

**PROPOSAL 23 – 5 AAC 92.037. Permits for falconry.** Update the falconry manual as follows:

The falconry manual has been revised to remove spelling and typographic errors, update changes in statutes and regulations, and update changes to scientific names. In addition, the manual has been condensed by removing redundant statements via the combination of the former “General Information” and “Falconry Standards” sections. This new manual has been provided to the Boards Support Section in both ‘clean’ and ‘track changes’ versions (see [www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook](http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook)). The Department of Fish and Game proposes the Board of Game (board) adopt *Alaska Falconry Manual* No. 10 by reference in 5 AAC 92.037.

In addition, the nomenclature (genus) of the western screech-owl has changed according to the American Ornithological Society. We propose the board adopt the updated nomenclature in section (f) of the existing regulation, 5 AAC 92.037.

#### **5 AAC 92.037 Permit for falconry.**

(a) A permit and valid, current Alaska hunting license is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the *Alaska Falconry Manual* No. **10** [9], dated July 1, **2018** [2012]; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (f) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

(f) In this section, “raptor” means any bird of the following species, including all subspecies of those species:

(1) northern harrier (*Circus cyaneus*); (2) sharp-shinned hawk (*Accipiter striatus*); (3) northern goshawk; any nonindigenous subspecies of northern goshawk (*Accipiter gentilis*) must be behaviorally (imprinting) or surgically sterilized, except *Accipiter gentilis atricapillus* or *A.g. laingi*.; (4) red-tailed or Harlan's hawk (*Buteo jamaicensis*); (5) rough-legged hawk (*Buteo lagopus*); (6) golden eagle (*Aquila chrysaetos*); (7) white-tailed sea eagle (*Haliaeetus albicilla*); (8) Steller's sea eagle (*Haliaeetus pelagicus*); (9) American kestrel (*Falco sparverius*); (10) Eurasian kestrel (*Falco tinnunculus*); (11) Asiatic sparrow hawk (*Accipiter gularis*); (12) merlin (*Falco columbarius*); (13) gyrfalcon (*Falco rusticolus*); (14) peregrine falcon (*Falco peregrinus*); (15) great-horned owl (*Bubo virginianus*); (16) snowy owl (*Bubo scandiacus*); (17) northern hawk-owl (*Surnia ulula*); (18) barred owl (*Strix varia*); (19) great-gray owl (*Strix nebulosa*); (20) western screech-owl (**Megascops** [*OTUS*] *kennicottii*); (21) northern pygmy-owl (*Glaucidium gnoma*); (22) long-eared owl (*Asio otus*); (23) short-eared owl (*Asio flammeus*); (24) boreal owl (*Aegolius funereus*); (25) northern saw-whet owl (*Aegolius acadicus*); (26) a hybrid of the species in this subsection that is produced by a raptor breeder; and (27) the following nonindigenous species: (A) Harris's hawk (*Parabuteo unicinctus*); (B) Cooper's hawk (*Accipiter cooperii*); (C) Ferruginous hawk (*Buteo regalis*); (D) Swainson's hawk (*Buteo swainsoni*); (E) prairie falcon (*Falco mexicanus*); (F) Aplomado falcon (*Falco femoralis*).

**What is the issue you would like the board to address and why?** In 2008, the U.S. Fish and Wildlife Service (USF&WS) substantially changed its regulations governing falconry and required the states to promulgate falconry regulations that are the same or stricter than the federal rules. The USF&WS eliminated the federal permit required for falconry, but retained oversight responsibility for falconry. As such, Alaska was required to be certified by the USF&WS as meeting the federal standards by January 1, 2014. Therefore, the board adopted regulations and the *Alaska Falconry Manual* No. 9 during the 2012 board cycle.

Since 2012, falconers and Department of Fish and Game (ADF&G) staff have found spelling and typographic errors within the manual. In addition, the falconry regulation (5 AAC 92.037) was updated during the 2014 board cycle to include a nonresident take program, and the statute listing the minimum age requirement for resident hunting licenses (AS 16.05.340) was updated in January 2017. These changes have resulted in portions of the manual being out of date.

Lastly, several parts of *Alaska Falconry Manual* No. 9 were stated in slightly different ways in multiple locations of the *Manual* (i.e., under both the “General Information” and “Falconry Standards” sections). As a result, falconers, ADF&G, Alaska Wildlife Troopers, and the Department of Law found the *Manual* could be interpreted differently depending on where and who referenced the *Manual*. As a result, ADF&G and Alaska Falconers Association worked together to condense the *Manual* by deleting the repetitions from the “General Information” section and clarifying any necessary statements in the “Falconry Standards” section.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F17-032)  
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