

*Note: This Agenda Change Request was submitted separately by each of the authors listed. The submissions are nearly identical, but some have minor variations.*

**ACR 10** – Change the hunting season dates for brown bear in Unit 9B.

**SUBMITTED BY:** Cary Foster, Damon Harvey, Robert Cusack, Nicole Cusack, Jonathan McNeil, Daniel Menard, Tonya Menard, Megan Ferguson, Andrew Dennert, Martha Baechler, Erik Salitan, Bill Betts, Chad Hewitt, Daniela Fawcett, Dustin Slunaker, Gary Stewart, Jason Fawcett, Linda Williams, Ray Williams, Samuel Fortier, Steven Brazier, Thomas Hedlund, and Alaska Peninsula Corporation.

**CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.**  
5 AAC 85.020(8) Hunting seasons and bag limits for brown bear.

**WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.** In March 2018 the season length for brown bears in Unit 9 was shortened to October 7 – 21 and because of concern for overharvest. However, this concern does not extend to Unit 9B where harvest and human population is lower, and bears tend to den earlier in the fall. ACs and local guides are requesting a return to September 20 to October 21 season for Unit 9B. The department does not object to the change.

**WHAT SOLUTION DO YOU PREFER?**

Unit 9(B) ... Residents and Nonresidents

1 bear every 4 regulatory years by registration permit only. September 20 – October 21 (Odd years only) May 10 – 31st (Even years only)

**STATE IN DETAIL HOW THIS ACR MEETS THE FOLLOWING CRITERIA:**

- 1) To correct an error in regulation.** The department's intent was to shorten the fall brown bear seasons for ONLY the Units in the southern portion of the Alaska Peninsula, specifically, Units 9C, 9D, and 9E. During deliberations, Unit 9B was unintentionally included in the change and the oversight went unnoticed when the changes were made to the season dates.
- 2) To correct an effect of a regulation that was unforeseen when a regulation was adopted.** The regulation was not intended for and, therefore, also not evaluated for its biological effects. The brown bears in Unit 9B move into the high country for denning early in October, making them much more difficult to access for hunters by the time the season opens so late on October 7. The regulation seasons date change will unnecessarily reduce harvest of brown bear, which will cause other unexamined and unanticipated effects on species populations in the area.
- 3) Does the request identify a biological concern for the population or a threat to meeting objectives for the population?** None.
- 4) Does the request identify an unforeseen, unexpected event or effect that would otherwise restrict or reduce a reasonable opportunity for customary and traditional**

**wildlife uses, as defined in AS 16.05.258(f)?** No, there is an extended season (September 1 – May 31) for resident subsistence hunters and a year-round, near-village registration hunt for resident participation.

- 5) **Does the request identify an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome because the resource would be unavailable in the future?** Nonresident hunters who have already booked guided hunts in fall, 2019 (this biennial season occurs during odd years only) must be rescheduled or cancelled. If this change were made at the next regular meeting in 2021, guides and hunters in Unit 9B would have limited fall opportunity until fall, 2021. There would be little change in availability of bears three years from now.

**WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?** Loss of bear hunting opportunity for guides and hunters in Unit 9B for several years. Devastating economic repercussions for local business and unanticipated effect on species in the area.

**STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.** This ACR is not predominantly allocated because the season length for residents and nonresidents is the same for biennial hunts, with guided nonresidents typically taking 75 – 100% of the harvest. In addition, residents have subsistence hunt RB502 (September 1 – May 31) and near-village RB525 (year-round). Total harvest with biennial hunts open, is typically 20 – 60 bears in Unit 9B, but the total harvest during the resident-only season averaged less than five bears. That is dramatically less and such a dramatic drop in harvest numbers will have repercussions that were never examined or taken into account when the change was made.

**IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.** We do not consider this an allocative issue.

**STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR.** Individual submitters of this ACR are assistant guides, master guides, hunters, subsistence hunters, and resident business owners and employees. In addition, the Alaska Peninsula Corporation (APC) is a village corporation with landholdings of over 180,000 acres in Unit 9B. APC licenses entry on its lands in Unit 9B to guides and their clients. The fees guides pay APC for such licensed, exclusive entry are vital to support APC's land and resource management program. APC is concerned that the hunters who have booked such entry with APC-licensed guides, and made arrangements up to several years ago, will be made unable to participate in the now-rescheduled hunts, thereby causing enormous economic loss to APC and its licensed guides.

**STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING.** This ACR has never been considered before. It is a new issue.