

Falconry

Note: The Board of Game deferred this proposal from the 2017 Arctic/Western Region Meeting. It was previously numbered Proposal 158.

PROPOSAL 18 – 5 AAC 92.037. Permits for falconry. Remove the West Nile Virus testing requirement for raptors as follows:

Remove the requirements to test birds for West Nile Virus.

What is the issue you would like the board to address and why? Please remove the West Nile Virus testing requirements, as per Alaska Division of Wildlife Conservation Alaska Falconry Manual 9 Addendum dated March 29, 2013. The current regulation requires falconers to give unnecessary vaccinations for raptors, costs hundreds of dollars in veterinary bills and requires unnecessary quarantines for up to 30 days each time a falconer travels outside of Alaska or imports a raptor.

PROPOSED BY: Don Hunley (HQ-2016-ACR8)

PROPOSAL 19 – 5 AAC 92.037. Permits for falconry. Change the nonresident season for taking passage raptors as follows:

Amended regulation should read:

- (7) take is limited to one passage, hatching-year raptor;
- (8) the annual nonresident season for acquiring a passage raptor is from **September 5 – November 20**;

The regulation currently reads:

- (7) take is limited to one passage, hatching-year raptor;
- (8) the annual nonresident season for acquiring a passage raptor is from [AUGUST 15 – OCTOBER 31];

What is the issue you would like the board to address and why? This proposal's intention is to roll the nonresident passage take season start date back 20 days from August 15 to September 5, thus allowing young raptors to mature and disperse from their natal sites, making it less likely that targeting certain genetic progeny of certain nesting pairs can occur repeatedly over the years. Current nonresident effort with ever increasing demand could cause the loss of certain scarce genetics by concentrated excessive harvest from the wild gene pool year after year.

Taking of young birds before dispersal, allows for the undesirable impacts of targeting the progeny of specific nest pair genetics from the same nest sites, year after year.

A majority of the nonresident permit applicants are raptor breeders and/or their affiliates and are targeting certain localities and very specific genetic stock. Concentrated attention toward the offspring of these individual birds can ultimately effect the presence and maintenance of certain scarce genetics in the wild.

As nonresident demand for Alaskan birds increases, (demand already surpasses current resident take), we need to have measures in place to preclude undesired affects that will be most likely harmful to the wild gene pool in the future.

It is ok to retain the 76-day nonresident passage season, but adjustments must be made to the start date to better protect nesting pair genetics from the potential long-term impacts of nonresident over selective harvest. Rolling back the start date will greatly dilute concentrated nonresident effort impacting targeted pairs, yet allow nonresidents a reasonable opportunity to take a randomly encountered passage bird.

PROPOSED BY: Kurt Schmidt (EG-F17-090)

PROPOSAL 20 – 5 AAC 92.037. Permits for falconry. Limit nonresident falconers to take raptors every four or five years as follows:

Option A: A nonresident falconer who draws a permit and captures a raptor in Alaska may not apply for a nonresident capture permit for five calendar years.

Option B: A nonresident falconer who draws a permit and captures a raptor in Alaska may not apply for a nonresident capture permit for four calendar years.

What is the issue you would like the board to address and why? The Alaska Falconers Association is requesting that the Board of Game (board) institute a regulation that limits a successful applicant for a nonresident falconry capture permit who successfully traps a raptor in Alaska to be ineligible to apply for another nonresident capture permit for a period of five calendar years.

The board’s intent language placed on record when nonresident take was instituted in 2014 was to make available the special opportunity and experience of trapping a raptor in Alaska available to as many nonresident falconers as possible. The Alaska Falconers Association agrees with the board's intent. In the three years that the nonresident allocation has been in place, one individual nonresident falconer drew a capture permit two consecutive years in a row and successfully took a raptor and exported that raptor out of Alaska in both years.

Alaska does not allow a person who successfully fills a drawing permit for a big game animal to re-apply for that same hunt the following year. Alaska prohibits a successful hunter who took a bison, Tok sheep, trophy brown bear in coastal units, or a muskox, from harvesting that same species for multiple years. We feel that raptors taken from Alaska by nonresident falconers hold that same special value and that a nonresident falconer should only be allowed to capture one raptor every five calendar years.

PROPOSED BY: Alaska Falconers Association (EG-F17-044)

PROPOSAL 21 – 5 AAC 92.037. Permits for falconry. Require raptors taken under nonresident capture permits be implanted with microchips as follows:

Add a new section that reads:

Prior to exporting a raptor from Alaska that was taken by a nonresident falconer under the terms of a nonresident capture permit, the raptor must be implanted with a microchip by a licensed veterinarian. Documentation of the procedure and registration must be presented to ADF&G during the check-out process.

What is the issue you would like the board to address and why? The Alaska Falconers Association is requesting the Board of Game to require nonresident falconers who successfully draw a nonresident capture permit and trap a raptor in Alaska to have a microchip implanted in the raptor prior to exporting the raptor from the State of Alaska.

Airline companies require a health certificate, issued by a veterinarian, to be obtained for the raptor prior to shipment for export from Alaska. The bird can be microchipped by the vet at the same time the bird is examined for the required health certificate. Microchip identification can assist biologists, law enforcement, and state wildlife agencies keep track of wild origin birds that must stay in state falconry programs. These birds cannot be sold or transferred out of the United States. Implanting a microchip, a simple minimally evasive and inexpensive process, will go a long way in permanently identifying a wild-taken Alaska raptor once it has left the State of Alaska.

Highly prized raptors such as Alaska passage gyrfalcons and peregrine falcons have been traded and sold illegally in the past. ADF&G has documented one gyrfalcon that was trapped on the Yukon Delta as part of a scientific research study that was subsequently re-identified in the Middle East. We believe that implanting a microchip in each raptor that is trapped by a nonresident and subsequently exported from the state will aid in the proper use of that bird as a falconry bird and assist in tracking that bird through its life time.

PROPOSED BY: Alaska Falconers Association (EG-F17-065)

PROPOSAL 22 – 5 AAC 92.037. Permits for falconry. Allow the take of up to five eyas goshawks by nonresidents as follows:

#1. The proponents request an annual take of up to five eyas goshawks (*Accipiter Gentilis*) by nonresident falconers.

#2. This proposed regulation is a new addition to the present Alaskan nonresident take of raptors, and is specific to goshawks.

#3. The proponents request the nonresident take of goshawks using an application and a lottery system administered by the ADF&G. We also suggest applicants be required to purchase a nonresident hunting license to enter the lottery.

#4. The proponents suggest that areas for nonresident take would be determined by ADF&G with the input of Alaskan falconers. Nonresidents must comply with all local state and federal laws concerning raptor take and must have prior approval to enter privately owned or native lands.

#5. The proponents suggest that successful applicants be required to check-out with ADF&G before being issued an export permit to leave the state with an eyas goshawk.

#6. The proponents suggest that a successful applicant will have a one or two year waiting period before being qualified to reapply for this lottery.

What is the issue you would like the board to address and why? I represent a group of Alaskan falconers in favor of nonresident take of up to five eyas goshawks per year for nonresident American citizens. The use of eyas raptors in falconry is a normal practice in Alaska and in the lower 48 states. Very few raptors are taken by Alaskan falconers and this traditional practice by nonresidents will have virtually no effect on Alaska’s resident falconers or to the resource. Goshawks are a common species and available to beginning falconers in the state. It is estimated that about 70% of first year raptors die within their first year. In addition, the survivability of the remaining nestlings can be enhanced by reduced competition for food.

The approval of nonresident eyas take of goshawks will provide limited additional funds to the State of Alaska and may financially benefit the private sector through the acquisition of services to access areas for goshawk take. This, for some in the sport, is a once-in-a-lifetime adventure similar to other users coming to our great state.

The proponents would like to thank the Alaska Board of Game for their consideration of this proposal. We are proud of the privilege of residing in Alaska and having access to its vast natural resources, and are willing and happy to share with others our passion for the sport.

PROPOSED BY: Timothy Sell (EG-F17-022)

PROPOSAL 23 – 5 AAC 92.037. Permits for falconry. Update the falconry manual as follows:

The falconry manual has been revised to remove spelling and typographic errors, update changes in statutes and regulations, and update changes to scientific names. In addition, the manual has been condensed by removing redundant statements via the combination of the former “General Information” and “Falconry Standards” sections. This new manual has been provided to the Boards Support Section in both ‘clean’ and ‘track changes’ versions (see www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook). The Department of Fish and Game proposes the Board of Game (board) adopt *Alaska Falconry Manual* No. 10 by reference in 5 AAC 92.037.

In addition, the nomenclature (genus) of the western screech-owl has changed according to the American Ornithological Society. We propose the board adopt the updated nomenclature in section (f) of the existing regulation, 5 AAC 92.037.

5 AAC 92.037 Permit for falconry.

(a) A permit and valid, current Alaska hunting license is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the *Alaska Falconry Manual* No. **10** [9], dated July 1, **2018** [2012]; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (f) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

(f) In this section, “raptor” means any bird of the following species, including all subspecies of those species:

(1) northern harrier (*Circus cyaneus*); (2) sharp-shinned hawk (*Accipiter striatus*); (3) northern goshawk; any nonindigenous subspecies of northern goshawk (*Accipiter gentilis*) must be behaviorally (imprinting) or surgically sterilized, except *Accipiter gentilis atricapillus* or *A.g. laingi*.; (4) red-tailed or Harlan's hawk (*Buteo jamaicensis*); (5) rough-legged hawk (*Buteo lagopus*); (6) golden eagle (*Aquila chrysaetos*); (7) white-tailed sea eagle (*Haliaeetus albicilla*); (8) Steller's sea eagle (*Haliaeetus pelagicus*); (9) American kestrel (*Falco sparverius*); (10) Eurasian kestrel (*Falco tinnunculus*); (11) Asiatic sparrow hawk (*Accipiter gularis*); (12) merlin (*Falco columbarius*); (13) gyrfalcon (*Falco rusticolus*); (14) peregrine falcon (*Falco peregrinus*); (15) great-horned owl (*Bubo virginianus*); (16) snowy owl (*Bubo scandiacus*); (17) northern hawk-owl (*Surnia ulula*); (18) barred owl (*Strix varia*); (19) great-gray owl (*Strix nebulosa*); (20) western screech-owl (*Megascops [OTUS] kennicottii*); (21) northern pygmy-owl (*Glaucidium gnoma*); (22) long-eared owl (*Asio otus*); (23) short-eared owl (*Asio flammeus*); (24) boreal owl (*Aegolius funereus*); (25) northern saw-whet owl (*Aegolius acadicus*); (26) a hybrid of the species in this subsection that is produced by a raptor breeder; and (27) the following nonindigenous species: (A) Harris's hawk (*Parabuteo unicinctus*); (B) Cooper's hawk (*Accipiter cooperii*); (C) Ferruginous hawk (*Buteo regalis*); (D) Swainson's hawk (*Buteo swainsoni*); (E) prairie falcon (*Falco mexicanus*); (F) Aplomado falcon (*Falco femoralis*).

What is the issue you would like the board to address and why? In 2008, the U.S. Fish and Wildlife Service (USF&WS) substantially changed its regulations governing falconry and required the states to promulgate falconry regulations that are the same or stricter than the federal rules. The USF&WS eliminated the federal permit required for falconry, but retained oversight responsibility for falconry. As such, Alaska was required to be certified by the USF&WS as meeting the federal standards by January 1, 2014. Therefore, the board adopted regulations and the *Alaska Falconry Manual* No. 9 during the 2012 board cycle.

Since 2012, falconers and Department of Fish and Game (ADF&G) staff have found spelling and typographic errors within the manual. In addition, the falconry regulation (5 AAC 92.037) was updated during the 2014 board cycle to include a nonresident take program, and the statute listing the minimum age requirement for resident hunting licenses (AS 16.05.340) was updated in January 2017. These changes have resulted in portions of the manual being out of date.

Lastly, several parts of *Alaska Falconry Manual* No. 9 were stated in slightly different ways in multiple locations of the *Manual* (i.e., under both the “General Information” and “Falconry Standards” sections). As a result, falconers, ADF&G, Alaska Wildlife Troopers, and the Department of Law found the *Manual* could be interpreted differently depending on where and who referenced the *Manual*. As a result, ADF&G and Alaska Falconers Association worked together to condense the *Manual* by deleting the repetitions from the “General Information” section and clarifying any necessary statements in the “Falconry Standards” section.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F17-032)
