

ALASKA BOARD OF GAME
Statewide Regulations Meeting
November 10–17, 2017 | Anchorage, Alaska

Miscellaneous Business Agenda

1. Big Game Commercial Services Board Assignment
2. Draft Nonresident Permit Allocation Policy
3. Draft Resolution Supporting Alaska Wildlife Troopers
4. Meeting Location for the 2019 Southcentral Region Meeting
5. Request for a letter of support for the taking and use of golden eagles for falconry
6. Guidelines for accepting proposals and public comments

Alaska Board of Game Non-resident hunter allocation Policy

In consideration that Article 8 of the Alaska Constitution states that:

§ 2. General Authority — The legislature shall provide for the utilization, development, and conservation of all-natural resources belonging to the state, including land and waters, for the maximum benefit of the people.

§ 3. Common Use — Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

§ 4. Sustained Yield — Fish, forests, wildlife, grasslands, and all other replenishable resources belong to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

And; Alaska Statute AS16.05.020 states that one of the primary functions of the commissioner of the Department of Fish and Game is to:

(2) manage, protect, maintain, improve, and extend the fish, game, and aquatic plant resources of the state in the interest of the economy and general well-being of the state.

And further, that; AS16.05.255 directs that the Board of Game, among other duties, may adopt regulations for;

(10) regulating sport hunting and subsistence hunting as needed for the conservation, development, and utilization of game;

(13) promoting hunting and trapping and preserving the heritage of hunting and trapping in the state

The Alaska Board of Game establishes this document as a general statement of its views related to non-resident hunter participation in the State of Alaska.

The Alaska Board of Game finds that:

1. Carefully controlled hunting and trapping have been used since statehood to assure that Alaska's wildlife populations are healthy and sustainably managed. Alaska's wildlife populations are minimally impacted by the hunting pressure experienced today, and most hunted populations are either stable or growing. There are few remaining opportunities in North America where a hunter can experience both the quality of largely uninhabited and undeveloped environment, minimal private land ownership boundaries, or the type of hunting opportunities that Alaska has to offer. Alaska is the only place in the United States where coastal brown bears, caribou and Dall sheep can be hunted, for instance, and there has been great demand for hunting opportunities of these species by US citizens for many generations.

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2. Alaska is one of the last remaining places in the United States where there are large segments of public lands open for general season hunting opportunities. The State of Alaska maintains authority for wildlife management across multiple land ownership designations yet the board recognizes that approximately 60% of the state remains in Federal ownership and is managed for the benefit of all US citizens equally. In recognition of our state's constitutional mandate to manage the state's wildlife for the "common use" and "maximum benefit" of the people, the board has maintained a resident priority for most hunting opportunities through management actions such as longer seasons, less restrictive antler requirements, resident tag fee exemptions, and lower licensing fees. The board has also maintained general season opportunity to the greatest degree possible for the benefit of all hunters, resident and visitor alike.
3. Under the Common Use Clause of the Alaska Constitution, access to natural resources by any person's preferred method or means is not guaranteed, and protecting public access to those resources requires an adaptive and informed balancing of demands and needs consistent with the public interest. As such, the State has considerable latitude to responsibly, equitably, and sustainably establish priorities among competing uses for the maximum benefit of the public.
4. From region to region, Alaska often has differing patterns of use, values, and tradition related to the harvest of game. Some areas welcome nonlocal hunters more readily than others, and other areas have little concern regarding who else is hunting the area, so long as local needs are met. The board has recognized that there is no single simple allocation formula that adequately covers the needs, desires, and historical use patterns of the diverse regions of our state.
5. Non-resident hunters have played a crucial and often undervalued role in support of Alaska's wildlife conservation efforts since Territorial times. Early in the last century, non-resident hunters partnered with Alaskan sportsmen to advocate for the conservation of brown bear and grizzly populations, perhaps most notably on Kodiak Island, which reversed territorial, and later state policy that was at one point directed toward the complete elimination of some segments of these populations by any means available. Non-resident hunting groups and resident hunters successfully advocated for the creation of McKinley National Park to address market hunting depletions of Dall sheep populations in that region, and later played an important role in advocating that National Park Preserves and National Wildlife Refuges in Alaska would not only allow for hunting, in the Alaska National Interest Lands Conservation Act, but that hunting and fishing would be recognized in law as priority uses under the National Wildlife Refuge System Improvement Act of 1997. These cooperative actions substantially protected continued hunting opportunities across large areas of federally managed lands in Alaska. More recently, non-resident hunters have contributed meaningfully in the effort to prevent disease introduction in Alaska, and continue to be knowledgeable allies in safeguarding both our resources and our access to these resources in the face of external pressures.

6. Non-resident hunters typically harvest wildlife at low levels across the state, with few known exceptions. While most big game animal populations are typically harvested at a rate of less than 10 percent by non-residents, there are some areas where it can be higher (e.g. non-resident sheep harvests averages between 35 and 40% annually and brown/grizzly bear harvests typically exceed resident harvest in much of the state.
- The board recognizes that, in recent years, there has been a renewed effort to restrict or eliminate non-resident hunter opportunity, especially in relation to Dall sheep harvest. The board conducted an extensive survey of sheep hunter perceptions and experiences; requested that the Alaska Department of Fish and Game gather all known data regarding hunter participation and harvest rates statewide; and, convened a Dall sheep working group made up of Alaskan residents to discuss the known data, survey results, and issues more broadly in an open setting. At the end of this process, the board found the majority of the Alaskan public did not support eliminating non-resident hunting opportunity. While there was some support for limiting non-resident opportunity, in regard to sheep hunting specifically, the support was not wide spread or persuasive in terms of a conservation or management need at this time. Further, many opposed change in pointing out that human-caused mortality has not been a driving factor in cases of sheep declines.
 - Non-resident hunter numbers are restrained due to many factors, such as the guide requirement for Dall sheep, mountain goat and brown bear/grizzly, a law primarily addressing hunter safety issues. This requirement also results in higher success rates due to the greater experience and area familiarity of hunting guides. Non-resident sheep hunters have also been limited by federal guide concessions, which have capped the number of guides in large portions of sheep ranges and held them to predetermined numbers on 10-year cycles. The competitive bidding nature for obtaining rights in these areas requires that guides hold to the number of clients they have proposed during their tenure, allowing for predictable participation and anticipated harvest rates.
 - Coastal brown bear harvests are typically more sought after by non-resident hunters than resident hunters, as a general rule, and especially so in more remote areas that are difficult to access. Across most of Alaska, non-incidental grizzly bear harvests are typically low or nonexistent unless non-resident guided opportunity exists in the area.
7. Despite comparatively low participation and harvest rates for most species due to restricted opportunity, non-resident hunters provide the majority of direct funding into Alaskan wildlife management programs through relatively expensive license and big game tag fees. This level of funding has allowed for stable wildlife management and educational activities for decades. The additional benefit to wildlife management from receiving Pittman-Robertson matching funds, which come primarily from nationwide

weapon purchases, cannot be overstated. The level of funding that non-resident license sales have provided for department survey and inventory programs, among other programs, has allowed the board to have increased confidence in providing for higher levels of harvest opportunities under sustained yield principles. Alaskan hunters have benefited most from these management programs through generally avoiding harvest quotas, draw permits, antler restrictions, and shortened seasons for the majority of hunt opportunities in Alaska. This enhances our ability to satisfy our legal mandate to manage, preserve and promote hunting and trapping throughout the state, while providing the maximum benefit for all the people as Alaskans take home an estimated 90% of the big game animals harvested for their meat value in the state each year.

8. Nonresident hunters contribute substantially directly to the Alaskan economy through contracting with service providers, equipment rentals, supply purchases from local vendors, hotel and tourism related expenses, and meat processing and trophy expediting services. Visiting nonresident hunters are typically comprised of 80% of unguided hunters, 20% guided nonresident hunters, or hunters accompanied by 2nd degree of kindred relatives.
 - a. Unguided nonresident hunters often contract with air-taxis or transporters for transportation services to remote hunting locations and primarily focus their efforts on moose, caribou, deer, and black bear. Nonresident hunter dispersal through transportation services provides benefit to both resident hunters who find the more accessible hunting areas less crowded, and nonresident hunters who often have access to more remote areas that provide unique hunting settings or access to migratory resources. Unguided nonresident hunters often donate meat through their service providers to remote villages, especially portions of their moose and caribou, due to prohibitive transportation costs. There have been numerous complaints over the years related to donated meat quality, hunter crowding, overbooked services, and competition with local hunters related to air-taxi and transporter operations – resulting in the creation of controlled use areas to limit hunting-related aircraft use in several areas of the state and most recently both modified state and new federal controlled use areas in northwest Alaska. The board recognizes that these issues are not typically driven by lack of resource availability, but at times due to variance in wildlife migrations or weather and at other times unchecked competition for limited access points by multiple service providers. The board believes that these conflicts can be best addressed through greater oversight of transportation related services in our state rather than strictly limiting general hunting opportunity where resources are in many cases stable or abundant.
 - b. Approximately 90% of Registered or Master guides in Alaska are Alaskan residents and upwards of 70% of assistant guides are Alaskan residents. Guided hunt opportunity is generally disbursed across the state on both state and federal lands, and to a lesser degree on private lands. A recent economic analysis of the economic impact of the guide industry notes that 3,242 guided nonresident

hunters contributed approximately 87.2 million dollars to Alaska's economy in 2015, and supported 2120 Alaskan jobs. An estimated quarter million pounds of game meat was donated by guided hunters in communities across the state during this same period, providing both economic relief and direct dietary benefit to mostly rural Alaskans. The benefit this brings to Alaskan communities is supported by testimony from across Alaska. There has been complaint regarding hunter crowding or competition for Dall sheep resources on state owned lands in several regions for a number of years and the board has recently taken a very detailed look at these and other issues with the aid of a resident-comprised Dall sheep working group, as noted above. The board has advocated for the restoration of guide-concessions on state lands to both provide a comprehensive program to address quality of hunt issues such as these, and to assure that stewardship-based guided-hunt opportunities are provided in these areas.

- c. Recent data and testimony indicate that the trend of nonresident hunters accompanied by second degree kindred resident relatives for Dall sheep, brown bear, and mountain goat appear to be increasing. The board recognizes the high value of continued opportunity for Alaskans to share unique hunting opportunities with nonresident family members. The board has heard complaints that, in portions of the state, strictly limited permit opportunities for nonresident guide-required hunts have at times been taken to a large degree by 2nd degree kindred hunters accompanied by resident relatives, an effect unanticipated when allocations were established. The board desires to address these issues in a manner that both protects the careful allocation frameworks that the board has already anticipated and determined as appropriate, and provide continued or expanded opportunity for Alaskans to maintain family centered hunting traditions with nonresident relatives where possible.

The primary goals and efforts of the Alaska Board of Game are directed toward the management of stable and healthy wildlife populations capable of producing harvestable surpluses to provide for a variety of uses and, at times, differing values of the public. While many uses of wildlife do not directly conflict with one another, such as wildlife viewing and hunting, with some notable exceptions, some consumptive uses do require thoughtful allocation decisions. Historically, the board has viewed meeting the subsistence needs of the Alaskan populace as its primary goal, as directed by state law.

Preferences have been granted by the State in the following order:

- 1) Alaskan Resident subsistence hunting - for all species with a customary or traditional use classification
- 2) Alaskan Resident general season hunting – for moose, deer, caribou, elk
 - residents have longer seasons, more liberal bag limit and antler restrictions, and lower license and tag fees

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- 3) Resident and Non-resident general season hunting – for Dall sheep, brown/grizzly bear, and mountain goat. Typically managed for trophy-related values.
 - guide-required species for non-residents can be a limiting (financial) factor for many non-resident hunters, in addition to license and tag fees
- 4) Non-resident Alien hunting – same as non-resident hunting
 - guide-required for all big game species and with higher license and tag fees

The Alaska Board of Game has recognized the above inherent preferences and general practices that benefit Alaskan hunters and will continue to do so. In addition, the board will address allocation issues in the following circumstances, if season and/or method and means adjustments are deemed insufficient:

- 1) In times of stability, abundance, or rapid growth - it is the board's policy to allow maximum opportunity for all hunters, within the bounds of sustained yield management practices, regardless of residency.
- 2) In times of non-hunting-related population decline - it will be the board's policy to restrict all non-subsistence hunting only if it is predicted to slow the decline or have the potential to speed the recovery of these populations appreciably. Generally, non-resident hunters will be restricted first in these circumstances, unless their portion of the overall harvest is deemed insignificant.
- 3) In times of hunting-related population decline – it will be the board's policy to identify the potential causes and address each case individually. Non-resident hunters will be restricted first in these circumstances, unless their portion of the overall harvest is deemed insignificant or the restriction of non-resident hunters does not address the primary cause of decline.
- 4) The board may choose to address areas of hunter overcrowding or conflict issues by placing limitations on or between commercial service-dependent hunts, or request that the appropriate regulatory body address the service provider issue if it is beyond the board's authority. This may be accomplished by guided-only or non-guided-only permit stipulations for any species, as the board has done in several places in the past. Sustained yield will be the first test in these circumstances, then subsistence obligations, historical use patterns, and quality of hunt experience will be considered.
- 5) When a guided non-resident hunter applies for a drawing permit, proof of having a signed guide-client agreement is required and contracting guides shall be registered in the area prior to the drawing. When a guide signs a guide-client agreement, the guide is providing guiding services and therefore must be registered for the use area at that time.
- 6) The board has supported the reestablishment of state-managed guide concessions to address user conflicts and hunt quality issues for more than a decade. The board

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continues to support this avenue to address known conflict areas, and will continue to do so. It will be the board's policy to address non-resident allocations under state or federal concessions that have overlaying draw requirements in a manner that cooperates with land management efforts and goals, as deemed appropriate by the board.

Submitted by Nate Turner

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**Alaska Board of Game
Alaska Board of Fisheries**

A Resolution Regarding Fish & Wildlife Enforcement in Alaska

WHEREAS, the Board of Game and Board of Fisheries have received numerous public complaints in recent years concerning the decreasing level and effectiveness of fish and wildlife enforcement in Alaska; and

WHEREAS, management plans are formed by the Alaska Department of Fish & Game to support the constitutional mandate to maintain fish and game populations on sustained yield principle; and

WHEREAS, regulations are developed by the Alaska Boards of Fisheries and Game through the public process to support management plans. All management plans rely upon public compliance with regulations to achieve success; and

WHEREAS, enforcement is a crucial element needed to ensure long-term compliance with regulations by the public; and

WHEREAS, enforcement of the regulations that govern the take of these resources is an integral part of the sustainability; and

WHEREAS, fish and wildlife enforcement is a critical element in the state's fish and wildlife management programs; and

WHEREAS, the Alaska Department of Public Safety, Division of Alaska Wildlife Troopers are the front-line agency tasked by the legislature with enforcing regulations and statutes pertaining to fish and game; and

WHEREAS; vigorous, proactive efforts are required to positively affect compliance by the public in fish and game regulations; and

WHEREAS, every subsistence, personal use, recreational or commercial resource management program is dependent on robust enforcement for these programs to be successful; and

WHEREAS, Alaskans demand and have supported a strong and effective fish and wildlife enforcement program in the state; and

WHEREAS, Alaskans have been assured that the integration of the Alaska Wildlife Trooper enforcement programs into the Alaska State Troopers system would not result in any decreased level of effectiveness in the states fish and wildlife enforcement efforts; and

WHEREAS, in 2003 the Division of Fish and Wildlife Protection was eliminated and re-established as a separate Bureau within the Alaska State Troopers; and

WHEREAS, in 2006, in response to reduced levels of wildlife and fisheries enforcement statewide the Division was recreated into the Alaska Wildlife Troopers but only regained part of their original identity and personnel; and

WHEREAS, Alaska's population has steadily gone up from 524,000 people in 1983 to 739,000 people in 2017 and during that same time frame wildlife and fisheries enforcement has precipitously declined from 117 commissioned Troopers in 1983 to 89 commissioned Troopers in 2017; and

WHEREAS, the number of hunting and fishing opportunities created by the Board of Fish and the Board of Game have dramatically increased in the last 15 years which results in more fishing and hunting seasons, permit hunts, drawing hunts, commercial fisheries, sport fisheries, personal use fisheries and subsistence fisheries for the Alaska Wildlife Troopers to enforce; and

WHEREAS, Alaska's fish and game resources taken during commercial fishing, sport fishing, sport fish guiding, personal use fishing, subsistence fishing, big game guiding, hunting, trapping and subsistence activities are worth more than \$5 Billion dollars annually to every community in the state; and

WHEREAS, more than 100,000 jobs in Alaska are directly supported by Alaska's game and fisheries resources and the loss of available resources directly affects these jobs; and

WHEREAS, in 2017 the entire budget for the Division of Alaska Wildlife Troopers was \$24 million dollars which represents .002% of the overall value of the resources to the economy of the state; and

WHEREAS, the primary emphasis and accepted principles of fish and wildlife enforcement relating to promoting voluntary compliance, preventing resource violations rather than focusing only on apprehending violators, educating the public about the conservation purposes for fish and wildlife regulations, emphasizing selective sting and special investigations directed at commercial operators and discouraging violations through a continued presence in the field have been reduced significantly due to substantial budget cuts, reductions of total number of Alaska Wildlife Troopers and reductions of equipment used to patrol the fisheries and hunts across the state; and

NOW THEREFORE BE IT RESOLVED that the Boards of Fisheries and Game respectfully request that the Commissioner of Public Safety recognize the importance and relevance of the Division of Alaska Wildlife Troopers and it's essential separate identification and mission; and

BE IT FURTHER RESOLVED that the Alaska Department of Public Safety must maximize it's enforcement of fish and game regulations to the greatest extent possible in order to preserve and protect the fish and game resources of the State of Alaska for public use and future generations; and

BE IT FURTHER RESOLVED that the Boards of Fisheries and Game respectfully request the Governor and the Legislature provide the Alaska State Troopers with

adequate funds for their identified public safety mission rather than depending on the Alaska Wildlife Troopers to continually fill in for inadequate numbers of State Trooper positions; and

BE IT FURTHER RESOLVED that the Boards of Fisheries and Game respectfully requests the Governor and the Legislature provide an adequate budget to fully fund Alaska Wildlife Troopers enforcement activities to include vessel and aircraft operations statewide to ensure the Alaska Wildlife Troopers have the tools and personnel necessary for superior fish and wildlife enforcement; and

BE IT FURTHER RESOLVED that the Alaska Boards of Fisheries and Game request that, to the greatest extent possible, the Alaska Wildlife Troopers focus efforts on enforcing, patrolling and documenting criminal activity in the areas of fish and game regulations. It is encouraged that every effort be made for the Alaska Wildlife Troopers to remove duties from enforcement personnel that do not pertain to the enforcement of fish and game regulations.

BE IT FURTHER RESOLVED that the Boards of Fisheries and Game respectfully requests that the Governor's office and the Alaska State Legislature provide a reasonable level of oversight over the fish and wildlife enforcement performance of the Department of Public Safety to assure that our fish and wildlife resources are being adequately protected and our fish and wildlife management programs receive the enforcement support needed to make our programs successful.

Copies of this resolution are being sent to Commissioner Walt Monegan of the Department of Public Safety, Governor Bill Walker, Commissioner Sam Cotten of the Department of Fish and Game, and the House and Senate leadership.

Ted Spraker, Chairman
Alaska Board of Game

John Jensen, Chairman
Alaska Board of Fisheries

Date: _____

Date: _____

Vote: _____

Vote: _____

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From: Steve Bergh
To: Tibbles, Kristy R (DFG)
Cc: Carter Wilford; "lorring@mosquitonet.com"
Subject: FW: Request for a Letter of Support for the Taking and Use of Golden Eagles for Falconry
Date: Monday, October 23, 2017 10:12:28 AM

Dear Alaska Board of Game,

My name is Steve Bergh and I am sourdough Alaskan masterclass falconer who has a golden eagle I use in the sport of falconry. For the last 10 plus years I have been attempting to trap a female golden eagle for my use in falconry with no success. The USFWS has essentially shut down eagle falconry since 2011. No permits for trapping wild birds have been provided since this time and essentially few birds have been allowed to be trapped for years prior to this. I am a active committee member of the North American Falconry Associations (NAFA) Eagle Committee and we are in the process of solicitation to the USFWS changes to the rules and regulations that govern the use of golden eagles for falconry. We believe we have seen a great change in attitude toward the falconry community under this new administration and we are going to attempt to push forward in trying to change the Bald and Golden Eagle Act. The USFWS have had 2 meetings with our chairman of this committee and the VP of NAFA in regards to this issue already and are seeing some great progress.

I am requesting a support letter from the Alaska BOG in support of our effort to help influence the USFWS and members of the legislature in both congress and the senate to support these changes. A simple letter like the example below would be of great help to our cause:

Dear NAFA Eagle Committee or Steve Bergh NAFA Eagle Committee member

The Alaska Board of Game is supportive of the use of golden eagles in falconry. We support more access to permitted and certified falconers to gain access to golden eagles when the populations are deemed capable of sustained take.

Sincerely

Alaska Board of Game

Something as simple as this would be or great help in advancing eagle falconry here in Alaska

Thank you for your time and efforts of support in this area

Steve Bergh
Master Class, Eagle Falconer
NAFA Eagle Committee member
18727 Old Glenn Hwy
Chugiak, AK, 99567

(907) 830-1979

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