

Kristy,

I would like to request an agenda change for the Statewide meeting next year to include all of these proposals. Obviously #'s 1,3,4 already meet the call but the others are intertwined in statewide black bear management too. As you know many things can slip through the cracks over the years and that is one of the reasons we held this bear group to sort out the mess.

I think it would be very advantageous to have statewide black bear regulations All on the table at on meeting so we can discuss how each regulation effects the others.

I thought there was a form for an ACR but it has been several years since I have submitted one and the new ADF&G website is a disaster to find anything.

Thanks,

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

5AAC 92.010:

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

5 AAC 92.165:

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

representative within 30 days after the taking, or a lesser time if requested by the department, except that

5 AAC 92.220:

(a) Subject to additional requirements in 5 AAC 84 - 5 AAC 85, a person taking game shall salvage the following parts for human use:

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

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

Reporting

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

Salvage

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

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

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

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

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

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

WHO IS LIKELY TO SUFFER? No one

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

PROPOSED BY: The Greater Alaska Black Bear Committee

Alaska Board of Game Agenda Change Requests

Because of the volume of proposed regulatory changes, time constraints, and budget considerations, the boards must limit their agendas. The boards attempt to give as much advance notice as possible on what schedule subjects will be open for proposals. The following regulation specifies how the Board of Game considers agenda change requests (5 AAC 92.005):

BOARD OF GAME

5 AAC 92.005. The Board of Game, will, in its discretion, change its schedule for considering proposed regulatory changes in accordance with the following guidelines:

- (1) a request to consider a proposed regulatory change outside the board's published schedule must be in writing, and must specify the change proposed and the reason it should be considered out of sequence;
- (2) a request must be sent to the executive director of the boards support section at least 45 days before a scheduled meeting unless the board allows an exception to the deadline because of an emergency;
- (3) the executive director shall attempt to obtain comments on the request from as many board members as can reasonably be contacted; and
- (4) if a majority of the board members contacted approve the request, the executive director shall notify the public and the department of the agenda change.

5 AAC 96.625. JOINT BOARD PETITION POLICY

(a) Under AS 44.62.220, an interested person may petition an agency, including the Boards of Fisheries and Game, for the adoption, amendment, or repeal of a regulation. The petition must clearly and concisely state the substance or nature of the regulation, amendment, or repeal requested, the reason for the request, and must reference the agency's authority to take the requested action. Within 30 days after receiving a petition, a board will deny the petition in writing, or schedule the matter for public hearing under AS 44.62.190--44.62.210, which require that any agency publish legal notice describing the proposed change and solicit comment for 30 days before taking action. AS 44.62.230 also provides that if the petition is for an emergency regulation, and the agency finds that an emergency exists, the agency may submit the regulation to the lieutenant governor immediately after making the finding of emergency and putting the regulation into proper form.

(b) Fish and game regulations are adopted by the Alaska Board of Fisheries and the Alaska Board of Game. At least twice annually, the boards solicit regulation changes. Several hundred proposed changes are usually submitted to each board annually. The Department of Fish and Game compiles the proposals and mails them to all fish and game advisory committees, regional fish and game councils, and to over 500 other interested individuals.

(c) Copies of all proposals are available at local Department of Fish and Game offices. When the proposal books are available, the advisory committees and regional councils then hold public meetings in the communities and regions they represent, to gather local comment on the proposed changes. Finally, the boards convene public meetings, which have lasted as long as six weeks, taking department staff reports, public comment, and advisory committee and regional councils reports before voting in public session on the proposed changes.

(d) The public has come to rely on this regularly scheduled participatory process as the basis for changing fish and game regulations. Commercial fishermen, processors, guides, trappers, hunters, sport fishermen, subsistence fishermen, and others plan business and recreational ventures around the outcome of these public meetings.

(e) The Boards of Fisheries and Game recognize the importance of public participation in developing management regulations, and recognize that public reliance on the predictability of the normal board process is a critical element in regulatory changes. The boards find that petitions can detrimentally circumvent this process and that an adequate and more reasonable opportunity for public participation is provided by regularly scheduled meetings.

(f) The Boards of Fisheries and Game recognize that in rare instances circumstances may require regulatory changes outside the process described in (b) - (d) of this section. Except for petitions dealing with subsistence hunting or fishing, which will be evaluated on a case-by-case basis under the criteria in 5 AAC 96.615(a), it is the policy of the boards that a petition will be denied and not schedule for hearing unless the problem outlined in the petition justifies a finding of emergency. In accordance with state policy expressed in AS 44.62.270, emergencies will be held to a minimum and are rarely found to exist. In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future. (Eff. 9/22/85, Register 95; am 8/17/91, Register 119; readopt 5/15/93, Register 126)

Authority: AS 16.05.251, AS 16.05.255, AS 16.05.258