

# **Permits for Bear Baiting**

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## **PROPOSAL 140**

### **5 AAC 92.044 (b)(4). Permit for hunting bear with the use of bait or scent lures.**

Increase the number of bait station sites temporarily from 10 to 20 per guide use area as follows:

We request increasing the number of baits per guide use area temporarily from 10 to 20. This regulation would only apply to the spring 2021 bear hunts. Most guides that use baiting as a method only use one of their three allotted guide use areas for baiting. This limits their ability to temporarily expand to make up for losses

**What is the issue you would like the board to address and why?** The COVID-19 crisis has devastated hunting businesses in the spring of 2020. Other actions will be taken to mitigate these losses in some sectors of the industry, but baited hunting was overlooked in the emergency Board of Game Meetings in the spring of 2020.

Guided baited bear hunting takes place almost exclusively in units where bears are managed very liberally due to large harvestable surpluses and little hunting pressure. There would be no conservation concern to increasing effort temporarily in these areas. There are a few guides that use bait in units 7, 14, 15, and southeast but none of them use the currently allowed 10 baits due to other land use authorization restrictions. The guides that use 10 baits are primarily, if not completely limited to the remote areas of units 11, 12, 13, 16, 20 and 25. An alternative would be to limit this temporary regulation to these areas.

**PROPOSED BY:** Alaska Professional Hunters Association (EG-F20-123)

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## **PROPOSAL 141**

### **5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures.**

Require bear baiting sites to be at least one mile apart as follows:

I recommend that regulation be put into place to keep bait sites at least one mile apart.

I would also recommend that the Department of Fish and Game create a centralized database to keep track of registered bait sites including exact locations. Only then can the department keep from registering bait sites too close together.

**What is the issue you would like the board to address and why?** As bear baiting becomes more popular, hunter conflicts in the field are becoming more common due to the lack of organization. Currently, there are no regulations in place to keep bait sites at a safe distance from each other. For example, two or more people can register a bait site in the same location. Many people are putting bait sites too close together which leads not only to hunter conflict but also serious safety concerns.

**PROPOSED BY:** Tim Nelson (EG-F20-008)

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## **PROPOSAL 236**

### **5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures.**

Require ADF&G to notify bear bait station registrants of other bait stations within a one-mile radius of desired bait station location as follows:

I recommend creating a system to allow hunters registering a bait station to be notified of how many bait stations are currently and previously (year prior) registered, within ¼ mile, ½ mile and one mile radius (proposed distances flexible) of the desired bait station location. The exact locations are not needed, nor is it legal to give those, however, similar to the statistics produced by ADF&G for advanced harvest data, the information would serve a summary purpose to inform hunters. This does not prevent a hunter from setting up a bait station knowing one or more already exist within 200 yards, it simply provides them with awareness and information for avoiding conflict and increasing safety. Similarly, if a hunter with a bait station has an encounter with someone that setup a bait station a few yards away, it is known that they were well aware of the proximity prior to setting it up.

This would require a database capable of producing these numbers instantly. The data exists in backend, server tables for prior and current year registered stands. When a GPS coordinate is given, it would simply be put in the system by ADF&G, and those coordinates would automatically calculate distances compared to other GPS coordinates in the system, and return the bait station numbers for the specified distances. Although it would require basic programming to produce the numbers, the data and capability exists to make bear baiting safer and with less conflict.

This could be taken a step further and also result in the requirement to provide GPS coordinates for all bait station sites, or simply omit those from the numbers due to the inability to pinpoint those locations.

\*\* Alternate solutions include creating minimum distances between stands, but that would create others issues as well (establishing priority, fake stands, inability to have a friend or second station close, etc.).

DRAFT REGULATORY LANGUAGE:

### **5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures.**

(b) (14) before a person establishes a bear baiting station and places bait at the baiting station that person shall, at the time of registration, provide to the department the specific location of the baiting station on a form provided by the department[.] **and will be provided with the number of registered bait stations within ¼, ½, and 1 mile radius from the current and prior year.**

**What is the issue you would like the board to address and why?** A system needs developed to assist with spreading out bear bait stations. Currently, it is legal for two different individuals to register and setup a bait station within feet of each other. It is illegal to harvest a bear that is influenced by a bait station when they don't have permission to hunt that bait station, however, there is irony in the ability for someone to register a bait station close to the established bait station, then harvesting a bear that is influenced by the established bait station becoming legal due to the new station's proximity.

Allowing close proximity of bait stations results in a safety risk and hunter conflict. No system or effort has been attempted to try and prevent this safety risk or conflict. Most hunters are ethical and would not purposely setup a station on top of someone else, but that is why a system is needed, to help hunters that want to avoid conflict and safety issues, establish a bear bait site.

The unique problem here is bait stands take a lot of time and effort to setup, they are setup early in the spring before hunting actually takes place, and they are preferably setup in a place that isn't obvious or can easily be identified as a bear bait station. It is very easy for two different hunters to setup a bait stand within a hundred yards of each other, without ever knowing the other is there. Once the season starts, bears are moving, and both hunters are likely to visit their stands at the same time... this is when it's discovered they are hunting on top of each other. At this point in time, it's too late to move a stand since the season already started. Each hunter already spent a considerable amount of time and effort setting their stand up, bears are already active, and moving the stand might result in setting up on someone else. Hopefully both hunters are understandable and can work out a mutual understanding to ensure safety and the least amount of conflict, but that's a difficult situation when each may feel like the area and bears should be theirs to hunt without someone else on top of them and no way to separate.

**PROPOSED BY:** Adam Harris (EG-F21-015)  
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**PROPOSAL 237**

**5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures.**

Clarify that ADF&G will not issue permits to use bait or scent lures near prohibited areas already defined in regulation as follows:

Amend 5 AAC 92.044(b)(5) to read:

[A PERSON] **the department** may not **issue a permit to** use bait or scent lures within

(A) one-quarter mile of a publicly maintained road, trail, or the Alaska Railroad;

(B) one mile of a

(i) house or other permanent dwelling, except that bait may be used within one mile of a cabin if the cabin is on the opposite side of a major river system, as identified by the department in the permit, from the bear baiting station;

(ii) business; or

(iii) school; or

(C) one mile of a developed campground or developed recreational facility;

This amendment would ensure that any questions regarding the placement of a bait station are resolved prior to permit issuance rather than being sorted out through the court system in a criminal case. Although it would place additional burden on ADF&G, the location of the bait station is already a required under existing regulation.

**What is the issue you would like the board to address and why?** Under the current version of 5 AAC 92.044(b)(14) a person "shall, at the time of registration, provide to the department the specific location of the baiting station on a form provided by the department." Additionally, under 5 AAC 92.044(b)(5) a person may not use bait or scent lures within

(A) one-quarter mile of a publicly maintained road, trail, or the Alaska Railroad;

(B) one mile of a

(i) house or other permanent dwelling, except that bait may be used within one mile of a cabin if the cabin is on the opposite side of a major river system, as identified by the department in the permit, from the bear baiting station;

(ii) business; or

(iii) school; or

(C) one mile of a developed campground or developed recreational facility;

Oftentimes hunters will select a location for a bait station that is inadvertently too close to one of these locations. Sometimes this is due to an incorrect measurement, usually by GPS. Sometimes it is because of an unknown cabin that is not on any map. Sometimes it is because a road is further than ¼ mile by the access trail, but closer in a straight line. Sometimes it is because “developed recreational facility” is an undefined term, subject to interpretation. Whatever the reason, this requirement can turn an inadvertent mistake into a misdemeanor charge.

**PROPOSED BY:** Kirk Schwalm

(EG-F21-027)

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