: Brown Bear Tag Fees & Reauthorization of Antlerless Moose Hunts			

ALASKA BOARD OF GAME
Statewide Regulations Schedule

CYCLE “A”: 2014, 2018, 2022, 2024

- 5 AAC Chapter 92 Statewide Provisions:
.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
.013 Migratory bird hunting guide services
.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
.028 Aviculture Permits
.029 Permit for Possessing Live Game
.030 Possession of Wolf Hybrid Prohibited
.031 Permit for Selling Skins, Skulls, and Trophies
.033 Permit for Science, Education, Propagative, or Public Safety Purposes
.034 Permit to Take Game for Cultural Purposes
.039 Permit for Taking Wolves Using Aircraft
.042 Permit to Take Foxes for Protection of Migratory Birds
.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
.115 Control of Predation by Bears
.116 Special Provisions in Predation Control Areas
.141 Transport, Harboring, or Release of Live Muridae Rodents Prohibited
.165 Sealing of Bear Skins and Skulls
.170 Sealing of Marten, Lynx, Beaver, Otter, Wolf, and Wolverine
.171 Sealing of Dall sheep horns
.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 Musk oxen for Science and Education Purposes
.450 Description of Game Management Units
.990 Definitions

CYCLE “B”: 2012, 2016, 2020, 2026

- 5 AAC Chapter 92 Statewide Provisions:
.009 Obstruction or hindrance of lawful hunting or trapping
.035 Permit for Temporary Commercial Use of Live Game
.036 Permit for taking a child hunting
.037 Permit for Falconry
.040 Permit for Taking of Furbearers with Game Meat
.041 Permit to Take Beavers to Control Damage to Property
.043 Permit for Capturing Wild Furbearers for Fur Farming
.044 Permit for hunting black bear with the use of bait or scent lures
.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
.057 Special Provisions for Dall Sheep Drawing Permit Hunts
.062 Priority for Subsistence Hunting; Tier II Permits
.068 Permit Conditions for Hunting Black Bear with Dogs
.069 Special Provisions for Moose Drawing Permit Hunts
.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 Restriction 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
.200 Purchase and Sale of Game
.260 Taking Cub Bears & Female Bears with Cubs Prohibited
.400 Emergency Taking of Game
.410 Taking of Game in Defense of Life or Property
.420 Taking Nuisance Wildlife

ALASKA BOARD OF GAME
Revised May, 2010

MEMBER'S NAME AND ADDRESS	TERM EXPIRES
Cliff Judkins, Chairman PO Box 874124 Wasilla, Alaska 99687	6/30/2012
Ted Spraker, Vice Chairman 49230 Victoria Ave. Soldotna, Alaska 99669	6/30/2011
Ben Grussendorf 1221 Halibut Point Rd. Sitka, AK 99835	6/30/2013
Lewis Bradley 8200 E. Duchess Dr. Palmer, AK 99645	6/30/2011
Stosh Hoffman P.O. Box 2374 Bethel, AK 99559	6/30/2011
Teresa Sager Albaugh HC 72 Box 835 Tok, AK 99780	6/30/2012
Nate Turner PO Box 646 Nenana, AK 99760	6/30/2013

*

Alaska Board of Game members may also be reached at:
ALASKA DEPARTMENT OF FISH AND GAME
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
PHONE: (907) 465-4110 FAX: (907) 465-6094
www.boards.adfg.state.ak.us

BOARDS SUPPORT SECTION STAFF LIST

Boards Support Section
Alaska Department of Fish and Game
1255 West 8th Street
PO Box 115526
Juneau, AK 99811-5526
Phone: (907) 465-4110
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HEADQUARTERS

Board of Fisheries

Jim Marcotte, Exec. Director II, 465-6095
Shannon Stone, Pub. Specialist II, 465-6097

Board of Game

Kristy Tibbles, Exec. Director I, 465-6098
Scott Crass, Pub. Specialist II, 465-4046

Mini Cherian, Administrative Officer I, 465-6096
Recie Jones, Administrative Assistant I, 465-4110
Dani Cherian, College Intern III, 465-6424

REGIONAL OFFICES

Arctic Region

Vacant

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Phone: 442-1717
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Southeast Region (north of Frederick Sound)

Scott Crass

PO Box 115526
Juneau, AK 99811-5526
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Southcentral Region

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333 Raspberry Road
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Southeast Region (south of Frederick Sound)

Shannon Stone

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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/>

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 concern Game Management Units 11, 12, 13, 16, 19, 20, 25, and 26; and all aspects of Nelchina Caribou subsistence hunting in Unit 13 and the remainder of the area identified in 5 AAC 92.074(d). The board will also address additional topics for other Game Management Units and statewide provisions as described below:

- A. TRAPPING SEASONS AND BAG LIMITS including: black bear in Units 12, 16, 19, 20, & 25, including the definition of bucket foot snare
- B. HUNTING SEASONS AND BAG LIMITS including: Tier I or Tier II subsistence hunting for Nelchina caribou in Unit 13 and the remainder of the area identified in 5 AAC 92.074(d); other hunting seasons and bag limits for Nelchina caribou; and brown bear in Unit 26.
- C. LICENSES, HARVEST TICKETS, HARVEST REPORTS, TAGS, FEES, AND PERMITS statewide, including but not limited to: discretionary and required permit hunt conditions and procedures; permits for hunting black bear with the use of bait or scent lures; Tier I and Tier II subsistence permits and permit conditions for Nelchina caribou; Tier II subsistence hunting permit point system; community subsistence harvest hunt area and permit conditions; the Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti Kaah Community Harvest Area for moose and caribou.
- D. HUNTING AND TRAPPING METHODS AND MEANS statewide, including but not limited to: lawful methods of taking game, big game, and furbearers, black bear trapping requirements and discretionary trapping permit conditions and procedures including identification and checking requirements for bait and snare stations; nonresident and age requirements; taking bear using bait and scent lures; and taking bear with snares and with the use of artificial light.
- E. POSSESSION, TRANSPORTATION, AND USE OF GAME statewide, including but not limited to: sealing bear skins and skulls; salvage of meat and hides; taking cub bears and female bears with cubs; antler trophy destruction requirements and purchase and sale of game including the prohibition on selling black bear meat.
- F. CUSTOMARY AND TRADITIONAL USES OF GAME POPULATIONS including: the amounts reasonably necessary for subsistence uses for Nelchina caribou and black bear statewide.
- G. INTENSIVE / PREDATOR MANAGEMENT including: reauthorization of the Unit 13 predation control implementation plan; control of predation by wolves and bears; and methods, means and bag limits for taking predators.

The Board of Game is also soliciting comments from the public on two Board of Game policies: 1) the Bear Conservation, Harvest, and Management Policy, and 2) the Wolf Population Control and Management Policy. Both policies are included in the October meeting proposal book for the public to review.

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 pm Thursday, September 30, 2010** 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 September 30, 2010 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. The deadline to sign up to testify will be announced at the meeting. The board will take oral testimony only from those who register before the cut-off time. The length of oral statements may be limited to three to five minutes, or less. 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.

TENTATIVE MEETING SCHEDULE
Nelchina Caribou & Black Bear Trapping Regulations
October 8 – 12, 2010
Coast International Inn
3333 West International Airport Road
Anchorage, Alaska

A live audio stream of the Board meeting is intended to be available on the Boards Support Section website at: <http://www.boards.adfg.state.ak.us>. 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 September 30, 2010 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact the Boards Support Section at the above address, or on the website 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 including reexamining customary and traditional use findings and determinations for amounts reasonably necessary for subsistence use.

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; AS 16.05.330, and AS 16.05.783

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

DATE September 7, 2010



Kristy Tibbles, Executive Director
Alaska Board of Game

ALASKA BOARD OF GAME
October 8-12, 2010
Nelchina Caribou & Black Bear Trapping Regulations
Coast International Inn
3333 West International Airport Road
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.

Friday, October 8th, 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

PUBLIC AND ADVISORY COMMITTEE TESTIMONY (upon conclusion of staff reports)

Saturday, October 9th, 8:00 AM

PUBLIC AND ADVISORY COMMITTEE TESTIMONY Continued

BOARD DELIBERATIONS (Upon conclusion of public testimony)

THE 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 Chairman to testify, are heard.

Sunday, October 10th – Monday, October 11th, 8:00 AM

BOARD DELIBERATIONS Continued

Tuesday, October 12th, 8:00 AM

BOARD DELIBERATIONS Continued

**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 of Game website.
- B. Meeting materials are available through the website at: www.boards.adfg.state.ak.us/gameinfo or by contacting the ADF&G Boards Support Office in Juneau at 465-4110.
- C. A live audio stream for the meeting is intended to be available at: www.boards.adfg.state.ak.us/gameinfo
- D. 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 September 30, 2010 to make any necessary arrangements.

PROPOSAL 1- 5 AAC 85.025. Hunting seasons and bag limits for caribou. Modify the Nelchina caribou hunt as follows:

Permit hunt with number of permits to be determined by the Alaska Department of Fish and Game.

ISSUE: Caribou hunt in Unit 13 for residents.

WHAT WILL HAPPEN IF NOTHING IS DONE? Same old court litigation over and over.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? It will improve the hunt and spread it out for all permit holders. It will also give everyone a fair chance to draw a permit.

WHO IS LIKELY TO BENEFIT? Everyone.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?: None, this is the only fair solution.

PROPOSED BY: Wilfred Blais

LOG NUMBER: EG08251045

PROPOSAL 2- 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the Nelchina caribou hunt as follows:

Any Alaska resident will be eligible for one caribou permit for each wolf they legally harvest in Unit 13.

ISSUE: Access to caribou in Unit 13.

WHAT WILL HAPPEN IF NOTHING IS DONE? Worthy hunters will not get to hunt. Rules will continue to change every few years.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Hunters and trappers will be more involved in the conservation of the caribou and moose.

WHO IS LIKELY TO BENEFIT? Those who spend the most time hunting and trapping in Unit 13.

WHO IS LIKELY TO SUFFER? The wolves.

OTHER SOLUTIONS CONSIDERED? This is only one solution to be used with others.

PROPOSED BY: Charles Moore

LOG NUMBER: EG08301046

PROPOSAL 3- 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the bag limit for caribou in Unit 13 as follows:

One RC566 Nelchina caribou permit every two years and limit two per household. Tier II scoring question: Same as previous scoring for Tier II permit. Low scores will fare better. High scores will have a chance of getting a permit the first time; low scores will have a chance a second time due to the ones that received a permit before cannot apply.

ISSUE: The current Tier I (RC566) caribou permit of one caribou every four years is unfair. Should be considered one caribou every two regulatory years and limit two permits per family.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current regulation creates undo hardships on families that have long relied on this resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? It would allow families to subsist on more than one caribou every four years.

WHO IS LIKELY TO BENEFIT? Alaskan families with long standing history of past usage.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?: Make it a general hunt for all Alaska residents. This was rejected because of accessibility; it would create overharvest of the resource.

PROPOSED BY: David Davenport and Allen Avinger

LOG NUMBER: EG08301047

PROPOSAL 4- 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Change the Nelchina caribou hunt as follows:

Drawing permit system once every two regulatory years.

ISSUE: Change the Unit 13 Nelchina caribou hunt back to a drawing permit only. Tier II was always intended to serve those that customarily used the herd, but has recently had the focus

changed to prioritize a need basis. Harvesting a caribou gets you 80 pounds of boneless meat on average, per caribou. The cost of harvesting this little bit of meat costs more than what it would cost for the average household to purchase the same quantity of meat at Costco. We all know that the folks in remote locations along the highway system either go into Anchorage or Fairbanks for staple items such as flour, tissues, etc., so they can purchase meat just like anyone else. This should either be changed back to the way Tier II was done three-four years ago or drop the Tier system all together and make it a drawing hunt.

WHAT WILL HAPPEN IF NOTHING IS DONE? More Alaskans will be discriminated against if the herd continues to be divvied up between special interest groups.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? It improves access to the herd for everyone interested in hunting it, without discriminating.

WHO IS LIKELY TO BENEFIT? Every Alaskan has the opportunity to benefit from this proposal.

WHO IS LIKELY TO SUFFER? Special interest groups of people that don't really have a need, they just want preference over everyone else.

OTHER SOLUTIONS CONSIDERED?: All other solutions, because they discriminate against Alaskans. We should all have a fair chance at harvesting a caribou from Unit 13.

PROPOSED BY: Michael Frost

LOG NUMBER: EG08301048

PROPOSAL 5- 5 AAC 85.025. Hunting seasons and bag limits for caribou; 92.070. Tier II subsistence hunting permit point system; 92.085. Unlawful methods of taking big game; exceptions; and 92.050. Required permit hunt conditions and procedures. Modify the Nelchina caribou permit hunt as follows:

I propose three changes to the current management of this hunt.

First, the entire harvest quota should be managed as a Tier II hunt. Hunting regulations require all meat to be salvaged, so, in effect all hunting in Alaska by residents is subsistence hunting. Caribou hunting in Unit 13 provides residents in Southcentral Alaska their best opportunity for a successful big game hunt at the minimum of expense.

Second, the use of off-road vehicles should be eliminated. This would allow for a significant increase in the number of permits which could be issued. Only those people with a true subsistence tradition of hunting this herd, or those looking to establish one are likely to apply. By eliminating off-road vehicles this hunt could even be managed as a registration hunt open to all residents. I have hunted this herd without off-road vehicles, since the 1960's and have been

successful every year but one. And then only because the hunt was closed by emergency order before I could go. I firmly believe that management quotes can be achieved without the use of off-road vehicles. If the Board of Game is concerned about reaching management goals a winter hunt with unrestricted access could be implemented. This could be a drawing hunt open to all. Applicants could be assigned a number based on the random drawing. After the fall hunt if the quota had not been reached then the requisite number of permit holders, for example permits 1-100, would be allowed to hunt. This drawing would be made at the same time other permit drawings are held. Or an additional registration hunt could be held.

Third, the Tier II scoring questions should be changed. The questions need to be structured to eliminate certain loop-holes and bias towards urban or rural residents. Only three questions are needed to assess subsistence. The following here questions should replace the existing ones.

1. How many years have you, the applicant, participated in this hunt or would have had you received a permit? Award 1 point for each year with no maximum number.
2. How many years did the majority of the meat consumed by you come from this herd? (In the past this question has asked how many years have you eaten meat from this herd. This allowed people to count 2 years in which they were given a steak or a few pounds of hamburger. This new version of the question would eliminate that.) Award 1 point for each year.
3. What is your annual pre-tax income?

\$0-20,000	10 points
\$20,000-30,000	7 points
\$30,000-40,000 (or 50,000)	3 points
\$40,000-60,000	1 points (could be \$50,000-80,000)
\$60,000+	0 points (could be \$80,000)

The court ruled that a person could not be denied a permit based on income, but, income could be incorporated into the scoring system. This would be a reasonable way to bring need into the scoring system. The scoring system proposed is simple and unbiased.

ISSUE: This is in response to the Board of Game call for proposals for caribou hunting in Unit 13. The problem is, as the population in the state has increased different user groups are vying for opportunities to hunt caribou in Unit 13. Traditionally the largest user group of the herd has been Anchorage residents.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued court battles and unpredictable hunting opportunities.

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

WHO IS LIKELY TO BENEFIT? All user groups.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?: 1.) A two step registration hunt. From August 10 – September 15 is a hunt open to all by registration. This hunt would be closed to all off-road vehicles. This would be followed with a hunt from September 16 – September 25 with no access restrictions. It would be a drawing hunt implemented if the harvest quota was not reached. Rejected, because it would be hard to get kill information from the first hunt in a timely manner. 2.) Registration hunt open to all residents allowing off-road vehicles but restricted to only a few existing trails. Rejected because it would be impossible to enforce and the harvest quota could be easily exceeded. 3.) Increase the current walk in only boundary so that it includes the entire unit north at the Denali Highway. I believe this to be a separate herd from the main Nelchina Herd. Manage this as a registration hunt (walk-in only). Manage the rest of Unit 13 as a drawing hunt with unrestricted access. Restrict the hunts so that a person must choose between one or the other. This may be a viable choice, all user groups would be satisfied. It would be difficult to know the size of this herd. Based on observations of the herd wintering in the Monahan Flats I would guess it to be several thousand.

PROPOSED BY: Brian West

LOG NUMBER: EG08311049

PROPOSAL 6- 5 AAC 92.070. Tier II subsistence hunting permit point system. Modify the Tier II scoring for Nelchina caribou permits as follows:

Eliminate the scoring of a person's age from the questions in the Tier II application, or eliminate the question all together.

ISSUE: Nelchina caribou hunt. Young people are penalized for being young. The way the point system was prior to Tier I anyone younger than 40+ years had no chance to be drawn, even though born in Alaska into a family who used this resource for 30 years or more. How can we hope to preserve the interest of our younger hunters if they know they will be in their 40's or 50's before they have a chance to harvest a Nelchina caribou?

WHAT WILL HAPPEN IF NOTHING IS DONE? The younger generation of Alaskans will become discouraged and will not pursue hunting, at least in this area. Older hunters will die off and the herd will suffer from lack of harvest, or other methods of managing the herd will be required.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes. Nelchina caribou permits can be managed for maximum yield, younger more energetic hunters will be able to aid in the harvest of available animals from this herd.

WHO IS LIKELY TO BENEFIT? All the young potential hunters who have no chance of obtaining a permit for the next 25 years or more.

WHO IS LIKELY TO SUFFER? Possibly some of the over 50 hunters who would not be drawn when a younger person was. As far as utilization of the resource I'm sure the elders would get a share of the animal harvested.

OTHER SOLUTIONS CONSIDERED?: Eliminating all reference to age of hunter. The Department of Fish and Game needs data on hunters to continue effective management.

PROPOSED BY: Grant Lewis

LOG NUMBER: EG08311050

PROPOSAL 7- 5 AAC 85.025. Hunting seasons and bag limits for caribou. Open the Unit 13 caribou hunt to all legal hunters.

Given the size of the herd, this hunt should be opened up to all legal hunters with, as always, a careful watch to sustaining the herd size.

ISSUE: The Nelchina caribou herd. The Ahtna option was deemed unconstitutional.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued court challenges and rancor between the user groups.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes. Equal access as mandated by our Constitution.

WHO IS LIKELY TO BENEFIT? All legal hunters wanting a fair shot.

WHO IS LIKELY TO SUFFER? Special interest groups wanting their own game ranch.

OTHER SOLUTIONS CONSIDERED?:

PROPOSED BY: Mike Huston

LOG NUMBER: EG08311051

PROPOSAL 8- 5 AAC 85.025. Hunting seasons and bag limits for caribou.; 92.071. Tier I subsistence permits.; and 92.050. Required permit hunt conditions and procedures.

Modify the Nelchina caribou permit system as follows:

Create a random draw process for the Nelchina caribou herd. This could be accomplished under a Tier I program however the defining criteria would have to be along the same lines as a registration or draw supplement without qualifiers; other than resident status. With a similar stipulation where a person that is awarded a tag, cannot apply the following year as is the case

with general season draws. Household limits could also be applied to allow for more hunter opportunities.

ISSUE: Resolve the application process and dispute of resource allocation regarding the Nelchina caribou herd. The largest issue that comes of this every year is the process the state is forced to take, to determine which resident is eligible over another... when state law clearly states all are eligible on the same... the only fair process for that determination is a random draw of applicants. I honestly believe the goal of the Board of Game should be to remove the prejudices that have been built into the system that pit one resident over another. The Ahtna Corporation, testified recently that 128 caribou met their needs for last winter from the Community Harvest Program and feel that 128 could in all reality be met by the federal subsistence hunts on federal lands (or at least allow them the opportunity to attempt to fill them) and that Unit 13 is a widely used resource by a huge portion of the state's population base for many recreational activities. And that the state not recognize any special privilege to any entity whether it be the general public or corporate organization that is setting limits that continue to prejudice or preclude one person over another. Further all restrictions that limit the applicant pool, by forcing successful applicants to hunt other game species within the Unit should be removed. These application restrictions are unnecessary restrictions, when other large game animals are wildy available across the state, where as caribou are limited to regional areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? 1.) Alaska residents will continue to be prejudiced against one another in the application and selection process of a state resource. 2.) Legal disputes will continue until a fair and equitable process is formed and implemented by the Board of Game.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? There would be no change to the resource as the harvest plan sets a predetermined harvest objective and allotment to both the state and federal harvest quota.

WHO IS LIKELY TO BENEFIT? All state residents would be benefited in that they would all be on equal footing at time of application.

WHO IS LIKELY TO SUFFER? Long term and/or rural residents such as myself would lose out the points on the application process for longevity and resident address. Rural residents of Unit 13 would still qualify for the federal subsistence program and the federally qualified subsistence hunt periods should meet the local subsistence needs of 128 caribou a year. Those that fall outside of the rural referenced areas under the federal plan would have to apply through the federal process to be included into that plan.

OTHER SOLUTIONS CONSIDERED? Creation of a registration hunt period or zoning of such permits. The Fortymile caribou hunt is a prime example of why not to have a registration hunt for the Nelchina caribou, this resource is the most accessible herd to access via the Alaska road system with multiple highways and access points; over-harvest of a given quota is assured to happen on a regular basis.

PROPOSED BY: Vince Holton

LOG NUMBER: EG08311052

PROPOSAL 9- 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

Get rid of one big Tier II pool. Nothing in the Alaska Subsistence Law AS 16.05.258(b)(4) requires one Tier II pool of applicants. Use 5-year blocks of past use and dependency, with each block getting equal number of harvestable share of annual caribou quota. For example, if annual harvestable quota is 2,500 caribou, then each block gets 250 caribou (2,500 divided by 10 = 250). One point per year past use and dependency.

- 0-5 yrs:
- 6-10 yrs:
- 11-15 yrs:
- 16-20 yrs:
- 21-25 yrs:
- 26-30 yrs:
- 31-35 yrs:
- 36-40 yrs:
- 41-45 yrs:
- 46+ yrs:

Each year of successful hunt adds one point, and everyone moves up into the next block when successful years add up and/or from applying but not receiving a permit. New hunters without any past use and dependency will fall into the 0-5 years block, to allow new hunters an initial starting eligibility point for subsistence use. All hunters (or their proxy) who receive a permit who do not get a caribou within three years, fall out of the block and must start over in 0-5 years block. A permit that goes unfilled or do not hunt in three years are not dependent on the subsistence resource and should fall out of priority.

Do not use residency-based rural preference eligibility questions like “what community nearest the applicant’s community of residency did you buy the majority of your gasoline last year”, or buy groceries the last year. These have nothing to do with past use and dependency, are without any individual economic data, thus are only granting a residency-based rural preference where everyone knows gas and groceries costs more in the bush. And get rid of the how many days have you hunted or fished in Unit 13, that is a residency-based question and has nothing to do with past use and dependency of the caribou subsistence resource. If it is to be equal to all, get rid of all residency based rural preference eligibility questions. Instead use only individual achievement questions and for past use and dependency.

If any block does not have enough applicants for the quota for that block, the extra remaining quota for that block are divided equally among the remaining blocks.

If there are more equal-point applicants per separate block than harvest quota for that block, a lottery is used to fill the remaining quota for that block. Each year a lottery-applicant does not get a permit, that applicant gains additional scoring point for participation in the next year lottery within that block, so that the expected maximum time for not getting a permit is five years or less.

Do not attempt to use the amount necessary for subsistence (ANS) as a prescreening of Tier I or Tier II applications; do not eliminate any applicants based on the arbitrary and capricious “true subsistence hunter” or who “walks the walk,” like the Board of Game 2009 meeting tried to do. That will invite litigation for violation of the Alaska Subsistence Law AS 16.05.258(b)(3) and (4) violate *McDowell*, *Madison*, *Morry*, and *Owsichek* Supreme Court cases. If there are 10,000 to 12,000 Nelchina caribou applications for a 2,500 annual harvest, the Tier II level hunt must be imposed.

Do not attempt to use the community harvest permit (CHP) as an obvious attempt to grant special privileges to any community or race. The Alaska Native Claims Settlement Act clearly extinguished all future native claims, including special hunting grants for earlier and longer hunting seasons, decreased antler restrictions (i.e., “any bull”), increased hunting areas, etc., that are not granted to all other individual Alaska residents, including residents of a CHP community. See *Madison v. State*, *McDowell*, and Alaska Constitution Article VIII Sections 3, 15, 17. The CHP permits should be allowed only after individual permits are awarded by the Alaska Department of Fish and Game, then “community of residency” does not control pooling for CHP eligibility.

ISSUE: Allow more equitable sharing of this subsistence caribou resource. Get rid of the Tier II one big pool of applicants to allow more hunters eligibility to harvest this subsistence resource.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Tier II pool will be limited to only an exclusive class of old timers without allowing newer applicants any opportunity to share in this subsistence resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, the 5-year blocks of harvest will allow an increase in the amount of options for variable experience of hunters for the available resource. Stability in the regulation management of the resource will provide better herd management tools for maximum sustainable yield and herd optimization.

WHO IS LIKELY TO BENEFIT? All Alaskans will benefit from increased eligibility within various groups of experience and past use and dependency, and protect customary and traditional subsistence use. The general hunting population of southcentral and interior Alaska will benefit from stable regulations that provide “common use” of the subsistence resource, and entire generations are not left out of eligibility for life.

Additionally, after individual permits are awarded, a community could then pool their winning permits for a community harvest permit (CHP) without violating the residency-based eligibility

criteria or the unauthorized delegation of a private party or entity to determine who is eligible to subsistence hunt.

WHO IS LIKELY TO SUFFER? At first, the old-timer former Tier II “exclusive class” will have less opportunity for a permit where they have been receiving the vast majority of the permits – as past Tier II permit winners – for the entire harvestable annual quota; however with each applicant gaining points for the per-block lottery if they do not receive a permit within a 5-year block, they will regain opportunity for a permit within five years or less, and no one is left out of the eligibility process for life.

OTHER SOLUTIONS CONSIDERED?: A) A ten-year past use and dependency block was considered, however it may allow too long a period (a potential 10-yr period) that an applicant may not be eligible to receive a permit. B) Changing the Alaska Subsistence Law AS 16.05.258 will take years with uncertain results that may destabilized regulations and change the entire system again. The legislature has determined that subsistence use will be protected, and thus the 5-yr block still protects the past use and dependency eligibility criteria for subsistence use, yet allows a more “equal use” eligibility process for subsistence use for all Alaskans. C) Changing the area of Unit 13 to a non-subsistence use area is contrary to the actual communities and Ahtna native villages in the area that are in fact subsistence use communities. Attempting to change to a non-subsistence use area will invite legal challenges, and change how all the fish and game resources must be managed. D) An open-draw lottery violates the legislative mandate to protect subsistence use under the existing Alaska Subsistence Law AS 16.05.258(b)(3) and (b)(4).

PROPOSED BY: Kenneth Manning

LOG NUMBER: EG08311053

PROPOSAL 10 - 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

Equal drawing for the resource based on a weighted system as done in the majority of the states. This is the only equitable solution, and it is in compliance with the Constitution of the State of Alaska.

ISSUE: I am 17 years old, born and raised in Alaska, and because of the discriminatory procedures used in setting game regulations, I am excluded from hunting caribou in Unit 13. For seventeen years I have received an Alaska Permanent Fund Dividend by virtue of my residency. I have shared in this distribution equally with all qualified Alaska residents, following the dividend's declaration by the Permanent Fund Corporation Board. I expect no less from the Board of Game as it concerns my equal rights to harvest Unit 13 caribou. I seek equal distribution of Unit 13 caribou for all Alaska residents.

WHAT WILL HAPPEN IF NOTHING IS DONE? Patterns of discrimination by the state and the Board of Game as displayed now and in the past will continue to deprive my family and me of food.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? This proposal will dramatically increase my family's participation in this equal opportunity harvest.

WHO IS LIKELY TO BENEFIT? All Alaskans equally.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The obvious solution would be for the Joint Boards of Fisheries and Game to declare Unit 13 as a non-subsistence area.

PROPOSED BY: Hans Rodvik

LOG NUMBER: EG09011055

PROPOSAL 11- 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

Equal drawing for the resource based on a weighted system as done in the majority of the states. This is the only equitable solution, and it is in compliance with the Constitution of the State of Alaska.

ISSUE: I am 14 years old, born and raised in Alaska, and because of the discriminatory procedures used in setting game regulations, I am excluded from hunting caribou in Unit 13. For fourteen years I have received an Alaska Permanent Fund Dividend by virtue of my residency. I have shared in this distribution equally with all qualified Alaska residents, following the dividend's declaration by the Permanent Fund Corporation Board. I expect no less from the Board of Game as it concerns my equal rights to harvest Unit 13 caribou. I seek equal distribution of Unit 13 caribou for all Alaska residents.

WHAT WILL HAPPEN IF NOTHING IS DONE? Patterns of discrimination by the state and Board of Game as displayed now and in the past will continue to deprive my family and me of food.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? This proposal will dramatically increase my family's participation in this equal opportunity harvest.

WHO IS LIKELY TO BENEFIT? All Alaskans equally.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The obvious solution would be for the Joint Boards of Fisheries and Game to declare Unit 13 as a non-subsistence area.

PROPOSED BY: Karl Rodvik

LOG NUMBER: EG09011056

PROPOSAL 12 - 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

Equal drawing for the resource based on a weighted system as done in the majority of the states. This is the only equitable solution, and it is in compliance with the Constitution of the State of Alaska.

ISSUE: Because of the discriminatory procedures used in setting game regulations, my family and I are excluded from hunting caribou in Unit 13. My sons have submitted proposals containing striking reference to the Permanent Fund Dividend distribution, in which we share equally with all qualified Alaska residents. I agree, and like my sons, I expect no less from the Board of Game with regard to our equal rights to harvest Unit 13 caribou.

WHAT WILL HAPPEN IF NOTHING IS DONE? Patterns of discrimination by the state and Board of Game as displayed now and in the past will continue to deprive my family and me of food.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? This proposal will exponentially increase my family's participation in this equal opportunity harvest.

WHO IS LIKELY TO BENEFIT? All Alaskans equally.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The obvious solution is for the Joint Boards of Fisheries and Game to declare Unit 13 a non-subsistence area.

PROPOSED BY: Karsten Rodvik

LOG NUMBER: EG09011057

PROPOSAL 13 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. Modify the Nelchina caribou hunt as follows:

Make the Unit 13 caribou hunt a general hunt. This could be by drawing permit or by registration hunt. Declare this a non-subsistence area.

ISSUE: Caribou season for Unit 13.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current confusion and discrimination in allocation of hunting permits will continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes this would make the caribou available to all of the residents of the State of Alaska. To allow equal access a point system could be set up wherein each year you do not draw a permit you would be given a priority in the drawing. Many states do this with their hunts. Declaring Unit 13 a non-subsistence area will avoid any conflict with the current state statues.

WHO IS LIKELY TO BENEFIT? All hunters will benefit.

WHO IS LIKELY TO SUFFER? No one should suffer. The local residents in Unit 13 will be still under federal subsistence permit system. The discriminatory system set up by the state will end.

OTHER SOLUTIONS CONSIDERED? Continue the current systems which are always in court as they violates Alaska law. Change state statues on subsistence. This may be a long term solution, but action needs to be taken now.

PROPOSED BY: Thomas Scarborough

LOG NUMBER: EG09011058

PROPOSAL 14 - 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

I believe a good solution would be to set a yearly harvest objective based on current caribou numbers. Then whatever number the harvest objective is set at, reserve 60 percent of the permits available for local Unit 13 subsistence/Tier II hunters, and the remaining 40 percent should enter the draw system. Make any hunts under the draw system be bull only hunts. Then make the rule that a subsistence hunter is not allowed to enter the draw system, so that way they don't reduce the odds for other hunters to draw a caribou permit. Of the 40 percent of the permits that enter the draw system set aside 25 percent of them for rifle hunters, 5 percent for bowhunters, 5 percent for muzzleloader hunters, and the remaining 5 percent for a youth hunt for kids under the age of 18 that allows the use of any weapon of their choosing. Hunter success will have to be

taken into account when allocating the drawing permits out for the different hunt types. For example bowhunter success will probably be around 30 percent, so if the bowhunt is allocated 100 caribou for that year 300 drawing permits should be awarded. This formula could also be applied for the rifle, muzzleloader, and youth hunts.

Let the Tier II/subsistence season run the longest in order to give these people the best opportunity to put meat on their table. A representative season for this would be from August 10th to August 20th, and then resume September 10th and run to December 1st. The reasoning for the separation would be to allow for a bow hunting only season from August 20th to September 9th, and by closing the season for this window would keep local subsistence hunters from interfering with the bow hunts taking place. End the bow season and then start the rifle season and have it run from September 10th to October 1st, with the reasoning for the 20 day season to be for reducing traffic and the possibility of hunting accidents. Having this season start the 10th of September also would give these hunters a chance to hunt moose at the same time their caribou hunt takes place if they so choose. Have the muzzleloader season begin October 1st and run till October 10th. After October 10th the only hunters allowed to hunt would be the local subsistence hunters. The youth season should run from August 10th to August 25th to allow the kids to participate in their hunt before the school year starts.

If the caribou harvest for the drawing hunts falls under their harvest objective, then after all the draw hunt seasons are over these remaining caribou should be allocated to the local subsistence hunters for more opportunities to harvest a caribou. This solution gives every Alaskan a chance to hunt these caribou, but still gives subsistence/Tier II hunters the best opportunity and availability to harvest a caribou. Not only will this system give more Alaskan hunters a chance to harvest a caribou, but will bring in more money to the State of Alaska to help in the research and management of Alaska's game animals. Say on the average year 20,000 applicants will enter the draw system for all the hunt types combined for the Nelchina Caribou Herd, at five bucks each that is at least 100,000 more dollars brought into the State of Alaska for game management.

ISSUE: The Board of Game should address the availability of permits for the Nelchina Caribou Herd. As the current system stands, the only people that have any real chance of obtaining a Nelchina caribou permit are subsistence and primary residence hunters in Unit 13. This system is unfair for one of the state's more accessible caribou herds to only be hunted by a very small portion of Alaskans.

WHAT WILL HAPPEN IF NOTHING IS DONE? If this system remains in place many life-long Alaskans will never have the chance to hunt the Nelchina caribou herd. The accessibility of this caribou herd would allow parents and adults to take their kids and other youths out hunting, introducing them to the outdoors and hunting. This is important because introducing young generations to hunting are vital for the future of hunting in Alaska. The Nelchina caribou would also provide a way for residents of Alaska to hunt caribou, who aren't able to afford expensive fly-outs, which many general caribou hunts in Alaska require to access the herds. Plus by allowing another caribou hunt, it would reduce caribou hunting traffic for the Fortymile herd and the Central Arctic caribou herd along the Haul Road. Plus reducing competition for caribou herds that require drawing permits like the central Alaska and Resurrection Trail herds for example. It just doesn't make sense for a resident of Alaska who contributes to the economy,

votes for officials, and plays as much of a role as any other person in the future of Alaska, never to have the chance to hunt this accessible caribou herd.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, this proposal would greatly improve the quality of the resource harvested by allowing more Alaskan's a chance to hunt this caribou herd, and also bring in more money for the Alaska Department of Fish and Game, while still allowing local subsistence hunters the opportunity to harvest the majority of the caribou allocated each year.

WHO IS LIKELY TO BENEFIT? All Alaskans will benefit from this proposal by giving a chance to all Alaskans to hunt this caribou herd.

WHO IS LIKELY TO SUFFER? The only people who will suffer are the greedy subsistence users/communities that want to harvest all the caribou available for that year. I know people that hunted this herd 40 to 50 years ago, just as long as any alive "subsistence" hunter has, but because they don't live in the designated subsistence areas they have been shoned out from harvesting a Nelchina caribou. If the greedy subsistence hunters are worried about not getting enough caribou then why can't they go hunt other areas of Alaska like they have been forcing current life-long Alaskans to do for many years. Let's remember these subsistence communities are along the road system, and have relative easy access by automobile travel to the modern conveniences of Alaska.

OTHER SOLUTIONS CONSIDERED? This solution is the best one that I think will work, giving area subsistence hunters the majority of the harvest, while still giving other Alaskans the chance to hunt this accessible caribou herd. I rejected doing a 50/50 split between subsistence permits and drawing permits for the yearly harvest, because I just don't think this ratio would ever be allowed (even though this ratio probably should be the best compromise).

PROPOSED BY: Brian Blossom

LOG NUMBER: EG09011059

PROPOSAL 15 - 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

The State of Alaska and the Department of Fish and Game (department) should do what needs to be done to remove the subsistence aspect of the current system, to allow this hunt to go to a lottery straight draw type of allocation. I then propose the following additions to a straight draw system:

Large landowners in Unit 13 owning more than to be determined (TBD) number of acres should be given TBD number of permits. The number of permits allocated should be computed by the Department of Fish and Game professionals to attempt to balance the exact same hunting pressure both within and without private land borders. Also these permits should be for the exact

same timing/duration as the permits issued for the state land, so as to balance the hunting pressure. To not do this has the effect of creating un-hunted or less-hunted land, i.e., game preserves/refuges where the caribou (especially the older ones) learn quickly to be in. These caribou make these type of location-decisions for a living, everyday. If we create public policy that creates a situation where the larger caribou are always found on private land, locked away from Alaskan sportsmen that are not a member/owner of that landowner-corporation, then we violate the Alaska Constitution, and do not serve Alaskans. There are precedents in other states where this has been done successfully.

Within the straight draw established for these permits, segregate the total number of permits allocated into the following separate hunts, each of which can be applied for by Alaskans that qualify as specified below:

Youth Hunts: Allocate TBD permits for youth only to apply for. Could also add the restriction that said youth has never won any permit before in any department drawing. TBD could be a very small number, but we must encourage youth to get out there and hunt, and this hunt is a fine first hunt for a beginner.

Bowhunting and Muzzleloader Hunting: Allocate TBD permits for each specific hunt type, and allocate a limited time period when they happen. Order them bowhunt first, then muzzleloader, then youth, then rifle, time-wise, to properly order the pressure that the herd perceives/receives. It's true that primitive weapon hunts in Alaska have traditionally only been used in more-urban environments out of regard for its residents' safety, but there is good rationale for extending this to the highly contentious area of Unit 13 caribou permits: Since primitive hunt methods always provide a lesser harvest percentage than rifle hunts, taking this route allows more permits to be distributed to more Alaskans, providing more Alaskans with a Unit 13 hunt experience, and providing more money spent locally to businesses within Unit 13 itself by said hunters – all without harvesting any more caribou; a win – win – win. There is precedent of other United States doing this with success. And this solution is aimed solidly at today's biggest problem to solve in the present permit allocation where demand is far greater than supply.

Nonresident Permits: Allocate TBD permits to nonresidents at TBD cost for the permit which is very high, plus TBD cost just to apply for it (nonrefundable). Think along the lines of only 25 permits being offered at a cost of \$2,500.00 each to provide over 60 thousand dollars solely to be used for Unit habitat preservation/improvement efforts. Plus maybe \$25.00 cost just to apply. Every year that demand for this permit outstrips supply the cost of the permit is raised by a full 20 percent. Also consider making applicants pay for the entire permit upon entering the lottery, with unsuccessful applicants to get a refund of 90 percent of their fee many months later. Also consider allowing Alaskans to apply for this permit right alongside non residents too; why not? Doing nonresident permit allocations in the manner described here provides for an immeasurably small reduction of permits available to Alaskans while providing a very large revenue source to benefit this Units habitat and resource. A win – win – win.

ISSUE: The current system/method of allocating caribou permits for the Nelchina caribou herd must change; there is little opposition to that opinion – the question is what system to change to? This proposal provides some guidelines for a far more equitable system, although not all the

answers – we must rely on the department biologists for many of the overall permit numbers, and department administrators for the percentage of permits allocated to each group itemized below. I suggest the method below to be used as a framework for the department to plug their numbers into. Each of the “TBD” fields below should be assigned a specific number, as decided by Department of Fish and Game professionals.

WHAT WILL HAPPEN IF NOTHING IS DONE? If change does not happen, the department will continue to find its policies on this matter a subject of court hearings, and the majority of Alaskan hunters will continue to be dissatisfied with the allocation method of Nelchina caribou permits – these outcomes are not favorable for either the State of Alaska nor for hunters.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, the quality of the product produced will be improved by spreading out the harvest more. The habitat is also improved by spreading out the hunting pressure, traffic upon the habitat by hunters, etc...

WHO IS LIKELY TO BENEFIT? Alaskans are to benefit, from a more fair allocation, and also for providing a Unit 13 caribou hunt experience to more Alaskans without actually harvesting more caribou. The State of Alaska benefits by better serving Alaskans and having its’ policies less involved with the court system. The Department of Fish and Game benefits by showing Alaskans that it is hearing the hue and cry that is currently going on; Alaskans are currently demanding change. Large landowners in Unit 13 benefit by having a certain number of permits at their disposal for their use as they best see fit, within the timing guidelines that are outlined herein. Non-residents and the habitat itself benefits, by offering a very small percentage of the permits to non-residents at a very high price; the money from which to go into habitat improvement in Unit 13.

WHO IS LIKELY TO SUFFER? Alaskans that currently qualify for the permits via the present system.

OTHER SOLUTIONS CONSIDERED? 1) Straight draw system, period: This isn't a bad option, and actually is the same starting point as this proposal. This proposal extends additional parameters into the straight draw system to make improvements. 2) Use a point system to add chances of drawing this permit to those that have unsuccessfully applied before: Not a bad addition, but it does have some dedicated opposition. This idea could easily be added to the method of allocation outlined by this proposal if desired though. 3) Straight registration hunt: We don't need another Fortymile situation where the harvest objective is met in the first 5.5 hours of the season. 4) Some rotating-hopper of a system that locks certain hunters out of the running for a decade or more to reduce contention for these permits. This doesn't even sound like close to a good idea... 5) Doing nothing: Not an option I believe – change must happen.

PROPOSED BY: Steve Rasmussen

LOG NUMBER: EG09021060

PROPOSAL 16- 5 AAC 85.025. Hunting seasons and bag limits for caribou. Modify the Nelchina caribou hunt as follows:

I would like to see the Nelchina herd broken down into three registration hunts; Rather than like the Fortymile herd hunt where you have a wave of hunters showing up on the first day of the season. This just creates a lot of chaos and is a major safety issue.

Make the first registration period for a total of seven weeks and only allow 1,000-2,000 permits to be distributed by the Department of Fish and Game. This would be on a first come, first serve basis. It looks like from previous hunts that 50 percent of all applicants are successful. That should be taken into consideration when dictating total numbers for all three periods suggested. These numbers are fluid and are not set in stone. Make each period 2,500 permits if the numbers will validate themselves.

On the second registration period, make it for a total of eight weeks and give out only 1,000-2,000 registration permits, first come, first serve. If you applied for the first registration hunt, you cannot apply for the second.

After you have the total take from the first two registration hunts, that dictates how many registration permits you give out for the third and final registration period, time period to be determined. Also make it a stipulation that if a person was unsuccessful in hunting in the first two registration periods, that they could apply after the first seven days of the third period for another registration hunt only if there were registration slots still available. Nothing is written in stone with this proposal but what I am trying to accomplish is an orderly registration hunt drawn out over time and permits. Nobody wants to see 4,000 hunters out on the first day so this is what this proposal is trying to accomplish. The Nelchina herd is not married to Tier II and I am somewhat at a loss that the Board of Game (board) keeps coming back to that system. We need to do something different.

I would also like to see the requirement that if you apply for a registration hunt in Unit 13, for a Nelchina caribou permit, that you are required to hunt any and all species within the confines of Unit 13, for that regulatory year, be thrown out. Why should I be confined to a certain area for hunting, when I am a resident of the State of Alaska, not the Nelchina Basin or the other local entities? This might have made sense when the board was trying to reduce the amount of tier I hunters but does not apply now.

If the Federal Subsistence Law is followed, allow so many caribou to be taken to meet those goals of harvest but the idea above will allow all Alaskan residents a chance to share in the Nelchina caribou, they just need to sign up during an open registration hunt, and there would be three of those. To those that want community harvest, they can sign up for this registration hunt or could fall under federal subsistence guidelines. There would be plenty to go around.

ISSUE: Since the Nelchina herd regulations have been thrown into flux with recent court decisions, I believe a change is in order.

WHAT WILL HAPPEN IF NOTHING IS DONE? Certain Alaskans will have precedence over others wanting to hunt the herd. This goes against the Alaska Constitution. What I am also concerned about is the numbers that the department has settled on, concerning the herd numbers, for survival. Are these numbers actually doable and will overgrazing actually occur? Maybe some new assessments need to be made. It is my understanding that no studies have been done since the 1960's to ascertain what size herd this game management area can actually hold. It has gone up to 60,000 at least twice within the past 30 years and the herd did not crash then. Is 3,000-3,500 a good number for an annual harvest? If possible, I would like to see the number of permits increased.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? No, unless of course you take into consideration game processors that won't be swamped with thousands of caribou in a weekend.

WHO IS LIKELY TO BENEFIT? All Alaskans, no matter how long they hunted this herd.

WHO IS LIKELY TO SUFFER? Tier II people like myself, who have over 32 years of history of hunting this herd wanting to hunt this heard and are not qualified during certain years, accordingly to department scoring criteria, dictated by the board. I might have a history of hunting this herd but I should not have a leg up on others, when it comes to access to the resource.

OTHER SOLUTIONS CONSIDERED? Popular opinion say a draw hunt but I believe it is pushing a time limit for that.

PROPOSED BY: Ken Federico

LOG NUMBER: EG09021061

PROPOSAL 17- 5 AAC 85.025 (a)(8). Hunting seasons and bag limits for caribou.; and 92.050. Required permit hunt conditions and procedures. Modify the permit system for Nelchina caribou as follows:

We need to accept the fact that the subsistence needs of this area are being met and open up the whole state-governed harvestable surplus to a random draw hunt for all the other Alaskan residents with the wrong zip code. How to put this into "regulation speak" I have no idea... I'd leave that up to the Department of Fish and Game because they do it so well.

ISSUE: Continued discontent and discriminatory hunting regulations in Unit 13.

WHAT WILL HAPPEN IF NOTHING IS DONE? This will continue to be a problem until the legislature steps up and changes the current subsistence law. Until then we as "the State" need to admit that the feds are here and are not leaving anytime soon. They are the ones who ultimately created this mess by allowing discrimination to be written right into ANILCA. We as the Alaskan public have been put through these ongoing hardships ever since because of a "deal"

we didn't make. Because we refuse to discriminate, the federal government has taken on the role of providing for subsistence uses under "their" deal. According to the Bureau of Land Management (BLM) website this year, all Unit 13 residents are able to harvest two bull caribou and an "any bull" moose. That's more than the rest of us get, so why does the Board of Game keep trying to bend over backwards to make sure these same people get all the rest of our game also?

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes. Maybe if we can come up with a consistent harvest pattern, the biologists can concentrate on managing the resource instead of people.

WHO IS LIKELY TO BENEFIT? All Alaskans who are sick of the ongoing changes in Unit 13.

WHO IS LIKELY TO SUFFER? Some will say that this would hurt their chances to fulfill their "subsistence needs" but if you look at the Federal harvest numbers compared to the past subsistence harvest levels (which can be used to set an ANS (amount necessary for subsistence)) you will find that this is not true.

OTHER SOLUTIONS CONSIDERED? I've already tried to turn this unit into a non-subsistence area and will keep trying at every Joint Board of Fisheries and Game meeting. Hopefully by the next meeting the Division of Subsistence will have more than 20-30 year old data like what was used last time.

PROPOSED BY: Dennis Hamann

LOG NUMBER: EG09021062

PROPOSAL 18- 5 AAC 85.025. Seasons and Bag limits for caribou.; and 92.220. Salvage of game meat, furs, and hides. Modify the Nelchina caribou hunt as follows:

The Department of Fish and Game and the Board of Game shall determine the season, bag limit, and the number of animals to be harvested. An open drawing of hunters (residents) will be available for the season. The result of the drawing will be "weighted" for the unsuccessful drawee, for the following year, so that a hunter will do no worse than draw a caribou permit every four years or sooner, if numbers of caribou harvested allow such a harvest.

ISSUE: The board must end the discrimination among users for Tier I and Tier II drawing hunts, Units 11-13.

WHAT WILL HAPPEN IF NOTHING IS DONE? An entire generation of hunters since 1978, because of their age and residency, has been eliminated by the legislature, the administration of the Department of Fish and Game, the Attorney General, and the Alaska Board

of Game. Discrimination cannot be tolerated no matter what its justification. Not eliminating this insidious practice will decimate the next generation of hunters.

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

WHO IS LIKELY TO BENEFIT? All hunters will benefit as individuals.

WHO IS LIKELY TO SUFFER? No hunter will suffer from a legal, fair and equitable process.

OTHER SOLUTIONS CONSIDERED? All other methods of allocation by the legislature, Administration of Alaska, Attorney General and Board of Game, for the past 30 years have been illegal, determined by the Constitution, both U.S. and State, Court of Law; Alaska Supreme Court and Public Trust Doctrine principles.

PROPOSED BY: Warren Olson

LOG NUMBER: EG09021063

PROPOSAL 19- 5 AAC 85.025. Seasons and Bag limits for caribou.; and 92.220. Salvage of game meat, furs, and hides. Modify the permit system for Nelchina caribou as follows:

I prefer a system that applies an equitable, legal and fair drawing system for all Alaskans.

ISSUE: The Unit 13 Caribou Tier II Subsistence Hunting Permit Application is illegal. Questions 17-21 are illegal. Question 17-20 are based on prescription; (longevity, greatest length of residency, seniority, ect.) Common property, caribou and moose are ‘trust property’ to be shared by all equally, Alaska Constitution, Article VIII- Natural Resources, regardless of use of the trust property or residency within Alaska. Awarding permits to those with the greatest longevity creates an exclusive class of user, an ever expanding permanent class of people, therefore discriminating against those who are younger Alaskans or Alaskans who have less residency. A similar scheme was tried by Alaska in regard to Alaskan’s Permanent Fund check. Longevity would determine the amount of each Alaskans’ check. *Zobel v. Williams*, Commissioner of Revenue of Alaska, No. 80-1146, decided June 14, 1982, U.S. Supreme Court-struck down the scheme. Our Permanent Fund check is ‘trust property’ as are our caribou and moose to be shared equally by all Alaskans. ‘Trust property’ concepts of equality of use and equal access predate the United States Constitution; Judge Brennan, *Zobel v. Williams*, June 1982, U.S. Supreme Court, page 66.

All reference to one’s residence or household is illegal (back page 2009-2010 Unit 13 Caribou Tier I Hunting Permit Application, back page 2010 Tier II Subsistence Hunting Permit Application) where decision making affects one’s individual rights to common use, common access to fish, water and wildlife. The Constitution of the United States and that of Alaska are based on one’s individual rights, not households. A household determination for classifying or

determining a hunter's equitable share of resources is nothing more than another scheme to classify residents into slots of non-access to the resource. Strike down such schemes.

WHAT WILL HAPPEN IF NOTHING IS DONE? Discrimination will continue against younger Alaskans and new or recent residents to the state. Reasonable residents have concluded, and rightfully so, the State is willingly participating in discrimination, therefore creating suspicion, lack of trust and low opinion of the Department of Fish and Game, the Attorney General and the Administration of the State of Alaska.

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

WHO IS LIKELY TO BENEFIT? All hunters will benefit as individuals.

WHO IS LIKELY TO SUFFER? No hunter will suffer from a legal, fair and equitable process.

OTHER SOLUTIONS CONSIDERED? Caribou, moose, fish, water and wildlife are 'trust properties' from time memorial. The Supreme Court of the United States was emphatically clear with our Permanent Fund check, a 'trust property', and how it would be distributed to all Alaskans equally. All other schemes are politically motivated and must be rejected.

PROPOSED BY: Warren Olson

LOG NUMBER: EG09021064

PROPOSAL 20 - 5 AAC 92.072. Community subsistence harvest hunt area and permit conditions.; 92.074(d). Community subsistence harvest hunter areas.; and 85.025(a)(8). Hunting seasons and bag limits for caribou. Reauthorize a Community Harvest Permit as follows:

5 AAC 85.025(a)(8) as directly related to the community harvest permit, would revert to the same language that was in place before the Board of Game held its emergency meeting on July 20, 2010 and adopted emergency regulations pursuant to the court's orders of July 9, 2010 and July 28, 2010: Unit 13 – "1 caribou per harvest report per regulatory year by community harvest permit only – up to 300 caribou may be taken." The caribou season would remain the same.

5 AAC 92.074(d) "Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti Kaah Community Harvest Area." would remain as currently in regulation.

5 AAC 92.072 would include language that clarifies that eligibility for a community harvest permit is not fundamentally residency based and that the administrative functions for the community hunt administrator are consistent with the court's decision. There are several options that would accomplish this clarification. Ahtna will provide written comments to the

Board of Game (board) that will provide more detail about some of the options available to the board.

ISSUE: Reauthorize a Community Harvest Permit administered by Ahtna for caribou for eight Villages in the Copper River basin consistent with the Superior Court's Order of July 9, 2010 in Case no. 3KN-09-178 CI. Pursuant to the court's decision, the board need only clarify that eligibility for a community harvest permit is not "fundamentally residency based". The board needs to clarify that without regard to rural or urban residency or location, eligibility for a community harvest permit is open to communities and groups which engage in the community based pattern of customary and traditional subsistence uses identified by the board (in the case of the Ahtna Community Harvest Permit the community pattern of C&T subsistence uses is established through the board's 2006 findings; 2006-170-BOG – Game Management Unit 13 Caribou and Moose Subsistence Uses). It is also necessary for the board to clarify that the administrative functions that Ahtna will fulfill as the Community Harvest Permit administrator are consistent with the court's decision, while recognizing that the community hunt administrator is in the best position to ensure that the applicable customary and traditional use pattern identified by the board is observed by community hunt participants.

WHAT WILL HAPPEN IF NOTHING IS DONE? The caribou hunt in Unit 13 will likely remain a Tier II hunt. Regulations will not provide for community based customary and traditional subsistence uses and thus such uses will go unfulfilled.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? A permit incorporating vital community Customary and Traditional patterns and uses will benefit the resource and the subsistence products produced because the taking, preparation and use will all be consistent with long held practices designed for efficiency and the well being of the community and subsistence resource.

WHO IS LIKELY TO BENEFIT? If adopted as proposed, the community permit will benefit those communities and groups that practice a community based subsistence way of life as well as other users of the resource. Eligible communities will be allowed to harvest in a way consistent with their subsistence way of life and to take amounts necessary to meet the community members' subsistence needs. All Alaskans benefit from subsistence hunting regulations that serve the needs of Alaskan communities and groups which depend on the harvest of subsistence resources to provide for and sustain their way of life and being. Young hunters will benefit because they will be given the opportunity to participate in subsistence hunting and taking, an opportunity they will not likely have under a Tier II hunt.

WHO IS LIKELY TO SUFFER? The community harvest permit does not have to impact any other group of hunters. The board has the authority to identify distinct subsistence use patterns for the Nelchina caribou herd, and to provide fairly but differently for each distinct Customary and Traditional use the board identifies. The board has the authority to identify an amount necessary for subsistence for each distinct subsistence use it identifies for the caribou herd. The board also has the authority to establish a separate reasonable opportunity (i.e. season, method, means, permit conditions) for each subsistence use it identifies so long as the reasonable opportunity established for each subsistence hunt is consistent with the Customary and

Traditional subsistence use identified by the board for that hunt. No group of subsistence users will be harmed so long as the board fairly identifies an amount necessary for subsistence uses, and establishes a reasonable opportunity, for each distinct subsistence use the board identifies for the Nelchina herd.

OTHER SOLUTIONS CONSIDERED? Other Ahtna proposals include revision of the Tier II scoring system. The Tier II scoring system proposed by Ahtna should be adopted if the community harvest permit for the eight communities is not reauthorized.

PROPOSED BY: Ahtna Customary and Traditional use Committee – Ahtna Tene Nene’, Eleanor Dementi, Chair

LOG NUMBER: EG09021065

PROPOSAL 21 - 5 AAC 92.070. Tier II subsistence hunting permit point system. Revise the Tier II subsistence hunting permit point system as follows:

1. Change the allocation of points between questions that measure Factor (a) “customary and direct dependence for human consumption as a mainstay of livelihood” (5 AAC 92.070(a)) and Factor (b), “the ability of a subsistence user to obtain food if subsistence use is restricted or eliminated” (5 AAC 92.070(b)). Currently, the potential maximum number of points awarded for Factor (a) - (85 points) is 61% of the total potential points an applicant may receive (140 points). The potential maximum number of points awarded for Factor (b) - (55) points is 39% of the total potential points. Increasing the number of points and the percentage of total points awarded for Factor (b) would award higher total scores to applicants who purchase food and gasoline in areas where costs are highest. This would result in younger people living in areas with higher costs of living receiving higher scores on their applications, thereby increasing their chance of getting a permit.
2. Adjust the number of years required in Factor (a) for an applicant to achieve the maximum number of points allocated for “the number of years in which the applicant has hunted on or eaten from the game population” (5 AAC 92.070(a)(1)) and “the number of years in which a member of the applicant’s household has hunted on or eaten from the game population” (5 AAC 92.070(a)(2)). Presently, applicants achieve the maximum number of points at 50 years. If the maximum number of years were reduced below 50, applicants with a shorter history of use would achieve the maximum number of points in a shorter period of time, and would receive the same score on these questions as applicants with longer histories of use. Presently, applicants with 50 years of use of the Tier II population receive 60 points for these two questions (receiving 1 point per year for question 1 and 0.2 points per year for question 2), while applicants with 30 years of use receive 36 points. In a case where the maximum number of years were changed to 30 years, both applicants with 50 years of use and applicants with 30 years of use would receive the same score of 60 points (receiving 1.66 points per year up to 50 points for question 1 and 0.33 points per year up to a maximum of 10 points for question 2). This change would result in more applicants receiving the same score for these questions, thereby placing more emphasis on questions that measure Factor (b).

3. Change and increase the total points awarded for the relative cost of food at the location where most of the applicant's household's store-bought food was purchased (5 AAC 92.070(b)(2)). If the total points for this question were increased, this change would result in some applicants with higher food costs, but fewer years of use of the Tier II game population receiving higher total scores than applicants with relatively low food costs but more years of use.

4. Change and increase the total points awarded for the relative cost of gasoline at the location where most of the applicant's household's gasoline was purchased. (5 AAC 92.070(b)(3)). This change would result in some applicants with higher gasoline costs, who face higher costs to access alternative game resources, but fewer years of use of the Tier II game population, receiving higher total scores than applicants with relatively low gasoline costs, and hence more access to alternative game resources, but more years of use.

5. Revise the point allocation for 5 AAC 92.070(a)(3) to award less points for less days spent harvesting in the unit and more points for greater time spent harvesting in the unit. For example, 5 points are currently awarded for 1-6 days in the unit. Consider reducing that score to 2 points. Ten points are currently awarded for 7-27 days in the unit. Consider reducing the score for that time in the unit to 7 points. Then add points to the score for those who spend more time harvesting in the unit.

ISSUE: The Tier II subsistence hunting permit point system for Nelchina caribou. The solution is outlined in some detail above. Ahtna will submit written comments to the Board of Game that will provide more details on how to adjust the value and allocation of points for the factors weighed in 5 AAC 92.070.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? This is an allocation decision only – question not really applicable.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Tier II point system will continue to award permits more along the lines of a longevity system rather than to those most customarily and directly dependent on subsistence uses of caribou to sustain their subsistence way of life.

WHO IS LIKELY TO BENEFIT? Those most dependent on subsistence resources for their nutritional needs and way of life. Young people currently shut out of the Tier II hunt may qualify.

WHO IS LIKELY TO SUFFER? Those whose scores may be less under a revised system than what they would score under the current scoring system.

OTHER SOLUTIONS CONSIDERED?: Ahtna Tene Nene' has proposed reauthorizing the Community Harvest Permit administered by Ahtna for eight Copper Basin villages as a partial solution to the Nelchina caribou hunting regime.

PROPOSED BY: Ahtna Tene Nene' Customary & Traditional Use Committee,
Eleanor Dementi, Chair

LOG NUMBER: EG09021066

PROPOSAL 22 - 5 AAC 92.050(A)(4)(I). Required permit hunt conditions and procedures. Repeal the Tier I permit requirement for Nelchina caribou as follows:

Repeal 5 AAC 92.050(A)(4)(I). "An individual holding a Unit 13 Tier I caribou permit is prohibited from hunting moose anywhere else in the state that regulatory year."

ISSUE: Tier I hunters are prohibited from hunting in much of their customary and traditional hunting areas, some of which are very close to their place of residence. This regulation does not allow Alaskans to hunt in other units when the harvestable surplus near their residence is unable to meet their wild food harvest needs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unjust, ineffective, and discriminatory prohibitions will continue to create hardship for many subsistence hunters who hunt caribou and moose in different units.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Not applicable. The proposal addresses the Board of Game's implementation of Alaska State Subsistence Law, AS 16.05.258; this is not a conservation issue.

WHO IS LIKELY TO BENEFIT? All Tier I hunters who hunt moose and caribou in different units of the state.

WHO IS LIKELY TO SUFFER? Those who would like subsistence hunters to be based in specific units only.

OTHER SOLUTIONS CONSIDERED? There are no other applicable solutions.

PROPOSED BY: Alaska Outdoor Council

LOG NUMBER: EG09021069

PROPOSAL 23 - 5 AAC 92.072. Community subsistence harvest hunt area and permit conditions.; and 92.074. Community subsistence harvest hunt areas. Repeal the community subsistence harvest hunt area as follows:

Repeal 5 AAC 92.072 and 5 AAC 92.074. Community subsistence harvest hunt areas and permit conditions.

ISSUE: The Alaska Superior Court has ruled that the Ahtna community harvest program (CHP) is fundamentally a local-residency based CHP. As such the Ahtna CHP violates Sections 3, 15, and 17 of Article VIII of the Alaska Constitution.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Board of Game will remain out of compliance with the "Equal Access Clauses" enshrined in the Alaska State Constitution.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Not applicable. The proposal addresses the Board of Game's implementation of the Alaska State Subsistence Law, AS 16.05.258; this is not a conservation issue.

WHO IS LIKELY TO BENEFIT? All Alaskans who are willing to share publicly owned wildlife resources

WHO IS LIKELY TO SUFFER? Ahtna Tene Nene' leadership who would rather secure a guaranteed allocation of Nelchina caribou for tribal members.

OTHER SOLUTIONS CONSIDERED? There are no other solutions; common use of public resources is the law.

PROPOSED BY: Alaska Outdoor Council

LOG NUMBER: EG09021068

PROPOSAL 24- 5 AAC 85.025. Hunting seasons and bag limits for caribou. Modify the Nelchina caribou hunt as follows:

For Unit 13 Nelchina caribou: 1 caribou per regulatory year on a rotational basis by Tier I permit only; harvest under federal regulations is not counted in the Alaska State Tier I permit hunt.

ISSUE: Because the estimated harvestable surplus exceeds the amount necessary for subsistence (ANS), eliminate the Tier II caribou hunt and add Tier I drawing permits on a rotational basis.

WHAT WILL HAPPEN IF NOTHING IS DONE? The State will be out of compliance with Alaska Statute 16.05.258 and regulations 5 AAC 99.010 regarding allocation of the Nelchina caribou during years of high harvestable surplus. "The department has an obligation to remove hunts from Tier II status whenever possible" (Alaska Department of Fish and Game Proposal 95, Spring 2009).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? The Department of Fish and Game (July 27, 2010 memo to Southcentral Acting Management Coordinator) voiced concerns of damage to the Nelchina caribou herd range due to overgrazing. It will take more than past Tier II permit recipients to keep the Nelchina herd within its Board of Game adopted population objective.

WHO IS LIKELY TO BENEFIT? The majority of Alaskans who have hunted the Nelchina caribou herd for decades and young Alaskans who would like to have gathering a wild food harvest part of their tradition.

WHO IS LIKELY TO SUFFER? Ahtna Tene Nene' leadership who would rather secure a guaranteed allocation of Nelchina caribou for tribal members.

OTHER SOLUTIONS CONSIDERED?: Maintain the Tier II hunt even though the number of Nelchina caribou available for harvest is above the ANS. This was rejected because removing hunts from Tier II status is the law. The other alternative would be for the Board of Game to request a Joint Board of Fisheries and Game meeting and adopt a Nelchina Basin non-subsistence use area under 5 AAC 99.015

PROPOSED BY: Alaska Outdoor Council

LOG NUMBER: EG09021067

PROPOSAL 25 - 5 AAC 92.070. Tier II subsistence hunting permit point system. Revise the Tier II subsistence scoring questions as follows:

Use only the questions (#17, #18, and #19 from the 2010/2011 application) about 'Customary and Traditional' use and the applicant's time in the hunting area over the past one (I suggest going back to five instead) year to award the permits. Leave it at that.

ISSUE: The point system for the Tier II Nelchina caribou should only reflect Customary and Traditional Use by the applicants. Currently, questions (#20 and #21 on the 2010/2011 application) which award points depending on the cost of fuel and food where the applicant most often buys these should be thrown out. These questions are at least 80% directly dependent on the applicant's place of residency, which can't be used since the courts ruled that unconstitutional. In addition, the result of these answers also suggests that an applicant's income should affect their chances of receiving a permit. But the courts have also thrown out income as a determining fact in awarding permits. These questions are just an indirect way of using income to award points to rural applicants, since subtracting expenses from income just gets you 'income leftover after two expenses are subtracted'. (If 'housing costs' were used, urban applicants would be favored, but it would still be, indirectly, an income question.)

WHAT WILL HAPPEN IF NOTHING IS DONE? As I have seen happen more and more, longtime Alaskan who's parents and kids have used this resource are getting fed up with the constant manipulation of this point system and are refusing to even apply in the 'messed up' system. The Board of Game will continue to spend too much time trying to please user groups to the detriment of other important issues. These problems will continue to divide our 'hunting community' to the detriment of hunters and the state.

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

WHO IS LIKELY TO BENEFIT? Customary and traditional users and the Board of Game.

WHO IS LIKELY TO SUFFER? The least qualified customary and traditional users.

OTHER SOLUTIONS CONSIDERED? Make the hunt a drawing, but that was just ruled unconstitutional under current state subsistence law. Adding questions would just confuse the issue.

PROPOSED BY: Tony Russ

LOG NUMBER: EG09031070

PROPOSAL 26 - 5 AAC 92.072. Community subsistence harvest hunt area and permit conditions.; and 92.074. Community subsistence harvest hunt areas. Modify the qualifications for the community subsistence harvest system as follows:

The community harvest program for Tier II Nelchina caribou in Unit 13 should be limited by the number of Tier II permits the community's individuals have qualified for under the point system. The 'community' should not get permits. Only an individual who has successfully gone through the individual's application permit process and been awarded a permit should be allowed to participate in the hunt, but they can decide to sign up for the community hunt program and pick certain hunters to hunt for all the successful winners of the permits, just as the current community harvest regulation is written. And this applies to all cities, towns, villages, or 'delineated areas' in the state. Individuals can always decide to give it to others in the community, or outside of the community. Meat can always be shared, and is by every hunter I've ever heard of.

ISSUE: Communities should not be given Nelchina caribou permits, only individuals can be allowed to apply and qualify.

WHAT WILL HAPPEN IF NOTHING IS DONE? Communities will be given highly coveted permits and resentment will continue to grow among us user groups. Those groups with the most political clout will affect the resident access to a resource that is – by State Constitution – supposed to be owned equally for all residents. And worst of all, hunters will continue to be divided by a blatant unfairness in distribution or Nelchina caribou permits.

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

WHO IS LIKELY TO BENEFIT? Customary and traditional users of this great resource.

WHO IS LIKELY TO SUFFER? A select group of customary and traditional users of this great resource plus a few short-term users who live in the affected communities and can get accepted by selected leaders.

OTHER SOLUTIONS CONSIDERED? None. I could not come up with a viable solution that didn't cause more of the problems that I stated above.

PROPOSED BY: Tony Russ

LOG NUMBER: EG09031071

PROPOSAL 27 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. Amend regulations to comply with the subsistence law and recent judicial rulings regarding caribou in Unit 13 as follows:

It is the Board of Game's prerogative to arrive at the proper regulations, within the requirements of the subsistence law and other governing statutes. The following regulations were adopted as emergency regulations following the decision, and will expire under their own terms and as a matter of law in November, so the board must decide whether to extend and/or replace them.

5 AAC 85.025(a)(8) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(8)		
Unit 13		
[1 CARIBOU PER HARVEST	[AUG. 10 - SEPT. 20	[NO OPEN SEASON.]
REPORT PER REGULATORY YEAR BY COMMUNITY HARVEST PERMIT ONLY UP TO 300 CARIBOU MAY BE TAKEN; OR]	(SUBSISTENCE HUNT ONLY) OCT. 21 - MAR. 31 (SUBSISTENCE HUNT ONLY)]	
1 caribou every four regulatory years by Tier I subsistence permit only; or	Aug. 10 - Sept. 20 (Subsistence hunt only) [OCT. 21 - MAR. 31 (SUBSISTENCE HUNT ONLY)]	No open season.
<u>1 caribou per regulatory year by Tier II permit only; up to 10,000 permits</u>	<u>Oct. 21 - Mar. 31 (Subsistence hunt only)</u>	<u>No open season.</u>

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

ISSUE: The board should reexamine this regulation in light of the decision in *Manning, et al. v State, et al.*, 3KN-09-178CI. The court essentially invalidated all of the board's subsistence seasons and bag limits for caribou in Unit 13. After reexamining the amount necessary for subsistence, the board should adopt subsistence hunting seasons and bag limits that comply with the subsistence law and correct the deficiencies found in the decision. Written findings in support of the board's decision should be developed.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board's subsistence hunting regulations for Unit 13 caribou will remain invalidated.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposal addresses compliance with a judicial decision.

WHO IS LIKELY TO BENEFIT? Subsistence hunters, including those who have had little chance of participating under previous regulations should directly benefit.

WHO IS LIKELY TO SUFFER? Those opposed to subsistence hunting or to hunting in general will be disappointed if the board acts to bring its Unit 13 caribou regulations in compliance with the judicial decision and reauthorizes subsistence hunting. Some who were previously almost guaranteed to receive Tier II permits may also oppose this.

OTHER SOLUTIONS CONSIDERED? There are no realistic alternatives to bringing the regulations into compliance with the judicial decision if subsistence hunting is to be allowed. Depending on the board's determinations of the amount reasonably necessary for subsistence and the harvestable surplus, alternatives to the overall hunting regulations at issue include a limited Tier II hunt or some type of Tier I hunt that provides a reasonable opportunity for all subsistence uses that have been identified by the board. All potential changes to the season and bag limit regulations must be understood to be on the table.

PROPOSED BY: The Department of Fish and Game on behalf of the Board of Game

LOG NUMBER: ADFG090210A

PROPOSAL 28 - 5 AAC 99.025. Customary and traditional uses of game populations.
Amend regulations to comply with the subsistence law and recent judicial rulings regarding caribou in Unit 13 as follows:

5 AAC 99.025. Customary and traditional uses of game populations

(a) The Board of Game has examined whether the game populations in the units set out in the following table, excluding those units or portions of those units within non-subsistence areas established by the Joint Board of Fisheries and Game (5 AAC 99.015) , are customarily and traditionally taken or used for subsistence and make the following findings:

SPECIES & UNIT	FINDING	AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE USES
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(4) Caribou

...

Units 12 and 13 (Nelchina Herd)	positive	600 - 1,000
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...

ISSUE: The board should reexamine this regulation in light of the decision in *Manning, et al. v State, et al.*, 3KN-09-178CI. The court did not make a definitive ruling on the Board's existing amount necessary for subsistence determination. However, the court did question it. To ensure the best possible record of compliance with the subsistence law, the board should reexamine its' determination and articulate a clear and reasonable basis for either keeping it as is or changing it. Written findings in support of the board's decision should be developed.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board's subsistence hunting regulations for Unit 13 caribou will remain invalidated. The board will be required to come up with another regulatory regime that satisfies the requirements of the subsistence laws, Alaska Statute 16.05.258 and .330(c).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposal addresses compliance with a judicial decision.

WHO IS LIKELY TO BENEFIT? Subsistence hunters, including those who have had little chance of participating under the previous Tier II regulations should directly benefit.

WHO IS LIKELY TO SUFFER? Those opposed to subsistence hunting or to hunting in general will be disappointed if the board acts to bring its' Unit 13 caribou regulations in compliance with the judicial decision and reauthorizes subsistence hunting. Some who were previously almost guaranteed to receive Tier II permits may also oppose this.

OTHER SOLUTIONS CONSIDERED? There are no realistic alternatives to bringing the regulations into compliance with the judicial decision if subsistence hunting is to be allowed. Depending on the board's determinations of the amount reasonably necessary for subsistence and the harvestable surplus, alternatives to the overall hunting regulations at issue include a limited Tier II hunt or some type of Tier I hunt that provides a reasonable opportunity for all subsistence

uses that have been identified by the board. All potential changes to the season and bag limit regulations must be understood to be on the table.

PROPOSED BY: The Department of Fish and Game on behalf of the Board of Game

LOG NUMBER: ADFG090210B

PROPOSAL 29 - 5 AAC 92.071. Tier I subsistence permits. Reexamine the Tier I subsistence permit regulations for Nelchina caribou permits as follows:

It is the Board of Game's prerogative to arrive at the proper regulations, within the requirements of the subsistence law and other governing statutes. The current language is set forth below, and should be reexamined in light of whatever actions the board takes on the amount reasonably necessary and the seasons and bag limits.

5 AAC 92.071. Tier I subsistence permits. (a) If the board has directed that a hunt be administered under a Tier I subsistence permit, permits will be distributed in the same manner as other registration permits, under the same conditions applicable under 5 AAC 92.050 and 5 AAC 92.052, with the following additional conditions:

- (1) Unit 13 Tier I subsistence caribou permits will be distributed to heads of households on a random basis following application;
 - (2) the number of permits distributed will be based on the harvestable surplus and other allocations, if any, applicable to the Nelchina caribou herd;
 - (3) a head of household who obtains a permit, and any member of the household, are ineligible to receive another permit during the next three regulatory years;
 - (4) a head of household will receive one point for each year in which the head of household applies, but did not receive a permit, with one point awarded for the first year;
 - (5) upon receiving a permit, or if a head of household fails to apply during a regulatory year, the household's score becomes zero, with the process starting over if the head of household applies in a succeeding year.
- (b) In this section, "head of household" means a single person within the household who applies for a Tier I subsistence permit on behalf of the entire household in a particular regulatory year.

ISSUE: The Board should reexamine this regulation in light of the decision in *Manning, et al. v State, et al.*, 3KN-09-178CI. If the board decides to retain a Tier I hunt, this regulation may need to be changed or reauthorized. Written findings in support of the board's decision should be developed.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board's subsistence hunting regulations for Unit 13 caribou may be incomplete.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? The proposal addresses compliance with a judicial decision.

WHO IS LIKELY TO BENEFIT? Subsistence hunters, including those who have had little chance of participating under previous regulations should directly benefit.

WHO IS LIKELY TO SUFFER? Those opposed to subsistence hunting or to hunting in general will be disappointed if the board acts to bring its Unit 13 caribou regulations in compliance with the judicial decision and reauthorizes subsistence hunting. Some who were previously almost guaranteed to receive Tier II permits may also oppose this.

OTHER SOLUTIONS CONSIDERED? There are no realistic alternatives to bringing the regulations into compliance with the judicial decision if subsistence hunting is to be allowed. Depending on the board's determinations of the amount reasonably necessary for subsistence and the harvestable surplus, alternatives to the overall hunting regulations at issue include a limited Tier II hunt or some type of Tier I hunt that provides a reasonable opportunity for all subsistence uses that have been identified by the board. All potential changes to the season and bag limit regulations must be understood to be on the table.

PROPOSED BY: The Department of Fish and Game on behalf of the Board of Game

LOG NUMBER: ADFG090210C

Note: 5AAC 99.015 is a regulation under the authority of the Joint Board of Fisheries and Game.

PROPOSAL 30 - 5 AAC 85.025. Hunting seasons and bag limits for caribou.; and 99.015. Joint Board nonsubsistence areas. Set a nonsubsistence use area for a portion of Unit 13.

Make a portion of Unit 13 a nonsubsistence use area.
Create a draw period for available harvest tags within this nonsubsistence area.

The primary portion of the Nelchina caribou range falls well outside of federally qualified community boundaries except that a portion of Cantwell. I would propose that the center section of the Unit 13 (portions of Unit 13E, 13B and 13A) bordered on the south by the Glenn Highway, on the west by Denali State Park (or Parks Highway), on the north by the Denali Highway and to the east the Richardson Highway...would leave the primary hunted range (that is also largely uninhabited) open to all resident hunters.

Exclude from the nonsubsistence zone, all federal lands and the communities that would be affected, along with the general subsistence areas of the Copper River, lower Gulkana, full eastern side of Unit 13 (Gulkana –Tok) and allow them to remain subsistence communities. Thus retaining the subsistence needs along the primary river corridors affected by the Board of Fisheries. One thing to keep in mind is that these communities also have federal subsistence rights and tags to not only the Nelchina herd but some are already allotted to the Fortymile herd as well... should an area not be eligible for federal requirements there are Regional Advisory Committees (RAC) and a federal program that falls outside the state's realm and a process for them to follow to get federal subsistence tags...a similar process to the Fortymile subsistence

permits would allow reporting to the state for harvest data and quota setting. Further, a two part season could be implemented with the choice of fall or winter hunting at time of application to further distribute hunting opportunities, and prevent hunter crowding during each of the seasons.

ISSUE: Resolve the dispute between urban and rural resident hunters of the Nelchina caribou herd.

WHAT WILL HAPPEN IF NOTHING IS DONE? Alaska Residents will continue to be punished and discriminated for where they live and or hunt other game animals.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? The resource would be unaffected as the harvest plan has set quotas already in place.

WHO IS LIKELY TO BENEFIT? All Alaska residents that desire fair treatment and opportunity to hunt this resource. Wildlife management will also benefit by this due to the increased funding from a very popular hunting resource in that drawing permit applications and fees would possible meet or exceed those garnered by the Delta Bison permit application fees.

WHO IS LIKELY TO SUFFER? No one, as those that desire the rural preference would still qualify under the federal subsistence program that was not in place when this herd went under the Tier management program. Under the federal program rural subsistence needs can still be met, as there are ample opportunities during the winter months to hunt federal lands.

OTHER SOLUTIONS CONSIDERED: 1) Leaving the Tier system in place that is broken and wildly associated with a group of persons and corporations that are trying to limit state residents hunting opportunities and ability to meet the needs of families throughout the region. 2) Registration permit hunts. The Fortymile, Taylor, and Steese Highway hunts are perfect examples as to why this herd should not be subjugated to a free for all registration hunt. Harvest quotas would quickly be exceeded due to the ease of Access to this herd and home range.

PROPOSED BY: Vince Holton

LOG NUMBER: EG08311054

The Board of Game added this proposal to the agenda through an Agenda Change Request.

PROPOSAL 31 - 5 AAC 92.125. Predation control areas implementation plans. Reauthorize the Intensive Management Plan for Unit 13.

5 AAC 92.125.

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(c) Unit 13 Wolf Predation Control Area: the Unit 13 Predation Control area is established and consists of all lands within Units 13(A), 13(B), 13(C), and that portion of Unit 13(E) east of the Alaska Railroad, except National Park Service and other federal lands where

same-day-airborne take of wildlife is not allowed, encompassing approximately 15,413 square miles; notwithstanding any other provision in this title, and based on the following information, the commissioner or the commissioner's designee may conduct a wolf population reduction or wolf population regulation program in the Unit 13 wolf Predation Control Area:

(1) the discussion of wildlife population and human use information is as follows:

(A) the prey population information is as follows:

(i) based on extrapolation of fall **2009** [2005] count area densities, moose population estimates by subunit were: **3,530** [2,720] moose in Unit 13(A), **4,630** [3,970] moose in Unit 13(B), **1,610** [1,170] moose in Unit 13(C), and **4,940** [4,050] moose in Unit 13(E);

(ii) historical moose count area data indicate that habitat carrying capacity has not likely ever been reached by this population; this population peaked during the late 1980s in excess of 20,000 moose for all of Unit 13; during that time, fall data indicated calf:cow ratios unit-wide were at peak levels, suggesting the habitat carrying capacity had not been reached; the subsequent population decline was attributed to seven years of deep snow from 1988 – 1994; an observed twinning rate of 29 percent in 1992 within eastern Unit 13(E), shortly after the population peak, was indicative of a level of nutrition well above what would be expected had carrying capacity been reached;

(iii) the age structure of the population shifted towards older age classes between the mid-1990s and approximately 2003, during which time the calf:cow ratio [DECLINED DRAMATICALLY AND] remained low; the actual number of calves counted across standard count areas declined 62 percent between 1996 and 2000; **between 2000 and 2009, the number of calves counted across the same area increased 150% percent;** [RECRUITMENT HAS SLOWLY IMPROVED SINCE 2000;] the percentages of calves during the fall **2009** [2005] surveys in Units 13(A), 13(B), 13(C), and 13(E) were **11** [10] percent, **18** [15] percent, 13 percent, and **16** [12] percent respectively; the percentage of yearling bulls observed during moose counts has also **increased** [CONSISTENTLY RISEN] across the area , **and is up from 2 percent in 2000 to 6 percent in 2009; the age structure of the Unit 13 moose population is currently shifting back towards younger age classes;** [SINCE 2001]

(iv) the bull:cow ratio within the Unit 13 moose population has steadily **increased** [RISEN] over the last **15** [11] years **bull:cow ratios observed during fall 2009 surveys for Units 13(A), 13(B), 13(C), and 13(E) were 27:100, 29:100, 42:100, and 34:100 respectively; bull:cow ratios are currently being met in all four subunits;** [FROM 16:100 IN 1994 26.8:100 IN 2005, LARGELY DUE TO CHANGES IN HARVEST REGULATIONS]; the estimated number of **bulls is now within the management objective range in Units 13(A), 13(B), and 13(E); the estimated number of cows is now within the management objective range in Unit 13(A);** [COWS IN THE AREA IS BELOW THE MANAGEMENT OBJECTIVE; THE COW DENSITY PER SQUARE MILE OBSERVED IN TREND COUNT AREAS DURING FALL 2005 SURVEYS IN UNITS 13(A), 13(B), 13(C), and 13(E) WERE 0.9, 0.8, 0.8, AND 0.6 RESPECTIVELY;]

(v) observations [DURING 2004] of radio collared cow moose in western Unit 13(A) during **2009** [2004] indicated **80** [82] percent parturition among cow moose three years of age and up;

(vi) historically, observed fall calf:cow ratios have been used to indicate initial recruitment within this population considering the majority of calf mortality occurs prior to

fall moose counts; **unitwide** fall calf:cow ratios [WITHIN THIS AREA] have **increased** [STEADILY RISEN] from 11:100 in 2000 to **23:100** [18:100] in **2009** [2005]; [THE FALL 2005] calf:cow ratios observed **during fall 2009 surveys** in **Units 13(A), 13(B), 13(C), and 13(E)** were **16:100** [14:100], **29:100** [23:100], **22:100** [18:100], and **25:100** [16:100] respectively; estimated annual calf survival between 2001 **and 2009 ranged 15 – 40** [AND 2004 RANGED 15 – 31] percent;

(vii) harvestable surplus in this area is estimated at four to five percent of the total moose population based on information from other interior and south-central moose populations; the current harvest rate for Unit 13 is estimated at **4.6 – 5.2** [3.3 – 3.8] percent of the population;

(viii) the population objectives for Units 13(A), 13(B), 13(C), and 13(E) as established in 5AAC 92.108 are 3,500 – 4,200, 5,300 – 6,300, 2,600 – 3,500, and 5,000 – 6,000 moose respectively; these objectives are below the maximum moose numbers **estimated** [OBSERVED] in these areas between 1987 and 1989 and are likely attainable given the history of productivity and survival patterns in this area; **the bull:cow objective is 25:100 for Unit 13; the calf:cow objectives are 25:100 for Unit 13(A) and 30:100 for Units 13(B), 13(C), and 13(E);**

(ix) the moose harvest objectives for Units 13(A), 13(B), 13(C), and 13(E) as established in 5AAC 92.108 are 210 – 420, 310 – 620, 155 – 350, and 300 – 600 moose respectively; **with the harvest of bulls and cows,** the current harvest objectives **are being met in Unit 13(A) and** are likely attainable **in Units 13(B) and 13(C)** given the history of harvest patterns in **these areas; the harvest objectives for Unit 13(E) may not be attainable and should be re-evaluated;** [THIS AREA]

(x) the estimated annual mortality of radio-collared cows in western **Unit** [SUBUNIT] 13(A) ranged from **5** [7] – 11 percent between 2001 and [2004] **2009**; natural bull mortality across this area likely ranges from 8 – 20 percent depending on snow depths and predation; **for Units 13(A), 13(B), 13(C), and 13(E),** the [AVERAGE] bull harvest from 2000 – 2004 **averaged** [WAS] 159, 149, 75, and 102 [FOR SUBUNITS 13(A), 13(B), 13(C), AND 13(E)] respectively; **from 2005 – 2009, the bull harvest averaged 223, 182, 66, and 147 for the same units;**

(xi) this moose population is considered to have moderate productivity in relation to surrounding interior and southcentral moose populations; the moose habitat in Unit 13 has not changed considerably over the past 40 years; this area is generally considered interior boreal forest, and being south of the Alaska Range, this area regularly receives more annual precipitation and thus less frequent fires than adjacent more productive interior Units 12 and 20; twinning rates have consistently been a key indicator of moose habitat quality; data from radio collared cow moose in western Unit 13(A) [BETWEEN 1994 AND 2004 INDICATE MODERATE TWINNING RATES] **indicate increasing productivity; twinning rates ranged 9 – 27** [BETWEEN NINE AND 27] percent **from 1994 – 2004, and have since increased to a range of 14 – 35 percent from 2005 – 2009; twinning flights of uncollared cows were also flown across the Upper Susitna River portion of Units 13(B) and 13(E) in 2008 and 2009, observed twinning rates in these years were 48 and 50 percent respectively; during a twinning flight in northern Unit 13C in 2008, 61 percent twinning was observed;**

(xii) concurrent with the initial adoption of the wolf control implementation plan for this area **and peak wolf numbers in Unit 13** in 2000, increases in wolf hunting and

trapping occurred; [THIS] increased effort was concentrated in areas of western Unit 13(A) with good winter access; this initial pressure reduced wolf numbers enough to bring about a slight increase in moose numbers in this isolated area; moose in the remainder of Unit 13 continued to decline; **in 2005, Unit 13(C) was added to the control plan area;** the implementation of same-day-airborne wolf taking under **this plan** [THE WOLF PREDATION CONTROL PLAN FROM JANUARY 2004 TO APRIL 2006] has effectively halted the moose population decline across **the entire control plan area** [UNITS 13(A), 13(B), AND 13(E); THIS CHANGE IS EVIDENCED BY INCREASED NUMBERS OF ADULT MOOSE IN THE PORTION OF UNIT 13(A) ACCESSIBLE TO AIRCRAFT LANDINGS, AND BY SMALL INCREASES IN CALF AND YEARLING NUMBERS ACROSS UNITS 13(A), 13(B), AND 13(E)] **and has allowed the population to grow steadily;**

(B) the human use information for prey population is as follows:

(i) historically, subsistence moose harvest in Unit 13 has been largely managed under permit systems, either by registration, drawing, or Tier II permit; harvest in this area has been recorded since the mid-1960s; since 1980, the annual Unit 13 subsistence moose harvest averaged 149, 77, and **97** [99] for the [DECADAL] periods 1980 – 1989, 1990 – 1999, and 2000 – **2009** [2004];

(ii) the average annual number of hunters participating in Unit 13 subsistence moose hunts averaged 465, 391, and **680** [556] for the periods 1980 – 1989, 1990 – 1999, and 2000 – **2009** [2004]; these are subsistence permit or harvest ticket holders who reported hunting; many hunters who were unsuccessful in receiving a state subsistence permit likely took part in the **resident** general season; thus reported demand for subsistence is [LIKLEY] a minimum estimate;

(iii) since 1963, the average annual harvest from general moose hunts in Unit 13 has averaged 1,501, 919, 804, 797, and **521** [469] for the periods 1963 – 1969, 1970 – 1979, 1980 – 1989, 1990 – 1999, and 2000 – **2009** [2004]; [THE GENERAL HARVEST ACCOUNTED FOR 83 AND 100 PERCENT OF THE TOTAL HARVEST FOR THE SAME PERIODS]; the average annual number of hunters participating in general hunts averaged 3,805, 3,071, 3,325, 4,448, and **3,171** [2,977] for the periods 1963 – 1969, 1970 – 1979, 1980 – 1989, 1990 – 1999, and 2000 – **2009** [2004]; during three years in the mid-1990s, over 5,500 individuals hunted during the general moose hunt in Unit 13; to help reduce harvest pressure in Unit 13 between 1990 and 1992, seasons were shortened considerably; the annual general harvest dropped from 891 in 1989 to 382 in 1990 due to this change; in 1993, a small drawing hunt for cows was implemented in subunit 13(A), though the unitwide bull bag limit changed to one bull with a spike or fork or 50-inch antlers or antlers with three or more brow tines on one side; the brow tine restriction was increased to four or more brow tines in 2001; **from** [IN] 1995 – **2008**, a Tier II hunt was **implemented** [ADDED] for any bull unitwide; 150 permits were available; **from** [SINCE] 2002 – **2008**, the nonresident season was closed unitwide; **in 2009 three new hunting opportunities were established for Unit 13: a community hunt permit was issued for moose, up to 100 any bull moose could be harvested, a total of 381 hunters subscribed; resident-only any bull hunts were implemented for remote portions of Unit 13, a total of 160 drawing permits were issued; and nonresident hunts for bulls with 50-inch antlers or antlers with four or more brow tines on one side were implemented, a total of 50 drawing permits were issued; for 2010 the resident-only hunt permits were increased to 325 and the**

nonresident hunt permits were increased to 110, although the community hunt was eliminated due to a court ruling;

(C) the predator population information is as follows:

(i) it is the intent of this plan to maintain wolves as part of the natural ecosystem within the geographical area described for this plan; however, studies in Alaska and elsewhere have repeatedly concluded that large annual reductions in wolf populations are required to reduce predation by wolves on their prey; to achieve the desired reduction in wolf predation, but insure that wolves persist within the plan area, population management takes into consideration, the potential for immigration and the availability of alternate prey in the area;

(ii) the fall **2009** [2005] population estimate was **260 – 280** [270 – 290] wolves, based on wolf and track sightings gathered from staff biologists, hunters, trappers, and pilots, adjusted for documented harvest; pack observations from wolf control permittees increase the documentation of pack ranges and enhances population estimates; **spring population estimates have averaged 159 from 2006 – 2010; spring wolf population objectives were met each year from 2006 – 2009; the spring 2010 estimate of 170 – 190 wolves was just slightly above the objective due to poor snow conditions during the winter;**

(iii) the **fall** wolf population in Unit 13 peaked at just over 500 wolves during 1999 and 2000; no carrying capacity has been established for wolves in Unit 13, but it is likely above 520 wolves **assuming high moose and caribou numbers;**

(iv) the estimated moose-to-wolf ratio for Unit 13 ranged from 38.1 – 43.0 in **the fall of 2004; it** [, AND] improved to 51.8 – 58.6 in the fall of 2005, **and to 61.2 – 69.5 in the fall of 2009;**

(v) alternate prey in this area include large prey items such as caribou and sheep, as well as relatively abundant beaver, and the cyclic populations of small game such as upland birds and hares; Nelchina herd caribou, which summer entirely in this area, are relatively abundant, and have ranged between 30,000 and **45,000** [37,000] animals since 2000; generally, 10 – 50 percent of the Nelchina caribou herd winters in central Unit 13; sheep are only available in western Unit 13(A), small portions of Unit 13(E), and Unit 13(D) which is outside the control area;

(vi) the number of moose killed by wolves in this area is dependent on snow depth and the abundance of alternate prey, particularly caribou; depending on snow depth, the availability of alternate prey, and average pack size, wolves in Unit 13 likely take between 1,000 and 4,000 moose per year;

(vii) the mortality of wolves in this area has historically been dominated by human harvest; since 2000, the annual harvest of wolves in Unit 13 has **ranged 78 – 269** [AVERAGED 203 (44 PERCENT OF THE ESTIMATED ANNUAL POPULATION)]; additional natural mortality within this population due to intra-specific strife or old age is likely five percent or less;

(viii) the spring (late winter) population objective for Unit 13 was set at 150 wolves throughout the 1980s based on prior evidence that when the wolf population had been maintained at this level, the moose population was able to grow, and provide a desired level of harvestable surplus; in the early 1990s, the department adopted a range of 135 to 165 wolves as the late winter objective; when applied to the wolf habitat within Unit 13, this equates to a density of **3.1 – 3.8** [3.3 – 4.1] wolves per 1,000 square kilometers;

(ix) the annual harvest objective for wolves is the difference between the **preliminary** fall population estimate and the desired **spring** population objectives; preliminary fall estimates are developed using the spring estimate and expected reproductive success; however, these preliminary fall estimates and the harvest objectives are continually refined throughout the winter; the preliminary unitwide harvest objective for the **2010 – 2011** [2005 – 2006] season, calculated as the difference between the fall population estimate and the desired **spring** population objective, **will be 140 – 160** [WAS SET AT 80 – 110] wolves;

(D) human use information for the predator population is as follows:

(i) **from 2000 – 2003 wolves were abundant across Unit 13 and hunters and trappers were able to harvest an average of 220 wolves (45 percent of the estimated population) per year; the wolf population remained productive and high wolf numbers remained in inaccessible portions of the unit; land and shoot began January 2004 and 240 wolves were taken that year (50 percent of the estimated population); the wolf population subsequently declined to the desired level; aerial shooting has been used since 2006 to maintain desired population levels; from 2006 – 2009 an average of 99 wolves (36 percent of the estimated population) have been harvested annually;** harvest of wolves with a firearm, excluding the same-day-airborne take, has been highly variable since the early 1970s and has ranged from 0 – 97 wolves, and 0 – 69 percent of the total take in Unit 13; harvest of wolves with the use of a snare or trap has similarly been highly variable and has ranged from 20 – 166 wolves, and 22 – 83 percent of the total take over the same period;

(ii) given the difficulty in finding wolves, harvest pressure diminishes as the wolf population declines; hunter harvest of wolves has always been highly opportunistic, and is difficult to predict; trapper harvest of wolves is limited by the number of trappers willing to spend the time and effort to target this furbearer and by variable winter travel conditions; in addition to open creeks and regular overflow, many large rivers in the area have stayed open until late-winter, or even year-round, completely eliminating trapping pressure from remote areas of the unit;

(iii) [SOME] hunters and trappers [WILL] continue to pursue wolves in Unit 13 regardless of same day airborne wolf control efforts; considering the majority of wolves taken under wolf control permits are from remote interior portions of the unit, they are geographically separated from most wolf hunters or trappers; if wolf predation control programs **are suspended** [ARE NOT UNDERWAY], some of the program participants will [SIMPLY] shift their effort back to ground based harvest **methods** [, **THOUGH THEIR EFFORTS WILL BE LESS EFFECTIVE**];

(2) the predator and prey population levels and population objectives, and the basis for those objectives, are as follows:

(A) the moose population objectives for Units 13(A), 13(B), 13(C), and 13(E) as established in 5AAC 92.108 are 3,500 – 4,200, 5,300 – 6,300, 2,600 – 3,500, and 5,000 – 6,000 respectively; these objectives were based on historical information about moose numbers, habitat condition, sustainable harvest levels, and human use; the objective levels are below the maximum moose numbers **estimated** [OBSERVED] in these areas between 1987 and 1989; **population objectives are being met in Unit 13(A)** and are likely attainable **in Units 13(B), 13(C), and 13(E)** [GIVEN THE HISTORY OF PRODUCTIVITY AND SURVIVAL PATTERNS IN THIS AREA];

(B) the pre-control estimated wolf population in Unit 13 was over 500 wolves during **the** fall of 2000; studies in Alaska and elsewhere have repeatedly concluded that large, annual reductions of wolves are required to diminish wolf population levels and predation by wolves on their prey; consistent with scientific studies and department experience the objectives of this plan **were**[is] to substantially reduce wolf numbers compared to the pre-control level in order to relieve predation pressure on moose and allow for improved recruitment to the moose population; **through maintenance of current wolf population levels, progress is being realized towards moose composition, population, and harvest objectives;** this plan also has as a goal to maintain wolves as part of the natural ecosystem [WITHIN THE DESCRIBED GEOGRAPHICAL AREA; TO ACHIEVE THE DESIRED REDUCTION IN WOLF PREDATION, BUT]; **to** ensure that wolves persist within the plan area, the wolf population in Unit 13 will be **maintained at** [REDUCED TO] no fewer than 135 wolves;

(C) the spring (late-winter) population objective for Unit 13 was set at 150 wolves throughout the 1980s based on prior evidence that when the wolf population had been maintained at this level, the moose population was able to grow, and provide a desired level of harvestable surplus; in the early 1990s, the department adopted a range of 135 –165 wolves as the **spring** [LATE-WINTER] objective;

(3) the justifications for the predator control implementation plan are as follows:

(A) Unit 13 long has been an important hunting area for subsistence by local area residents and much of the state's population in Anchorage, the Matanuska-Susitna valley, **as well as** [AND] Fairbanks **and other communities around the state;** it is recognized under the state's intensive management law as an area where moose and caribou are to be managed for high levels of human consumptive use;

(B) the management objectives set by the board for the moose population and human harvest are **now being met in Unit 13(A), but not in Units 13(B), 13(C), or 13(E)** [BEING MET]; bans on the same-day-airborne take of wolves in 1987 and again in 1996 allowed the wolf population to increase; **during** [SINCE] the early 1990s the moose population [HAS] declined after several years of deep snow and from wolf predation from a record high wolf population; as the moose population declined, calf predation by brown bears accentuated the decline; in an effort to re-initiate predation control activity, the board established a wolf predation control area covering much of Unit 13 under this section in 2000; though the wolf predation control area had been established, no aerial based action was taken by the state until January 2004 when land and shoot wolf control by state permittees was initiated; the most recent moose trend counts have indicated that [WHILE] the decline has stopped **and** the population is **recovering** [ONLY BEGINNING TO RECOVER]; further control of wolf predation is necessary to increase the moose population to the objective levels **in Units 13(B), 13(C), and 13(E) as well as increase and maintain the available surplus necessary to meet harvest objective levels;**

(C) continuation of wolf predation control **is necessary to maintain currently observed harvest levels in Unit 13(A) and moose population growth in Units 13(B), 13(C), and 13(E); as moose population and harvest objectives are realized, control efforts will be managed accordingly;** [WILL REDUCE WOLF-CAUSED MORTALITY AND IMPROVE MOOSE SURVIVAL;] land and shoot wolf take has been implemented in Unit 13 in the past, and has effectively reduced moose mortality to allow the moose population to increase; the private pilots participating as permittees in this program to date have **similarly** proven [EXTREMELY] effective in reducing the wolf population when allowed to take wolves on the same day they are airborne;

(D) historical predator and prey management in Unit 13 has shown that when the late-winter (spring) wolf population was maintained at 135 – 165 wolves, annual moose survival was adequate to allow the population to increase;

(E) the unit-wide wolf take [IS SLIGHTLY BELOW THE HARVEST OBJECTIVE, IN PART BECAUSE TAKE] is split between same-day-airborne take, hunting, and trapping; the level of take **has been within** [IS NEAR] objective levels **since 2005** [IN THE CENTRAL PORTION OF THE WOLF CONTROL IMPLEMENTATION AREA; HUNTING AND TRAPPING HARVEST OUTSIDE THE IMPLEMENTATION AREA HAS BEEN LOWER AND MORE DIFFICULT GIVEN THE LACK OF ACCESS RELATED TO OPEN WATER AND THE DIFFICULTY IN TAKING WOLVES THAT HAVE LARGER HOME-RANGES DUE TO LOW PREY DENSITY]; the use of same-day-airborne techniques allows wolf densities to be **maintained at objective levels** [REDUCED] in the central portion of the wolf control implementation area, the most important winter moose habitat in Unit 13; hunting and trapping harvest supplement predation control activities by harvesting wolves along the road system; these complementary programs will effectively **maintain** [REDUCE] the unit-wide wolf population **at** [TO] the objective level;

(F) by reducing year-round mortality on all demographic groups of the moose population simultaneously, the **maintenance of acceptable** [REDUCTION OF] wolf predation will help ensure a consistent age structure in the moose population as it increases;

(G) multiple measures have already been taken to improve survival of moose in this area, including the liberalization of seasons and bag limits for wolves, brown bears, and black bears over the past **15** [10] years; the current wolf hunting and trapping seasons are effectively maximized and any further extensions into the summer season would likely fail to increase the take by any significant amount; the current hunting seasons for brown and black bears are year-round with no resident tag requirement;

(H) presently known alternatives to predator control for reducing the number of predators are ineffective, impractical, or uneconomical; hunting and trapping conducted under authority of ordinary hunting and trapping seasons and bag limits are not effective reduction techniques in sparsely populated areas such as Unit 13; the inherent wariness of wolves, difficult access, increased costs of trapping, and relatively poor pelt prices explain why wolf harvest rates in this unit rarely exceed 50 percent **of the population estimate, and generally average only 35 – 40%**; the wolf harvest rates in Unit 13 are considered moderate, and reflect dedicated hunter and trapper effort throughout the accessible portions of the unit; the harvest by hunters and trappers however, **while** [HAS BEEN] ineffective in reducing the wolf population, **has proven an important tool for maintaining desired population levels for short periods of time**; application of the most common sterilization techniques (surgery, implants, or inoculation) are not effective reduction techniques because they require immobilization of individual predators, which is extremely expensive in remote areas; relocation of wolves is impractical because it is expensive and it is very difficult to find publicly acceptable places for relocated wolves; habitat manipulation is ineffective because it may improve the birth rate of moose in certain circumstances, but it is poor survival, not poor birth rate that keeps moose populations low in rural areas of Interior **and some portions of Southcentral** Alaska; supplemental feeding of wolves and bears as an alternative to predator control has improved moose calf survival in two experiments; however, large numbers of moose carcasses are not available for this kind of effort and transporting them to remote areas of Alaska is not practical; stocking of moose is impractical

because of capturing and moving expenses; any of the alternatives to a wolf predation control program are not likely to be effective in achieving the desired level of predator harvest;

(4) the permissible methods and means used to take wolves are as follows:

(A) hunting and trapping of wolves by the public in Unit 13 during the term of the program may occur as provided in the hunting and trapping regulations set out elsewhere in this title, including use of motorized vehicles as provided in 5 AAC 92.080;

(B) the commissioner may issue public aerial shooting permits or public land and shoot permits as a method of wolf removal under AS 16.05.783;

(5) the anticipated time frame and schedule for update and reevaluation are as follows:

(A) for up to six years beginning on **November 1, 2010** [JULY 1, 2005], the commissioner may reduce the wolf population within the Unit 13 Predation Control Area;

(B) annually, at the regularly scheduled spring board meeting, the department shall to the extent practicable, provide to the board a report of program activities conducted during the preceding 12 months, including implementation activities, the status of moose and wolf populations, and recommendations for changes, if necessary, to achieve the objectives of the plan;

(6) other specifications the board considers necessary are as follows:

(A) the commissioner will suspend wolf control activities

(i) when wolf inventories or accumulated information from permittees indicate the need to avoid reducing wolf numbers below the management objective of 135 wolves specified in this section;

(ii) when spring conditions deteriorate to make wolf control operations infeasible;

(iii) no later than April 30 in any regulatory year;

(B) wolf control activities will be terminated

(i) when prey population management objectives are attained; or

(ii) upon expiration of the period during which the commissioner is authorized to reduce predator numbers in the predator control plan area;

(C) the commissioner will annually close wolf hunting and trapping seasons as appropriate to ensure that the minimum wolf population objective is met.

ISSUE: The current Intensive Management Plan for Unit 13 (5 AAC 92.125(c)) which was authorized for up to five years and been in effect since July 1, 2005, requires reauthorization by the Board of Game in order for the program to continue.

WHAT WILL HAPPEN IF NOTHING IS DONE? Intensive management activities including wolf predation control will be suspended, the moose populations will likely fail to recover, and the caribou population will possibly decline. This will result in lost opportunity for subsistence hunters throughout the state that rely on moose and caribou from this Game Management Unit to feed their families.

WHO IS LIKELY TO BENEFIT? Those who want to reduce predator numbers in order to boost moose and caribou numbers to benefit subsistence hunting opportunities.

WHO IS LIKELY TO SUFFER? Those opposed to predation control and predator removal.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG090210P

The Board of Game adopted emergency regulations during an August 4, 2010 teleconference, liberalizing Unit 26B brown bear seasons to address declining muskox populations. This proposal is a modification of those changes which will allow the board to adopt permanent regulations for next year's brown bear seasons.

PROPOSAL 32 - 5AAC 85.020. Hunting seasons and bag limits for brown bear. Extend brown bear seasons in a portion of Unit 26B.

Units and Bag Limit	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(24)		

...

Unit 26(B), that portion including the drainages of the Kadleroshilik, Echooka, Ivishak, Lupine, and Ribdon rivers, that portion of the drainage of Accomplishment Creek east of the west bank of Accomplishment Creek from its headwaters to its confluence with the Sagavanirktok River at 68 degrees 42.19 minutes North latitude, 148 degrees, 54.47 minutes West longitude, that portion of the drainage of the Kuparuk river north and east of 68 degrees 42.19 minutes North latitude, 149 degrees, 45.45 minutes West longitude, that portion of the drainages of the Toolik and Sagavanirktok rivers north of 68 degrees 42.19 minutes North latitude (crossing the Dalton highway near milepost 300) and south and east of the Prudhoe bay closed area.

RESIDENT HUNTERS:
1 brown bear per regulatory year
by registration permit only

July 1–June 30

NONRESIDENT HUNTERS:

1 brown bear per regulatory year by registration permit only

July 1–June 30

[UNIT 26(B), THAT PORTION WITHIN THE DALTON HIGHWAY CORRIDOR MANAGEMENT AREA

RESIDENT HUNTERS:

1 BEAR EVERY REGULATORY YEAR BY DRAWING PERMIT ONLY; UP TO 20 PERMITS MAY BE ISSUED; OR

AUG. 25 - DEC. 31

1 BEAR EVERY REGULATORY YEAR

MAR. 1 - MAY 31

NONRESIDENT HUNTERS:

1 BEAR EVERY REGULATORY YEAR BY DRAWING PERMIT ONLY; UP TO 20 PERMITS MAY BE ISSUED]

AUG. 25 - MAY 31

Remainder of Unit 26(B)

RESIDENT HUNTERS:

1 bear every Regulatory Year

Sept. 1 – May 31
[AUG. 25 - MAY 31]

NONRESIDENT HUNTERS:

1 bear every regulatory year by drawing permit only; up to

Sept. 1 - May 31
[AUG. 25 - MAY 31]

20 permits may be issued

ISSUE: Brown bear predation is a major factor influencing the decline and potential disappearance of muskoxen in Unit 26B. This proposal would likely result in additional harvest of brown bear that could help address this important muskoxen conservation issue.

The muskox population is low and declining. In the mid 1990s, we estimated approximately 800 adult muskoxen inhabited eastern North Slope in Alaska and western North Slope in Canada. By 2006, we estimated approximately 350 remained from this population, with approximately 200 in Unit 26B and eastern Unit 26A in Alaska. Numbers remained stable for several years; however, by the end of June 2010; we determined the population was around 150 adults in Unit 26B and eastern Unit 26A. In 2010 mortality exceeded recruitment and because of low numbers, the department is concerned that a continued declining trend on this small population could lead to only a few small groups of muskoxen living in the area or possibly their disappearance from the eastern North Slope.

One major factor influencing the muskoxen decline is brown bear predation on adults and calves. Other factors include disease, weather, and nutrition; however, some muskoxen that would otherwise live and reproduce are killed by brown bears. Increased harvest of brown bears near groups of muskoxen may help reduce predation and prevent a further decline in the population. Brown bear harvest during the previous 2 years (2008–2009 and 2009–2010) averaged 20 bears annually from a population of approximately 265.

Twenty-seven of 38 bears (71%) harvested in the last 2 years in Unit 26B were taken within the proposed boundary of the registration hunt which encompasses the groups of muskoxen where most of the brown bear predation recently occurred. The objective of this proposed hunt is to create a focus area to concentrate and increase brown bear harvest, reducing predation on these muskoxen. We estimate 137 bears in the focus area (7,960 mi²). The liberalized season within this area may increase harvest by 10–20 bears annually.

In addition to liberalizing seasons to encourage higher brown bear harvest by hunters, the department is considering more focused actions, such as protecting individual groups of muskoxen, during spring 2011 to further reduce bear predation. These combined efforts may allow the population to at least remain stable and will give the department time to assess the viability of this muskox population.

WHAT WILL HAPPEN IF NOTHING IS DONE? The muskoxen population may decline further or disappear in Unit 26B. The effect of reducing brown bear numbers is uncertain. However, the adult muskoxen population is low and some of the calves and adults killed by brown bears are individuals that would have otherwise lived and reproduced. The department feels it is important to reduce this additive mortality and stabilize the number of adults in the population.

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

WHO IS LIKELY TO BENEFIT? Hunters interested in temporarily harvesting additional brown bears and having future muskoxen hunting opportunities in Unit 26B. People interested in viewing muskoxen.

WHO IS LIKELY TO SUFFER? Hunters interested in either observing bears or having the opportunity to harvest brown bear in Unit 26B over the long-term (e.g. 10 years) due to low number of bears in the area. People interested in a high possibility of observing brown bears along the Dalton Highway in the next 10 years.

OTHER SOLUTIONS CONSIDERED?: Close the season in the remainder of Unit 26B to concentrate all the brown bear hunting in the “focus area” (registration hunt area) and not affect the population outside the “focus area” (registration hunt area). Apply the proposed registration hunt with no closed season over all of Unit 26B.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG0902100

Note: This proposal was deferred by the Board of Game from the Spring, 2010 meeting. It was previously listed as proposal 6.

PROPOSAL 33 - 5 AAC 92.990(7)(C)(iv). Definitions; and 92.200. Purchase and sale of game. Reclassify black bear to allow trapping and the sale of hides in Units 25, 20 and 12 as follows:

Declare the black bear a furbearer under statewide regulations for Units 25, 20, and 12.

ISSUE: Currently there is a loss of opportunity to harvest black bears in the Eastern Interior Region. High rates of bear predation will continue to limit moose and caribou populations in important hunting areas especially in the Eastern Interior Region.

WHAT WILL HAPPEN IF NOTHING IS DONE? The opportunity to harvest plentiful black bears will remain limited to hunting seasons. Black bear populations are abundant and will keep moose and caribou populations below their management objectives.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Passage of this proposal will help reduce black bear populations to a better management level thereby allowing moose and caribou populations to rebound to healthier levels. Being listed as a furbearer will allow harvesters to sell the hide thereby becoming economically for trappers to target high density black bear areas.

WHO IS LIKELY TO BENEFIT? All trappers and hunters would benefit by maximizing what the land has provided them. *Note:* This proposal was an action item of the Eastern Interior Regional Advisory Council during its public meeting in October 2009 in Fort Yukon, Alaska.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Eastern Interior Alaska Subsistence Regional Advisory Council

LOG NUMBER: HQ-10S-G-004

Note: This proposal was deferred by the Board of Game from the Spring, 2010 meeting. It was previously listed as proposal 98.

PROPOSAL 34 - 5 AAC 92.260. Taking cub bears and female bears with cubs prohibited.

Allow the harvest of any black bear in Unit 25D as follows:

A person may not take a cub bear or a female bear accompanied by a cub bear, except that a black bear cub or a female black bear accompanied by a cub bear may be taken by a resident hunter from October 15 through April 30 under customary and traditional use activities at a den site in...**and 24 [, AND 25D] and in Unit 25D a person may take a cub bear or a female bear accompanied by a cub bear from July 1 - November 30 and March 1 - June 30.**

ISSUE: We would like to be able to harvest any black bear in Unit 25D whenever the season is open.

WHAT WILL HAPPEN IF NOTHING IS DONE? Our customary and traditional ways will be lost for no reason. There are a lot of black bears in the Yukon Flats and few bears are harvested annually.

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

WHO IS LIKELY TO BENEFIT? People who live in Unit 25D whose relatives and ancestors have taken any bear for generations. They can reclaim something they had been doing traditionally.

WHO IS LIKELY TO SUFFER? People who do not like sows and sows with cubs to be harvested.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Yukon Flats Advisory Committee

LOG NUMBER: I-10S-G-014

Note: This proposal was deferred by the Board of Game from the Spring, 2010 meeting. It was previously listed as proposal 97.

PROPOSAL 35 - 5 AAC 92.085. Unlawful methods of taking big game; exceptions. Allow black bear snaring in Unit 25D during open seasons as follows:

The following methods and means of taking big game are prohibited in addition to the prohibition in 5AAC 92.080,

(1)...

(6) with the use of a trap or snare; **except black bears in Unit 25D may be taken with a snare.**

ISSUE: We would like to be able to snare black bears in Unit 25D whenever the season is open.

WHAT WILL HAPPEN IF NOTHING IS DONE? Our customary and traditional ways will be lost for no reason. There are a lot of black bears in the Yukon Flats and few bears are harvested annually.

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

WHO IS LIKELY TO BENEFIT? People who live in Unit 25D whose relatives and ancestors have snared black bears for generations. They can reclaim something they had been doing traditionally.

WHO IS LIKELY TO SUFFER? People who do not like bears to be snared.

OTHER SOLUTIONS CONSIDERED? None

PROPOSED BY: Yukon Flats Advisory Committee

LOG NUMBER: I-10S-G-12

Alaska Department of Fish and Game
Bear Trapping Recommendations and Proposed Regulations
(September 2010)

Background

In the January 2009 statewide Board of Game meeting, black bears were classified as furbearers. This means that they may again be taken under trapping regulations with a trapping license if a trapping season is established by the Board of Game. It also means that all sales of black bear hides (raw and tanned) and parts (except gall bladders) became legal (as of 1 July, 2010). Black bear hides and parts must still have a CITES permit if transported out of the country, however.

Trapping of black bears is now also allowed in Maine, Quebec, New Brunswick, Manitoba, and Saskatchewan, and sale of black bear hides is also allowed in Idaho, Utah, and Montana, and some sale of bears is allowed in all Canadian provinces (black bears, grizzly bears, and polar bears). In Maine about 75 bears are trapped each year by about 330 permittees, including about 25 nonresidents. Nonresidents are not required to have a guide for bear trapping in Maine, but most hire guides because of convenience and the high success rate. Maine's bear trapping program has encountered relatively little controversy since a ballot initiative to ban bear trapping was defeated in 2004. Sale of bear hides has not been shown to be a conservation issue in North America.

Recommendations

At the present time, the Department of Fish and Game (department) recommends that there should be no trapping season for black bear in most areas of Alaska. The department is only recommending establishing trapping seasons in a few areas of the state, mainly Interior Alaska, to help with bear management problems—primarily to alleviate predation on moose calves in some moose populations and to experiment with bear trapping techniques as a management tool. It is the department's intent to use trapping as a management tool for black bears and grizzly bears where hunting is not sufficiently effective to achieve population management goals. At the present time, the department does not recommend using trapping as a method to simply increase harvest opportunity for black bears. The Board could always do that in the future, but a few more years experience with bear trapping programs is desirable before trapping becomes more widespread. The department has the following recommendations for the Board of Game for regulations that will apply if a trapping season is established:

If a trapping season is established, only centerfire firearm or an elevated bucket foot snare will be allowed as methods of take. Same-day-airborne shooting with a trapping license (as long as the trapper is 300 feet from the aircraft), should be allowed, even if a black bear is not snared. In addition, some of the restrictions that currently exist for black bear baiting under hunting regulations should be considered for bear trappers using bait, except that there will be no limit on the number of bucket snares a trapper may run. Trappers will be required to salvage either the hide or the meat of the black bear, and must check their bucket foot-snare sets at least every two days.

Seasons will occur when bear hides are most useful and prime, unless management objectives will not be achieved. Longer seasons, including year-round seasons may be needed to reduce bear numbers in some areas. There should generally be no bag limit for bear trapping. Sealing for bears sold within the state should not be required unless there is a sealing requirement for the Game Management Unit where they are taken.

Since trapping activities do not allow specific animals to be targeted, any black bear, including sows with cubs, and cubs, will be legal. In addition, same-day-airborne restrictions will not apply to black bear trappers. This flexibility is necessary to allow dispatch of bears near snares and other bears in the group attempting to protect a snared bear. Regulations and bag limits (any bear) will need to be considered concerning same-day-airborne incidental harvest of brown bears that must be dispatched if snared or accompanying a snared bear.

Bucket snares, when used correctly, catch a very limited number of brown bears and or bear cubs. A reporting and salvage requirement will be established for incidentally taken brown bears. Consistent with other big game species taken outside of legal methods and means, incidentally caught brown/grizzly bears will have been taken illegally and will become the property of the state, unless retention of grizzly bears, sale of hides, etc. is specifically desired by the Board as an aid in meeting management objectives. Black bear trapping seasons will be closed by department emergency order if a pre-determined number of brown bears are taken incidental to black bear trapping.

The department is interested in discussing three options with the Board for considering the involvement of nonresidents in bear trapping: 1) not allowing participation by nonresidents, 2) requiring nonresidents to be accompanied by a second-degree-of kindred resident (who is also registered to trap bears) over the age of 16, or 3) requiring nonresidents to be accompanied by any resident (who is also registered to trap bears) over the age of 16. Complexity of implementation increases by including nonresidents, particularly as regards the statute preventing take of brown/grizzly bears without a guide. However, eliminating nonresidents may significantly reduce the chance of success and the incentive for residents to participate in some bear management programs, including trapping.

The department is recommending that the Board at least require all trappers to register with the department. However, the Board may wish to require registration permits for all bear trapping, although this will require a greater effort on the part of department staff, registration permits will allow Area Biologists to specify permit conditions. Given the potentially dangerous situations, a minimum age limit (16), along with education and orientation requirements as a condition of the permit may be advisable.

Unless additional regulations are changed, black bear trappers would be allowed to use mechanized access in the Glacier Mountain Controlled Use Area, Ladue River Controlled Use Area, Upper Kuskokwim Controlled Use Area, and the Holitna - Hoholitna Controlled Use Area, since current restrictions only apply to hunters. Aligning brown/grizzly hunting seasons and black bear trapping and hunting seasons should be considered if the Board decides to allow trappers to retain incidentally caught brown/grizzly bears.

The Board of Game approved this proposal be added to the agenda through an Agenda Change Request.

PROPOSAL 36 - 5 AAC 84.270. Furbearer trapping.; 92.0XX Black bear trapping requirements.; 92.051. Discretionary trapping permit conditions and procedures.; 92.080. Unlawful methods of taking game; exceptions.; 92.095. Unlawful methods of taking furbearers; exceptions.; 92.165. Sealing of bear skins and skulls.; 92.200 Purchase and sale of game.; 92.220. Salvage of game meat, furs, and hides.; 92.990 Definitions.; and 99.025. Customary and traditional uses of game populations. Implement black bear trapping regulations as follows:

5 AAC 84.270. Furbearer trapping. Trapping seasons and bag limits for furbearers are as follows:

Units and Bag Limits	Open Season	Bag limit
...		
<u>(XX) Black Bear</u>		
<u>RESIDENTS AND NONRESIDENTS</u>		
<u>Unit 12, that portion north of the Alaska Highway, and west of the Taylor Highway</u>	<u>Apr. 15–June 30 July 1–Oct. 15</u>	<u>No bag limit, by registration permit only; may be closed by emergency order when XX brown bears incidentally taken.</u>
<u>RESIDENTS AND NONRESIDENTS</u>		
<u>Unit 16(B)</u>	<u>Apr. 15–June 30 July 1–Oct. 15</u>	<u>No bag limit, by registration permit only; may be closed by emergency order when XX brown bears incidentally taken.</u>

RESIDENTS AND NONRESIDENTS

Unit 19(A)

Apr. 15–June 30
July 1–Oct. 15

No bag limit, by registration only; may be closed by emergency order when XX brown bears incidentally taken.

RESIDENTS AND NONRESIDENTS

Unit 19(D)

Apr. 15–June 30
July 1–Oct. 15

No bag limit, by registration only; may be closed by emergency order when XX brown bears incidentally taken.

RESIDENTS AND NONRESIDENTS

Unit 20(E)

Apr. 15–June 30
July 1–Oct. 15

No bag limit, by registration permit only; may be closed by emergency order when XX brown bears incidentally taken.

RESIDENTS AND NONRESIDENTS

Unit 25(D), outside the Dalton Highway Corridor

Apr. 15–June 30
July 1–Oct. 15

No bag limit, by registration only; may be closed by emergency order when XX brown bears incidentally taken.

5 AAC 92.0XX Black bear trapping requirements. Establish a new regulation for black bear trapping requirements as follows:

(a) A person may not trap a black bear with the methods in 5 AAC 92.095, without first obtaining a trapping license and registering with the department.

(b) In addition to any condition that the department may require under 5 AAC 92.051 black bear trapping is subject to the following provisions:

(1) a person must be at least 16 years of age to trap black bear;

(2) only biodegradable materials may be used as bait; if fish or game is used as bait, only the head, bones, viscera, or skin of legally harvested fish and game may be used;

(3) a person who uses bait or scent lures must remove bait, litter, and equipment from the site when baiting is completed;

(4) except in Units 12, 13, 15, 16, 19, 20, 21, 25(D), a person may not give or receive remuneration for the use of a black bear bait and bucket footsnare station, including barter or exchange of goods; however, this paragraph does not apply to a licensed guide-outfitter who personally accompanies a client at the black bear bait and bucket footsnare station site;

(5) a person must report to the nearest department office, within five days, the incidental take of any brown bears taken by bucket footsnare or take of any brown/grizzly bear accompanying a brown bear taken by bucket footsnare;

(6) a person who sets bucket footsnare must check their bucket footsnare a minimum of every two days;

(7) a nonresident must be accompanied by a resident over the age of 16 who is registered to trap bears;

A regulation allowing discretionary conditions to be applied to trapping permits has been in place for years. The Division of Wildlife Conservation is recommending additional conditions to allow sampling without requiring sealing in some areas, and require minimum distance requirements in some areas.

5 AAC 92.051. Discretionary trapping permit conditions and procedures.

In areas designated by the board, the department may apply any or all of the following conditions to a registration trapping permit:

(1) a permittee shall demonstrate

- (A) the ability to identify the permit area;
 - (B) a knowledge of trap use and safety;
- (2) a permittee shall attend an orientation course;
 - (3) only a specified number of permittees may trap during the same time period;
 - (4) a permittee may trap only in a specified subdivision within the permitted area;
 - (5) a permittee may only use traps or snares of a specified type or size;
 - (6) a permittee may only set a trap or snare as specified by the department;
 - (7) before receiving a permit, the permittee shall acknowledge in writing that he or she has read, understands, and will abide by, the conditions specified for the permit area;
 - (8) a permittee may trap only during the specified time periods;
 - (9) a permittee must check his or her traps within a specified interval;
 - (10) a permit applicant must be at least **16** [10] years old;
 - (11) a permit applicant less than **16** [14] years old must be accompanied by an adult, **16 years of age or older**, with a valid trapping license;
 - (12) a permittee shall submit, on a form supplied by the department, information requested by the department about the permittee's trapping activities under the permit; the permittee shall submit this form to the department within the time limit set by the department;
 - (13) a permittee shall label the permittee's traps and snares as specified by the department.
 - (14) a person using bait or scent lures shall clearly identify each site with a sign reading "black bear bait and bucket footsnare station" that also displays the person's trapping license number, or mark each bucket footsnare with the trapping license number;**
 - (15) a permittee who takes an animal under a permit shall deliver specified biological specimens to a check station or to the nearest department office within a time set by the department;**
 - (16) a permittee may not possess or transport an animal unless sufficient portions of the external sex organs remain attached to either the hide or meat to indicate conclusively the sex of the animal, this does not apply to the meat of an animal that has been cut and placed in storage or otherwise prepared for consumption upon arrival at the location where it is to be consumed.**
 - (17) a person may not use bait, scent lures, or set a bucket foot snare within**
 - (A) one-quarter mile of a publicly maintained road, trail, or the Alaska Railroad;**
 - (B) one mile of a house or other permanent dwelling, businesses or schools; or**
 - (C) one mile of a developed campground or developed recreational facility;**
-

Trappers will likely need to use artificial light because they do arrive at sets after dark, particularly in September. This could become a safety issue. Use of lights could be restricted to within a certain distance of the set.

5 AAC 92.080. Unlawful methods of taking game; exceptions. The following methods of taking game are prohibited:

...

(7) with the aid of a pit, fire, artificial light, laser sight, electronically enhanced night vision scope, radio communication, cellular or satellite telephone, artificial salt lick, explosive, expanding gas arrow, bomb, smoke, chemical (excluding scent lures), or a conventional steel trap with an inside jaw spread over nine inches, except that

(A) a rangefinder may be used;

(B) a killer style trap with a jaw spread of less than 13 inches may be used;

(C) artificial light may be used

(i) for the purpose of taking furbearers under a trapping license during an open season from November 1 – March 31 in Units 7 and 9 – 26; **or black bears under a trapping license during an open trapping season;**

The Division of Wildlife Conservation recommends the following modifications to trapping methods to 1) allow same-day-airborne take of black bears during a trapping season, in order to provide flexibility to dispatch other bears in the group that may not be in the snare; and 2) prohibit trapping black bears by any means other than centerfire rifles and foot snares of a specific design.

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.

(a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

...

(8) a person who has been airborne may not use a firearm to take or assist in taking a wolf or wolverine until after 3:00 am on the day following the day in which the flying occurred; or in taking a coyote, arctic fox, red fox, [OR] lynx, **or black bear,** unless that person is over 300 feet from the airplane at the time of taking; this paragraph does not apply to a trapper using a firearm to dispatch an animal caught in a trap or snare;

...

(20) taking black bears by any means other than centerfire firearm or a bucket foot snare

When the Board of Game originally allowed the sale of bear hides and skulls, the regulations adopted required that all bears intended for sale had to be sealed. This would require sealing of bears taken as a furbearer. This requirement is included for review purposes.

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 taken in Units 1 - 7, 11, 13–17, and 20(B), and a bear skin or skull before the skin or skull is sold.

Currently, meat of a big game animal, including black bear, cannot be sold. This prohibition would not apply to black bear as a furbearer taken under trapping seasons. For consistency, we recommend that no sale of black bear meat be allowed under either hunting or trapping.

5 AAC 92.200 Purchase and sale of game. (a) In accordance with AS 16.05.920 (a) and 16.05.930(e), the purchase, sale, or barter of game or any part of game is permitted except as provided in this section.

(b) Except as provided in 5 AAC 92.031, a person may not purchase, sell, barter, advertise, or otherwise offer for sale or barter:

...

(8) the meat of big game, **black bear**, and small game, except hares and rabbits; however, caribou may be bartered in Units 22 - 26, but may not be transported or exported from those units.

Require the salvage of either the hide or the meat of a black bear taken by trapping.

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) **except as provided in (6) of this section**, from January 1 through May 31, the hide, skull, and edible meat as defined in 5 AAC 92.990, and from June 1 through December 31, the hide and skull of a black bear taken in a game management unit in which sealing is required; from June 1 - December 31, the skull and either the hide or edible meat of a black bear taken in Unit 20(B),

(4) **except as provided in (6) of this section**, from January 1 through May 31, the edible meat, and from June 1 through December 31, either the hide, or the edible meat as defined in 5 AAC 92.990, of a black bear taken in any game management unit in which sealing is not required; however, from June 1 through December 31, the edible meat of a black bear taken by a resident hunter taking black bear under customary and traditional use activities at a den site from October 15 through April 30 in Unit 19(A), that portion of the Kuskokwim River drainage within Unit 19(D) upstream from the Selatna River drainage and the Black River drainage, and in Units 21(B), 21(C), 21(D), 24, and 25(D) must be salvaged.

...

(6) either the hide, or the edible meat as defined in 5 AAC 92.990, of a black bear taken under a trapping license;

Since trapping methods cannot totally exclude non-target animals, the prohibition on taking sows with cubs, and cubs must be modified to allow trapping of any bear.

5 AAC 92.260. Taking cub bears and female bears with cubs prohibited. A person may not take a cub bear or a female bear accompanied by a cub bear, except that a black bear cub or a female black bear accompanied by a cub bear may be taken by a black bear trapper during an open trapping season, or by a resident hunter from October 15 through April 30 under customary and traditional use activities at a den site in Unit 19(A), that portion of the Kuskokwim River drainage within Unit 19(D) upstream from the Selatna River drainage and the Black River drainage, and in Units 21(B), 21(C), 21(D), 24, and 25(D).

If the Board restricts trapping methods to the use of bucket snares, a definition of a legal bucket snare must be adopted.

5 AAC 92.990 Definitions.

...

() “bucket foot snare” means a cable at least 3/16-inch in diameter with a 7x7 strand, equipped with a locking device and at least one swivel, set in a manner designed to catch a bear by the foot; snares may only be set when accompanied by a spring powered device that propels the snare closed and may only be used inside a bucket or container into which the bear must reach, triggering the spring device and becoming snared by the foot; all snares, spring devices, buckets and/or containers must be elevated at least 36 inches off the ground; snares must be anchored to a live tree 6 inches in diameter or larger.

The Board of Game will need to establish a customary and traditional use finding and establish an amount necessary for subsistence for black bear as a furbearer before establishing seasons in units where these determinations have not already been made. Current findings for black bear as a big game animal in the proposed areas are shown for reference.

5 AAC 99.025. Customary and traditional uses of game populations.

The Board of Game has examined whether the game populations in the units set out in the following table, excluding those units or portions of those units within nonsubsistence areas established by the Joint Board of Fisheries and Game (5 AAC 99.015), are customarily and traditionally taken or used for subsistence and make the following findings:

SPECIES & UNIT (2) Black Bear	FINDING	AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE USES
--	----------------	---

...

will, as the board determines is appropriate, attempt to integrate opportunities offered under both state and federal regulations.

(c) In this section,

(1) “amount reasonably necessary for subsistence uses” includes the total amount of animals from a population that must be available for subsistence hunting in order to provide a reasonable opportunity for subsistence uses, under state and federal subsistence hunting regulations, where both exist;

(2) “reasonable opportunity” has the meaning given in AS 16.05.258(f).

ISSUE: See the justification provided on pages 49 and 50.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulations for black bear trapping will be ambiguous.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? These regulations will provide for better protection of harvest through trapping.

WHO IS LIKELY TO BENEFIT? Trappers interested in trapping black bear.

WHO IS LIKELY TO SUFFER? Those who oppose the concept of black bear trapping.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: The Department of Fish and Game

LOG NUMBER: ADFG090210D

**Findings of the Alaska Board of Game
2010-XXX-BOG**

**BOARD OF GAME BEAR CONSERVATION, HARVEST,
AND MANAGEMENT POLICY
October, 2010**

Expiration Date: June, 30 2016

Purposes of Policy

1. To clarify the intent of the Board and provide guidelines for Board members and the Department of Fish and Game to consider when developing regulation proposals for the conservation and harvest of bears in Alaska, consistent with the Alaska Constitution and applicable statutes.
2. To encourage review, comment, and interagency coordination for bear management activities.

Goals

1. To ensure the conservation of bears throughout their historic range in Alaska.
2. To recognize the ecological and economic importance of bears while providing for their management as trophy, food, predatory, and furbearer species.
3. To recognize the importance of bears for viewing, photography, research, and nonconsumptive uses in Alaska.

Background

The wild character of Alaska's landscapes is one of our most important natural resources and the presence of naturally abundant populations of brown/grizzly bears (*Ursus arctos*) and black bears (*Ursus americanus*) throughout their historic range in Alaska is important to that wild character. Bears are important to Alaskans in many ways, including as food animals, predators of moose, caribou and muskox, trophy species for nonresident and resident hunters, furbearers, problem animals in rural and urban settings, and as objects of curiosity, study, awe, and enjoyment. Bears are also important components to the natural functioning of all of Alaska's ecosystems.

Bear viewing is a rapidly growing industry in selected areas of the state. The interest exceeds the opportunities provided now by such established and controlled sites as McNeil River, Pack Creek, Anan Creek, Wolverine Creek and Brooks Camp. As a result, private entrepreneur businesses are providing viewing opportunities in some high-density bear areas. Many of these sites and programs involve habituated bears and can result in conflicts with competing uses of the same bears.

Bears are frequently attracted to garbage or to fish camps and hunting camps, and can be a nuisance where they become habituated to humans and human food sources. Dealing with problem bears has been especially difficult in Anchorage, Juneau, and the Kenai Peninsula. The department has worked hard, and successfully, with municipalities to educate people and solve waste management problems. The department's policy on human food and solid waste management (<http://www.wc.adfg.state.ak.us/index.cfm?adfg=bears.bearpolicy>) provides guidance on reducing threats to humans and resulting need to kill problem bears.

Bears can pose a threat to humans in certain situations. Statewide, an average of about six bear encounters a year result in injuries to people. Most attacks now occur in suburban areas and do not involve hunters. About every two or three years, one of the attacks results in a human fatality. The Department and the Board will continue to educate people about ways to minimize threats to humans and the resulting need to kill problem bears.

Alaska is world-renowned as a place to hunt brown bears, grizzly bears and black bears. Alaska is the only place in the United States where brown and grizzly bears are hunted in large numbers. An average of about 1,500 brown and grizzly bears is harvested each year. The trend has been increasing, probably because of both increased demand for bear hunting and increasing bear numbers. Many of the hunters are nonresidents and their economic impact is significant to Alaska. Hunters have traditionally been the strongest advocates for bears and their habitat, providing consistent financial and political support for research and management programs.

Because bears can be both prey and predator, their relationship with people is complex. Throughout much of Interior Alaska and in some areas of Southcentral Alaska, the combined predation by grizzly bears and wolves keeps moose at relatively low levels. Bear predation on young calves has been shown to contribute significantly to keeping moose populations depressed, delayed population recovery, and low harvest by humans. People in parts of rural Alaska (e.g. Yukon Flats) have expressed considerable frustration with low moose numbers and high predation rates on moose calves in hunting areas around villages. The Board and the Department have begun to take a more active role in addressing bear management issues. Because the Constitution of the State of Alaska requires all wildlife (including predators) to be managed on a sustained yield basis, the Board of Game and the Department will manage all bear populations to maintain sustained yield harvests, but the Board recognizes its broad latitude to manage predators including bears to provide for higher yields of ungulates (*West vs State of Alaska*, Alaska Supreme Court, 6 August 2010).

Brown and grizzly bears

Although there is no clear taxonomic difference between brown and grizzly bears, there are ecological and economic differences that are recognized by the Board and the Department. In coastal areas where salmon are important in the diet of *Ursus arctos*, these bears are commonly referred to as brown bears. Brown bears grow relatively large, tend to be less predatory on ungulates, usually occur at high densities, and are highly sought after as trophy species and for viewing and photography. In Interior and Arctic Alaska where densities are lower, the bears are smaller in size, are more predatory on ungulates, and have fewer opportunities to feed on salmon, they are referred to as grizzly bears. Brown and grizzly bears are found throughout their historic

range in Alaska and may have expanded their recent historic range in the last few decades into places like Yukon Flats and lower Koyukuk River.

Although determining precise population size is not possible with techniques currently available, most bear populations are estimated to be stable or increasing based on aerial counts, Capture-Mark-Resight techniques (including DNA), harvest data, traditional knowledge, and expansion of historic ranges. Throughout most coastal habitats where salmon are abundant, brown bears are abundant and typically exceed 175 bears/1,000 km² (450 bears/1,000 mi²). A population in Katmai National Park on the Alaska Peninsula was measured at 550 bears/1,000 km² (1,420 bears/1,000 mi²). In most interior and northern coastal areas, densities do not exceed 40 bears/1,000 km² (100 bears/1,000 mi²). Mean densities as low as 4 grizzly bears/1,000 km² (12 bears/1,000 mi²) have been measured in the eastern Brooks Range but these density estimates may be biased low and the confidence intervals around the estimates are unknown. Extrapolations from existing density estimates yielded statewide estimate of 31,700 brown bears in 1993, but the estimate is likely to be low.

Although some northern grizzly bear populations have relatively low reproductive rates, most grizzly bear and brown bear populations are capable of sustaining relatively high harvest rates compared with moose, caribou, sheep, goats, and other big game animals that exist in the presence of natural numbers of large predators in most areas of Alaska. In addition, grizzly bears and brown bears have shown their ability to recover relatively quickly (<15 years) from federal poisoning campaigns during the 1950s and overharvest on the Alaska Peninsula during the 1960s. Biologists were previously concerned about the conservation of brown bears on the Kenai Peninsula and brown bears there were listed by the state as a “species of special concern”. The Department implemented a conservation strategy there through a stakeholder process. In recent years it has become apparent that brown bears remain healthy on the Kenai and the Board and the Department no longer believe there is a conservation concern.

In some areas of the state (e.g. Unit 13) where the Board has tried to reduce grizzly bear numbers with liberal seasons and bag limits for over 15 years, there is no evidence that current increased harvests have affected bear numbers, age structure, or population composition. In areas of Interior Alaska, where access is relatively poor, long conventional hunting seasons and bag limits of up to 2 bears per year have not been effective at reducing numbers of grizzly bears. In these areas, most biologists believe that as long as sows and cubs are protected from harvest it will not be possible to reduce populations enough to achieve increases in recruitment of moose.

Black bears

American black bears (*Ursus americanus*) are generally found in forested habitats throughout the state. Like brown and grizzly bears, black bears also occupy all of their historic ranges in Alaska and are frequently sympatric with grizzly and brown bears. Because they live in forested habitats it is difficult to estimate population size or density. Where estimates have been conducted in interior Alaska, densities ranged from 67 bears/1,000 km² (175 bears/1,000 mi²) on the Yukon Flats to 289 bears/1,000 km² (750 bears/1,000 mi²) on the Kenai Peninsula. In coastal forest habitats of Southeast Alaska’s Alexander Archipelago black bear densities are considered high. A 2000 estimate for Kuiu Island was 1,560 black bears/1,000 km² (4,000 black bears/1,000 mi²).

In most areas of the state, black bears are viewed primarily as food animals, but they are also important as trophy animals, predators of moose calves, and for their fur. The Board recently classified black bears as furbearers, recognizing the desire of people to use black bear fur as trim on clothing, to enhance the value of black bears, and to enable the Board and the Department to use foot-snares in bear management programs. The classification of black bears as a furbearer has legalized the sale of all black bear hides and parts (except gall bladders), and has thus made regulations in Alaska similar to those in northern Canada in this regard.

Black bears exhibit higher reproductive rates than brown and grizzly bears. In all areas of the state black bear populations are healthy and can sustain current or increased harvest levels. However, hunting pressure on black bears in some coastal areas like Game Management Unit (GMU) 6 (Prince William Sound), GMU 2 (Prince of Wales Island) and parts of GMU 3 (Kuiu Island) may be approaching or have exceeded maximum desired levels if trophy quality of bears is to be preserved.

In some other parts of the state, deliberately reducing black bear numbers to improve moose calf survival has proven to be difficult or impossible with conventional harvest programs. The Board has had to resort to more innovative regulations promoting baiting and trapping with foot snares. The Department has also tried an experimental solution of translocating bears away from an important moose population near McGrath (GMU 19D) to determine if reduced bear numbers could result in significant increases in moose numbers and harvests. The success of the McGrath program has made it a potential model for other small areas around villages in Interior Alaska.

Guiding Principles

The Board of Game and the Department will promote regulations and policies that will strive to:

1. Manage bear populations to provide for continuing sustained yield, while allowing a wide range of human uses in all areas of the state.
2. Continue and, if appropriate, increase research on the management of bears and on predator/prey relationships and methods to mitigate the high predation rates of bears on moose calves in areas designated for intensive management.
3. Continue to provide for and encourage non-consumptive use of bears without causing bears to become habituated to human food.
4. Favor conventional hunting seasons (when fur is prime) and bag limits to manage bear numbers.
5. Employ more efficient harvest strategies, if necessary, when bear populations need to be substantially reduced to mitigate conflicts between bears and people.
6. Primarily manage brown bear populations to maintain trophy quality, especially in Game Managements 1 through 6, and 8 through 10.
7. Work with the Department to develop innovative ways of increasing bear harvests if conventional hunting seasons and bag limits are not effective at reducing bear numbers to mitigate predation on moose or muskox or to deal with problem bears.
8. Simplify hunting regulations for bears, and increase opportunity for incidental harvest of grizzly bears in Interior Alaska by eliminating resident tag fees.

9. Recognize the increasing value of brown bears as a trophy species and generate increased revenue from sales of brown bear tags.
10. Review and recommend revision to this policy as needed.

Conservation and Management Policy

The Board and the Department will manage bears differently in different areas of the state, in accordance with ecological differences and the needs and desires of humans. Bears will always be managed on a sustained yield basis. In some areas, such as the Kodiak Archipelago, portions of Southeast Alaska and the Alaska Peninsula, brown bears will generally be managed for trophy-hunting and viewing opportunities. In Southeast Alaska and Prince William Sound, black bears will generally be managed as trophy species, food animals, or for viewing opportunities. In Interior and Arctic Alaska, black bears and grizzly bears will be managed primarily as trophy animals, food animals, and predators of moose and caribou. However in some parts of Interior Alaska, the Board may elect in the future to manage populations of black bears primarily as furbearers.

Monitoring Harvest and Population Size

The Board and the Department recognize the importance of monitoring the size and health of bear populations on all lands in Alaska to determine if state and federal bear population management and conservation goals are being met. In areas where monitoring bear numbers, population composition, and trophy quality is a high priority, sealing of all bear hides and skulls will be required. At the present time, all brown and grizzly bears harvested under the general hunting regulations must be inspected and sealed by a Department representative. Where monitoring bear numbers and harvests is a lower priority, harvest may be monitored using harvest tickets or subsistence harvest surveys.

Harvest of black bears will generally be monitored either with harvest tickets or sealing requirements. Where harvests are near maximum sustainable levels or where the Department and the Board need detailed harvest data, sealing will be required.

Large areas of the state have subsistence brown/grizzly bear hunts with liberal seasons and bag limits, mandatory meat salvage, and relaxed sealing requirements. The Department will continue to accommodate subsistence needs.

Bear viewing also is an important aspect of bear management in Alaska. Increasing interest in watching bears at concentrated feeding areas such as salmon streams and sedge flats, and clam flats is challenging managers to find appropriate levels and types of human and bear interactions without jeopardizing human safety. Bear hunting and viewing are compatible in most situations.

Nothing in this policy affects the authority under state or federal laws for an individual to protect human life or property from bears (5 AAC 92.410). All reasonable steps must be taken to protect life and property by non-lethal means before a bear is killed.

Managing Predation by Grizzly Bear and Black Bears

In order to comply with the intensive management law (AS 16.05.255e) the Board and Department may implement management actions to reduce bear predation on populations of moose and caribou that are important for high levels of human use. The Board and the Department may also need to reduce bear predation on moose, caribou, muskox or other ungulates to provide for continued sustained yield management or conservation. In addition, it may be necessary for the Department to kill problem bears to protect the safety of the public under AS 16.05.050 (a) (5). In some cases the Board may direct the Department to prepare a Predation Control Areas Implementation Plan (AS 92.125) or in other cases the Board may authorize other than conventional hunting seasons to aid in managing predation on moose, caribou, or muskox.

To comply with AS 16.05.255 (e), to maintain sustained yield management of wildlife populations, or to prevent populations of ungulates from declining to low levels, the Board may selectively consider changes to regulations allowing the public to take bears, including allowing the following:

- Baiting of black bears
- Baiting of grizzly bears
- Trapping, using foot-snares, for black bears under bear management or predator control programs
- Incidental take of grizzly bears during black bear trapping programs
- Use of communications equipment between hunters or trappers
- Sale of hides and skulls as incentives for taking bears
- Diversion feeding of bears during ungulate calving seasons
- Use of black bears for handicraft items for sale except gall bladders
- Use of grizzly bears for handicraft items for sale, except gall bladders
- Taking of sows accompanied by cubs and cubs
- Same day airborne taking, except aerial shooting
- Suspension or repeal of bear tag fees
- Use of helicopters for transporting hunters and their equipment

Note: This replaces policy #2006-164-BOG.

Vote: _____

Date: _____

_____, Alaska

_____, Chair
Alaska Board of Game

**Findings of the Alaska Board of Game
2010-XXX-BOG**

**BOARD OF GAME WOLF POPULATION CONTROL AND MANAGEMENT POLICY
October, 2010**

Expiration Date: June 30, 2016

Purpose of Policy

The purpose of this supplement is to amplify the Board of Game's (Board) policy on wolf management, particularly in relation to population manipulation of wolf populations. In adopting "Species Management Policies on Wolves," the Board recognized the need for ongoing responsible wolf management to maintain sustainable wolf populations and to help maintain sustainable ungulate populations upon which wolves are largely dependent. The Board also recognized that when substantial conflicts arise between humans and wolves over the use of prey, wolf populations may have to be managed more intensively and human use of prey further regulated to minimize such conflicts. Under some conditions, it may be necessary to virtually eliminate human use of prey species and greatly reduce wolf numbers to aid recovery of low prey populations or to arrest undesirable reductions in prey populations. Wolf population control programs are presently the most effective means to reduce wolf numbers, and have been implemented in some parts of the state after Department and public review and approval.

Wolf/Human Use Conflicts

Conflicts may exist between wolves and humans when priority human uses of prey animals cannot be reasonably satisfied. In such situations, wolf population control will be considered. Specific circumstances where conflicts arise include the following:

1. Prey populations or recruitment of calves into populations are not sufficient to support existing levels of existing wolf predation and human harvest;
2. Prey populations are declining because of predation by wolves;
3. Prey population objectives are not being attained; and
4. Human harvest objectives are not being attained.

Wolf Population Control

The purpose of wolf population control is not to eradicate wolf populations. Wolf control is the planned, systematic regulation of wolf numbers to achieve a temporarily lowered population level using aerial shooting, hiring trappers, denning, helicopter support, or other methods which may not normally be allowed in conventional public hunting and trapping. Under no circumstances will wolf populations be eliminated or reduced to a level where they will not be able to recover when control efforts are terminated, and wolves will always be managed to provide for sustained yield harvest.

The use of conventional hunting and trapping techniques and bag limits to attain wolf population management objectives is not considered control. Conventional hunting and trapping are the preferred means of using harvestable surpluses of wolves and of temporarily reducing wolf numbers if necessary.

Wolf control should be done only where prey population objectives, human use objectives, and wolf population objectives have been established; where predation by wolves is in conflict with the priority human uses or other management objectives; and where conventional hunting and trapping cannot significantly alter wolf numbers.

Wolf management objectives may entail widely different levels of wolf population control. In the most extreme circumstances it may be necessary to temporarily remove a high percentage (>70%) of wolf populations to allow recovery of prey populations. In other situations it may be necessary to temporarily remove a smaller percentage of wolf populations (40-70%) to allow prey populations to increase or meet human harvest objectives. Once prey populations increase, wolf populations are generally allowed to increase to or above pre-control levels.

Over thirty years of intensive wolf and moose management and research, including 2 periods of wolf control in GMU 20A, has provided a great deal of information on what biologists can expect from intensive management programs. Generally, it appears that if there are 20 or less moose per wolf, the moose population will decline. Between 20 and 30 moose per wolf, the moose population may decline if other adverse conditions occur, such as severe winter. If there are 30 to 50 moose per wolf, the moose population will stabilize, and possibly increase if food and other factors are favorable. When there are 50 to 100 moose per wolf, the moose population will increase unless or until a very serious mortality factor, such as a very severe winter takes effect. These relationships are viewed only as general guidelines, however, because ecological conditions vary considerably in different situations.

There are several situations where the combination of factors described above lead to consideration of wolf control:

1. Hunting by people is the highest priority use of prey species in the area;
2. Predation has reduced prey populations or held them at levels well below estimated carrying capacity of the habitat;
3. Prey populations are below levels that could reasonably satisfy priority human harvests;
4. Adequate control of predation cannot be attained by manipulation of hunting and trapping seasons and bag limits (i.e. standard wolf management techniques); and
5. Human harvest objectives for prey populations approved by the Department and the Board cannot be obtained because of predation by wolves or by wolves and bears.

Whenever wolf population control is necessary, the Board will favor and promote an effective control effort by the public. Experience has shown that in most cases a joint effort by the public

and the Department has been most effective. However, the Board recognizes that there are areas and situations where the public cannot effectively or efficiently control predation and that the Department may, under its own authority and responsibilities, conduct the necessary wolf population control activities. Such situations arise in part because public effort to take wolves tends to diminish before an adequate level of population control is achieved.

In areas where wolf reduction is being conducted, ungulate and wolf surveys should be conducted as frequently as necessary to ensure that adequate data are available to make management decisions.

Public Use of Wolves

Whenever wolf population control is necessary it shall be the Board's intent to allow the public to gain maximum benefit from the taking of wolves.

- A. Expanded hunting and trapping seasons will be confined to periods when wolf pelts are prime (about 1 November-30 April) unless population objective cannot be obtained.
- B. The use of poisons by the public to kill wolves will not be permitted.
- C. The shooting of wolves from helicopters by the public will not be permitted. Retrieval of dead wolves by helicopter may be permitted.
- D. The Commissioner of Fish and Game may delegate authority to department personnel or agents of the state to shoot wolves from airplanes or helicopters as part of wolf population control programs. Taking wolves under delegation of authority from the Commissioner is not considered hunting and permits will not be issued to nonresidents.
- E. The pelts of wolves taken under predation control programs must be salvaged according to the existing laws and regulations covering the salvage and waste of game.
- F. The Alaska State Constitution and the Alaska Statutes require that predator and prey populations be managed for maximum use consistent with the public interest and with the sustained yield principle.

Management Alternatives

Management practices affecting ecosystem elements other than wolf population control may help reduce or eliminate the need for predator control programs in some circumstances.

A. Enhancing Habitat

Habitat can be managed to enhance carrying capacity for moose, deer, and elk in certain ecological situations. Substantially higher prey populations can support wolf populations, along with desired levels of human harvests.

Long-term habitat enhancement is preferred to wolf control in situations where improving the habitat for prey species will reduce or eliminate wolf/human conflicts.

B. Reducing Habitat Loss

For species like caribou, goat, deer, and sheep, protecting key habitats from human disturbance may reduce the need for wolf management or control. By reducing or precluding habitat deterioration or loss, some populations of these prey species may be maintained at higher population levels that will meet human demand (e.g. protecting key old growth deer winter range from logging).

C. Restricting Human Use of Prey Species

Given the extremely high value placed on human harvest of prey species, the option of dramatically reducing or eliminating human harvests of prey species for extended periods of time is generally not an acceptable management approach.

D. Predation by Other Carnivores

Predation by carnivores other than wolves may sometimes contribute substantially to low prey populations. Brown/grizzly bears and black bears have a major influence on caribou and moose in some areas; grizzly bears can be significant predators of muskox; and lynx, coyotes, and golden eagles can be significant predators of Dall sheep. Depending on ecological factors and logistical considerations, it may be possible to avoid wolf control by reducing numbers of these other predators, or waiting for cyclic declines in snowshoe hares to occur.

E. Wolf Transplants or Other Nonlethal Control Methods

Nonlethal wolf control, such as transplants, sterilization, and diversionary feeding are generally not considered by biologists as effective population control techniques and are controversial. However, if these techniques are recommended by the Department and will be beneficial in both the removal area and the receiving area, they may be pursued.

F. Increased Trapping Take of Wolves

Trapper education programs which emphasize wolf trapping and snaring should be conducted to encourage greater effectiveness of the public in attaining wolf population management objectives. Trappers potentially benefit from the training by diversifying their catches, increasing their income, and stabilizing year-to-year variations in income which commonly occur when fur prices or species abundance fluctuate. Increased take of wolves by trappers could reduce the need for Department-funded wolf control programs. Seasonally hiring trappers to take wolves may also preclude the need for aerial shooting programs.

G. Enhancement of Wolf Populations

Situations may arise that make it desirable to encourage or establish increased wolf populations. When prey populations increase beyond optimum population levels, or beyond that level needed for human use, the Board may take regulatory action to reduce human take of wolves.

Note: This replaces policies 82-31-GB.

Vote: _____

Date: _____

_____, Alaska

_____, Chair

Alaska Board of Game