

PROPOSAL 103

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.

Transfer under-subscribed nonresident Kodiak brown bear drawing permits to the resident drawing permit allocation as follows:

Amend 5 AAC 92.061(a)(3) to read:

(3) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; **if no applications are received for any available permit by the application deadline that permit or permits will be transferred to the resident pool of available permits and be awarded using the same draw permit algorithm to a resident applicant who applied for the same permit area and season;** the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, as required under AS 16.05.407 or 16.05.408;

What is the issue you would like the board to address and why?

Under-subscribed Kodiak brown bear permits after draw hunt application period.

According to the 2017 draw permit supplement and results, zero applications were received for the fall DB 108, 110, 111, 114, 115, 119, and 122–125 draw permit hunts. That is 18 opportunities not applied for.

For the spring 2018 Kodiak brown bear draw hunt, zero applications were received for the DB 138, 140, 141, 143, 144, 145, 149, and 155 hunts. Many other hunts were not fully subscribed and there were over 30 hunt opportunities not applied for.

There are similar results for previous years.

Those same spring and fall permits in the resident pool of tags are highly sought after, fully subscribed, and on average have less than 3% chance of being drawn.

In researching this issue and talking with Department of Fish and Game (ADF&G) staff on Kodiak, we were informed that most of the above hunts that were not applied for during the draw application period were actually hunted, but ADF&G was unable to tell us how many or which ones were hunted or not. This caused us to further question what was going on with these nonresident guided-only draw permit hunts.

Kodiak Island is unique in that two-thirds of the island is within the Kodiak National Wildlife Refuge (NWR) where guides have exclusive hunt concession areas that are tied to individual permits. See map of exclusive guide use areas within Kodiak NWR.*

A nonresident hunter wishing to apply, for example, for the DB122 Uganik Bay permit can only hunt with the contracting guide who holds the exclusive concession in that area. A signed guide-client agreement is required at the time of application. This allows the guide to essentially pick

and choose which nonresident hunter he or she will accept as a client within the draw permit process.

But because of the way the regulation (5 AAC 92.061(a)(4)(A-D) is written, guides don't need to submit applicants for the draw and nonresidents with signed guide-client agreements don't need to submit applications for the draw either. The entire draw permit system can be circumvented using the registration process outlined in the regulation if no applications are received during the draw application period.

Guides with exclusive concessions on Kodiak NWR are essentially being given exclusive permits to pick and choose who gets to hunt or if they don't want those permits hunted at all. Guides can decide not to utilize a permit, whether or not a client should fill out paperwork and pay the fee to submit a draw permit application or just show up with a signed guide-client agreement and get a registration permit from ADF&G for the same DB100 series draw permit they never applied for in the first place. For the nonresident hunter, it really isn't a draw permit lottery at all, as it is with the resident pool of tags.

Beyond those issues, the public (and ADF&G) has no real idea how many hunts are truly undersubscribed and not hunted.

The draw permit process should not allow for this to happen. It's one thing in regulation—5 AAC 92.061(a)(4)(B)—to allow for an alternate list should a permit winner cancel the hunt.

5 AAC 92.061(a)(4)(D) states that: “if a guided nonresident drawing permit is available, but the alternate list is exhausted, the permit becomes available, by registration at the Kodiak ADF&G office, to the first applicant furnishing proof that the applicant will be accompanied by a guide.”

This is the part of the regulation that is apparently being misused. There never was an alternate list because the guide and/or his or her client decided they didn't need to put in for the draw permit to begin with.

This flawed draw permit process for nonresidents should stop. These are highly coveted hunts and nonresidents should go through a real draw permit lottery process just like residents. If there are zero applications during the draw permit application process for any permit or a hunt went undersubscribed, those permits should be transferred to the resident pool of tags.

**Note: The map referenced above is available on the Board of Game proposal book webpage at www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook or by contacting the ADF&G Boards Support Section at (907) 465-4046.*

PROPOSED BY: Resident Hunters of Alaska (HQ-F18-027)
