

Date: March 16, 2016

To: Alaska Board of Game, Attn: Kristy Tibble

From: Rob Sulski

Subject: Alaska Board of Game Proposal #92

Fax. No: 907-465-6094

Date: March 16, 2016

To: Alaska Board of Game

Attn: Kristy Tibble, Executive Director

Via fax: 907-465-6094

Subject: Support of Proposal #92 Permits for Falconry - Modify the allocation provisions for nonresident permits.

This comment is to whole-heartedly support Proposal 92 and to request that the Alaska Board of Game further clarify or restate to the Alaska Department of Fish and Game the limits of ADFG's discretionary authority in this matter.

Alaska possesses an enormous raptor resource, a portion of which does not exist in the lower 48 states. As has been demonstrated and reiterated time-and-time again in previous testimony at the March 2012 and March 2014 meetings, there is no biological basis for limiting harvest of this resource below what is an ultra-conservative level of 5% of the annual productivity levels of all raptor species. Even though many raptor populations can sustain even higher levels of harvest, the 5% level was selected by world raptor population experts as one that would have no – zero – measurable effect. I recommend the Board allow nonresidents to harvest raptors in the same manner as Alaska residents at a combined resident and nonresident level of approximately 5% of the Alaska raptor population.

After two years of deliberation, the Board in March 2014 approved a nonresident take of raptors that, among other things, allows the issuance of 5 nonresident permits. Shortly thereafter, ADFG arbitrarily and without justification restricted the number of nonresident permits to 3.

Within the current nonresident take provisions the Board gave ADFG some discretionary authority in three specific areas so that ADFG would not have to return to the Board each time they encountered a simple, unforeseen issue. That discretionary authority was limited to:

- 1) instituting permit conditions;
- 2) prohibiting harvest in specific areas that might be considered sensitive; and
- 3) regulating bait used to capture raptors.

According to the March 2014 meeting records, when ADFG requested that such discretionary authority be added to the provisions, they orally assured the Board that their intention was not to restrict, diminish or downsize nonresident opportunities. The record also shows that just prior to adopting Proposal 174A, the Board instructed ADFG that they would need to come back to the Board should any of ADFG's discretionary authority decisions fall outside of the provisions and intent of the Board's rulemaking in this matter. There does not appear to be any record that shows ADFG went back to the Board for approval to shrink the number of nonresident permits from 5 to 3 in 2015. I make this point because if the Board decides to increase the number of nonresident permits – and even if they do not, what assurance is there that ADFG will not again arbitrarily restrict the permits they issue to a number below what the Board authorizes.

Respectfully,

Rob Sulski

Master Falconer since 1979

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