

**PROPOSAL 62 – 5 AAC 92.029. Permit for possessing live game.** Allow the release of sterilized, feral cats into the wild as follows:

This proposal is a request to change Alaska Administrative Code 5 AAC 92.029, Permit for Possessing Live Game, to remove the regulatory barrier to implement Trap-Neuter-Return (TNR) programs to manage community cat populations. Specifically, I am requesting that 5 AAC 92.029 be changed to exempt “sterilized feral cats” (under Cats/Felis catus) from the list of species that are prohibited from being released into the wild.

**5 AAC 92.029. Permit for possessing live game.**

(a) Except as otherwise provided in this chapter, or in AS 16, no person may possess, import, release, export, or assist in importing, releasing, or exporting, live game, unless the person holds a possession permit issued by the department.

(b) The following species, not including a hybrid of a game animal and a species listed in this subsection, may be possessed, imported, exported, bought, sold, or traded without a permit from the department but may not be released into the wild:

<b>Common Name</b>	<b>Scientific Name</b>
Dog	Canis familiaris
Cat ( <u>except sterilized feral cats</u> )	Felis catus
Sheep	Ovis aries
Goat	Capra hircus
Cattle	Bos taurus
Oxen	Bos spp.
Horse	Equus caballus
Guinea pig	Cavia porcellus
Reindeer (except feral reindeer)	Rangifer tarandus Var.
Llama	Lama peruana
Alpaca	Lama pacos
One-humped camel	Camelus dromedarius
Ass	Equus asinus Var.
Mule	Equus asinus x caballus
Swine	Sus scrofa Var.
European ferret	Mustela putorius furo
European rabbit	Oryctolagus cuniculus Var.
White rat	Rattus norvegicus Var. albinus
Mice: white, waltzing, singing,shaker, piebald	Mus musculus Var.
Fat-tailed gerbil	Pachyuromys duprasi
Gerbil	Gerbillus spp.
Hamster (golden)	Mesocricetus auratus
Chinchilla	Chinchilla laniger
Cavy	Cavia aperea
Hedgehog, African Pygmy	Erinaceus albiventris
Chicken	Gallus gallus Var.
Pigeon	Columbia livia Var.

Any Turkey species	Subfamily Meleagridinae
Any Pheasant, Junglefowl or Coturnix species	Subfamily Phasianinae
Any Guinea fowl species	Subfamily Numidinae
Canary	Serinus canaria Var.
Parrot, parakeet, cockatiel, macaw, and other members of the Family Psittacidae not prohibited by federal or international law	Family Psittacidae
Toucan	Family Ramphastidae
Any New World Quail species (including Bobwhite)	Subfamily Odontophorinae
Mynah	Acridotheres spp.
Any Peafowl species	Pavo spp.
Any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service determines does not require a federal permit for private ownership	
Chukar partridge	Alectoris chukar
Button "quail"	Family Turnicidae in the order Gruiformes
Any nonvenomous reptile (crocodile, alligator, snake, turtle, or lizard) Members of the bird families Fringillidae, Turdidae, Zosteripidae, Pycnonotidae, Timaliidae, and Ploceidae of non-Holarctic origin. Members of the bird families Columbidae and Trogonidae of non- Nearctic origin.	Class Reptilia
Elk (except feral and wild elk)	(cervus elaphus)
Bison (except feral and wild bison)	(Bison bison)
Muskoxen (except feral and wild muskoxen)	

**What is the issue you would like the board to address and why?**

**Introduction**

My name is Shannon Basner, and I am submitting the following proposal to the Alaska Board of Game as a constituent living in Anchorage. I am a special education teacher in the Anchorage School District working in a self-contained behavior classroom. I have taught in New York and Alaska for 22 years collectively. I am also the founder of Mojo's Hope, a nonprofit organization that rescues, rehabilitates, and re-homes animals with special needs ([www.mojoshope.org](http://www.mojoshope.org)), Alaska Kitty Advocacy Awareness Adoption Tails (KAAATs), a non-profit organization that promotes advocacy, awareness and adoptions of cats ([www.pawprintshowlsandpurrs.org/alaska-s-kaaats](http://www.pawprintshowlsandpurrs.org/alaska-s-kaaats)), and Paw-Prints, Howls and Purrs, a pet photography business ([www.pawprintshowlsandpurrs.org/](http://www.pawprintshowlsandpurrs.org/)). In addition, I am an ABC-DT Certified Trainer who specializes in working with dogs and cats with specific behavior needs, such as being fearful, shy or introverted, primarily in the shelter or foster environment, with the goal of shaping behaviors so animals are comfortable with themselves and potential adopters.

**Proposal Issue: Management of Community Cats**

Community cats are unowned, free-roaming cats who live outdoors. These cats may have been born in the wild, or they may be lost or abandoned pets. Most community cats are not socialized to people (i.e., feral cats), so they are unable to adjust to living indoors. If community cats are brought to an animal shelter, they experience intense suffering due to the stress of being confined and their fear of people. As a result, virtually all community cats are killed since they are not suitable for adoption. Therefore, the term “community cats” reflects the reality that for these cats, “home” is within the community rather than in an individual household.

Local governments may explore strategies to manage their municipality’s community cat population for a variety of reasons, including reducing animal control and shelter costs, stabilizing the number of cats living outdoors, and reducing nuisance complaints. They have three options:

1. **Trap-And-Remove (i.e., Catch-and-Kill):** Cats are trapped, brought to a shelter, and, because most are not socialized to people and are unadoptable, killed. Any remaining cats in the area quickly breed to capacity, or new cats move in to take advantage of the newly available resources. This is a well-documented phenomenon known as the “vacuum effect.” Year after year, more cats are trapped, more cats are killed, and more time and money is spent with zero evidence of success.

Please see the Appendix for more information about the “vacuum effect.”

2. **Trap-Neuter-Return (TNR):** Cats are humanely trapped, spayed or neutered, vaccinated, eartipped, and returned to their outdoor home where they will continue to live while keeping newcomers at bay. Over time, TNR stabilizes or reduces community cat populations by stopping the breeding cycle and preventing unwanted litters of kittens.
3. **Do Nothing:** Cats continue to live outdoors without being spayed or neutered, vaccinated, or provided veterinary care if injured or sick. As a result, community cat populations are not managed, public health and resident concerns are not addressed, and animal welfare implications are not considered.

### **Why the Regulation Is Being Proposed**

Alaska has a large population of community cats, yet current Alaska Department of Fish and Game regulations allow *only one option* to manage them: Catch-and-Kill. Alaska’s local governments, shelters, residents, and animals deserve *a second option*: Trap-Neuter-Return (TNR).

TNR is recognized worldwide as the most effective, sustainable, and humane approach to community cat management. Cities and shelters across America have stopped using the Catch-and-Kill approach because it is expensive, time-consuming, and ineffective. Today, over 650 municipalities have adopted a TNR ordinance or policy, and thousands more welcome the TNR efforts of citizens. This regulation change is being proposed so communities in Alaska can legally implement a TNR program to manage their community cats.

Please see the Appendix for case studies on how TNR has transformed communities across the county and key scientific studies that demonstrate the effectiveness of TNR programs.

There are residents and animal rescue groups who want to practice TNR in Alaska for the health and wellbeing of community cats. For example, one rescue group receives requests to trap feral cats and kittens approximately two to three times a month (sometimes higher in the summer). Since TNR is illegal, they must limit their actions to kittens who are young enough to be socialized and cats who are most likely domesticated strays. When the group explains the limited options for most of these community cats, finders are typically unwilling to trap the cats/kittens and take them to animal control to be killed. The good news is this group regularly traps, sterilizes, and vaccinates cats and kittens who are good candidates for socialization and adoption, which does help reduce the number of breeding cats in the community. The bad news is that cats and kittens who are not capable of being socialized and adopted cannot be sterilized and vaccinated, because it is illegal to return them to their outdoor homes. This group looks forward to a time when they no longer must deny assistance to the many concerned residents who want to help *all* community cats.

My organization, Mojo's Hope, is interested in working alongside other local nonprofits to implement a TNR program in Anchorage. In March 2014, I began a dialogue with our local animal control about the effectiveness of TNR. I presented case studies, informational packets, and statistics of the impact of such programs in the lower 48. It was at this time that we discovered regulation **5 AAC 92.029** creates a barrier to TNR. Our TNR program would entail humanely trapping community cats and transporting them to a veterinary clinic where they will be spayed or neutered, vaccinated, and eartipped, which involves removing the tip of the cat's left ear to indicate that he or she has been sterilized and vaccinated. Based on an assessment by the veterinary team and a cat behaviorist, healthy feral cats will be returned to their outdoor home and healthy socialized cats will be brought to our local open admissions shelter or one of the local rescue groups that work with the municipal shelter. We will work to educate the community about TNR and respond to questions about the program and the cats. Our goal is to help Anchorage's community cats live happy and healthy lives, mitigate concerns in the community, and help our animal control officers and shelter personnel focus their resources on animals in need.

### **Why the Regulation Change Should Be Adopted**

The proposed change to **Alaska Administrative Code Number 5 AAC 92.029, Permit for Possessing Live Game**, should be adopted to give local municipalities the opportunity to experience the many benefits of Trap-Neuter-Return (TNR).

#### TNR stabilizes or reduces community cat populations by:

- Increasing the number of cats who are spayed or neutered
- Decreasing the number of unwanted litters

#### TNR helps local governments and shelters save money by:

- Decreasing shelter intakes
  - Every animal impounded at a shelter requires expenses for housing, sanitation, comfort, medical care, and, especially for community cats, euthanasia. Once a

shelter stops taking in feral cats, and their population is stabilized or reduced, fewer animals enter the shelter and fewer expenses are incurred.

- Decreasing shelter disease and euthanasia rates
  - Crowded conditions and stress increases incidences of shelter disease, especially upper respiratory infections (URI). For many shelter animals, health deterioration due to preventable illnesses results in euthanasia. When shelter intakes decrease due to TNR, more space and medical resources are available, fewer animals become sick, and fewer animals are euthanized.
- Increasing shelter save rates
  - As TNR reduces the strain on a shelter's financial and physical resources and personnel, more resources are available for adoptable and special needs pets. Rather than euthanize for space, behavior, or health issues, all animals are given the best opportunity to lead happy and healthy lives.
- Increasing shelter employee morale
  - There is a growing understanding of the negative impact animal euthanasia has on the mental health and morale of shelter employees. When they no longer bear the burden of euthanizing healthy community cats simply because they are not socialized to people, shelters save money through reduced employee turnover rates, time away from work, and workers compensation claims.

#### TNR benefits local communities by:

- Increasing community support
  - When local governments and shelters support TNR, residents receive a clear message that the humane treatment of animals is a priority, and the community is transformed. Elected officials garner more support because they have addressed community concerns. Shelters grow their volunteer network because they have improved working conditions, services, and morale. Animal control officers improve their relationship with the public because they are saving more lives.
- Decreasing nuisance complaints
  - Most cat-related complaints to animal control are due to behaviors and stresses associated with mating and pregnancies, such as yowling, roaming, and fighting. When community cats are spayed or neutered, these behaviors and stress patterns stop, complaints are reduced, and animal control officers save time (and taxpayers' dollars) by responding to fewer calls.
- Increasing vaccination rates
  - Vaccinations are an integral component of TNR programs, which protect the health of individual cats and reduce the disease burden in the community.
  - TNR programs are often the number one provider of rabies vaccinations.

#### TNR improves individual cats' lives by:

- Increasing the number of community cats who are vaccinated
- Increasing the number of community cats who receive veterinary care if sick or injured
- Eliminating the behaviors and stresses associated with mating and pregnancy
- Providing an opportunity to live a happy and healthy life outdoors

Please see the Appendix for more information on how TNR benefits public health.

In conclusion, the proposed change to **Alaska Administrative Code Number 5 AAC 92.029, Permit for Possessing Live Game**, should be adopted because TNR is sound public policy.

### **What Would Happen if the Regulation Is Not Changed**

If the proposed change to **Alaska Administrative Code Number 5 AAC 92.029, Permit for Possessing Live Game**, is not adopted, Alaska's local governments, shelters, and residents will continue to be limited to *only one option* to manage community cats: Catch-and-Kill. The purpose of this proposal is to remove the regulatory barrier to Trap-Neuter-Return (TNR) so Alaska's communities have *a second option* to manage community cat populations. The change will not impact the authority of municipalities to develop programs and policies that best fit their needs. In fact, this regulatory change will support the discretion of municipalities by allowing them to choose whether TNR is right for them.

### **Other Solutions Considered and Rejected**

Most community cats are not socialized to people, so they are unable to adjust to living indoors and cannot be adopted into traditional homes. Therefore, there are only two options to manage them: Trap-and-Remove (i.e., Catch-and-Kill) and Trap-Neuter-Return (TNR). Those who do not understand the unique needs of community cats often suggest cat sanctuaries as a solution. However, the viability of cat sanctuaries as an option for community cats exists only in theory, not in reality.

Cat sanctuaries are not the answer for the millions of community cats who live outside, just as they are not the answer for socialized cats who have lived with people inside. Sanctuaries face many challenges, including significant financial obstacles. They are extremely expensive to build and maintain, and most of them just aren't sustainable. Cat sanctuaries often spend thousands of dollars for housing and care per cat! Once a facility has opened, they fill up fast because they can only provide long term care for a small group of cats. Even then, the confinement and the large number of cats in small rooms or areas causes the cats a lot of stress and can expose them to disease. Despite their good intentions, sanctuaries are forced to close their doors every year due to insufficient funds or an inability to properly care for the cats in the existing confined space.

Rather than spend money to house a few hundred cats in a confined space, it is more practical, cost-efficient, and effective to fund Trap-Neuter-Return (TNR) and low-cost spay and neuter programs that will benefit the entire cat population.

### **Appendix**

*The appendix and references submitted with the proposal are available on the Board of Game proposal book webpage at [www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook](http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook) or by contacting the ADF&G Boards Support Section at 465-4046.*

**PROPOSED BY:** Mojo's Hope/Alaska's KAAATs

(HQ-F17-007)

\*\*\*\*\*