

Kodiak Area – Unit 8

PROPOSAL 93

5 AAC 85.030. Hunting seasons and bag limits for deer.

Increase the bag limit for deer in Unit 8 as follows:

Everything in the regulations would stay the same as they are now except the total limit. That would change to five deer. Then add subject to change by emergency order.

What is the issue you would like the board to address and why? I would like to change the deer harvest limit on Kodiak Island. What I am proposing would make the limit more responsive to the up and down population fluctuations. What I would like is a five deer limit with an emergency order to reduce it if necessary. With the high population in 2016–17, we could have had a larger harvest without harm to the overall population. I was told you can only lower the limit, not raise it by emergency order. The way it is now it takes too long when the population rises. I know this would put more work on local Department of Fish and Game personnel, but I think it would make a better use of the resource with the unpredictable population swings of our deer herd.

PROPOSED BY: Andrew Finke

(HQ-F18-002)

PROPOSAL 94

5 AAC 84.040. Hunting seasons and bag limits for goat.

Lengthen the hunting season for goat in Unit 8 Remainder as follows:

We propose lengthening the season from the current December 15 closure to January 31, coinciding with the U.S. Fish and Wildlife Service subsistence season for deer.

RG471–RG479, November 1 – **January 31** [DECEMBER 15]

What is the issue you would like the board to address and why? Areas RG471–RG479 occasionally have remaining goats in the guideline harvest level (GHL). We would like to provide for a small amount of additional opportunity.

What will happen if nothing is done: Loss of additional opportunity.

Other solutions considered: Lengthening season to March 20. These areas are closed by emergency order and we doubt any of the areas would have many remaining goats in the GHL past January 31, so it would be easier on the Department of Fish and Game to have the season wrap up.

PROPOSED BY: Kodiak Fish and Game Advisory Committee

(EG-F18-028)

PROPOSAL 95

5 AAC 85.040. Hunting seasons and bag limits for goat.

Change the bag limit, lengthen the season, and implement reporting requirements for goat in Unit 8 Remainder as follows:

We propose limiting the billy harvest to one per hunter to increase nanny harvest and also improve trophy quality. We also would lengthen the season to provide additional opportunity.

RG480: August 20 – **March 31** [March 20], two goats – **only one of which may be a billy.** Nanny with kids prohibited. **Reporting requirements: in person to Alaska Department of Fish and Game (ADF&G) within five days of completion of hunt or submit a photo of head/horns to ADF&G within 30 days of completion of hunt.**

What is the issue you would like the board to address and why? Area RG480 (southern half of Kodiak Island) has an increasing mountain goat population, which we are trying to stabilize or reduce. We have liberalized regulations in the past but need to do more. While we are getting increased participation and harvest, we need to harvest more nannies to accomplish this mission. There seems to be some reluctance to harvest nannies, or the inability to distinguish which nanny has kids (taking a nanny with kids is prohibited). An additional problem is the targeting and harvesting of billies, leading to a reduced number of mature billies.

What will happen if nothing is done: Goat population will continue to expand, endangering habitat and health of herd. Trophy billy quality will continue to decline.

Other solutions considered: (1) Allowing “any goat” after December 31 to ease the inability of distinguishing which nanny has kids. However, we currently don’t have good biological information to ascertain survivability of kids without their mother. (2) Having a nanny-only requirement after December 31. We feel this would lower participation and reduce opportunity as some people are reluctant to harvest nannies or would be unable to identify a legal animal. (3) Lengthening season to May 15. This would interfere with the spring brown bear season.

PROPOSED BY: Kodiak Fish and Game Advisory Committee (EG-F18-029)

PROPOSAL 96

5 AAC 85.040. Hunting seasons and bag limits for goat.

Establish a new registration hunt for goat in Unit 8 as follows:

Create an additional “RG” goat hunt for the Aliulik Peninsula (Kodiak Hunt Area 07).
Bag limit – One goat both resident and nonresident – Season dates: October 1 – December 1

What is the issue you would like the board to address and why? The late season registration goat hunt (RG 480) on southern Kodiak. A large majority of the goats located on the Aliulik Peninsula (Hunt Area 07) reside on private native lands, Akhiok-Kaguyak, Inc. (AKI). These goats become very vulnerable to poaching by non-authorized hunters during the winter as they

come very low on the mountain and congregate on the cliffs just above the beach. The billy to nanny ratio is poor because of the goat harvest by non-authorized hunters on private lands.

PROPOSED BY: Michael Bradshaw (EG-F18-020)

PROPOSAL 97

5 AAC 85.040. Hunting seasons and bag limits for goat.

Allow the use of muzzleloaders for goat hunting in Unit 8 as follows:

Solution

Option A: Muzzleloaders, in addition to bow and arrow, will be allowed to hunt goats in Kodiak Mountain Goat Hunting Areas RG479 (North Road System) and RG478 (South Road System) during the registration goat season in Unit 8.

Option B: Muzzleloaders, in addition to bow and arrow, will be allowed to hunt goats in Kodiak Mountain Goat Hunting Areas RG479 (North Road System) and RG478 (South Road System) beginning November 23 during the registration goat season in Unit 8. (Three weeks archery-only; three weeks archery or muzzleloader.)

Option A is the preferred solution.

Option B would prevent any competition with archery hunters during the first three weeks of the registration season and give them the first chance at the remaining quota. Limiting muzzleloader hunters to the last three weeks, when weather and snow conditions have become more severe, would likely deter many persons from participating.

What is the issue you would like the board to address and why? Area 478 and 479 Mountain Goat Hunting Area quotas are not always being met and goat populations are increasing. To more effectively meet the quota, allow a new hunting opportunity for Alaska resident muzzleloader hunters.

Management Area Background: DG478 and DG479 are popular drawing hunts in large part because of the accessibility to goats from the road system in Kodiak on foot without needing to charter ATV, aircraft or boats. The season is long and typically runs August 20 – October 25. These draw hunts are open to residents and nonresidents with no weapon restrictions.

RG478 and RG479 are open to Alaska residents only, currently bow and arrow restricted, and run November 1 – December 15. The registration hunt is more challenging not only because of weapon restrictions, but because weather has become a more serious limiting factor by November.

Per the local Alaska Department of Fish and Game Area Wildlife Biologist, Kodiak Mountain Goat Hunting Areas 478 and 479 were recently surveyed and found to have high populations that may be above sustainable levels. Area 478 had an all-time record of 370 goats in 2017 and Area 479 was close to its record with 203 goats. The number of permits allotted for draw hunts in

Area 479 (North Road System) has been increased from 35 to 60 and for Area 478 (South Road System) has been increased from 75 to 100.

Potential Opposition: Some bowhunters may not wish to see an increase in hunters or wish not to compete with muzzleloader hunters. Given the number of access points and length of season, I do not think that allowing muzzleloader hunters would greatly encroach on bowhunters.

Other Options Considered: Extending registration season and allowing muzzleloaders after December 15: This would take registration season out of alignment with other registration area season lengths. Weather would be severely limiting.

Allowing crossbows and muzzleloaders in addition to bow and arrow: I decided to request for muzzleloaders only after considering that Unit 8 hunting regulations already include a bow and arrow or muzzleloader-only deer season.

PROPOSED BY: Benjamin Shryock (EG-F18-058)

PROPOSAL 98

5 AAC 85.020. Hunting seasons and bag limits for brown bear.

Lengthen the fall hunting season for brown bear in Unit 8 as follows:

Unit 8

Fall season: Oct. 10 [25] – Nov. 30

Change the start date of the fall hunting season in Unit 8 from October 25 to **October 10.**

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

Change the opening date of the fall Kodiak brown bear season from October 25 to October 10.

1. By starting the season 15 days earlier, hunters would have an additional one hour and 30 minutes of daylight to start a hunt.
2. The temperatures and climate conditions on October 10, in general, are much warmer than October 25 and much milder than later in November.
3. The many lakes used for access to hunting areas are much less likely to freeze up and strand hunters earlier in October.
4. For many hunters that are elderly or not in top physical condition, having the opportunity to hunt in milder weather is safer and potentially more successful.
5. Many resident and nonresident deer hunters plan their hunts to coincide with the deer rut, which begins in late October and runs through November. Starting the brown bear season on October 10 would reduce the competition and conflict for some brown bear and deer hunters.

If the brown bear season opening remains on October 25, all hunters, regardless of their physical abilities, will continue to hunt in potentially more dangerous and harsh conditions. More late season deer hunters will continue to have conflicts with brown bear hunters.

Also considered requesting that the season begins on October 1. The negative impact of this change could be that the Department of Fish and Game in Kodiak will be required to spend more days each fall issuing brown bear permits and sealing hides and skulls.

PROPOSED BY: Greg Acord (EG-F18-021)

PROPOSAL 99

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.

Allocate at least 90% of the Unit 8 brown bear drawing permits to residents as follows:

The Board of Game (board) should amend the beginning of 5 AAC 92.061(a)(1) as follows: “the department shall issue a **minimum of 90 percent of the drawing permits to residents, with the remaining drawing permits available to residents and nonresidents on the same terms** [MAXIMUM OF 40 PERCENT OF THE DRAWING PERMITS TO NONRESIDENTS AND A MINIMUM OF 60 PERCENT TO RESIDENTS]”

What is the issue you would like the board to address and why? Under 5 AAC 92.061, the Department of Fish and Game issues 40% of drawing permits in the Kodiak Brown Bear Permit Area to nonresidents. This allocation of hunting permits exclusively to nonresidents is contrary to the Alaska Constitution’s mandates that wildlife in the State of Alaska be “reserved to the people for common use” and “utiliz[ed] . . . for the maximum benefit of its people.”

The Kodiak brown bear hunt, like many drawing permit hunts in Alaska, dedicates a percentage of the available permits exclusively to nonresidents. In this hunt, the nonresident allocation is an astronomical 40%—and the nonresident harvest typically *exceeds* resident harvest. Taking these permits and harvesting opportunities away from Alaskans and guaranteeing them to nonresidents is contrary to the Alaska Constitution.

Alaska’s natural resources, including its wildlife, belong to the state, which holds them in trust for all Alaskans. *Shepherd v. State, Dep’t of Fish & Game*, 897 P.2d 33, 40-41 (Alaska 1995). This principle was a pillar of statehood and is enshrined in the Alaska Constitution. Article 8, Section 3 of the constitution provides, “Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.” Article 8, Section 2 provides, “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 its people.” Thus, it is constitutionally mandated that when state agencies make decisions regarding wildlife management and allocation, the rights of Alaskans must be given priority.

The board is responsible for ensuring that hunting takes place responsibly and sustainably. Drawing permit hunts exist to avoid the overharvest of a scarce resource. The board’s decision to

conduct the Kodiak brown bear hunt as a drawing permit hunt is based on its determination that the bears do not exist in great enough numbers to support unlimited hunting.

Yet under the current regulations, the board also takes a number of these scarce animals away from Alaskans and dedicates them to the exclusive use of nonresidents. As a result, often nonresident hunters have almost equal odds as Alaskans for drawing these rare and highly-sought after permits. This is inconsistent with, and contrary to, the constitution’s mandate that wildlife be reserved to Alaskans. In certain other hunts, permits are available only to Alaska residents, but the number of permits varies wildly by hunt and—across the board—the allocations to residents are too low to satisfy the constitutional requirements. The 40% nonresident permit allocation of the Kodiak brown bear hunt is the most egregious.

The proposed regulatory change would bring the Kodiak brown bear hunt permit allocations in line with the above constitutional mandates. Alaskans would be guaranteed the majority of the permits and have a fair chance—along with nonresidents—at the rest. Under this change, *no* permits would be set aside for the exclusive use of nonresidents. Revenue generated by nonresident hunters cannot justify depriving Alaskans of the opportunity to harvest their own game in direct violation of the Alaska Constitution.

The proposal provides that, at minimum, 90% of all Kodiak brown bear hunt drawing permits would be set aside for Alaskans, with the remaining permits available to all, nonresidents and Alaskans alike. This proposal is in line with the resident allocation percentages adopted by many other states, including Arizona, California, Colorado, Idaho, Kentucky, Montana, Nevada, New Mexico, Oregon and Utah.

PROPOSED BY: Robert Cassell (HQ-F18-020)

PROPOSAL 100

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.

Create a separate drawing for second degree of kindred brown bear permits in Unit 8 as follows:

We propose creating a separate draw for second degree of kindred bear permits. There would be up to four permits available in the spring season and up to two permits available in the fall season. Following current Kodiak bear management practices of issuing two-thirds of the permits in the spring and one-third in the fall. (This varies from the current limit of up to four each season, spring and fall, but higher than the historical average of permits issued.)

Unit 8 brown bear – second degree kindred: One bear every four regulatory years by draw permit.

Up to four permits issued. April 1 – May 15.

Up to two permits issued. October 25 – November 30.

What is the issue you would like the board to address and why? In recent years, there has been a push by certain organizations to change the resident/nonresident allocation of hunting permits statewide (increasing permits to residents), including brown bear permits on Kodiak.

One measure being pushed for is removing the allocation of second degree of kindred permits for brown bears on Kodiak from the current resident allocation.

Second degree of kindred permits are somewhat unique to Alaska and where these permits come from (resident/nonresident pool) varies around the state. One idea being considered is creating a separate draw for second degree of kindred permits. The Kodiak Advisory Committee (KAC) supports this idea to bring some uniformity where possible.

The KAC is adamantly opposed to any change in the historical 60/40 split between resident/nonresident allocation. This has the potential to greatly change bear management on Kodiak (a unique, interdependent, and complex system), which is a major success story. This potential change could have major biological ramifications and severe economic implications to the small business owners and the local Kodiak economy (already depressed with status of current fish stocks), along with a drastic decline in state license revenues.

PROPOSED BY: Kodiak Fish and Game Advisory Committee (EG-F18-031)

Note: Resident and nonresident tag fees are set in Alaska Statute 16.05.340, which the Board of Game does not have authority to change.

PROPOSAL 101

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.

Create a resident tag for Kodiak brown bear from the nonresident permit allocation as follows:

Create a special Kodiak bear tag currently within the nonresident pool.

Under 5 AAC 92.061, nothing changes with the resident permit allocation or drawing and residents would still pay \$25 for a brown bear locking tag.

Create a pool of special Kodiak bear permits currently within the nonresident guided allocation that are also available to residents. No additional permits are added to this pool. In order to be placed in this drawing, an Alaskan resident would have to be willing to pay the same amount as a nonresident for the brown bear locking tag, which is currently \$1000.

This would let the State of Alaska make the same amount of money from a resident who can afford the higher tag fee or a nonresident wanting to hunt Kodiak brown bear.

Amend 5 AAC 92.061(a)(3) to read:

(3) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; **the department shall enter, in a resident drawing, each complete application from a resident who agrees to pay the current cost of a nonresident brown bear locking tag;** the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant who presents

proof at the time of application that the applicant will be accompanied by a guide, as required under AS 16.05.407 or 16.05.408;

(4) the following provisions apply to a guided nonresident drawing **and resident drawing** under this section:

(A) an applicant for a **resident or** guided nonresident drawing permit may apply for only one such permit per application period;

(B) after the successful applicants have been selected by drawing, the department shall create an alternate list by drawing the remaining names of applicants for a specific hunt and placing the names on the alternate list in the order in which the names were drawn;

(C) if a successful applicant cancels the **resident or nonresident** guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant fails to furnish proof that the applicant will be accompanied by a guide, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(D) if a **resident or** guided nonresident drawing permit is available, but the alternate list is exhausted, the permit becomes available, by registration at the Kodiak Department of Fish and Game (ADF&G) office, to the first **resident** applicant furnishing proof that the applicant **has paid the nonresident brown bear tag fee, or the first nonresident applicant furnishing proof the applicant will be accompanied by a guide;**

What is the issue you would like the board to address and why? It's appalling the coveted Kodiak brown bear tag does not have a solid resident priority. How can we allow nonresidents to harvest more Kodiak bears annually than residents? The number one reason I hear is financial despite the fact Alaska resident hunters spend over one billion dollars annually on hunting and hunting-related expenditures, which is 88% of the money spent on hunting annually in Alaska!

PROPOSED BY: Brad Sparks (EJ-F18-773)

PROPOSAL 102

5 AAC 85.020. Hunting seasons and bag limits for brown bear.

Eliminate nonresident opportunity for the RB230 and RB260 registration permit brown bear hunts in Unit 8 as follows:

For Unit 8 Northeastern portion of Kodiak Island, including all drainages into Chiniak, Anton Larsen and northeast Ugak (east of the Saltery Creek drainage) bays, including Spruce, Near, Long, Woody, and Ugak Islands.

RB230: Oct. 25 – Nov. 30 Resident Only

RB260: April 1 – May 15 Resident Only

What is the issue you would like the board to address and why?
Kodiak Island brown bear registration permit hunts.

Currently, the RB230 and RB260 brown bear registration hunts in the northeast portion of Kodiak Island outside the Kodiak National Wildlife Refuge—often referred to as the road system hunts—are open to both resident and nonresident hunters equally.

This is the only Kodiak brown bear hunt a resident Alaskan has a 100 percent guarantee of being able to hunt. The spring season hunt is especially sought after, and in the last three spring seasons (2015–2017) nonresident hunters have taken the majority of the harvest. In fact, nonresidents have taken 70 percent of the brown bear harvest under the RB260 spring hunt over the past three years.

RB 260 Spring Harvest

ADF&G Data	2015	2016	2017
Nonresident	6	11	7
Resident	5	3	2

All the remaining Kodiak Island—encompassing two-thirds of the island—is draw-permit-only for brown bear for both resident and nonresident and nonresidents are allocated up to 40 percent of the available permits. Nonresident guided hunters have a near 100 percent chance of drawing a permit whereas resident Alaskans have a 1–3 percent chance of drawing.

Guides and their nonresident clients are taking increasing advantage of this unlimited registration hunt along the Kodiak road system, with nonresident guided hunter numbers nearly tripling since 2014, going from eight nonresident hunters in 2014 to 22 nonresident hunters in 2017 (Department of Fish and Game data), adding to competition and impacting the quality of the hunt for residents.

This is an area on Kodiak where residents should have exclusive hunting privileges and opportunities.

PROPOSED BY: Resident Hunters of Alaska (HQ-F18-025)

PROPOSAL 103

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.

Transfer under-subscribed nonresident Kodiak brown bear drawing permits to the resident drawing permit allocation as follows:

Amend 5 AAC 92.061(a)(3) to read:

(3) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; **if no applications are received for any available permit by the application deadline that permit or permits will be transferred to the resident pool of available permits and be awarded using the same draw permit**

algorithm to a resident applicant who applied for the same permit area and season; the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, as required under AS 16.05.407 or 16.05.408;

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

Under-subscribed Kodiak brown bear permits after draw hunt application period.

According to the 2017 draw permit supplement and results, zero applications were received for the fall DB 108, 110, 111, 114, 115, 119, and 122–125 draw permit hunts. That is 18 opportunities not applied for.

For the spring 2018 Kodiak brown bear draw hunt, zero applications were received for the DB 138, 140, 141, 143, 144, 145, 149, and 155 hunts. Many other hunts were not fully subscribed and there were over 30 hunt opportunities not applied for.

There are similar results for previous years.

Those same spring and fall permits in the resident pool of tags are highly sought after, fully subscribed, and on average have less than 3% chance of being drawn.

In researching this issue and talking with Department of Fish and Game (ADF&G) staff on Kodiak, we were informed that most of the above hunts that were not applied for during the draw application period were actually hunted, but ADF&G was unable to tell us how many or which ones were hunted or not. This caused us to further question what was going on with these nonresident guided-only draw permit hunts.

Kodiak Island is unique in that two-thirds of the island is within the Kodiak National Wildlife Refuge (NWR) where guides have exclusive hunt concession areas that are tied to individual permits. See map of exclusive guide use areas within Kodiak NWR.*

A nonresident hunter wishing to apply, for example, for the DB122 Uganik Bay permit can only hunt with the contracting guide who holds the exclusive concession in that area. A signed guide-client agreement is required at the time of application. This allows the guide to essentially pick and choose which nonresident hunter he or she will accept as a client within the draw permit process.

But because of the way the regulation (5 AAC 92.061(a)(4)(A-D) is written, guides don't need to submit applicants for the draw and nonresidents with signed guide-client agreements don't need to submit applications for the draw either. The entire draw permit system can be circumvented using the registration process outlined in the regulation if no applications are received during the draw application period.

Guides with exclusive concessions on Kodiak NWR are essentially being given exclusive permits to pick and choose who gets to hunt or if they don't want those permits hunted at all. Guides can decide not to utilize a permit, whether or not a client should fill out paperwork and

pay the fee to submit a draw permit application or just show up with a signed guide-client agreement and get a registration permit from ADF&G for the same DB100 series draw permit they never applied for in the first place. For the nonresident hunter, it really isn't a draw permit lottery at all, as it is with the resident pool of tags.

Beyond those issues, the public (and ADF&G) has no real idea how many hunts are truly undersubscribed and not hunted.

The draw permit process should not allow for this to happen. It's one thing in regulation—5 AAC 92.061(a)(4)(B)—to allow for an alternate list should a permit winner cancel the hunt.

5 AAC 92.061(a)(4)(D) states that: “if a guided nonresident drawing permit is available, but the alternate list is exhausted, the permit becomes available, by registration at the Kodiak ADF&G office, to the first applicant furnishing proof that the applicant will be accompanied by a guide.”

This is the part of the regulation that is apparently being misused. There never was an alternate list because the guide and/or his or her client decided they didn't need to put in for the draw permit to begin with.

This flawed draw permit process for nonresidents should stop. These are highly coveted hunts and nonresidents should go through a real draw permit lottery process just like residents. If there are zero applications during the draw permit application process for any permit or a hunt went undersubscribed, those permits should be transferred to the resident pool of tags.

**Note: The map referenced above is available on the Board of Game proposal book webpage at www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook or by contacting the ADF&G Boards Support Section at (907) 465-4046.*

PROPOSED BY: Resident Hunters of Alaska (HQ-F18-027)

PROPOSAL 104

5 AAC 92.061. Special provisions for brown bear drawing permits.

Allow residents to return Kodiak brown bear drawing permits in advance of the hunting season to be reissued to residents as follows:

One tag every four years should be based on opportunity, not harvest; create an alternate list to encourage every tag being hunted.

The Kodiak brown bear bag limit of one every four years should be based on opportunity, not harvest. If someone draws a coveted tag, he or she will be unable to hunt for Kodiak brown bear again for four years regardless of harvest. However, the permit holder should be able to return the tag at least three months prior to the hunt without being penalized. This would allow the individual an opportunity to draw a tag the following year.

An alternate list will be created for each permit number so Alaskan residents can hunt all of the limited, coveted tags issued. This will provide more opportunities for Alaska residents.

Amend 5 AAC 92.061:

(2) the department shall enter, in a resident drawing, each application from a resident and each application from a nonresident accompanied by a resident relative who is within the second degree of kindred; for each season, the department shall issue a maximum of four permits to nonresident hunters accompanied by a resident relative who is within the second degree of kindred; however, the department may not issue, within one calendar year, more than one of these permits per individual hunt, as described in the permit hunt guide published each year by the department;

(A) after the successful resident applicants have been selected by drawing, the department shall create an alternate list by drawing the remaining names of applicants for a specific hunt and placing the names on the alternate list in the order in which the names were drawn;

(B) if a successful resident applicant cancels the hunt at least three months before the hunt start date, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the hunt at least three months before the hunt start date, the permit shall be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

What is the issue you would like the board to address and why? There are too many resident Kodiak brown bear permits going un-hunted. This even further expands the lack of resident priority.

PROPOSED BY: Brad Sparks (EJ-F18-772)

PROPOSAL 105

5 AAC 85.020. Hunting seasons and bag limits for brown bear.

Adjust the boundaries of the Kodiak brown bear drawing hunt areas for Kiliuda Bay and Ugak Bay as follows:

The new regulation would adjust the description and maps showing the Kodiak brown bear drawing hunt areas in Kiliuda Bay (-4) and Ugak Bay (-2) to match the state land/federal land border between the two hunt units as the provided maps indicate.* Currently, this border does not match the state land/federal land border as the included maps show.

What is the issue you would like the board to address and why? This proposal is to adjust the common border of the Kodiak bear drawing hunt areas between Kiliuda Bay and Ugak Bay to match the state land/federal land border.

Kiliuda Bay (-4) hunts	Spring Drawing hunt #	Fall Drawing hunt #
Resident	DB234	DB204
Nonresident	DB134	DB104

The hunts above will be referred to as the “-4” hunt area.

Ugak Bay (-2) hunts	Spring Drawing hunt #	Fall Drawing hunt #
Resident	DB232	DB202
Nonresident	DB132	DB102

The hunts above will be referred to as the “-2” hunt area.

These brown bear drawing areas have the same borders as the state Guide Use Areas 8-02 and 8-04. The purpose of this change is to have the brown bear drawing area borders match the state Guide Use Areas as well as the KNWR (Kodiak National Wildlife Refuge) Guide Use Areas. All three of these borders match for almost all of Kodiak, but Kiliuda Bay state Guide Use Area 8-04 does not match federal Guide Use Area KOD-18, and therefore brown bear drawing hunt area -4 does not match the federal land/state land border.

This proposal is to adjust the northern border of the -4 brown bear hunt areas listed above to line up with the state land/federal land border. Maps with the current and proposed border changes have been provided to illustrate the change.

Currently, brown bear hunt area -4 is approximately 2/3 federal land and 1/3 state land by size. This border change would only impact bear drawing areas -4 and -2. The border change would make -4 somewhat smaller and make -2 somewhat larger.

Access to hunt area -2 is currently somewhat restricted due to the majority of the area being mountainous, Hidden Basin has private property and the south arm of Ugak Bay has a permanent lodge.

The border change will allow significantly more access to hunt area -2 from Kiliuda Bay and reduces hunter congestion in Ugak Bay. Access to hunt area -4 would not be an issue since it is a peninsula and can be accessed from several sides.

This proposed change would only impact bear hunting because the goat hunting area (DG476) border is not common to the current border of -4, nor is it common to the proposed border move to the state land/ federal land boundary.

Since resident and nonresident bear hunting is allocated based on a drawing, this proposal would need a review of the bear hunting drawing permit allocation numbers by the Department of Fish and Game (ADF&G). However, it seems reasonable that approximately 2/3 of the number of current bear hunting permits for both resident and nonresidents from -4 would remain with -4 based on the fact that the new size of -4 would be approximately 2/3 the size of the current area. The other 1/3 of permits would be added to the -2 hunt area allocation.

Goat hunting permits would remain unchanged since there are no border changes proposed for DG476.

Record keeping from previous bear hunting activities for bear hunt area changes would need to be updated, however, ADG&G tracks this information when the bears are sealed as well as on the hunt report.

Guides that hunt on state land in areas -2 and -4 would benefit because they would only have to register in one Guide Use Area (8-02) instead of two as they do currently to be able to hunt all the state land currently contained in the two hunt areas, -2 and -4, since the state land in -4 would be added to the -2 area. This would allow guides to register another Guide Use Area in Alaska without exceeding the max of three areas.

The lodge in Ugak Bay in the -2 area would have less pressure because guided hunts in the newly altered -2 area could hunt on the Kiliuda Bay side of the hunt area, thereby reducing hunter density and improving the quality of the experience from the Ugak Bay side.

There is a current underutilization of hunt area -4 on the KNWR land for nonresident guided hunts since there is only one federal refuge permit holder. Refuge permit holder competes for permits with all guides that hunt state land in -4. Example: Spring of 2017 and spring of 2018 had no guided nonresident hunts on the federal land of -4 because the guides hunters drew no permits even though they had the maximum number of hunters apply that is allowed in both years. The Kiliuda Bay federal land will be able to have regular guided hunts for nonresident hunters, more evenly distributing the harvest if the border is adjusted to line up with the state land/federal land border.

There is a current overutilization of -4 state land for nonresident guided bear hunts since all guided hunting has to take place on a small area of state land in the -4 hunt area with the exception of the current federal wildlife special use permit holder who can hunt the federal land portion of -4.

The Kodiak bear hunt drawing areas currently match the state Guide Use Areas. Therefore, an associated change to the state Guide Use Area borders of Kodiak areas 8-02 (Ugak Bay) and 8-04 (Kiliuda Bay) (such that 8-04 matches the KNWR Guide Use Area KOD-18) will be sought from the Big Game Commercial Services Board (BGCSB) upon the acceptance of this proposal by the Board of Game (board). This two-step approval is required since the board controls the brown bear drawing hunt area borders, and the BGCSB controls the state Guide Use Area borders under **12 AAC 75.265**.

**Note: The author submitted maps and additional information for this proposal, which are available on the Board of Game proposal book webpage at www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook or by contacting the ADF&G Boards Support Section at (907) 465-4046.*

PROPOSED BY: Michael Zweng (HQ-F18-005)

PROPOSAL 106

5 AAC 92.132. Bag limit for brown bears.

Provide educational material to encourage Kodiak brown bear hunters to harvest boars and penalize hunters for taking sows as follows:

The Department of Fish and Game (ADF&G) needs to create resources to educate hunters who draw a coveted Kodiak brown bear tag. This video or workbook would be similar to the bison, musk ox or sheep tutorials. This could be made mandatory or optional based on the Board of Game recommendations.

Another potential solution would be penalizing hunters who shoot sows. If someone shoots a sow, they would not be able to draw a Kodiak brown bear tag for eight years instead of the typical four years. For guided hunts, a separate penalty would have to be established, such as a loss of a future tag allocation.

What is the issue you would like the board to address and why? Percentage of Boar/Sow Harvest. While Alaska residents and guides have never been encouraged by ADF&G to harvest boars as far as I know (I may not know because I have never been drawn), it is important to the population and allows more hunting opportunities if less sows are taken,

PROPOSED BY: Brad Sparks (EJ-F18-774)

PROPOSAL 107

5 AAC 92.080. Unlawful methods of taking game; exceptions.

Prohibit shooting from a boat while hunting in the Ugak Bay area in Unit 8 as follows:

From a line drawn between Gull and Pasagshak Point eastward up the bay, shooting from a boat, moving or not, for other than waterfowl, is prohibited.

What is the issue you would like the board to address and why? Shooting from a boat in Ugak Bay. This is dangerous because there are many cabins and homes on the beaches of the bay. These cabins are occupied during deer season and the danger is obvious.

PROPOSED BY: Jack Harris (HQ-F18-001)

PROPOSAL 108

5 AAC 92.540. Controlled use areas.

Create a controlled use area on the Ayakulic River in Unit 8 as follows:

Create a controlled use area in Unit 8 on the Ayakulic River, limit the type of outboard motor used on the river to four-stroke only.

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

Limit the type of outboard motors on the Ayakulik River in Unit 8. Make the Ayakulik River a controlled use area and allow only four-stroke motors.

The Ayakulik River is located on the remote south end of Kodiak Island; the river provides critical habitat to all five species of Pacific salmon and steelhead trout. The steelhead and some salmon species have had recent declines in run strength, causing seasonal closures for both commercial and sport fisheries. The Ayakulik is also pristine wilderness and provides habitat and food for an abundance of wildlife including brown bear, bald eagle, land otter, beaver, ermine, Sitka black-tail deer, reindeer, and waterfowl. In recent years, there has been an increase in residents and nonresidents that access the Ayakulik River for hunting, fishing and sightseeing. Some user groups that access the Ayakulik use two-stroke or belt-driven motors on boats for navigating the river. When this type of motor is used, the noise pollution from these motors spooks all of the wildlife for at least a mile in every direction. It pushes the bears out of the area and away from the salmon; a critical food source. The exhaust pollutes the water. In 2018 we have the technology with four-stroke motors to stop the noise and water pollution. It would benefit every refuge user and all of the local wildlife without limiting access if only four-stroke motors were allowed on the Ayakulik River.

PROPOSED BY: Greg Acord (EG-F18-022)

PROPOSAL 109

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.

Require all snares on the Kodiak road system to have a breakaway mechanism as follows:

On the Kodiak road system, all snares must have a breakaway mechanism (of a designated minimum poundage) on the loop end of the snare and the snare cable and anchor must be stronger than the breakaway mechanism.

What is the issue you would like the board to address and why? There has been an increase in the catch of non-target animals in snares along the Kodiak road system, including bears. The main concerns are with “locking” style snares. Without tension release or breakaway requirements for the snares, the snares caused severe harm and the bears had to be put down.

What will happen if nothing is done: Continued possible loss of brown bears.

Other solutions considered: (1) We considered to make this island-wide, but have not had enough input from off-road system trappers. (2) We considered tension release aids, but don't think they would work as effectively on the long hair of the bears.

PROPOSED BY: Kodiak Fish and Game Advisory Committee (EG-F18-030)
