

## 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, and to other interested individuals.
- (c) Copies of all proposals are available at local Department of Fish and Game offices and on the boards support section's website. When the proposal books are available, the advisory committees and 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 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 subsistence 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; am 2/23/2014, Register 209)

Authority: AS 16.05.251, AS 16.05.255, AS 16.05.258

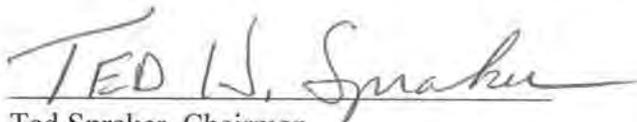
ALASKA JOINT BOARDS OF FISHERIES AND GAME

## CRITERIA FOR DEVELOPMENT OF BOARD-GENERATED PROPOSAL

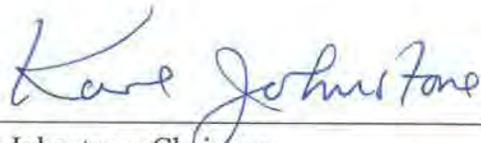
It has been suggested that criteria need to be established to guide the Alaska Joint Boards of Fisheries and Game, Board of Fisheries, and Board of Game (boards) members when deliberating on whether or not to develop a board-generated proposal. The boards will consider the following criteria when deliberating the proposed development and scheduling of a board-generated proposal:

1. Is it in the public's best interest (e.g., access to resource, consistent intent, public process)?
2. Is there urgency in considering the issue (e.g., potential for fish and wildlife objectives not being met or sustainability in question)?
3. Are current processes insufficient to bring the subject to the board's attention (e.g., reconsideration policy, normal cycle proposal submittal, ACRs, petitions)?
4. Will there be reasonable and adequate opportunity for public comment (e.g., how far do affected users have to travel to participate, amount of time for affected users to respond)?

Findings adopted this 16<sup>th</sup> day of October 2013.



Ted Spraker, Chairman  
Alaska Board of Game  
Vote: 6-0



Karl Johnstone, Chairman  
Alaska Board of Fisheries  
Vote: 7-0

**Alaska Board of Game  
2002-137-BOG  
Unit 1C Douglas Island Management Area Findings**

The Board of Game (Board) took public and advisory committee testimony on Douglas Island (Unit 1C) wolves, received biological information from the Department of Fish and Game, and deliberated a proposal (Proposal 3) dealing with management of wolves and deer on the island. As a result, the Board finds the following:

1. There have been occasional sightings of wolves and wolf tracks on Douglas Island over the past 20 years, and especially over the past 3-4 years. The only confirmed records of wolves being harvested on Douglas Island are seven (7) animals taken in January 2002. A single juvenile wolf was found dead near Eagle Crest ski area in September 2001.
2. The pack removed in January 2002 likely represented all the wolves present at that time.
3. Wolves may re-colonize the island but when this will occur is unpredictable.
4. Douglas Island and its wildlife are in close proximity to the third largest human population center in Alaska, and many residents have an interest in viewing, hunting, and otherwise experiencing wildlife, including wolves, on the island.
5. Sitka black-tailed deer occur on the island and provide a large fraction of the deer harvest in Unit 1C. In recent years (1995-2001) deer harvests have ranged between about 200 and 350 annually.
6. Under 5 AAC 92.106 (the intensive management regulation) the deer population in Unit 1C is identified as being important for high levels of human consumption. The harvest objective is 450 deer per year.
7. If wolves re-colonize Douglas Island and increase to high densities, there is potential for wolf predation on deer to decrease deer numbers and deer harvests.
8. It is likely that low to moderate numbers of wolves on Douglas Island can coexist with a deer population that can continue to provide a reasonable number of deer for human consumption.
9. In order to provide for sustained numbers of both wolves and deer on Douglas Island after wolves re-colonize, a management area (the Douglas Island Management Area) shall be created. This area will consist of Douglas Island in its entirety.
10. Within the management area, hunting and trapping of wolves is prohibited until at least seven (7) wolves are present. Subsequently, annual harvests may not exceed 30 percent of fall wolf numbers.

11. When wolves are present, if the island deer harvest declines more than 35 percent below the average harvest over the preceding 10 years (with approximately equal hunting effort), wolf hunting and trapping will be reopened as necessary to maintain both wolf and deer populations.
12. In order to more closely monitor the harvest, trappers shall register with the department and receive a permit prior to entering the field. Specific conditions of the permit will include attending a trapper orientation course, obtaining a trapper registration number, and providing information on trapping locations. Restrictions on methods and means and registration requirements, and other aspects shall occur as needed.
13. By this action, the Board's intent is to provide desired sustained opportunities for a broad diversity of user groups concerned with wolves and deer on Douglas Island. This is compatible with the desires of virtually all those who expressed their views to the Board.

Vote: \_\_\_\_\_  
November 7, 2002  
Juneau, Alaska

\_\_\_\_\_  
Ben Grussendorf, Chair  
Alaska Board of Game

**ALASKA BOARD OF GAME  
2005-156-BOG**

WHEREAS deer management and use in GMU 2 has generated a great deal of controversy and concern; and

WHEREAS a multi-interest subcommittee of the Southeast Regional Advisory Council was established to review and offer recommendations on Unit 2 deer issues; and

WHEREAS improved harvest reporting for deer was among the needs identified by the subcommittee and council; and

WHEREAS the subcommittee and council have developed a joint federal state deer harvest reporting protocol; and

WHEREAS the U.S Forest Service has agreed to provide funding to assist with the implementation of a joint federal and state deer harvest reporting protocol;

NOW THEREFORE BE IT RESOLVED by the Alaska Board of Game that the board fully supports this joint deer harvest reporting protocol and strongly urges the Division of Wildlife Conservation to implement the joint deer harvest reporting protocol for GMU 2.

PASSED AND ADOPTED by the Alaska Board of Game on this 4<sup>th</sup> day of March, 2005.

Vote: 6 - 0 - 1 member absent  
Board of Game 2005 Spring Meeting, Anchorage

  
Mike Fleagle, Chair

**Findings of the Alaska Board of Game  
2016-215-BOG  
BOARD OF GAME WOLF MANAGEMENT POLICY  
(Policy duration: Date of finding through June 30, 2021.  
This policy supersedes BOG policy 185-2011-BOG)**

Background and Purpose

Alaskans are proud that wolves occur throughout their historic range in Alaska. Wolves are important to people for a variety of reasons, including as furbearers, big game animals, competitors for ungulate prey animals, and as subjects of enjoyment, curiosity, and study. Wolves are important components in the natural functioning of northern ecosystems. Over time, many people have come to appreciate wolves as exciting large carnivores that contribute significantly to the quality and enjoyment of life in Alaska.

The primary purpose of this policy is to provide guidance to the public, the Department, and the Board of Game on wolf management issues as the Board and the Department implement constitutional and statutory direction and respond to public demands and expectations. The Board recognizes the need for ongoing responsible wolf management to maintain sustainable wolf populations and harvests, and to help maintain sustainable ungulate populations upon which wolves are largely dependent. The Board also recognizes that when conflicts arise between humans and wolves over the use of prey, wolf populations may have to be managed more intensively to minimize such conflicts and comply with existing statutes (e.g. AS 16.05.255). Under some conditions, it may be necessary to greatly reduce wolf numbers to aid recovery of low prey populations or to arrest undesirable reductions in prey populations. In some other areas, including national park lands, the Board also recognizes that non-consumptive uses of wolves may be considered a priority use. With proper management, non-consumptive and consumptive uses are in most cases compatible but the Board may occasionally have to restrict consumptive uses where conflicts among uses are frequent.

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 or predation by wolves in combination with other predators;
3. Prey population objectives are not being attained; and
4. Human harvest objectives are not being attained.

Wolf Management and Wolf Control

The Board and the Department have always distinguished between wolf management and wolf control. Wolf management involves managing seasons and bag limits to provide for general public hunting and

trapping opportunities. These seasons provide for both subsistence and other traditional economic harvest opportunities and, as a side benefit, allow for participants to directly aid in mitigating conflicts between wolves and humans or improving ungulate harvest levels. In most cases trapping seasons will be kept to times when wolf hides are prime. However, some hunters are satisfied to take wolves during off-prime months including August, September, April, and May. Opportunity may be allowed for such harvest.

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. The purpose of wolf control is not to eradicate wolf populations. 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.

In some 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 population objectives have been met, wolf populations will generally be allowed to increase to or above pre-control levels.

During the 1997 review of predator control in Alaska by the National Research Council of the National Academy of Sciences (National Research Council 1997), only two clearly successful cases were found where increased harvests of ungulates resulted from control in the Yukon and Alaska. In the last 13 years since that review, several other programs have been successful, including programs in GMUs 9, 13, 16 and 19. In addition, there is now a thirty year history of intensive wolf and moose management and research, including 2 periods of wolf control in GMU 20A. It is clear, and well documented, that periodic wolf control has resulted in much higher harvests of moose than could be realized without control (Boertje et al., 2009). Biologists now have considerable experience successfully managing moose at relatively high density (Boertje et al., 2007). The GMU 20A case history has provided a great deal of information on what biologists can expect from intensive management programs and these programs are scientifically well founded. However, GMUs are different ecologically and new information on which areas are best suited to intensive management programs will continue to be gathered.

#### Decisions by the Board to Undertake Wolf Control

Generally, there are two situations under which the Board will consider undertaking wolf control (implementing extraordinary measures outside normal hunting and trapping). In rare cases, control may be implemented where sustained yield harvests of ungulates cannot be maintained or where extirpation of ungulate populations may be expected. More commonly, the Board may implement wolf control to comply with Alaska Statutes (AS 16.05.255) where ungulate populations are declared “depleted” or where ungulate harvests must be significantly reduced and these populations have been found by the Board to be important for “high levels of human harvest”. In most cases when wolf control is implemented, the Board will favor and promote an effective control effort by the public. Experience has shown that often 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 and to ensure that wolf numbers remain sufficient to maintain long-term sustained yield harvests.

#### Methods the Board Will Consider When Implementing Wolf Control Programs

- 1) Expanding public hunting and trapping into seasons when wolf hides are not prime.
- 2) Use of baiting for hunting wolves.
- 3) Allowing same-day-airborne hunting of wolves when 300 ft from aircraft.
- 4) Allowing land-and-shoot by the public.
- 5) Allowing aerial shooting by the public.
- 6) Allowing use of Department staff and helicopters for aerial shooting.
- 7) Encouraging the Department to hire or contract with wolf trappers and other agents who may use one or more of the methods listed here.
- 8) Allowing denning by Department staff and use of gas for euthanasia of sub-adults in dens.

#### Terminating Wolf Control

Depending on the response to wolf control and ungulate population and harvest objectives, control may either be of short or long duration. In some cases, control may last less than five years. In other cases it may be an ongoing effort lasting many years. As ungulate harvest objectives are met, the Board will transition from a wolf control program to a wolf management program, relying to a greater extent on public hunting and trapping. In cases where ungulates respond very well and hunting is ineffective at controlling ungulate numbers for practical reasons, it may be necessary for the Board to restrict the taking of predators.

#### References Cited

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- Boertje, R. D., K. K. Kellie, C. T. Seaton, M. A. Keech, D. D. Young, B. W. Dale, L. G. Adams, A. R. Aderman. 2007. Ranking Alaska moose nutrition: signals to begin liberal antlerless moose harvests. *Journal of Wildlife Management* 71(5): 1494-1506.
- Boertje, R. D., M. A. Keech, D. D. Young, K. A. Kellie, and C. T. Seaton. 2009. Managing for elevated yields of moose in Alaska. *Journal of Wildlife Management* 73 (3): 314-327.
- National Research Council. 1997. *Wolves, bears, and their prey in Alaska*. National Academy Press, Wash., D.C.

Vote: 7-0  
March 17, 2016  
Fairbanks, Alaska

  
Ted Spraker, Chairman  
Alaska Board of Game