

## **PROPOSAL 167**

### **5 AAC 92.230. Feeding of game.**

Add cats and dogs (and wild birds from April 1 to September 30) to the list of species that may not be intentionally or negligently fed outdoors without a permit, as follows:

### **5 AAC 92.230. Feeding of game**

(a) Except as provided in (b) of this section or under the terms of a permit issued by the department, a person may not

(1) negligently feed a moose, deer, elk, sheep, bear, wolf, coyote, fox, wolverine, **dog, cat,** [OR] deleterious exotic wildlife, **or wild birds from April 1 to September 30,** or negligently leave human food, animal food, mineral supplements, or garbage in a manner that attracts these animals;

(2) intentionally feed a moose, deer, elk, sheep, bear, wolf, coyote, fox, wolverine, **dog, cat,** [OR] deleterious exotic wildlife, **or wild birds from April 1 to September 30,** or intentionally leave human food, animal food, mineral supplements, or garbage in a manner that attracts these animals.

(b) The prohibitions described in (a) of this section do not apply to the use of bait for trapping furbearers or deleterious exotic wildlife, or hunting bears under 5 AAC 92.044, or hunting wolf, fox, or wolverine with bait as described in 5 AAC 92.210, and elsewhere under 5 AAC 84 - 5 AAC 92.

**(c) It is an affirmative defense to a prosecution for illegal feeding under this section that the food placed outside to feed dogs or cats or to attract birds is in a feeder that is designed, reinforced, enclosed, mounted or suspended in such a fashion that prevents a wild or deleterious exotic animal listed in (a) from consuming the food, or any animal from spilling the food so that it can be consumed by a wild or deleterious exotic animal listed in (a).**

**What is the issue you would like the board to address and why?** In the 1970s the State of Alaska prohibited feeding bears to minimize habituation to humans and attracting them to human habitation. Habituation combined with a desire for anthropogenic foods can result in wildlife threatening public safety or damaging property. In the past four decades a variety of other species have been added to the list, and the prohibition on the feeding of game has been refined and made more enforceable.

Feeding domestic animals outdoors is prohibited if it attracts bears and other animals on the list. Presumably, feeding cats, dogs and wild birds outdoors is also prohibited when it attracts bears and other species on the list. And yet many people do so. The problem is that a bear, coyote, fox or other species on the list must be attracted by the food in order to trigger the violation. Once that happens, of course, the cat is already out of the bag. Many pet owners and bird feeders are unaware that a bear, rat, house mouse, pigeon or other animal on the list is consuming the food, at least initially. The problem is magnified many fold by the sheer number of households in a place like Anchorage, the Mat-Su Valley, Fairbanks, Juneau, or Kenai.

Species have been included on the list because feeding them outdoors leads to property damage and threats to public safety. If cats and dogs were not fed outdoors, that would significantly limit the amount of food left outside for other species to eat.

This is not mere speculation. Food left outdoors for pets or unowned domestic animals like feral cats often attracts wild and deleterious exotic animals, thereby negligently violating the law. Some “feeding stations” for feral cats in rural settings and city parks attract far more wildlife than cats and “feeding stations” in urban and suburban areas also attract rats, house mice, pigeons and starlings.<sup>1,2,3</sup>

Similarly, bird feeders attract bears during the months they are out of their dens. Birdseed, suet, peanuts, sugar water, and other foods placed outside for wild birds are just as likely to attract bears as pet food left outdoors. This doesn’t seem like much of a problem until you realize that thousands of Alaskans feed birds during the summer months when bears are active. The birds don’t need anthropogenic foods during the summer, and relatively few birds are attracted to feeders. Often, a bird feeder filled in spring retains the same seeds all summer long.

Adding cats, dogs and wild birds to the list of species that cannot be fed outdoors without taking precautions will promote safer pet feeding practices, attract and habituate far fewer bears and other listed species, and greatly simplify enforcement of this regulation.

<sup>1</sup> Hawkins, C.C., W.E. Grant, and M.T. Longnecker. 2004. Effect of house cats, being fed in parks, on California birds and rodents. Pp. 164-170 in Proceedings 4th International Urban Wildlife Symposium. <https://cals.arizona.edu/pubs/adjunct/snr0704/snr070421.pdf>

<sup>2</sup> Theimer, T.C., A.C. Clayton, A. Martinez, D.L. Peterson, and D.L. Bergman. 2015. Visitation rate and behavior of urban mesocarnivores differs in the presence of two common anthropogenic food sources. Urban Ecosystems 18:895-906. <https://link.springer.com/article/10.1007/s11252-015-0436-x>

<sup>3</sup> Leikam, B., and G. Kerekes. [2018]. Feeding the feral: a study on feral cat’s environmental impact. Urban Wildlife Research Project blog. <https://urbanwildliferesearchproject.com/feeding-the-feral-a-study-on-feral-cats-environmental-impact/>

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