

NOTICE OF ADOPTION OF EMERGENCY REGULATIONS  
OF ALASKA BOARD OF GAME

On August 22, 2022, the Alaska Department of Fish and Game, under a delegation of authority from the Board of Game issued under Alaska Statute 16.05.270, adopted as emergency regulations changes in Title 5 of the Alaska Administrative Code dealing with hunting bag limit regulations for Canada geese.

5AAC 85.065(a)(4)(F) is amended to apply the following changes:

Canada geese: Game Management Units 9, 17, and 18, the daily bag and possession limits are decreased from a daily bag limit of 6 birds, 18 in possession, to a daily bag limit of 4 birds, 12 in possession.

The emergency regulations take effect August 31, 2022 and expire December 28, 2022. The Alaska Department of Fish and Game intends to make the emergency regulations permanent.

You may comment on the proposed permanent regulation changes, including the potential costs to private persons of complying with the changes, by submitting written comments to Jason Schamber, ADF&G Waterfowl Program Coordinator at [Jason.schamber@alaska.gov](mailto:Jason.schamber@alaska.gov). Additionally, comments can be mailed to his attention at the Alaska Department of Fish and Game, 525 W. 67<sup>th</sup> Avenue, Anchorage, Alaska 99518. The comments must be received no later than 5:00 p.m. on Tuesday, November 1, 2022. Written comments received are public records and are subject to public inspection.

The emergency regulations are available online at [www.boardofgame.adfg.alaska.gov](http://www.boardofgame.adfg.alaska.gov), or by contacting Jason Schamber by email or at (907) 267-2206.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kristy Tibbles at (907) 465-6098 no later than October 21, 2022 to ensure that any necessary accommodations can be provided.

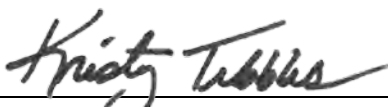
The language of the permanent regulations may be different from that of the original emergency regulations and may include other provisions dealing with the same subject. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

**Statutory Authority:** AS 16.05.255; AS 16.05.258; AS 16.05.270

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 16.05.255; AS 16.05.258

**Fiscal Information:** The regulations are not expected to require an increased appropriation.

DATE: August 31, 2022

  
\_\_\_\_\_  
Kristy Tibbles, Executive Director  
Alaska Board of Game

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(g))

1. Adopting agency: Alaska Department of Fish and Game (under a delegation of authority from the Alaska Board of Game)
2. General subject of regulation: Emergency regulations for hunting geese.
3. Citation of regulation (may be grouped): 5 AAC 85.065(a)(4)
4. Department of Law file number, if any: Pending
5. Reason for the proposed action:  
 (X) compliance with federal law  
 ( ) compliance with new or changed state statute  
 ( ) compliance with court order  
 ( ) development of program standards  
 (X) other: establish public hunting opportunity that cannot be adopted within the normal regulatory schedule of the Alaska Board of Game

6. Appropriation/Allocation: Natural Resources and all RDUs.

7. Cost of implementation to the state agency and available funding (in thousands of dollars): No costs are expected in FY 2023 or in subsequent years.

8. The name of the contact person for the regulations:

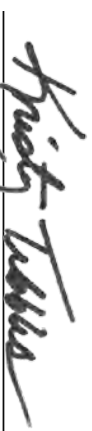
Name Jason Schamber  
Title Waterfowl Coordinator  
Address 525 W. 67<sup>th</sup> Avenue  
Anchorage, Alaska 99518  
Telephone (907) 267-2206  
E-mail address Jason.schamber@alaska.gov

9. The origin of the proposed action:

staff of state agency  
 federal government  
 general public  
 petition for regulation change  
 other (please list) \_\_\_\_\_

10. Date: August 31, 2022

Prepared by:

  
Kristy Tibbles

Executive Director, Board of Game  
(907) 465-6098

Kevin Meyer  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460 269.0263  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Kristy Tibbles, Department of Fish and Game, Executive Director  
Shellene Hutter, Department of Fish and Game, Regulations Contact

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** August 31, 2022

**RE:** Filed Emergency Regulations: Department of Fish and Game  
Department of Fish and Game Emergency Regulation re: hunting season for Canada  
Geese (5 AAC 85.065(a)(4)(C))

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Attorney General File:	Emergency Regulations
Regulation Filed:	8/31/2022
Effective Date:	8/31/2022
Expiration Date:	December 28, 2022 unless made permanent by the adopting agency
Print:	243, October 2022

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis

## FINDING OF EMERGENCY

The Alaska Department of Fish and Game finds that an emergency exists and that the attached regulations are necessary for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

Per recommendations from the Alaska Department of Fish and Game the regulatory framework for Canada geese is changed for the 2022–2023 season. Canada geese are defined as any large bodied (Canada) or small bodied (cackling) white-cheeked geese.

1) Canada geese in Game Management Units 9, 17, and 18 are changed as follows: daily bag and possession limits are decreased from a daily bag limit of 6 birds, 18 in possession, to a daily bag limit of 4 birds, 12 in possession.

The population of minima cackling geese breeding in Alaska has declined to a level below a management threshold that requires regulatory action as stipulated in the Pacific Flyway Council's Cackling Canada Goose Management Plan (Plan). The harvest strategy in the Plan seeks to maintain a population of 250,000 ± 10% geese, as measured by the 3-year average index of total indicated birds from the Yukon-Kuskokwim Delta Coastal Zone Survey expanded to approximate fall population size (fall index). If the fall index is greater than 10% above or below the population objective of 250,000 geese, regulatory actions will be implemented to regain the objective. The 2021 fall index for minima cackling geese was 206,941 geese and the most recent 3-year average (2018–2019, 2021) was 206,763; 17% below the population objective. Initial regulatory actions likely to be most effective to regain the population objective are reductions in bag limits in states that experience the highest proportional harvest across the Pacific Flyway. Band recovery data from hunter harvest of minima cackling geese indicates that most (~75%) of the fall-winter harvest occurs in northwest Oregon and southwest Washington, and the next highest in western Alaska. Accordingly, the federal frameworks for Oregon and Washington have been modified to reduce the 2022-2023 bag limit for Canada and cackling geese in those states. The federal frameworks for Alaska also have been modified to reduce the bag limit for Canada and cackling geese in the western portion of the state (Units 9, 17, and 18) from 6 per day to 4 per day.

The next regular meeting of the Board of Game is not scheduled until January 2023 and the board is unable to meet requirements for public notice and implementation of these changes prior to the opening of the 2022–2023 migratory bird seasons on September 1. Therefore, this emergency regulation is necessary to follow the harvest strategy agreed to by the Pacific Flyway Council and U.S. Fish and Wildlife Service and comply with the recent modification to the federal frameworks.

## ADOPTION ORDER

Under the authority of AS 16.05.255, AS 16.05.258, and under a delegation of authority from the Board of Game under AS 16.05.270, the attached two pages of regulation changes are therefore adopted as emergency regulations to take effect August 31, 2022, as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

DATE: 8/22/2022  
Juneau, Alaska

DocuSigned by:  


Ben Mulligan, Deputy Commissioner  
Alaska Department of Fish and Game

*April Simpson for*  
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on August 31, 2022, at 11:59 a.m., I filed the attached regulations according to the provisions of AS 44.62.

  
Kevin Meyer  
Lieutenant Governor

Effective: August 31, 2022

Register: 243, October 2022

Expires December 28, 2022  
unless made "permanent"  
by the adopting agency

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on December 11th, 2018.**



*Kevin Meyer*  
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**KEVIN MEYER  
LIEUTENANT GOVERNOR**

**Title 5. Fish and Game.**

**Part 3. Game.**

**Chapter 85. Hunting Seasons and Bag Limits.**

**Article 2. Seasons and Bag Limits.**

5 AAC 85.065(a)(4)(C) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(4)		
Migratory game birds		
(except by falconry) <sup>1</sup>		
(C) Geese		
Canada and cackling		
combined		
...		
Units 7, <b><u>9, and 11 – 26</u></b> [11 – 16,	Sept. 1 – Dec. 16	Sept. 1 – Dec. 16
AND 19 – 26]	(General hunt only)	
4 per day, 12 in possession		
[Units 9,] <b><u>Unit</u></b> 10 (Unimak Is. Only)[,	Sept. 1 – Dec. 16	Sept. 1 – Dec. 16

17 AND 18] (General hunt only)

6 per day, 18 in possession

...

(Eff. 8/20/89, Register 111; am 9/1/89, Register 111; am 8/9/90, Register 115; am 8/12/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 7/1/92, Register 122; am 5/13/93, Register 126; am 7/1/93, Register 126; am 8/25/94, Register 131; am 8/31/94, Register 131; am 9/8/94, Register 131; am 7/8/95, Register 135; am 7/9/95, Register 135; am 8/1/95, Register 135; am 8/4/95, Register 135; am 6/28/96, Register 138; am 8/26/96, Register 139; am 7/18/97, Register 143; am 7/26/97, Register 143; am 7/1/98, Register 146; add'l am 7/1/98, Register 146; am 8/6/98, Register 147; am 7/1/99, Register 150; am 7/7/99, Register 151; am 7/17/99, Register 151; am 9/29/99, Register 151; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/24/2000, Register 155; am 7/6/2001, Register 159; am 10/27/2001, Register 160; am 7/1/2002, Register 162; am 7/1/2005, Register 174; am 8/31/2005, Register 175; am 8/31/2006, Register 179; am 8/31/2007, Register 183; am 8/31/2008, Register 187; am 7/1/2009, Register 190; am 8/31/2009, Register 191; am 9/1/2009, Register 191; am 7/1/2010, Register 194; am 8/31/2011, Register 199; am 7/1/2012, Register 202; am 8/31/2013, Register 207; am/readopt 8/31/2014, Register 211; am 9/2/2014, Register 211; am 7/1/2015, Register 214; 8/31/2015, Register 216; am 8/31/2016, Register 219; am 7/1/2017, Register 222; am 7/1/2018, Register 226; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 7/1/2020, Register 234; add'l am 7/1/2020, Register 235; am 8 / 31 / 2022, Register 243 )

**Authority:** AS 16.05.060

AS 16.05.255

AS 16.05.258