



## Department of Fish and Game

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An Agenda Change Request (ACR 5) has been submitted to the Alaska Board of Game requesting to change 5 AAC 92.061 special provisions for brown bear drawing hunts. The proponent is asking the board to require that all nonresidents or their guides, and the department, submit a draw permit application and pay the application fee during the application period to have an opportunity to hunt brown bear in Unit 8. The proponent also asks that there be no over-the-counter tags awarded outside the draw permit application process. Further, the proponent asks the Board to amend the language to prohibit guides to donate these “draw” permits or “take them off the table.”

With respect to the board’s Agenda Change Request (ACR) acceptance criteria (5 AAC 92.005):

- A. The department is unaware of any error in regulation.
- B. The department is unaware of any effects of regulations that were unforeseen when the regulation was adopted.
- C. The department is unaware of any biological concerns.
- D. The department is unaware of any unforeseen or unexpected events that would otherwise restrict or reduce a reasonable opportunity for customary and traditional wildlife uses as defined in AS 16.05.258(f).
- E. The department is unaware of any unexpected resource situation that would cause a biologically allowable resource harvest to be precluded by delayed regulatory action.

The requested change would require all prospective hunters to file a draw permit application and pay the application fee during the application period. Hunters who do not apply during the regular application period would be ineligible to receive a permit over the counter.

Hunters interested in brown bear hunting on Kodiak Island can participate in a Kodiak brown bear hunt in two different ways, either by participating in a registration hunt on the Kodiak road system or by entering the statewide drawing process. As outlined in the “Alaska Drawing Permit Hunt Supplement,” nonresident hunters wanting to participate in a Kodiak drawing hunt must meet certain requirements prior to being entered into the draw. As with residents, nonresident hunters must obtain or have applied for an Alaskan big game hunting license prior to applying for a hunt. In addition, nonresident hunters are required to obtain the services of an Alaska-licensed guide and must have a signed guide-client contract before or at the time of application. Once a nonresident has obtained the services of a registered guide, the application can be submitted online. As outlined in the Alaska Drawing Hunt Supplement, hunters “...must apply online...” and “There is NO REFUND of application or license fees.” In addition to the purchase of a hunting license, there is a fee each time a hunter applies for a drawing hunt identified in the Alaska Drawing Permit Hunt Supplement. The cost for applying for a brown bear hunt is \$5. It is

unclear who and how many nonresident hunters or their guides do not submit hunters' names into the drawing and pay the required fees, who ultimately hunt in Unit 8. However, this is more likely to occur with hunters hunting in federally designated Exclusive Guide Use Areas (EGUAs). Exclusive Guide Use Areas are federal areas (Kodiak National Wildlife Refuge) in which only certain guides are permitted to take nonresident bear hunters (resident hunters are still allowed to hunt in these areas). Guided nonresident hunters wishing to hunt in these areas are only permitted to hunt with the exclusive guide registered for that area. Because some hunt areas are entirely comprised of an EGUA in which only one guide is allowed to take clients, some guides choose not to submit hunt applications and pay application fees for their clients in these areas, and instead rely on 5 AAC 92.061(4)(D) which allows the permits to be made available on a first come, first served basis. The hunts that occur wholly or partially within EGUAs are indicated with an asterisk in the Alaska Drawing Permit Hunt Supplement.

When guides/hunters do not submit draw applications for hunts, or fewer applications are received than permits available, the hunts are deemed "undersubscribed." Permits for undersubscribed hunts become available over the counter. However, undersubscribed hunts in EGUAs can only be issued to clients of guides with exclusive guiding privileges.

A similar proposal was presented to the board at the spring 2023 meeting in Soldotna, which the board failed to adopt. The next regularly scheduled board meeting for Southcentral regulations is in winter/spring of 2025/2026. Given there is no serious conservation concerns and the issue was recently deliberated upon the Department recommends that the Board not adopt this ACR and consider it as part of the normal Board cycle.

If the board accepts this ACR, the department recommends the proposal come before the board at its March 2024 meeting in Fairbanks to allow for more public input.

Sincerely,



Ryan Scott  
Acting Director  
Division of Wildlife Conservation