Statewide Regulations

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Miscellaneous Topics and Game Management Unit Boundaries

(Licensing and feeding animals; Game Management Unit boundaries, Dalton Highway Corridor Management Area; Nonresident non-guided hunts; and prohibiting harvest of white animals)

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ALASKA BOARD OF GAME
Statewide Regulations Meeting
Pike's Waterfront Lodge, Fairbanks, Alaska
March 12-19, 2021

TENTATIVE AGENDA

Note: This Tentative Agenda is subject to change throughout the course of the meeting. It is provided to give a general idea of the board's anticipated schedule. The board will attempt to hold to this schedule; however, the board is not constrained by this Tentative Agenda.

Friday, March 12, 8:30 a.m.

OPENING BUSINESS

Call to Order / Purpose of Meeting
Introductions of Board Members and Staff
Board Member Ethics Disclosures

AGENCY AND OTHER REPORTS (See List of Oral Reports)

PUBLIC & ADVISORY COMMITTEE TESTIMONY upon conclusion staff reports

THE DEADLINE TO SIGN UP TO TESTIFY will be announced prior to the meeting. Public testimony will continue until persons who have signed up before the deadline, and who are present when called by the Chair to testify, are heard.

Saturday, March 13, 8:30 a.m.

PUBLIC AND ADVISORY COMMITTEE ORAL TESTIMONY continued

Sunday, March 14, 9:00 a.m.

PUBLIC AND ADVISORY COMMITTEE ORAL TESTIMONY continued/concluded BOARD DELIBERATIONS upon conclusion of public testimony

Monday, March 15 through Thursday, March 18, 8:30 a.m.

BOARD DELIBERATIONS continued

Friday, March 19, 8:30 a.m.

BOARD DELIBERATIONS continued/conclude

MISCELLANEOUS BUSINESS, including petitions, findings and policies, letters, and other business
ADJOURN

Agenda Notes

A. Meeting materials, including a list of staff reports, a roadmap, and schedule updates, will be available prior to the meeting at: www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo or by contacting ADF&G Boards Support Section in Juneau at 465-4110.

B. A live audio stream for the meeting is intended to be available at: www.boardofgame.adfg.alaska.gov

C. The State of Alaska Department of Fish and Game complies with Title II of the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this hearing and public meeting should contact 465-4110 no later than two weeks prior to start of the meeting to make any necessary arrangements.

Definitions

PROPOSAL 101

5 AAC 92.990(11). Definitions.

Change the definition for bows to include crossbows as follows:

I would like to see the definition for archery to include crossbows. The crossbow has a string and arms just like a regular compound bow or recurve bow. Yes it's more accurate but for people that cannot pull and hold a regular bow any longer they shouldn't be eliminated from a hunting opportunity and be able to use the crossbow.

What is the issue you would like the board to address and why? Change archery definition.

PROPOSED BY: Neil DeWitt (EG-F19-024)
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PROPOSAL 102

5 AAC 92.990. Definitions.

Establish a definition for "primitive weapons" to include crossbow, longbow, shotgun, and muzzleloader as follows:

Primitive weapons include: crossbow, longbow, shotgun, and muzzleloader. These are the four primitive weapons as described in the lower 48 states. Alaska is a state just as they are and we need to change our primitive weapons description to meet the same. It will be less confusing for people from the lower 48 when they come to Alaska to hunt in a special weapons hunt.

What is the issue you would like the board to address and why? Change definition of hunts from archery/muzzle loader to primitive weapons.

PROPOSED BY: Neil DeWitt (EG-F19-025)
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The Board of Game addressed the following proposal at the Interior and Eastern Arctic Region meeting in March 2020 (see Proposal 129). The board adopted the proposed dates to align the Controlled Use Areas and deferred the request for clarification of "hunting gear" to the 2021 Statewide Regulations meeting. The request to clarify the definition of "hunting gear" is the only portion of this proposal scheduled for the meeting.

PROPOSAL 103

5 AAC 92.990. Definitions.

Clarify whether hay and grain are considered as "hunting gear" as follows:

We would ask the board to clarify for Wildlife Troopers whether hay and grain to feed horses falls under the category of hunting "gear."

The following request was addressed by the Board of Game in March 2020 and will not be considered at the 2021 Statewide Regulations Meeting:

Align the Wood River CUA and Yanert Controlled Use Area closure dates.
Amend 5AAC 92.540(H)(ii) to read:

*the area is closed to the use of any motorized vehicle, except aircraft, for big game hunting, including the transportation of big game hunters, their hunting gear, or parts of big game**, from Aug. 1 – Sept. 30**; however, this provision does not prohibit motorized access, or transportation of game, on the Parks Highway, or the transportation into the area of game meat that has been processed for human consumption;*

What is the issue you would like the board to address and why? Yanert Controlled Use Area – No defined closure dates to motorized access.

When the Yanert Controlled Use Area (CUA) was instituted, unlike the Wood River and other CUAs that mandate a specific time frame for closure for certain types of motorized access, there was no specific closure dates to the Yanert CUA.

While there may have been reasons originally for making the Yanert CUA closed year-round to motorized access other than aircraft for hunting purposes, we can see no reason now to keep the area closed year-round to ATVs and snowmachines in terms of transporting hunters and their hunting gear, or hay and grain to feed horses at hunting camps with the CUA.

There is currently one moose hunt offered in Unit 20A Yanert CUA by harvest ticket for both residents and nonresidents and the season runs September 1 – September 25. There is one caribou hunt by draw permit DC827 with a season from August 10 – September 20. And there is a general season sheep hunt August 10 – September 20.

So why exactly is the Yanert CUA closed year-round for ATVs and snowmachines for the transportation of hunters and their hunting gear? The Alaska Wildlife Troopers interpret the Yanert CUA to be closed to motorized access other than aircraft year-round for the purpose of hunting or transportation of hunting gear. Some troopers also take the position that hay and grain used to feed horses is hunting "gear" and some residents have been prevented from transporting hay and grain into camps within the Yanert during the winter months by snowmachine. This is causing logistical/economic issues for those with camps within the Yanert CUA who wish to travel to their camps during the winter months via snowmachine or ATV and may be transporting hunting "gear". We see no reason why anyone should not be allowed to transport hay and grain and tents and other hunting "gear" into the CUA during the winter months via snowmachine or ATV, and avoid the prohibitive cost of having to hire an air-taxi.

PROPOSED BY: Resident Hunters of Alaska (EG-F19-133)
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PROPOSAL 104

5 AAC 92.990. Definitions.

Modify the definition of "deleterious exotic wildlife" with several housekeeping changes as follows:

(52) "deleterious exotic wildlife" means any starling **(*Sturnus* spp.)**, [ENGLISH] **house** sparrow **(*Passer domesticus*)**, or raccoon **(*Procyon lotor*)**; any [NORWAY] **brown** rat (***Rattus norvegicus*)**, [ROCKDOVE] **rock pigeon (*Columba livia*)**, or [BELGIAN HARE] **European rabbit (*Oryctolagus cuniculus*)** that is unconfined or unrestrained; and any feral ferret **(*Mustela putorious furo*)** or feral swine **(*Sus scrofa*)**;

What is the issue you would like the board to address and why? The definition of "deleterious exotic wildlife" uses several archaic names that should be replaced by more common names. In some instances the archaic version limits the Board of Game's intent and renders regulations that rely on the definition less understandable and enforceable.

The house sparrow (*Passer domesticus*) was once better known in North America as the English sparrow. However, the same species was known in central Asia and India as the Indian sparrow. The American Ornithologists' Union (whose comprehensive checklist serve as the accepted authority for scientific nomenclature and English names of birds in the Americas) adopted the new common name in 1957.[1]

Norway rat is another name for the brown rat (*Rattus norvegicus*). Like the "English" sparrow, deleterious exotic species were often named for their presumed country of origin. Thus, the English named the brown rat the "Norway" rat. However, "Norway" rats are now believed to have originated in central Asia and possibly China.[2] Unlike birds, there is no single authority on common names for mammals. The Museum of Texas Tech University, which publishes a checklist of North American mammals similar to that compiled by the American Ornithologists' Union, calls it the Norway or brown rat.[3] The American Society of Mammologists (perhaps more comparable to the American Ornithologists' Union) calls it the brown rat.[4] The International Union for Conservation of Nature calls it the brown rat.[5]

The rock dove (*Columba livia*) is commonly known simply as a pigeon, but there are many pigeon species worldwide. The American Ornithologists' Union renamed the rock dove the rock pigeon in 2003.[6]

The Belgian hare is a domesticated breed of the European rabbit that has been selectively bred to resemble a European hare.[7] This has been a misnomer in the list of deleterious exotic wildlife from the day it was adopted by the board. No introduced species of hare are found in Alaska. All of the deleterious exotic lagomorphs in Alaska are European rabbits. Some of the rabbits released into the wild may have been Belgian hares but that is only one of many breeds of European rabbit. Most of the feral rabbits in Alaska – on Middleton Island and in several urban areas including Anchorage – do not resemble Belgian hares. Thus, using the term Belgian hare instead of European rabbit misinterprets the original intent of the board and makes enforcement impossible.

Finally, because common names differ and can be easily changed, it is advisable to use scientific nomenclature in regulations such as this to minimize ambiguity and confusion.

[1] Avibase. 2019. House or Italian sparrow. https://avibase.bsc-eoc.org/species.jsp?lang=EN&avibaseid=6D3BD126D55F8B69&sec=taxontable&version=aou

[2] Wikipedia. 2019. Brown rat. https://en.wikipedia.org/wiki/Brown_rat#cite_note-8

[3] R.D. Bradley, L.K. Ammerman, R.J. Baker, L.C. Bradley, J.A. Cook, R.C. Dowler, C. Jones, D.J. Schmidly, F.B. Stangl, Jr., R.A. Van Den Bussche, and B. Würsig. 2014. Revised checklist of North American mammals north of Mexico, 2014. Occasional Paper No. 327. Natural Science Research Laboratory, Texas Tech University, Lubbock. https://archive.org/details/revisedchecklis327brad/mode/2up

[4] American Society of Mammologists. 2019. Mammal species list search. https://www.mammalogy.org/mammals-list

[5] International Union for Conservation of Nature (IUCN). 2019. Brown rat: *Rattus norvegicus.* https://www.iucnredlist.org/species/19353/22441833#taxonomy

[6] Banks, R.C., C. Cicero, J.L. Dunn, A.W. Kratter, P.C. Rasmussen, J.V. Remsen, Jr., J.D. Rising, and D.F. Stotz. 2003. Forty-fourth supplement to the American Ornithologists' Union *Check-list of North American Birds*. The Auk 120:923-931. https://www.biodiversitylibrary.org/content/part/AOU/AOU_checklist_suppl_44.pdf

[7] Wikipedia. 2019. Belgian hare. https://en.wikipedia.org/wiki/Belgian_Hare

PROPOSED BY: Rick Sinnott (EG-F20-030)

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PROPOSAL 105

5 AAC 92.990. Definitions.

Add roof rat (*Rattus rattus*) and house mouse (*Mus musculus*) to the list of "deleterious exotic wildlife" as follows:

(52) "deleterious exotic wildlife" means any starling, English sparrow, or raccoon; any Norway rat, **roof rat (*Rattus rattus*), house mouse (*Mus musculus*),** rockdove or Belgian hare that is unconfined or unrestrained; and any feral ferret or feral swine;

What is the issue you would like the board to address and why? The ADF&G Division of Wildlife Conservation wrote "Wildlife and People at Risk: A Plan to Keep Rats Out of Alaska" in 2007.[1] The plan compiled a comprehensive list of international, federal, state and local agencies and entities that were expected to protect Alaska from invasive rodent species. The Board of Game was included; however, its role was not specified. In Table 3, under the categories of "Legal and Policy" and "Wildlife and Habitat Restoration" the Board's role was described in question marks.

But the board has the legal authority to identify an invasive species as "deleterious exotic wildlife" and has done so for several species.

Both roof rats and house mice have become established in Alaska, although neither species is as widespread or destructive to human property or wildlife as brown (Norway) rats. Nevertheless, all three species – brown and roof rats and house mice – are considered species of concern by the plan,1 and roof rats and house mice are considered two of the world's 100 worst invasive species by the IUCN's Invasive Species Specialist Group.[2] Adding the two species to the state's list of "deleterious exotic wildlife" is a necessary step to fulfill the board's role in protecting Alaska from invasive rodent species.

[1] Fritts, E. 2007. Wildlife and people at risk: a plan to keep rats out of Alaska. Division of Wildlife Conservation, Alaska Department of Fish and Game, Juneau. https://www.adfg.alaska.gov/static/species/nonnative/invasive/pdfs/invasive_rodent_plan.pdf

[2] Lowe, S., M. Browne, S. Boudjelas, and M. De Poorter. 2000. 100 of the world's worst invasive alien species. Invasive Species Specialist Group, International Union for Conservation of Nature (IUCN). http://www.issg.org/pdf/publications/worst_100/english_100_worst.pdf

PROPOSED BY: Rick Sinnott (EG-F20-031)

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PROPOSAL106

5 AAC 92.990. Definitions.

Provide a definition for "feral" as follows:

"feral" means an ownerless and unconfined domestic animal, or the progeny of an ownerless and unconfined domestic animal, that no longer depends solely on food provided by humans to survive.

What is the issue you would like the board to address and why? "Feral" is used in several regulations adopted by the Board of Game, including **[emphasis added in text]**:

5 AAC 92.990(a)(73) "nuisance wildlife" includes

(A) a **feral** domestic bird or mammal, deleterious exotic wildlife, unclassified game, small game, fur animals or furbearers, except wolf, wolverine, or lynx, or migratory bird for which there is a federal depredation order for this state under issued 50 CFR Sec. 21.43;

(B) an animal that invades a dwelling, cause property damage, or is an immediate threat to health, safety, or property;

…

5 AAC 92.990(a)(52) "deleterious exotic wildlife" means any starling, English sparrow, or raccoon; any Muridae rodent, rockdove or Belgian hare that is unconfined or unconstrained; and any **feral** ferret or **feral** swine.

…

5 AAC 92.029 Permit for possessing live game (d) Under this section, and in accordance with the definition of "game" in AS 16.05.940 (which includes **feral** domestic animals), a

(1) game animal defined as deleterious exotic wildlife or a nonindigenous gallinaceous bird is **feral** if the animal is not under direct control of an owner, including being confined in a cage or other physical structure, or being restrained on a leash; the commissioner may capture, destroy, or dispose of any **feral** deleterious exotic wildlife or **feral** nonindigenous gallinaceous bird in an appropriate manner.

Other than the definition of "feral" used for nonindigenous gallinaceous birds in 5 AAC 92.029(1), the term is not defined in regulation. Applying that definition ("not under direct control of an owner") to other domestic animals is problematic because it could, for example, include a racing pigeon, unleashed family dog, or a horse that gets out of its enclosure.

At the other extreme, conventional wisdom and most dictionary definitions of "feral" seem to consider an animal to be feral only when it reverts to a wild state. But there is a spectrum of behavior that might be considered wild. A domestic animal that has gone feral is one that can and has survived in the wild on its own, at least for an extended period. It doesn't necessarily have to become so wild that it avoids all human contact, the definition used by Anchorage Animal Control. Even wild animals seek out human contact and foods in some situations, and one reason why feral animals (like cats) cause problems is that they are capable of killing wildlife and spreading diseases while being subsidized by food and shelter provided by people.

It is also unclear what "feral domestic" means. Certainly, the offspring of an animal that was once domestic are also feral.

The definition I have proposed would provide a clear definition of "feral" and ensure that all formerly domestic animals, and their offspring, that no longer depend solely on food provided by humans to survive will fall under the definition of "nuisance wildlife."

PROPOSED BY: Rick Sinnott (EG-F20-034)

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PROPOSAL 107

5 AAC 92.990. Definitions.

Add unconfined and unrestrained domestic cats to the definition of "deleterious exotic wildlife" as follows:

(52) "deleterious exotic wildlife" means any starling, English sparrow, or raccoon; any **domestic cat (Felis catus),** Norway rat, rockdove or Belgian hare that is unconfined or unrestrained; and any feral ferret or feral swine;

What is the issue you would like the board to address and why? None of the invasive species that the Board of Game (board) has previously identified as "deleterious exotic wildlife" are as deleterious as the unconfined or unrestrained domestic cat. Cats now outnumber dogs in North America, with the number of pet cats tripling in the past 40 years. U.S. households own an estimated 94 million cats, while the best estimates of abandoned, stray and feral (aka free-ranging) cats range from 70-100 million. Cats are now the most abundant terrestrial carnivore in North America.

In the most comprehensive meta-analysis of cat predation conducted to date, free-ranging and pet cats were estimated to kill 1.3 to 4 billion wild birds and 6.3 to 22.3 billion mammals annually in the contiguous United States.[1] A similar analysis estimated that cats kill 100-300 million wild birds annually in Canada, which has a much lower population of cats.[2] Using the same predation rates as the national study, an estimated 30,000 free-ranging and 74,600 pet cats are estimated to kill 1,148,000 birds and 5,975,000 mammals annually in the Municipality of Anchorage alone.[3]

These estimates are driven primarily by the high number of cats. The average pet cat probably kills less than a bird a month, but it adds up. Most of these prey items are native species, not deleterious exotics like house mice, rats or house sparrows. Cats kill more wild birds annually than windows, communication towers, vehicles, and pesticides combined.[1]

Cats are the sacred cows of America. Unlike dogs, in most jurisdictions pet cats don't require licenses, leashes or constraints. The public (and most animal control agencies) seem to accept free-ranging cats, but not free-ranging dogs. For example, Alaska state law allows a person to shoot a dog that is harassing wildlife (under certain conditions), but not a cat.

Adding insult to injury, the board has classified some species of feral pets (including ferrets, European rabbits [erroneously listed as "Belgian hares"], pigeons, rats and mice) and other feral domestic animals (such as feral swine) as "deleterious exotic wildlife" or invasive species, but not feral cats.

Feral cats are considered to be one of the world's 100 worst invasive species by the International Union for Conservation of Nature,[4] one of the 50 top invasive species in western states by the Western Governor's Association (of which Alaska is a member state),[5] and a species with high invasive potential in Alaska by the University of Alaska's Alaska Natural Heritage Program.[6]

Starlings, house ("English") sparrows, rock ("doves") pigeons, European rabbits ("Belgian hares") and feral swine are included in the definition of deleterious exotic wildlife primarily because they compete with native species for food and other resources such as nest sites. They can also spread diseases to native species. Brown ("Norway") rats, raccoons, and ferrets are included because they kill wildlife. But none of these species (with the possible exception of rats on Aleutian islands) compete with, kill, or spread diseases to Alaska's wildlife to the extent that cats do.

Domestic species may not be released into the wild in Alaska (5 AAC 92.029). However, unlike most other domestic species, there seems to be little concern for free-ranging cats. Many owners don't even try to confine them. Because they are far more regulated, dogs are seldom as problematic as cats.

A good example of the unquestioned, unique status of cats is the inclusion of ferrets as deleterious exotic wildlife in Alaska. Ferrets – because they are weasels domesticated as a hunting aid – are thought by some to pose a threat to wildlife if released into the wild. Two states, Hawaii and California, still prohibit owning ferrets as pets. Nevertheless, a summary of issues and options prepared for California noted that ferrets were less likely to be predators than prey, and would not survive more than about three days in the wild according to one source, although he stretched that estimate to a few weeks just to be safe.[7] Despite their fierce reputation, ferrets do not seem to pose a significant problem to native wildlife. A survey of multiple state and county officials from a wide array of natural and agricultural agencies found less than one sighting of a feral ferret per year, with no discernable impact on wildlife noted.[8] And yet cats, which kill billions of wild birds and mammals in North America (and millions in Alaska) annually, are not on the state's list.

A similar comparison can be made with rats. An analysis of the cost of alien and invasive species in the U.S. conducted in 2005, when cat populations were approximately two-thirds as high as current estimates, calculated the annual value of wild birds killed by feral cats (i.e., not including those killed by pet cats) to be approximately $17 billion, only slightly less than the economic cost of rats.[9] The analysis didn't subtract the value of small mammals, amphibians and reptiles killed by cats. Nor did it factor in the human health impacts of toxoplasmosis and other cat-related diseases. The same analysis concluded that the economic cost of feral and pet dogs was $620 million annually, including treatment of dog bites and human fatalities. When a careful, objective assessment concludes that cats pose a greater environmental threat than rats, you know we have a serious problem. Why aren't cats on the state's list of deleterious exotic wildlife?

The Board of Game appears to have a low threshold for "feral." Swine, ferrets and non-indigenous gallinaceous birds (e.g., turkeys, chickens, pheasants) are considered feral "if the animal is not under direct control of the owner, including being confined in a cage or other physical structure, or being restrained on a leash" (5 AAC 92.029[d][1]). However, somewhat surprisingly, the much more abundant and problematic free-ranging domestic cats are not included on the state's list of feral animals.

I considered adding only "feral cats" to the definition. Individual feral cats tend to kill more wild birds and mammals than stray or pet cats. However, almost all unconfined and unrestrained cats kill wild birds and mammals. The problem isn't limited to feral cats; the problem is the growing number of cats, irresponsible owners, and the propensity of cats to hunt and kill even when they

are well fed. It is also extremely difficult for an enforcement officer to differentiate between a feral, stray, abandoned or any other free-ranging cat because many pet cats don't wear collars or tags. Not including all unconfined and unrestrained cats on the state's list of deleterious exotic wildlife makes a mockery of that list.

In a previous Board of Game meeting, some members expressed a concern that adding cats to the list of deleterious exotic wildlife would result in promiscuous shooting of pet cats. However, having a law on the books that allows any person to shoot a dog that is harassing big game doesn't seem to have resulted in a lot of pet dogs being shot by neighbors. Most people won't shoot a feral cat, but the risk of penalties or losing one's pet cat should instill a sense of responsibility in cat owners, as it does in dog owners.

[1] Loss, S.R., T. Will, and P.P. Marra. 2013. The impact of free-ranging domestic cats on wildlife in the United States. Nature Communications 4. http://www.nature.com/articles/ncomms2380

[2] Blancher, P. 2013. Estimated number of birds killed by house cats (*Felis catus*) in Canada. Avian Conservation and Ecology 8:3. http://www.ace-eco.org/vol8/iss2/art3/

[3] Sinnott, R. 2019. Animal control in Anchorage, Alaska: cats and dogs deserve equal treatment. Prepared for the Anchorage Animal Control Advisory Board and Anchorage Watershed and Natural Resources Advisory Commission, Anchorage, Alaska. 110 pp. https://www.muni.org/Departments/OCPD/Planning/SiteAssets/Pages/WNRCReso-MinutesArchive/WNRC%20ltr%20to%20Animal%20Control%20Board%20w%20Report-12-20-2019%20rev.pdf

[4] Lowe, S., M. Browne, S. Boudjelas, and M. De Poorter. 2000. 100 of the world's worst invasive alien species. Invasive Species Specialist Group, International Union for Conservation of Nature (IUCN). http://www.issg.org/pdf/publications/worst_100/english_100_worst.pdf

[5] Western Governors' Association. 2018. Top 50 invasive species in the West. http://westgov.org/images/editor/WGA_Top_50_Invasive_Species.pdf

[6] McClory, J., and T. Gotthardt. 2008. Non-native and invasive animals of Alaska: a comprehensive list and select species status reports. Final report. Alaska Natural Heritage Program, University of Alaska Anchorage, Anchorage, Alaska. 64 pp. http://www.adfg.alaska.gov/static/species/nonnative/invasive/pdfs/invasivespp_report.pdf

[7] Umbach, , K.W. 1997. Ferrets: a selective overview of issues and options. CRB Note 4(3):9 pp. California Research Bureau, California State Library. http://www.legalizeferrets.org/wp-content/uploads/2016/03/CA-Research-Library-Article.pdf

[8] Lepe, A., V. Kaplan, A. Arreaza, R. Szpanderfer, D. Bristol, and M.S. Sinclair. 2017. Environmental impact and relative invasiveness of free-roaming domestic carnivores – A North American survey of governmental agencies. Animals 7(10), 78. http://www.mdpi.com/2076-2615/7/10/78/htm

[9] Pimentel, D., R. Zuniga, and D. Morrison. 2005. Update on the environmental and economic costs associated with alien-invasive species in the United States. Ecological Economics 52:273-288. https://www.forest-trends.org/wp-content/uploads/imported/pimentel-et-al_2005-update-on-envir-econ-costs-of-invasives-pdf.pdf

PROPOSED BY: Rick Sinnott (EG-F20-032)

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Falconry

PROPOSAL 108

5 AAC 92.037. Permits for falconry.

Increase opportunity for nonresident take for certain eyas raptors for falconry as follows:

5 AAC 92.037 (g)(5)(7)(8). Taking, transporting, or possessing a raptor for falconry by a nonresident, conditions:

Alaska Falconers Association (AFA) is requesting that the Board of Game allow additional opportunity for nonresident falconers to take eyas Northern Goshawks statewide and eyas Peale's Peregrine Falcons from Units 1 - 4. AFA is submitting this proposal at the request of nonresident and Alaska resident falconers to allow additional nonresident opportunity to take these two species.

Current regulation, 5 AAC 92.037(g)(5), up to five permits for taking, transporting, or possessing a raptor for falconry by a nonresident shall be issued annually by the department;

Current regulation. 5 AAC 92.037(g)(7); "take is limited to one passage, hatching-year, raptor; "

Current regulation, 5 AAC 92.037(g)(8): The annual nonresident season for acquiring a passage raptor is from August 15 – October 31;

The new regulations would read:

5 AAC 92.037(g)(5), up to five permits for taking, transporting, or possessing a passage raptor for falconry; up to five permits for taking, transporting, or possessing an eyas Northern Goshawk for falconry statewide, and up to five permits for taking, transporting, or possessing an eyas Peale's Peregrine Falcon, from Units 1-4, for falconry by a nonresident shall be issued annually by the department; applicants can only apply for one type of permit and must specify whether they are applying for a passage permit, an eyas Northern Goshawk permit, or an eyas Peale's Peregrine Falcon permit at the time of application.

5 AAC 92.037(g)(7): Take is limited to either one passage, hatching-year, raptor, one eyas Northern Goshawk statewide, or one eyas Peale's Peregrine Falcon from Units 1-4.

5AAC 92.037(g)(8): The annual nonresident season for acquiring a passage raptor is from August 15 – October 31; The annual nonresident season for acquiring an eyas Northern Goshawk statewide or an eyas Peale's Peregrine Falcon, (from Units 1-4), is from May 1 – July 20;

What is the issue you would like the board to address and why? Provide additional opportunity for nonresident falconers.

The AFA is asking the Board of Game to allow additional opportunity for nonresident falconers by allowing the take of certain eyas raptors. An eyas raptor is a bird that has hatched from the egg but has not fledged. At least one eyas raptor must be left in the nest per the current regulation pertaining to resident falconers. AFA requests that this regulation as it applies to resident falconers, also apply to nonresident falconers.

AFA is requesting that the Board of Game authorize "up to" five eyas Northern Goshawk permits statewide, and "up to five eyas Peale's Peregrine Falcon permits from Units 1- 4, for nonresident falconers by drawing permit. Under 5 AAC 92.037(g)(8), the season dates for eyas Northern Goshawks, and eyas Peale's Peregrine falcon take is recommended to be from May 1 - July 20. (These dates are based on published scientific data documenting average hatching dates and fledge dates for these two species across their range.)

Because of the concern for the wellbeing of Alaska's Gyrfalcons and to eliminate any accidental take of eyas Gyrfalcons, Peale's Peregrine Falcon take by permit would only apply to Units 1-4. According to both ADF&G and US Fish and Wildlife Service (USFWS) raptor biologists, there is a small possibility that there are gyrfalcon nesting sites in Units 1-4. Most importantly, days old or weeks old Gyrfalcon chicks are difficult to tell apart from like aged Peregrine falcon chicks, except by the most experienced biologists and falconers. By restricting Peale's Peregrine eyas take to these units, we would significantly reduce the potential that a Gyrfalcon eyrie would be targeted by mistake.

Raptor biologists report that Northern Goshawks are considered to have a healthy and stable population statewide and Peale's Peregrine falcons maintain a healthy, low density, population in Units 1-4.

Saint Lazaria Island located in Sitka Sound is designated a Wilderness area by the USFWS. This island supports a highly researched and viewed seabird nesting population. The required landowner permission required by regulation to take an eyas raptor would not be granted by the USFWS for Saint Lazaria Island. AFA would request that this Island be closed in regulation for the taking of eyas Peale's peregrine falcons.

PROPOSED BY: Alaska Falconers Association (EG-F19-153)

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PROPOSAL 109

5 AAC 92.037(h). Permits for falconry.

Modify the microchip requirements for live raptors exported from Alaska by nonresidents as follows:

Current regulation: 5 AAC 92.037(h) all live raptors exported from the state, including propagated birds, must be microchipped.

Proposed regulation: 5 AAC 92.037(h) all wild caught live gyrfalcons exported from the state by a nonresident must be microchipped and the microchip must be registered with an internationally recognized microchip registry such as (Petlink). Proof of microchip registration must be submitted to the department within 90 days after export. Failure to provide proof of registration to the department makes the individual ineligible to receive a future permit under 5 AAC 92.037(g).

What is the issue you would like the board to address and why? Microchip requirements for raptors exported from the State of Alaska.

Current regulations require that all raptors including propagated birds must have a microchip implanted prior to being exported from the State of Alaska. This regulation was enacted by the Board of Game at its last Statewide Regulations meeting dealing with "permits for falconry" issues as a result of a proposal submitted by the Alaska Falconers Association (AFA). The proposal language and intent and was significantly changed by the Board of Game (board) to be more inclusive. There was testimony presented to the board for the reasoning behind the request by AFA for the need to microchip large falcons that are taken under a nonresident capture permit and exported from the state.

The current regulation does not require that the microchip be entered into an international registry. AFA believes that this important requirement was overlooked at the time and is requesting a "house cleaning" measure to provide a means for tracking the microchip once it is deployed.

During deliberations, the board expanded the original intent of the proposal from, "microchip requirements for the export of large falcons (Peregrine falcons and Gyrfalcons) taken by nonresident permit holders, to all raptors exported from the state by both nonresident and resident falconers. This expansion also included raptors exported by breeders under a propagation permit.

The current regulation is overburdensome and should be amended to only include the highly valuable wild caught Gyrfalcons exported from the state by a nonresident under a permit issued by the department. Alaska raptors that are commonly used for falconry (except Gyrfalcons) are readily available to falconers in the continental United States, and propagation birds are highly regulated under the federal system, AFA feels that the board should remove all species of raptors from the microchip requirement except wild caught Gyrfalcons exported by a non-resident under this section.

AFA is also requesting that the microchip be registered with an internationally recognized microchip registry such as "Petlink" within 90 days of the take of the Gyrfalcon. Failure to provide proof of registration to the department within the time frame listed above will make the permit holder ineligible to apply for a future permit under this section.

Since the inception of the nonresident capture permit regulation in 2014 which allowed up to five permits for passage raptors, ADF&G issued three permits per year for the first three years and five permits per year for the last two years. Nonresidents have taken a total of eleven birds under this program. Ten Gyrfalcons and one Northern Goshawk have been captured and exported from the State of Alaska. In the past two years since the inception of the current regulation, six exported birds (all Gyrfalcons) have been microchipped. Gyrfalcons are still the bird of choice for both falconers and breeders who participate in the nonresident take program. Gyrfalcons continue to have a stable low density population in Alaska. Gyrfalcons are highly valued raptors and due diligence would dictate that wild birds that are taken from Alaska should be protected in a way that helps maintain the bird in its wild status. Microchipping this species aides significantly in this protection. Current regulation dictates that a wild caught raptor is always wild and can never be legally sold.

If a microchipped wild Alaska sourced bird is recovered, it will provide a valuable tool for law enforcement for their investigative efforts. If an Alaska sourced bird is lost or stolen, the microchip would be an invaluable tool in returning the recovered bird to its owner.

In the exotic bird industry, valuable species such as parrots, macaws, cockatoos, toucans and mynahs are microchipped to prove ownership and stem illegal trade. These birds are chipped by breeders and when acquired from the wild. Gyrfalcons are the same size or in many cases larger and more robust than most of these species of exotic birds.

AFA also considered the possibility of requiring a DNA test instead of the microchip. Although this test would conclusively prove identity of an individual bird, this option was put aside, because there is no central registry for DNA sampling and if a bird was recovered by law enforcement or was lost and recovered by a non-owner, the bird and owner could not be readily identified.

PROPOSED BY: Alaska Falconers Association (EG-F20-003)

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PROPOSAL 110

5 AAC 92.037. Permits for falconry.

Extend the nonresident season for acquiring passage raptors as follows:

This proposal seeks to modify the nonresident season for acquiring a passage raptor as follows:

5 AAC 92.037(g)(8). Permits for falconry.

Current regulation: The annual nonresident season for acquiring a passage raptor is from August 15th to October 31st

Proposed regulation: The annual nonresident season for acquiring a passage raptor is from September 15 to November 15.

What is the issue you would like the board to address and why? Change the season dates for nonresident falconers to take passage raptors by permit.

The Alaska Falconers Association (AFA) proposes to change the nonresident season dates to acquire a passage raptor to better align the time of taking with the dispersal timing of Gyrfalcons from their natal areas, and to reduce the disturbance of nesting sites especially those nest sites located north and west of the Brooks Range.

This proposal is requesting the same season date changes that the Department of Fish and Game (ADF&G) recommends in their proposal to the Board of Game on this subject.

The nonresident season dates were established in 2015 to provide opportunity to take all legal falconry species after they leave their natal area (i.e. passage bird), including smaller species that disperse in August. ADF&G records show that to date, ten Gyrfalcons and one Northern Goshawk have been taken by nonresident falconers. There appears to be little interest in taking other legal passage falconry species by nonresidents since most of those species are available in the continental United States. Further, individuals of all legal falconry species either remain in Alaska year long or remain in Alaska through mid-September and would remain available for nonresident falconers even with the change in season dates.

The following information that has been compiled by ADF&G represents data published by Gyrfalcon researchers:

Gyrfalcons depart their natal area in Alaska in early September (median=27 August, range 15 August – 6 September., n=20, Seward Peninsula and Denali National Park, McIntyre et al. 2009; median=12 September, n=2, Yukon Kuskokwim Delta; Eisaguirre et al. 2014). Current nonresident season dates allow recently fledged young that have not yet left their natal areas to be taken for approximately three weeks.

This is a conservation concern because there is substantial legal and illegal interest in obtaining white Gyrfalcon nestlings. These birds are extremely valuable through legal captive breeding and illegal falconry trades. Having a passage season for nonresident falconers that allows take at or near Gyrfalcon nests incentivizes the sharing of sensitive nest site locations as well as the disturbance of these birds during a sensitive time in their life cycle. Further, most of this attention is focused on white birds that constitute less than 10% Alaska's Gyrfalcon population and hence, taking a conservative approach to season dates is appropriate for such a small population of birds ($n < 100$) to ensure sustained yield into the future.

In addition, this proposal asks the Board of Game to extend the season dates later by fifteen days to allow additional opportunity for nonresident falconers to access transient passage Gyrfalcons migrating through road accessible areas of Western Alaska.

PROPOSED BY: Alaska Falconers Association (EG-F20-024)

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PROPOSAL 111

5 AAC 92.037. Permits for falconry.

Limit nonresident take of raptors to one bird every four years and limit unsuccessful permittees from applying the following year as follows:

Proposed regulation: 5 AAC 92.037(g)(5). Up to five permits for taking, transporting, or possessing a raptor for falconry by a nonresident shall be issued annually by the department. If a permittee successfully takes a raptor, that person would be ineligible to take another raptor for four calendar years.

If an applicant draws a nonresident capture permit, that applicant, if unsuccessful, will be ineligible to apply for a nonresident capture permit the following year.

What is the issue you would like the board to address and why? 5 AAC 92.037(g)(5). Up to five permits for taking, transporting, or possessing a raptor for falconry by a nonresident shall be issued annually by the department:

This proposal requests that the Board of Game (board) place a limit on raptors to allow a take of one raptor every four years by a nonresident. This request will prevent a falconer who successfully takes a raptor from applying for another permit for four years.

The proposer also requests that the board require that: "if an applicant draws a nonresident capture permit, that applicant, if unsuccessful, will be ineligible to apply for a nonresident capture permit the following year. This language is currently applicable for all other big game drawing permits the state administers.

Gyrfalcons in Alaska maintain a low-density population. Two published studies estimate 300 to 500 breeding pairs statewide. Gyrfalcons have been targeted almost 100 percent of the time by nonresident falconers and since the inception of the nonresident permit system in 2014, ten gyrfalcons and one northern goshawk have been taken by nonresident falconers during the first five years of the program. Two specific individuals have drawn two permits and have taken two Gyrfalcons in five years, and one individual has drawn three permits and has taken 3 raptors which include two gyrfalcons and one northern goshawk in five years. The chance of an applicant drawing a nonresident capture permit is about 1 in 5. Alaska Falconers Association (AFA) has had numerous contacts with unsuccessful applicants asking that the State implement a system that limits successful applicants to one gyrfalcon every four years. Gyrfalcons are highly sought after birds by both breeders and falconers alike. The "one in four" management method is used in several areas by department managers when there is a reason to create opportunity for as many applicants as possible

The Board of Game's stated intent when nonresident take was implemented in 2014, was to give the nonresident falconer an opportunity to capture a raptor from a species that does not normally occur in the continental United States, and use that raptor as a falconry bird.

Up to five permits for passage, hatch year raptors will still be issued by the department. This proposed request from AFA will spread out the available opportunity, allowing different nonresident falconers an opportunity take a raptor from Alaska.

PROPOSED BY: Alaska Falconers Association (EG-F20-039)

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PROPOSAL 112

5 AAC 92.037. Permits for falconry.

Increase nonresident opportunity for acquiring raptors as follows:

5 AAC 92.037 (g)(5) up to five permits for taking, transporting, or possessing a raptor for falconry by a nonresident shall be issued annually by the department to

Nonresident take permits for raptors shall have the same quotas as resident take

(7) take is limited to one passage, hatching-year raptor; to take is limited to two raptors either eyas or passage, hatching- year-raptors;

Include all raptors in section (f) for nonresidents.

What is the issue you would like the board to address and why? This proposal is a request to modify existing Alaska provisions regulating nonresident harvest of raptors in order to ensure reasonable access to a healthy resource and provide equal opportunity for all interested parties. We

anticipate the following will fulfill falconry demand for the foreseeable future while remaining well below sustainable harvest numbers consistent with scientifically sound principles:

Adopt the same raptor take season for nonresidents as has been adopted for Alaska residents.

Allow nonresidents to take eyas as well as passage birds of all other falconry raptors with no quotas. Eyas harvest improves the survival of the eyas itself as well as the siblings.

Harvest limit of two birds, depending on the falconer's ability to take two raptors during the previous 12-month period. This is currently the federal and state law. Birds with quotas should be limited to one tag per applicant, after the draw period is over any unissued tags should be available at the counter on a first come first serve basis.

Peregrine harvest would be 20-30 nestling ("eyas") or juvenile ("passage," i.e., first year immature birds) peregrine falcons. This is based on the recommended harvest of peregrines by the US Fish and Wildlife Service (USFWS) environmental assessment (EA) 2008 in Alaska of 41 birds.

Nonresident Gyro falcon harvest should be based on the same rules for resident harvest. There is only one place in the United States for a falconer to harvest a Gyro falcon eyas, and that is Alaska. This resource should be available to any falconer who is a United States citizen.

Arguably the most desirable falcon for nonresident take is the peregrine falcon. Alaska populations have always been robust and since the anatum subspecies was removed from the endangered species list in 1999 it is considered fully recovered beyond all expectations throughout the U.S. As a result the USFWS conducted an EA in 2008 on the take of peregrine falcons for use in falconry. Based on this EA, the USFWS originally limited the take of the EA published a very conservative allocation of take of peregrines in 2009 through 2017 of 36 passage peregrine falcons anywhere in the United States east of 100 degrees West longitude. See 73 FR 74508, December 8, 2008. The USFWS based this figure on a management strategy "[w]hich incorporated three important safeguards to ensure against negative impacts from authorized falconry take on peregrine falcons across their range." The same EA, which was agreed to by the states, allows for the harvest of 41 in Alaska of which only a small percentage are harvested each year. The USFWS has since published updated findings and regulations which increased the take limit for passage peregrines by five (5) times, to 144 peregrine falcons, based on new available evidence of the actual robust peregrine breeding populations in Alaska, Canada, and lower 48 states. *See* Vol. 82, No. 174 FR 42700, September 11, 2017.

In order to provide maximum opportunity for both resident and nonresident falconers we propose a minimum of 25 nonresident permits plus the following method of selection for the distribution of additional permits that are unwanted by resident falconers:

Multiply by two the average quantity annually harvested by resident falconers over the prior three years. Deduct the three-year average from the allowable harvest of 41 and this would be the number of additional permits available to nonresident falconers.

The proposed nonresident take level for peregrines is a very conservative number and the harvest of this quantity is far below any measurable amount. The other more desirable raptor is the gyrfalcon which has never been endangered or threatened and is plentiful in Alaska, thus we

believe no quota is necessary. Should a quota be required on the gyrfalcon for nonresident harvest we believe that 40 would be sufficient to satisfy the demand given the limited number of licensed falconers in the lower 48.

Historically, in 2011 the American Falconry Conservancy ("AFC") drafted a proposal (P40) with the assistance of several Alaska falconers to allow nonresident take of raptors, and we submitted the proposal to the Alaska Board of Game (BOG). During the 2012 statewide meetings cycle, BOG received a substantial amount of testimony and comment on the proposal. The science- and legal based testimony reasoned that the Alaska raptor resource was healthy, and that there was no justification for not allowing nonresident take of raptors. Testimony included Alaska Department of Fish and Game (ADF&G) summaries of raptor numbers, the manner in which USFWS derived their conservative 5% take levels, the support of both resident and nonresident falconers, the concerns of a few Alaska resident falconers, and discussions on all of the concerns. At the January 2012 meetings, the BOG decided to defer their decision on P40 until the 2014 cycle.

During the 2014 cycle, the BOG resumed their discussions on nonresident take of raptors (P40 renumbered P174) and adopted ultra conservative provisions. The BOG allowed for the issuance of five nonresident take permits annually and placed a tight restriction on the take season, especially for peregrines. Federally, Alaska peregrines may only be taken as juveniles during a season that ends on September 31, and the Alaska provisions do not allow nonresidents to take peregrines until September 15. This allows nonresidents only a two-week window to harvest peregrines.

Additionally, despite ADF&G's recommendation to allow seven nonresident permits annually, including eyases (See P174 A (RC72) of the March 2014 board meetings), and the BOG's decision to allow five nonresident permits, ADF&G limited their permit issuance to only three in 2014. It was noted by ADF&G that their original seven permit recommended limit was based on a percentage of what Alaska resident falconers harvest, not on resource sustainability.

During the 2016 cycle, the BOG declined to approve a proposal to modify the nonresident permit regulations citing a preference to wait until the next review cycle. Subsequent to this cycle, the ADF&G did opt to allow issuance of the five permits authorized by the BOG.

The following documents are applicable to this proposal and are incorporated by reference:

1. AFC Written Testimony at January 2012 BOG Meetings (RC22).

2. ADF&G Presentation on Falconry at January 2012 BOG Meetings (RC24).

3. ADF&G Proposal 40 Presentation at January 2012 BOG Meetings (RC62).

4. ADF&G Presentation on Proposal 40 and Alaska Raptor Populations at January 2012 BOG Meetings (RC125 & RC126).

5. ADF&G Preliminary Recommendations on Proposals for January 2012 BOG Meetings.

6. December 29, 2011 Memorandum from AAG, Kevin Saxby to BOG.

7. Kodiak AC Comments on Proposals at January 2012 BOG Meetings (AC27)

8. February 17, 2012 Letter from AFC to BOG, Follow-up to January 2012 BOG Meetings.

9. ADF&G Proposal 174 A at March 2014 AKBOG Meetings (RC72).

10. Kodiak AC Comments on Proposals at March 2014 BOG Meetings (AC13

11. March 24, 2014 Letter from AFC to BOG re March 2014 Meeting Decision on Non-resident Take of Raptors.

12. April 24, 2015 Letter from AFC to BOG re Proposal to increase the allowable harvest of raptors by nonresident falconers

13. Final Revised Environmental Assessment, Management Plan, and Implementation Guidance: Take of Nestling American Peregrine Falcons in the Contiguous United States and Alaska for Use in Falconry, USFWS, March 2004.

14. Final Environmental Assessment: Take of Raptors From the Wild Under the Falconry and the Raptor Propagation Regulations, USFWS, June 2007.o

15. Final Environmental Assessment and Management Plan: Take of Migrant Peregrine Falcons From the Wild For Use in Falconry, and Reallocation of Nestling/Fledgling Take, USFWS, August 2008.

16. Migratory Birds; Take of Peregrine Falcons for Use in Falconry. Vol. 82, No. 174 FR 42700, September 11, 2017.

AFC thanks the Alaska Board of Game for their consideration and we continue to offer our assistance in this important matter.

PROPOSED BY: American Falconry Conservancy (EG-F20-040)
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PROPOSAL 113

5 AAC 92.037. Permits for falconry.

Modify the regulations for nonresident take of raptors for falconry including increased number of nonresidents permits and expansion of the season to year-around as follows:

This proposal would amend the current regulations on nonresident raptor take for falconry in *Sections 37 (g) (1) (5) (7) (8)* as follows:

- Section 37 (g) (1) - Clear up ambiguous language about what 'permit' is necessary for take.

- Section 37 (g) (5) - Delete current language. Add specific language allowing an annual maximum of five permits for a gyrfalcon, five permits for a peregrine falcon and five permits for any other legally authorized raptor. This totals to a maximum annual number of permits of 15.

- Section 37 (g) (7) - Delete current language restricting take to only passage raptors. This allows take of either eyas or passage raptors as per the Alaska Falconry Manual Part 34 - Taking of Raptors “An eyas or passage bird may be taken any day of the year.”

- Section 37 (g) (8) - Delete current language entirely which defines a ‘season’ for passage raptor take. This allows take of raptors any day of the year as per the Alaska Falconry Manual Part 34 - Taking of Raptors “An eyas or passage bird may be taken any day of the year.”

The draft regulatory language is as follows:

(g) The taking, transporting, or possessing a raptor for falconry by a nonresident is allowed under the following conditions:

(1) **a valid, current falconry** permit **from the nonresident’s home state** and a valid, current nonresident hunting license is required for submitting an application, taking, transporting, possessing, and transferring a raptor to another state's falconry program;

(2) the nontransferable permit will be issued under standards, procedures and conditions set out in the Alaska Falconry Manual No. 10, dated July 1, 2018; that manual, including its conditions related to nonresident take, is hereby adopted by reference;

(3) take is limited to nonresidents who are citizens of the United States;

(4) only the raptor species listed under (f) of this section are eligible for nonresident take;

(5) **the department shall issue annually: up to 5 permits for a gyrfalcon (Falco rusticolus); up to 5 permits for a peregrine falcon (Falco peregrinus); and up to 5 permits for any other raptor species listed under (f) of this section** [UP TO FIVE PERMITS FOR TAKING, TRANSPORTING, OR POSSESSING A RAPTOR FOR FALCONRY BY A NONRESIDENT SHALL BE ISSUED ANNUALLY BY THE DEPARTMENT];

(6) a targeted hunt system will be used to determine permit winners if the number of applicants exceeds the number of permits available;

(7) take is limited to one [PASSAGE, HATCHING-YEAR] raptor;

[(8) THE ANNUAL NONRESIDENT SEASON FOR ACQUIRING A PASSAGE RAPTOR IS FROM AUGUST 15 - OCTOBER 31];

What is the issue you would like the board to address and why? 5 AAC 92.037. Permits for falconry.

Remove unnecessarily restrictive and complicated regulations on nonresident raptor take for falconry. Increase the number of nonresident permits from five to 15.

The issue with the current regulations is that nonresident raptor take for falconry is unnecessarily restrictive and complicated.

Currently, Section 37 (g) has the following nonresident limitations:

- Section 37 (g) (5) limits nonresident permits to 5 for any of the 25 possible indigenous raptor species allowed for take in section 37 (f).

- Section 37 (g) (7) limits take to one passage, hatching-year raptor. A 'passage' raptor being one that has fledged and is surviving on its own.

- Section 37 (g) (8) sets a nonresident 'season' for acquiring a passage raptor from August 15 - October 31.

Section 37 (a) makes clear that a nonresident permit is to be issued under the following conditions:

"The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the Alaska Falconry Manual No. 10, dated July 1, 2018; that section of the falconry manual is hereby adopted by reference."

The following conditions for resident falconry take come from the Alaska Falconry Manual, Alaska Falconry Standards Section, Part 34 - Taking of Raptors:

- Only an individual with a valid, **current Alaska falconry permit or non-resident take permit** and a valid, current Alaska hunting license, excluding temporary permits, may take a raptor from the wild in Alaska.

- Take of any raptor species must be in compliance with these standards.

- An eyas or passage bird may be taken any day of the year.

- Except for American kestrel, great horned owl, and subadult golden eagle, a raptor over one year of age may not be taken.

- An actively breeding bird, including one in immature plumage, may not be taken.

- An eyas may be taken only by a general or master class falconer; at least one eyas must be left in the nest or eyrie from which a bird is removed.

- A permittee may not intentionally capture a raptor of a species not allowed by his or her classification for possession for falconry.

- A permittee unintentionally or otherwise capturing a raptor not allowed must release it immediately.

This proposal will amend and eliminate unnecessarily restrictive and complicated regulations by simply **defaulting the nonresident take conditions to those of all resident falconers** as currently outlined in the Alaska Falconry Manual.

Under the new proposed regulations:

- a nonresident falconer would be able to take a raptor under the exact same standards, procedures, and conditions as a resident falconer. This allows that an eyas or passage bird may be taken any day of the year.

- the maximum annual number of permits would be increased from 5 to 15.

- to better manage the take of the gyrfalcon and the peregrine falcon, the permits would be allocated in 3 separate groups – 5 permits for a gyrfalcon, 5 permits for a peregrine falcon and 5 permits for any other legally authorized raptor.

The benefits of these proposed regulations include:

- An increased chance of obtaining a permit for the raptor of one's choice.

- The full year opportunity for planning and making a trip to Alaska for capture.

- Access for capture of passage raptors during times of the year that is not life-threatening to the permittee.

- Access to eyas raptors. An 'eyas' raptor is one that is not fully grown or very recently fully grown. The benefits of eyas take include:

- Being able to raise and train a bird that is very tame and tractable.

- Gives falconers who would like to breed their bird at some future point a much higher chance of success.

- Improves the future gene pool for a species by having wild taken birds that will have a more likely chance of successful captive reproduction.

- Enlarges the population of genetically fit breeding birds in case environmental problems reduce wild populations. Point in fact, the recovery of the peregrine falcon, which exemplifies one of our greatest wildlife achievements in bringing a species back from near extinction due to our own fault of indiscriminate pesticide use (U.S. Fish and Wildlife Service, 2003).

- Reduced bureaucracy for nonresidents

- Reduced bureaucracy for enforcement

Biologic Support for this Proposal

Although this proposal includes the nonresident take possibility of any of the legally listed 25 indigenous raptors, three raptors standout in capability and excitement of hunting prowess for use in falconry. These three species generally have a high research interest for wildlife management as well.

These three species are the Gyrfalcon (Falco rusticolus), the Peregrine falcon (Falco peregrinus) and the Northern Goshawk (Accipiter gentilis).

This proposal will include a limited research reference list; however, if necessary, more can be added during the comment period as appropriate.

Falconry is legal in all states except Hawaii. The wildlife management teams of these states all support falconry and raptor take as harvest data allows for their state. This also includes nonresident take for each state.

According to Millsap and Allen (2010), falconry raptor take poses little threat to wild populations in general. Natural mortality as well as mortality due to humans, either directly (e.g. shooting, vehicles, fences, poisoning) or indirectly (e.g. habitat loss), far exceed loss due to regulated falconry take.

In 2014 the Board of Game amended Alaska's falconry regulation [5 AAC 92.037(g)] to allow capture and export of falconry raptors by nonresident falconers under a permit issued by the Department of Fish and Game, Division of Wildlife Conservation (DWC).

In general, the DWC research data supports the limited take of these 3 raptors.

The fact that the DWC has allowed the take of the 25 indigenous species in AAC 92.037 37 (f), which includes these three species, gives evidence to the biologic basis for the take.

Research by Bente and Booms (2007 – 2014) shows the Alaska populations of gyrfalcons and peregrines fluctuate over time as do all species, but have remained at relatively stable levels. This is evidence that a falconry harvest is possible without negatively affecting wild populations.

The small increase in take of up to 15 permits is statistically an insignificant percentage for the populations of the entire state of Alaska. If the nonresident take of up to 15 birds, or areas where they are taken from, is of concern to wildlife management, this would imply that it would be of concern for resident take as well.

For a few nonresident permits, it makes sense to simply consider these takes as part of the overall Alaskan take with the exact same conditions of take applied for nonresidents as residents.

Whether a raptor is taken as a passage or an eyas, and whether taken in June or August, ultimately this ends as a take from the resource either way. With falconry take, however, there is the possibility of multiplying the take species through captive breeding which is not possible with a take from hunting.

Alaska Nonresident Take Data

The following table shows the results of nonresident falconry take over the years from 2015 to 2020. The nonresident take program began in 2015.

Year	Max Permits	Number of Applicants	Birds Exported
2015	3	23	2 gyrfalcons
2016	3	24	1 gyrfalcon, 1 goshawk
2017	3	18	1 gyrfalcon
2018	5	24	3 gyrfalcons
2019	5	26	3 gyrfalcons
2020	5	17	TBD

Source: Alaska Department of Fish and Game Website – Nonresident Falconry Take Permit
Application Results, 2020

Statistics from this nonresident take data show:

- Total number of applicants = 115 (132 incl. 2020)
- Total number of permits given = 19 (24 incl. 2020)
- Total number of birds taken = 11
- Ave number of birds taken/year = 2.2

This is evidence that reaching the maximum allowed take is difficult for nonresidents to achieve. This evidence also supports that the impact of nonresident wild take is extremely low.

Fiscal Impact of nonresident take

The Dept of Fish and Game application process requires that a nonresident hunting license be purchased **before** applying – "Once you have acquired an Alaska hunting license, complete and submit the on-line application."

This produces a revenue stream beyond the number of actual permits given. The current fee for a nonresident annual hunting license is $160.

The department's hunting license fee income since opening nonresident take in 2015 with 132 applicants is $21,120. This is an average of $3,520 per year for hunting licenses only.

Many permittees will also purchase a 1 to 14 day sport fishing license as well for their trip adding further revenue for the department.

Nonresident permittees also contribute revenue to the local community. Fifteen nonresident permittees with accompanying travelers for products and services such as Alaska Airlines flights, rental vehicles and gas, food, lodging, equipment and supplies, plane services, and guide services all supports the Alaskan economy.

Conservation Resource

International Union for Conservation of Nature (IUCN)

Established in 1964, The International Union for Conservation of Nature's Red List of Threatened Species is the world's most comprehensive information source on the global conservation status of animal, fungi and plant species.

Gyrfalcon Conservation Data

Scientific name: Falco rusticolus

Conservation Status:

IUCN Red List of Threatened Species: Least Concern (Population stable)

See Bente and Booms (2014) for more research on the population status of peregrines and gyrfalcons in Alaska.

See Wright (2004) for more research on the status of peregrines and gyrfalcons in Alaska.

Peregrine Conservation Data

Scientific name: Falco peregrinus

Conservation Status:

IUCN Red List of Threatened Species: Least Concern (Population stable)

See Wright (2004) for more research on the status of peregrines and gyrfalcons in Alaska.

Northern Goshawk Conservation Data

Scientific name: Accipiter gentilis

Conservation Status:

IUCN Red List of Threatened Species: Least Concern (Population stable)

See Flatten (2001) and Iverson (1996) for more research on the status of the northern goshawk in Alaska.

References

Effects of Falconry Harvest on Wild Raptor Populations in the United States: Theoretical Considerations and Management Recommendations

BRIAN A. MILLSAP GEORGE T. ALLEN

First published: 13 December 2010 https://doi.org/

Monitoring Plan for the American Peregrine Falcon: A Species Recovered Under the Endangered Species Act

U.S. Fish and Wildlife Service, 2003.

Booms, T. 2014. Gyrfalcon dispersal, site fidelity, and adult survival. Alaska Department of Fish and Game, Division of Wildlife Conservation, Federal Aid Annual Performance Report 1 July 2013–30 June 2014, State Wildlife Grant Project T-21-1-20.0, Juneau.

Bente, P., and T. Booms. 2014. Population status and trend of cliff-nesting raptors in western and northwestern Alaska. Alaska Department of Fish and Game, Division of Wildlife Conservation,

Federal Aid Annual Performance Report 1 July 2013–30 June 2014, State Wildlife Grant Project T-21-1-13.0, Juneau.

Wright, J. 2004. Raptor annual survey and inventory: The status of peregrine falcons, gyrfalcons and other raptors, and factors influencing their populations. Division of Wildlife Conservation, Federal Aid Annual Performance Report 1 July 2003–30 June 2004, Federal Aid in Wildlife Restoration Project 8.0, Juneau.

Flatten, C., K. Titus, and R. Lowell. 2001. Northern goshawk monitoring, population ecology and diet on the Tongass National Forest. Alaska Department of Fish and Game, Division of Wildlife Conservation, Annual Monitoring Report 1 April 1991-30 September 2001, U.S. Fish and Wildlife Service Grant SE-4-2-6, Juneau.

Iverson, G. C., G. D. Hayward, K. Titus, E. DeGayner, R. E. Lowell, D. C. Crocker-Bedford, P. F. Schempf, and J. Lindell. 1996. Conservation assessment for the northern goshawk in Southeast Alaska. U.S. Department of Agriculture, Forest Service, General Technical Report PNW-GTR-387, Portland, Oregon.

PROPOSED BY: The California Hawking Club (EG-F20-169)

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PROPOSAL 114

5 AAC 92.037. Permits for falconry.

Change the nonresident season for acquiring a passage raptor as follows:

This proposal seeks to modify the nonresident season for acquiring a passage raptor as follows:

5 AAC 92.037(g)(8). Permits for falconry
The annual nonresident season for acquiring a passage raptor is from **September 15 – November 15** [AUGUST 15 – OCTOBER 31];

What is the issue you would like the board to address and why? The Department proposes to change the season dates to ensure take of Gyrfalcons by nonresident falconers occurs away from the birds' natal areas as was originally intended with the creation of the nonresident passage falconry season.

Gyrfalcons depart their natal areas in Alaska between approximately August 15 and September 12 (McIntyre et al. 2009, Eisaguirre et al. 2014). The current nonresident season beginning on August 15 allows recently fledged Gyrfalcons that have not yet left their natal areas to be taken by nonresidents near nests. This is a conservation concern because it incentivizes the sharing of sensitive nest site locations which are used repeatedly over centuries. It also encourages disturbance of cliff-nesting species by nonresident falconers scouting prior to the season opening when chicks are more vulnerable to disturbance. This concern is exacerbated for Gyrfalcons because there is substantial interest in obtaining financially valuable white Gyrfalcon nestlings for both legal and illegal purposes. White Gyrfalcons constitute less than 10% of Alaska's Gyrfalcon population. It is therefore particularly important that season dates protect this small population of

birds (n < 150) while near their nests to ensure sustained yield into the future for both resident and nonresident falconers.

The nonresident season dates were established in 2015 to provide opportunity to take all legal falconry species after they leave their natal area (i.e. passage bird). To date, 10 Gyrfalcons and 1 Northern Goshawk have been taken by nonresident falconers. Little interest has been shown by nonresident falconers in taking other passage falconry species as most are available in other states. Further, the peak of migration for most falconry species occurs in mid-September in Interior Alaska (McIntyre and Ambrose 1998), with peaks in Southcentral and Southeast likely similar or slightly later. The proposed date change would align the opening of the season with the peak availability of passage raptors, ensuring all falconry species remain available for harvest during the proposed season.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-055)

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Hunter Education

PROPOSAL 115

5 AAC 92.003. Hunter education and orientation requirements.

Remove the hunter education requirement for beneficiaries using proxy hunters as follows:

5 AAC 92.003. Hunter education and orientation requirements.
…(a) Beginning August 1, 2002, a person born after January 1, 1986 that is

(1) required to have a hunting license must have successfully completed a certified hunter education course in order to hunt in Units 7, 13, 14, 15, and 20;

(A) except that no hunter education requirements apply to persons that are the beneficiaries of proxy hunters

What is the issue you would like the board to address and why? To close an inadvertent issue with the proxy system. For an individual to be proxy hunted for after they turn 18, they must pass a hunter education course, which is not always possible.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (EG-F20-059)
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PROPOSAL 116

5 AAC 92.003. Hunter education and orientation requirements.

Remove the crossbow certification requirement for people born before January 1, 1986 as follows:

Amend 5 AAC 92.003(l) to include the "born before or on January 1, 1986 exception to the use of crossbows". That educational requirement exception is already available to "users of longbows, recurve bows, or compound bow for hunting big game under 5 AAC 92.003(k).

What is the issue you would like the board to address and why? Equality in hunting methods educational requirements.

PROPOSED BY: Alaska Outdoor Council (EG-F20-134)
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PROPOSAL 117

5 AAC 92.003. Hunter education and orientation requirements.
5 AAC 92.012 (b). Licenses and tags.

Require hunters to possess proof of completion of required educational certifications in the field as follows:

1.Under 5 AAC 92.003 (create a new section N):

When participating in a hunt that requires a department approved hunter education or orientation course under 5 AAC 92.003, a person must have in possession proof of course completion.

2. Under 5 AAC 92.012 (b): Upon request from an employee of the department or a peace officer of the state, a person may not refuse to present for inspection any license, harvest ticket, permit, tag, or ~~bowhunter certification card~~ proof of completion of a course required under 5 AAC 92.003 and 5 AAC 92.085, any game, or any apparatus designed to be, and capable of being, used to take game.

What is the issue you would like the board to address and why? The Alaska Wildlife Troopers, while in the field, frequently contact hunters participating in hunting that have an educational or orientation requirement. At times, these hunters are not carrying proof they have completed the course/certification. Currently, there is no requirement to require possession in the field of proof of completion. By passing this proposal, it will give Alaska Wildlife Troopers immediate knowledge if the hunter completed the required course, rather than having to spend significant time after the fact, researching and confirming the required course was completed by the hunter.

PROPOSED BY: Alaska Wildlife Troopers (HQ-F20-017)

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PROPOSAL 118

5 AAC 92.050. Required permit hunt conditions and procedures.

Add a new paragraph requiring completion of crossbow hunter certification course at time of permit application as follows:

5 AAC 92.050(a) The following conditions and procedures for permit issuance apply to each permit hunt:

…

(11) an applicant for a certified crossbow hunter only permit hunt must successfully complete a department-approved crossbow hunter certification course before submitting a permit application.

What is the issue you would like the board to address and why? The Board of Game recently added crossbows as an allowed method of harvesting game in some drawing permit hunts. This regulatory change now makes crossbows the only restricted method that does not require the applicant to be certified at the time of application. By requiring applicants to be certified before submitting an application for a drawing permit this newest form of weapons restriction certification will be aligned with the existing application requirements for other weapons-restricted hunts.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-058)

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Proxy Hunting

The Board of Game deferred this proposal from the Western Arctic / Western Region meeting in January 2020, as amended to apply to muskox hunts in all units. It was previously numbered as Proposal 30.

PROPOSAL 119

5 AAC 92.011(k). Taking of game by proxy.

Include muskox on the list of species that can be taken under a proxy permit as follows:

Add language to 5 AAC 92.011(k) Proxy hunting under this section is only allowed for

(1) caribou;
(2) deer;
(3) moose in Tier I hunts, any-bull hunts, and antlerless moose hunts; [AND]
(4) emperor geese; **and**
(5) Muskoxen in Tier II hunts.

What is the issue you would like the board to address and why? This proposal seeks to allow proxy hunting in Tier II muskoxen hunts in Unit 22B through 22E. The trophy value is destroyed in the field subject to permit conditions. These hunts are allowed for the harvest of meat, horn, and fiber by Alaskan residents. These products are distributed throughout the community and because the harvest rate is high there is rarely excess permits about the harvestable surplus. Families/communities have missed opportunities for harvest when the permit holder becomes disabled for whatever reason.

PROPOSED BY: Charlie Lean (EG-F19-010)

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The Board of Game deferred this proposal from the Interior and Eastern Arctic Region meeting in March 2020, as amended to apply statewide. The original proposal was Proposal 110, and it applied only to Unit 19D.

PROPOSAL 120

5 AAC 92.011. Taking of game by proxy.

Allow proxy hunting for moose as follows:

Amend 5 AAC 92.011 to allow proxy hunting for any antlered bull moose.

What is the issue you would like the board to address and why? An interpretation has been made that proxy hunting is not allowed for moose in areas with an any antlered bull bag limit. Unit 19D currently has an any antlered bull bag limit so with this new interpretation proxy hunting would not be allowed in our area. However, proxy hunting is an important traditional practice in the McGrath area.

The McGrath AC was not able to meet on this issue before the proposal deadline to submit a

proposal. Therefore, if they are not supportive of this proposal when they meet next fall, I will request it be withdrawn.

PROPOSED BY: Roger Seavoy, McGrath Fish and Game Advisory Committee (EG-F19-052)

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Unlawful Methods

PROPOSAL 121

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Allow the use of dogs to hunt big game as follows:

The use of dogs is permitted to hunt, track, and retrieve large game.

What is the issue you would like the board to address and why? It's currently illegal to use hunting dogs for large game such as deer, bear, etc... It is a method used for thousands of years and completely ethical. It promotes safety, 100% ethical, and still fair chase.

PROPOSED BY: George Lewis (EG-F19-149)

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PROPOSAL 122

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Lower the minimum draw weight for bows for hunting big game as follows:

The following methods and means of taking big game are prohibited in addition to the prohibitions in 5 AAC 92.080:

(3) with a longbow, recurve bow, or compound bow, unless the

(A) bow is not less than (i) [40] **35** pounds peak draw weight when hunting black-tailed deer, wolf, wolverine, black bear, Dall sheep, and caribou; (ii) [50] **45** pounds peak draw weight when hunting mountain goat, moose, elk, brown/grizzly bear, musk ox, and bison;

What is the issue you would like the board to address and why? Archery equipment, if set up and used correctly, is extremely efficient even when using lower draw weights. Numerous studies have proved that penetration on animals has much more to do with proper arrow set up and tuning than in the power of the bow itself. In many states, deer are regularly killed with 30-pound bows and moose with 40-pound bows. Dr. Ed Ashby's studies and experiments show evidence in favor of this argument. Out of the 49 other states, 9 have a minimum draw weight of 30 pounds, 12 have a minimum of 35 pounds, 10 have a minimum of 40 pounds, and 18 have no draw weight requirements.

Out of the 9 other states with moose seasons, 1 has a minimum draw weight requirement of 30 pounds, 2 have a minimum of 35 pounds, 3 have a minimum of 40 pounds, 1 has a minimum of 45 pounds, 1 has a minimum of 50 pounds, and 1 has no draw weight requirements.

Of the 10 other states with mountain goat seasons, 2 have a minimum draw weight of 30 pounds, 1 has a minimum of 35 pounds, 4 have a minimum of 40 pounds, 1 has a minimum of 50 pounds, and 2 have no draw weight requirements.

For the 13 other states with sheep seasons, 1 has a minimum draw weight requirement of 30 pounds, 2 have a minimum of 35 pounds, 4 have a minimum of 40 pounds, 1 has a minimum of 50 pounds, and 5 have no draw weight requirements.

Out of the 4 other states with seasons for bison, 1 has a minimum draw weight requirement of 30 pounds, 1 has a minimum of 50, and 2 have no requirements. Out of the top 10 other elk hunting states, the average draw weight requirement is 40 pounds.

Every province in Canada except for New Brunswick has a minimum draw weight requirement of 18 kilograms (39.6 pounds) for all species including brown bear, moose, musk ox, sheep, mountain goat, elk, and bison. New Brunswick's minimum draw weight requirement is 20 kilograms (44 pounds).

Lowering the minimum draw weight requirements would allow more youth to be able to pursue big game animals as well as individuals who can no longer pull heavier bows. This would be especially true for those who choose to use traditional equipment with no let off. As long as bowhunters continue to hunt ethically and use efficient arrow and broadhead combinations, this lower draw weight minimum would not result in any negative effects.

PROPOSED BY: Mike Harris (EG-F20-044)

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PROPOSAL 123

5 AAC 92.085(10)(A). Unlawful methods of taking big game; exceptions.

Allow electronic range finders mounted on bows be used for hunting big game as follows:

Update 5 AAC 92.085(10)(A) to read:

~~(10) with the following archery equipment or devices in a restricted weapons hunt that authorizes taking by bow and arrow:

(A) any type of electronic device, or light attached to the bow, arrow, or arrowhead, except a non-illuminating camera, **range finding device,** or a lighted nock on the end of an arrow;

What is the issue you would like the board to address and why? I would like the Board of Game to add an exception to the definition of "electronic device" which would allow the use of an electronic range finder to be mounted to the bow. The use of a laser range finder is currently allowed and a normal practice of most bow hunters when determining yardage. Using a range finder gives a more accurate yardage determination than just a visual estimation and provides for a more ethical harvest. However, often times an archer will make a yardage determination using a range finder, draw his/her bow, and see that the animal has moved. The archer must then either visually estimate the yardage change or let down from the shot and re-range the animal using a handheld range finder, which can lead to allowing the animal to move farther away and a longer shot distance. Several companies, including Garmin and Burris, have recently developed range finders which are incorporated into a bow's sighting system. This allows the archer to continuously range the animal throughout the entire shot sequence, up to and including right before the release of the arrow. This method doesn't allow the archer to do anything that isn't already allowed under

law, but merely makes it easier and allows for more ethical and humane harvests of game by giving the archer the best and most accurate range estimation possible when making a shot determination.

PROPOSED BY: Brian Vanderbunt (EG-F19-007)

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PROPOSAL 124

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Allow use of integrated bow sights\laser range finders for hunting big game with bows as follows:

The existing equipment regulations from page 20 of the 2018-2019 regulations for weapons restricted hunts. My proposal would read as follows with my changes listed in bold and underlined:.

Equipment:

You MAY NOT hunt big game with a bow, UNLESS:

- the bow is at least:

-- 40 pounds peak draw weight when hunting black-tailed deer, wolf, wolverine, black bear, Dall sheep, and caribou;

-- 50 pounds peak draw weight when hunting mountain goat, moose, elk, brown/grizzly bear, muskox, and bison;

- the arrow is at least 20 inches in overall length, tipped with a broadhead, and at least 300 grains in total weight;

- the broadhead is a fixed, replaceable or mechanical/retractable blade type and not barbed.

- **an integrated bow sight\laser rangefinder may be used providing the device does not provide and optical advantage as listed in the restrictions below and does not provide an illumination on the animal being hunted (laser sight).**

You MAY NOT use electronic devices or lights attached to the bow, arrow, or arrowhead with the exception of a nonilluminating camera or a lighted nock on the end of the arrow or a battery-powered sight light **or an integrated bow sight\laser range finder as specified in the previous paragraph.**

You MAY NOT use scopes or other devices attached to the bow or arrow for optical enhancement.

You MAY NOT use any mechanical device that anchors a nocked arrow at full or partial draw unaided by the bowhunter.

What is the issue you would like the board to address and why? On page 19 of the 2018-2019 regulations, under the general hunt guidelines for archery hunting equipment, an integrated bow sight\laser range finder mounted to the bow is allowed for use. On page 20 of the same regulation year, under the weapons restricted hunts guidelines, this same piece of equipment is not allowed because it is considered an "electronic device". I am asking the Board of Game (board) to consider allowing an integrated bow sight\laser range finder be used in a weapons restricted hunt, providing

the equipment meets the other restrictions listed in the regulations, specifically no optical advantage and visible light projected onto the game animal.

There are several reasons why I am asking the board to allow use of integrated bow sights\laser range finders, which meet the other restrictive measurements, for use in weapons restricted hunts.

Handheld range finders are already allowed for use in weapons restricted hunts for archery.

The International Bowhunter Education Program (IBEP) training certification program for archery hunters encourage range finders to be used. Specifically, they are encouraged for use to keep the hunter informed of ethically shooting within the range of their equipment. The idea is the hunter will not take shots that would most likely result in the injury of an animal vs the killing of an animal.

By allowing the integrated bow sight\laser range finder to be mounted on the bow, the hunter has the ability to dynamically track the distance to the animal while holding the bow in the drawn position ready to shoot. This would allow the hunter to be more informed during their shot process and allow them to shoot more accurately because they would know the exact distance to their target. At best, it would deter unethical long-distance shots that would most likely end up injuring an animal versus killing the animal.

PROPOSED BY: Bruce Brown (HQ-F20-004)

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PROPOSAL 125

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Allow the use of crossbows for hunting big game in weapons restricted hunts as follows:

Crossbows are allowed in the weapons restricted hunt with the following: The crossbows used in this specific hunt are not allowed scopes, only iron sights and peep sights. The hunters using crossbows in this hunt must have successfully completed the crossbow certification course and carry that certification in the field with them.

What is the issue you would like the board to address and why? The issue is how crossbows are not allowed in the weapons restricted hunt, except for the "exemption hunters" which couldn't even hunt with a bow in the first place. For there are other big game hunters that would jump at the chance to hunt game in the weapons restricted hunt if they were allowed to do so with crossbows.

PROPOSED BY: Orion Peter Harper (EG-F19-154)

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PROPOSAL 126

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Allow the use of muzzleloaders equipped with scopes in the taking of big game as follows:

The following methods and means of taking big game are prohibited in addition to the prohibitions in 5 AAC 92.080:

(c) the use of [A MUZZLELOADER EQUIPPED WITH A SCOPE, OR] a muzzleloader using smokeless powder as a charge during any permitted, registered or special season hunts is prohibited.

NOTE: This is the exact wording as currently exists in the regulation, with the proposed text to be deleted, mentioning scope restrictions regarding muzzleloaders for any weapons restricted hunts, being bracketed, capitalized and struck through.

What is the issue you would like the board to address and why? This proposal would be to eliminate wording in subsection (c) of 5 AAC 92.085 which prohibits the use of a muzzleloading weapon equipped with a scope during any permitted, registered or special season hunt for muzzleloading firearms only.

This proposal would also eliminate the wording which prohibits the use of a scope during muzzleloading weapons certification field day qualifications.

The underlying premise behind ethical big game hunting is to ensure a clean, efficient and humane take of an animal as possible. Technology has allowed the use of a scope mounted weapons to ensure the greatest potential of that being possible - significantly greater than with the use of open sights.

This proposal would allow hunters the opportunity to harvest game using the most effective technology available and minimize the number of wounded animals being lost due to poor shot placement as a result of not being able to utilize the most effective technology available. As a side note, up until a few years ago, crossbows were not permitted as an allowable alternative weapon in hunts restricted to bows and muzzleloaders, as they were considered in the same category as high-powered weapons.

Now, crossbows are permitted in this exception category for some hunts, but it is permissible for use of scopes with crossbows, but not with muzzleloading weapons.

If it is now permissible for using crossbows with scopes, should not muzzleloading weapons with scopes also be permissible?

PROPOSED BY: Kurt Wellong (HQ-F20-033)

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PROPOSAL 127

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Allow air rifles for hunting big game as follows:

The use of air rifles are permitted for all game so long as the caliber is appropriate for the game size.

What is the issue you would like the board to address and why? Allow air rifles and air bows to be used for large game. There have been significant improvements in the technology that makes it safe and ethical.

PROPOSED BY: George Lewis (EG-F19-146)

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PROPOSAL 128

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

Prohibit the use of mechanical powered body suit or devices as follows:

The following methods of taking game are prohibited: **with the use of a mechanical or powered body suit or device unless the device or suit is being worn to restore function of a limb that otherwise would not function as in the case of a paraplegic.**

What is the issue you would like the board to address and why? Power suits or exoskeletons (powered mechanical body suits and devices) are becoming commercially available to the general public. Such suits allow an individual to carry heavier loads and travel greater distances over difficult terrain using mechanical assistance and an external energy source. Such suits may currently be legal in nonmotorized access areas within the state and yet would violate the intention for which such areas were set aside. The use of such suits would allow hunters to access normally inaccessible areas and provide an unsporting physical advantage to the hunter. If the use of such suits is allowed a guide could purchase one suit and use it for many different clients throughout the year, dramatically changing the nature of a guided hunt. If a regulation is not passed, we are likely to see hunters using these devices in the near future.

PROPOSED BY: Tom Young (EG-F20-014)

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PROPOSAL 129

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Require the use of expanding (soft point) bullets for big game hunting, excluding wolf and wolverine, as follows:

The following methods and means of taking big game are prohibited in addition to the prohibitions in 5 AAC 92.080:

1. with the use of a firearm other than a shotgun, muzzleloader, or rifle or pistol using a center-firing cartridge, except that

(A) in Units 23 and 26, swimming caribou may be taken with a firearm using rim fire cartridges;

(B) the use of a muzzleloader is prohibited unless the firearm is a shoulder mounted long gun, 45 caliber or larger, with a barrel that is rifled or smoothbore, and discharges a single projectile; and

(C) the use of a muzzleloader equipped with a scope, or a muzzleloader using smokeless powder as a charge, during any permitted, registration, or special season hunt for muzzleloaders only, is prohibited;

(D) taking big game, other than wolf or wolverine, using non-expanding bullets is prohibited

What is the issue you would like the board to address and why? Require the use of an expanding (soft point) bullet when hunting big game, except wolf and wolverine taken under provisions of a hunting license.

Justification for this change is to reduce wounding loss of big game shot with non-expanding (solid) bullets and promote an ethical hunting practice. During many years of public testimony at Board of Game meetings, testifiers complained about hunters wounding moose, bear and caribou when using full metal jacket bullets in high velocity, small caliber rifles. Research and hunter experience clearly show big game animals shot with non-expanding bullets produce a narrow-wound channel when compared to results using expanding design bullets. The bullet from small caliber, high velocity ammunition, that does not hit bone, is likely to pass through an animal without causing sufficient damage to humanely kill it. Large game, such as moose and bears can travel long distances after being shot with solid bullets, and are generally not recovered. Although shot-placement is critical to humanly harvest big game, use of expanding bullets increase your odds of ethically killing an animal.

With some ammunition, there will be a slight increase in cost, however, the use of more lethal ammunition will reduce the number of shots required to humanly harvest an animal.

PROPOSED BY: Ted Spraker (EG-F20-019)

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The title to this proposal was clarified 9/21/20 to indicate the proposed change prohibits use or urine from any species of the deer family and is not limited to deer or elk urine.

PROPOSAL 130

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

Prohibit use of urine from any species of the deer family as bait or scent lures as follows:

The following methods of taking game are prohibited:

…

(15) with the use of [DEER OR ELK] urine **from any species of the deer (*Cervidae*) family**, and while in immediate personal possession of [DEER OR ELK] urine **from any species of the deer (*Cervidae*) family**, including scent lures;

…

(18) **repealed; 7/1/2021.** [WITH THE USE OF MOOSE, CARIBOU, AND REINDEER URINE AS SCENT LURES, AND WHILE IN IMMEDIATE PERSONAL POSSESSION OF MOOSE, CARIBOU, OR REINDEER URINE, INCLUDING SCENT LURES, IN UNITS 12, 19, 20, 21, 24, 25, 26(B), AND 26(C).]

What is the issue you would like the board to address and why? Chronic Wasting Disease (CWD) can be transmitted by urine, and more types (species) of urine are becoming available to hunters to use as bait or scent lures. In 2012, the Board of Game (board) prohibited the use of deer or elk urine for hunting statewide, and in March of 2020 the board prohibited the use of moose, caribou, and reindeer urine for hunting in the Interior and Eastern Arctic Region. At that meeting, the department recommended the board adopt the proposal statewide. Due to the legal meeting notice not covering statewide topics, and not wanting to delay taking action on the proposal, the board adopted the proposal for the Interior and Eastern Arctic Region only. The department is now proposing a broader prohibition on the use of natural urine as bait or scent lures, in order to further protect Alaska's game populations.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-043)

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PROPOSAL 131

5 AAC 92.210. Game as animal food or bait.

Allow the use of game bird wings and backs to be used for trapping bait as follows:

I recommend that bird wings of all game birds including swan, geese, and cranes including the humerus, radius and ulna, and the meat of the humerus radius and ulna be allowed for other human uses such as trapping bait statewide. The back and the meat of the back should also be used for other human uses like trapping.

What is the issue you would like the board to address and why? I would like to be able to use all bird wings and backbones from swan, cranes, and geese for trapping bait statewide. Bird wings and carcasses, including the backbone, have a long historical use for trapping, and I would like to be able to continue that use. I feel it is more appropriate to use natural baits rather than bring a bunch of trash into the wilderness like compact discs (CDs) and other shinny baubles.

PROPOSED BY: Sam Hancock (EG-F19-152)

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PROPOSAL 132

5 AAC 92.990. Definitions.
5 AAC 92.210. Game as animal food or bait.
5 AAC 92.220. Salvage of game meat, furs, and hides.

Allow bird wings and parts to be used for trapping as follows:

Proposed Regulation

5 AAC 92.990. Definitions.
(26)"edible meat" means,… in the case of cranes, geese, and swan **outside of Unit 18**, the meat of the breast, back, and the meat of the femur and tibia-fibula (legs and thighs), and the meat of the wings, excluding metacarpals;… **and for cranes, geese, and swan in Unit 18, the meat of the breast, and the meat of the femur and tibia-fibula (legs and thighs)**

5 AAC 92.210. Game as animal food or bait.
A person may not use game as food for a dog or furbearer, or as bait, except for the following… **for cranes, geese, and swan in Unit 18, the bones, and meat of the back and wings.**

5 AAC 92.220. Salvage of game meat, furs, and hides.
Subject to additional requirements in 5 AAC 84 – 5 AAC 85, a person taking game shall salvage the following parts for human use… **for cranes, geese, and swan in Unit 18, the bones, and meat of the back and wings.**

Current Regulation

5 AAC 92.990. Definitions.
(26)"edible meat" means,… in the case of cranes, geese, and swan, the meat of the breast, back, the meat of the femur and tibia-fibula (legs and thighs), and the meat of the wings, excluding metacarpals;…

What is the issue you would like the board to address and why? Bird wings or other parts that don't have much meat should be able to be used as tools for other things. Our ancestors used bones as different tools, something that is natural off the land. I believe that the person who put in the proposal they did to make it illegal except for consumption hasn't lived in coastal villages. They have unknowingly made criminals out of all the people who can't always afford materials they don't make on their own. Most houses you visit in certain villages use some dried bird wings as a broom. Now that we don't live a nomadic lifestyle as much as our ancestors we need simple ways to help keep a cleaner and healthy home. Most likely they don't realize they are breaking the law by doing this.

Allowing for these parts to be used for trapping would be another way for people to not have to buy materials made of plastics or etc. that would be more expensive because of shipping. If the bird parts are being used, this is not a waste. It's just not being used similar to other areas where they may live in a hub and can afford to not have to buy materials for keeping a house clean or trapping bait. They may eat that small part if they so choose.

PROPOSED BY: Felix Magallanes (EG-F20-139)
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PROPOSAL 133

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

Add bow and arrow as a legal method for taking beaver as follows:

Statewide:
You may not take a beaver with any means other than steel trap or snare except: **bow and arrow**

What is the issue you would like the board to address and why? A bow and arrow can be an effective and efficient method of taking beaver during periods of the beaver trapping season when water is not frozen. It is already legal in much of the state. I see no reason to prohibit it when in most units of the state (exception is Unit 26 no open season) the bag limit is "No Limit."

PROPOSED BY: John Frost (EG-F20-129)
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PROPOSAL 134

5 AAC 92.080.(7)(H). Unlawful methods of taking game; exceptions.

Allow the use of cameras or sensory devices to monitor trap locations for trapping as follows:

Any camera or sensory device that can send messages through wireless **communications unless the device is specifically used on trap locations for the taking of furbearers which are actively in a trap.**

What is the issue you would like the board to address and why? Modern technology of wireless cameras which are commercially produced can aid in prevention of trap and fur theft. As the Alaska Court System and state District Attorney has proven, fur and trap thieves are not prosecuted. I was a victim of the theft of two Manning #9 wolf traps and one wolf by a non-trapper in Unit 2. The suspect was observed on a traditional trail camera which allowed the Alaska Wildlife Troopers to file theft charges against the person. Just by chance the suspect had never seen the camera. If he had seen the camera, he surely would have prevented the images from being used against him. The wolf was recovered and the suspect pled guilty to the crimes. After a long period of time and a few hundred dollars in boat fuel, I was never able to locate the stolen traps in the various locations the suspect said he had put them. I lost the use of the traps for the remainder of the open wolf season only to have the suspect produce the traps prior to being sentenced for the crimes. His case was then dismissed because he returned all stolen items. A modern cellular trail camera would have alerted me at the time of the trap and fur theft. Instant notification would have allowed for a fast response and possibly recovered the traps in a much quicker time period. Cellular cameras will also allow a trapper quick response to dispatch an animal in a foothold trap. At the same time, cellular trail cameras should not be allowed to aid in taking an animal unless that animal is legally a trapped furbearer.

PROPOSED BY: John Ryan (EG-F20-175)
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PROPOSAL 135

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Repeal the restriction on the use of aircraft for locating Dall sheep for hunting as follows:

Repeal 5 AAC 92.085(8): [AND FROM AUG 10 THROUGH SEPT 20, AIRCRAFT MAY NOT BE USED BY OR FOR ANY PERSON TO LOCATE DALL SHEEP FOR HUNTING OR DIRECT HUNTERS TO DALL SHEEP DURING THE OPEN SHEEP HUNTING SEASON, HOWEVER AIRCRAFT OTHER THAN HELICOPTERS MAY BE USED BY AND FOR SHEEP HUNTERS TO PLACE AND REMOVE HUNTERS AND CAMPS, MAINTAIN EXISTING CAMPS, AND SALVAGE HARVESTED SHEEP.]

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

5 AAC 92.085(8) regarding the use of aircraft during sheep season to locate and spot sheep for harvest.

5 AAC 92.085(8) stemmed from a board generated proposal commonly known as Proposal 207 that came out of nowhere and had little support from the public and Advisory Committees. Even the Alaska Wildlife Troopers say it is virtually unenforceable. Yet it has the potential – regardless of the caveats in the regulation – to make pilots act in unsafe ways they may not normally over fears of being turned in for spotting sheep.

The Board of Game (board) determined that using aircraft to spot sheep from the air in order to potentially harvest was unethical. Even though the board allows for the spotting of caribou from the air and same day land and shoot in an area. How is that "ethical" but the spotting of sheep from the air and the same-day-airborne restriction in place is not? This regulation was put in effect for the entire August 10 – September 20 sheep season. However, this regulation was never applied to the youth hunt season August 1–5. That is not at all consistent with the intent of the regulation when one group of sheep hunters is unfairly perceived as different from another.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (EG-F20-064)

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PROPOSAL 136

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Rescind the restriction on use of aircraft for locating Dall sheep for hunting as follows:

This language in 5 AAC 92.085(8) should be rescinded:

[FROM AUGUST 10 TO SEPTEMBER 20, AIRCRAFT MAY ONLY BE USED TO PLACE HUNTERS AND CAMPS, MAINTAIN EXISTING CAMPS, AND SALVAGE MEAT AND TROPHIES WHILE USED FOR THE PURPOSE OF DALL SHEEP HUNTING. USING AN AIRCRAFT FOR THE PURPOSE OF SPOTTING SHEEP OR LOCATING DALL SHEEP DURING THE OPEN SEASON IS PROHIBITED.]

What is the issue you would like the board to address and why? The Matanuska Valley AC believes that the language that was adopted from Proposal 207, in March of 2015, that restricts the use of aircraft while hunting sheep, should be rescinded. The present language reads:

"From August 10 to September 20 aircraft may only be used to place hunters and camps, maintain existing camps, and salvage meat and trophies while used for the purpose of Dall sheep hunting. Using an aircraft for the purpose of spotting sheep or locating Dall sheep during the open season is prohibited."

After this proposal was adopted by the Board of Game (board), our AC had unprecedented attendance at its next meeting, and everyone was very upset by the action. Subsequently, on May 28 of 2015, the board held a special meeting at the request of two of its members, to reconsider and rescind Proposal 207's language. Proposal 207 was a board generated proposal, that they produced on their own, not at the request of anyone from the public, and which didn't address any biological concerns. Nobody had ever proposed these kind of extreme restrictions before. At the May 28 special meeting there were 224 public comments on this proposal; 184 were in opposition to it and wanted to see it rescinded, while only 27 were in support of it. All three of the largest ACs (Anchorage, Mat Valley and Fairbanks), representing over half of the state's population, voted unanimously to rescind Proposal 207. Despite this overwhelming opposition, the board retained Proposal 207, ignoring the public's will. The Alaska Wildlife Troopers said from the very beginning that these restrictions were unenforceable, and to our knowledge no one has ever been cited for a violation of them. The issues the proposer purported to address with Proposal 207 were already addressed by other statutes regarding harassing, chasing or herding animals with an airplane.

Proposals to rescind what started as Proposal 207 have been brought forward in 2016 and 2017 and both times the public has supported rescinding the restrictions by a 2 to 1 margin, but were ignored by a small board majority. We believe that, in the absence of any biological concern being addressed, the public should be listened to, and the overwhelming majority want Proposal 207 language rescinded. The board has rejected applying these same restrictions to all other game species, in Proposal 70 introduced at the statewide meeting in Fairbanks in 2016, and should reject the restrictions for sheep also.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (HQ-F20-009)

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PROPOSAL 137

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Repeal the restriction on the use of aircraft for locating Dall sheep for hunting as follows:

Amend 5 AAC 92.085(8) by deleting the language set forth below, commonly referred to as Proposal 207:

[(8) ... FROM AUGUST 10 THROUGH SEPTEMBER 20 AIRCRAFT MAY NOT BE USED BY OR FOR ANY PERSON TO LOCATE DALL SHEEP FOR HUNTING OR DIRECT HUNTERS TO DALL SHEEP DURING THE OPEN SHEEP HUNTING SEASON, HOWEVER, AIRCRAFT OTHER THAN HELICOPTERS MAY BE USED BY AND FOR SHEEP HUNTERS TO PLACE AND REMOVE HUNTERS AND CAMPS, MAINTAIN EXISTING CAMPS, AND SALVAGE HARVESTED SHEEP.]

What is the issue you would like the board to address and why? The pertinent part of 5 AAC 92.085(8) states as follows:

[(8) ... from August 10 through September 20 aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season, however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep.]

I am a law-abiding citizen, a pilot and a sheep hunter. For many reasons that I will state below I find this regulation (commonly referred to as Proposal 207) wrongfully applied to our state sheep hunting regulations.

For the youth sheep hunt August 1-5 there is no restriction as to when you can fly. During this time frame there are also many outfitters flying their area prior to the season looking and scouting for sheep. Why can a pilot fly and hunt with a youth hunter during this time frame but five days later all of a sudden it is illegal?

This regulation is extremely vague in the sense that there is no way possible to tell what animal a pilot saw or even looked for from an aircraft. I could easily have bear, sheep, goat and caribou harvest tickets with me during sheep season. There is nothing stopping me from flying around and scouting for caribou during this time frame. How will someone know what animals I was looking for or what animal I saw? Can I fly around and see a herd of caribou I intend to hunt and land and go hunt them the next day and if I see a sheep be afraid to shoot it?

One of the main reasons I am writing this proposal to change this regulation is to be a voice for your average hard-working pilot in Alaska. Flying is extremely dangerous with many variables and deaths each and every year. We do not need to restrict or limit the way a pilot should be able to fly and cause unnecessary risks to be placed upon them creating more danger than they already face.

I would like to describe a couple of very realistic scenarios for the pilot who owns his own airplane and plans to use it for sheep hunting. Please take note that the purpose of having an airplane is for the pilot to distance himself from other hunters and outfitters. I never want to land at an airstrip

because I know that there has been hunting pressure there and airplanes are likely to return to that know location to hunt sheep. My objective is to distance myself from others by utilizing my hours of preseason research, aviation skill set and my airplane to find area where I can hunt and not worry about running into others.

Example 1-
A pilot follows all rules and regulations to not fly during sheep season and does his scouting and flying all in the month of July. He finds an adequate place with some sheep and a location he can safely operate the airplane. Work duties or bad weather delay his arrival into his sheep camp and he isn't able to fly until opening day August 10. The pilot knows it is illegal to fly and look for sheep since the season is now open but he intends to not hunt or encroach on other hunters in this particular drainage so he flies at over 1000' above the ground to the head end of the drainage he plans to hunt to see if there are any other airplanes or bright colored tents before he decides this is where he wants to invest the only week he has off work for sheep hunting this year. This rationale only makes sense to any logical person. As I stated previously, the pilot wants to distance himself from other hunters. By doing this and looking for hunters where there may potentially be sheep after Aug 10 has this pilot violated this regulation?

Example 2-
A pilot does all of his pre-season scouting in July and finds a nice drainage with a big gravel bar he can land on safely. He camps here and is able to glass some rams and is excited for the opening day of sheep season to arrive. He can't get the opener of sheep season off from work so he comes in a week late. The area he intends to hunt has had heavy rains the last four days and when he flies over his 1000' gravel bar he sees that it is almost completely covered by swift moving water and is now an unsafe area to land. (I personally have had water rise and lost a runway in a matter of hours). He needs to now find a new location to sheep hunt. Since he is not flying to place or remove hunters from a camp, maintain an existing camp or salvage harvested sheep, will he be in violation of flying during sheep season as the rules state?

Example 3-
A pilot doesn't have the extra time or finances to scout prior to sheep season. He will take one week off for sheep hunting and that week will fall in late August. When pioneering a landing area that likely no other airplane has ever landed at there is a sequence of things that must be done. Extreme amounts of time and concentration are put into these efforts as it is a matter of life and death. When a pilot is landing in an area that he has never been able to walk on before is it very challenging. All of your knowledge and information of the landing site is received while you are in the cockpit flying the aircraft.

Sometimes a pilot will need to do 15 or more passes to see if a runway is suitable to land and to gain an increased level of confidence in their ability to safely land the airplane. These passes consist of high passes above 1000' to low passes at maybe 5' above the ground. The pilot may need to do a few circles at altitude and at a lower level to see what the wind direction/speed is especially in mountainous terrain. Also, a pilot will likely drag his tires a couple times along the strip to gauge how rough it is and visualize the exact touchdown spot for the airplane. This is a very timely process and it should not be rushed. When pilots rush things are usually when an accident will occur.

For the best possible outcome these passes should be very similar in speed and dimension that would simulate a traffic pattern. The more consistent they are the more variables that are managed the better the landing will turn out in most cases. These passes to the fellow sheep hunter on the hillside may look like the pilot could potentially be looking for sheep when they are only trying to safely land an airplane.

I have myself flown in these conditions and have wondered will this type of flying get me in trouble especially if there happen to be sheep nearby. I have also talked to fellow aviators who have rushed this off-airport evaluation process during sheep season for fear of prosecution. That is complete nonsense. A pilot should be able to fly an airplane and not have to wonder who will be turning him in.

Most recently in July of 2019 I did all my preseason scouting of sheep hunting locations. I found some good places to land and more importantly good places to tie up an airplane that was secure. With it being a very hot year the sheep I had found in July stayed very high and were inaccessible. My hunting partner and I decided we needed to go to a different area we had scouted pre-season. While flying over the first area we could see hunters in that drainage, so we decided to go to the next spot I had found.

While over flying this area looking at the strip we had cleared, it was impossible to not notice the white dots on the hillside that were in fact Dall sheep. So now what am I supposed to do? I've done preseason scouting, cleared a strip to use and located and glassed up sheep in this drainage. Now that I've moved into this drainage and looking over my strip, I see sheep on the hillside. Now I wonder while I do my passes to evaluate my landing zone if there is some hunter is on the hillside with a video camera taping all of this. Will I be getting a phone call from the troopers after sheep season is over? I reluctantly couldn't take that risk and we cut our sheep hunt short. I told my hunting partner "I love to fly and I love to hunt. Combining those things is my favorite thing do to in the entire world but right now I don't feel the same. I feel as I may be wrongfully accused for only trying to hunt sheep based on the patterns my plane is flying." This feeling made me sick and is not what hunting is about. A sheep hunter should be able to fly their airplane and not worry about wrongful accusations.

This law is also unenforceable and below are the comments from Board of Game proposals for 2019 about this regulation since it has passed from the Alaska Wildlife Troopers.

"The Alaska Wildlife Troopers are the primary enforcement agency for this regulation. Since this regulation was enacted, the Alaska Wildlife Troopers have received reports of aircraft and sheep hunters violating this regulation across the state. Investigation of this crime takes considerable time and effort for the Wildlife Troopers to look into these types of violations. **To date, there has been no successful prosecution of a hunter for a violation of this regulation**."

The main enforcement agency in the state knows this law is ridiculous and unenforceable. The skills, resources and money used by our conservation officers should be used to find and prosecute real criminals not a resident pilot who wants to hunt sheep.

Proposal 207 has accomplished nothing. There are already wildlife harassment laws in place to keep pilots from buzzing or harassing sheep. There are also same day airborne regulations set in

place to manage that ethical dilemma. This regulation was set in place to target the **Alaskan Resident Sheep Hunters** and should be removed from the regulations.

PROPOSED BY: Adam Grenda (HQ-F20-028)
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PROPOSAL 138

5 AAC 92.085. Unlawful methods of taking big game; exceptions.

Restrict aircraft use for locating Dall sheep for hunting, for all open seasons as follows:

Change the time that aircraft may not be used to locate Dall sheep in order to cover all open sheep seasons as follows:

(8) a person who has been airborne may not take or assist in taking a big game animal and a person may not be assisted in taking a big game animal by a person who has been airborne until after 3:00 a.m. following the day in which the flying occurred, and [FROM AUGUST 10 THROUGH SEPTEMBER 20] aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep **in any area where there is an open sheep hunting season** [DURING THE OPEN SHEEP HUNTING SEASON], however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep.

What is the issue you would like the board to address and why? The way this regulation is currently written, hunters may still use aircraft to locate Dall sheep during sheep hunting seasons that fall outside of the August 10 through September 20 time frame. This change would include every sheep season regardless of when it is held including any new sheep seasons that may be enacted in the future.

PROPOSED BY: Mike Harris (EG-F20-043)
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PROPOSAL 139

5AAC 92.085 Unlawful methods of taking big game; exceptions.

Restrict the use of aircraft for making multiple, consecutive approaches near Dall sheep for hunting as follows:

Change 5 AAC 92.085(8) by repealing the_language in brackets and replacing it with the underlined language.

5 AAC 92.085 Unlawful methods of taking big game: exceptions....

(8) a person who has been airborne may not take or assist in taking a big game animal until after 3:00 a.m. following the day in which the flying occurred, and from August 10 - September 20 aircraft may not be used **to make multiple, consecutive approaches near any sheep or group of sheep** [BE USED BY OR FOR ANY PERSON TO LOCATE DALL SHEEP FOR HUNTING OR DIRECT HUNTERS TO DALL SHEEP DURING THE OPEN SHEEP SEASON, HOWEVER, AIRCRAFT OTHER THAN HELICOPTERS MAY BE USED BY AND FOR

SHEEP HUNTERS TO PLACE AND REMOVE HUNTERS AND CAMPS, MAINTAIN EXISTING CAMPS, AND SALVAGE HARVESTED SHEEP].

What is the issue you would like the board to address and why? The aircraft restrictions that apply only to sheep hunting between August 10 and September 20 are not enforceable, not supported by the vast majority of residents who commented since the inception of this rule (2015) and arose from a Board of Game proposal that was improperly offered as there was no biological concern being addressed. I would like to see it replaced with language that is already in definition (harassment).

PROPOSED BY: Daniel Montgomery (EG-F20-162)

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Permits for Bear Baiting

PROPOSAL 140

5 AAC 92.044 (b)(4). Permit for hunting bear with the use of bait or scent lures.

Increase the number of bait station sites temporarily from 10 to 20 per guide use area as follows:

We request increasing the number of baits per guide use area temporarily from 10 to 20. This regulation would only apply to the spring 2021 bear hunts. Most guides that use baiting as a method only use one of their three allotted guide use areas for baiting. This limits their ability to temporarily expand to make up for losses

What is the issue you would like the board to address and why? The COVID-19 crisis has devastated hunting businesses in the spring of 2020. Other actions will be taken to mitigate these losses in some sectors of the industry, but baited hunting was overlooked in the emergency Board of Game Meetings in the spring of 2020.

Guided baited bear hunting takes place almost exclusively in units where bears are managed very liberally due to large harvestable surpluses and little hunting pressure. There would be no conservation concern to increasing effort temporarily in these areas. There are a few guides that use bait in units 7, 14, 15, and southeast but none of them use the currently allowed 10 baits due to other land use authorization restrictions. The guides that use 10 baits are primarily, if not completely limited to the remote areas of units 11, 12, 13, 16, 20 and 25. An alternative would be to limit this temporary regulation to these areas.

PROPOSED BY: Alaska Professional Hunters Association (EG-F20-123)

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PROPOSAL 141

5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures.

Require bear baiting sites to be at least one mile apart as follows:

I recommend that regulation be put into place to keep bait sites at least one mile apart.

I would also recommend that the Department of Fish and Game create a centralized database to keep track of registered bait sites including exact locations. Only then can the department keep from registering bait sites too close together.

What is the issue you would like the board to address and why? As bear baiting becomes more popular, hunter conflicts in the field are becoming more common due to the lack of organization. Currently, there are no regulations in place to keep bait sites at a safe distance from each other. For example, two or more people can register a bait site in the same location. Many people are putting bait sites too close together which leads not only to hunter conflict but also serious safety concerns.

PROPOSED BY: Tim Nelson (EG-F20-008)

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Permits for Possessing Live Game

PROPOSAL 142

5 AAC 92.029. Permit for possessing live game.

Add emu to the to the list of animals allowed to be possessed without a permit as follows:

Add emu to the clean list 5 AAC 92.029 so that no permit is required to own them in Alaska, as is the USDA practice in all other 49 states. Emu would be allowed to be raised as livestock which is current federal law.

What is the issue you would like the board to address and why? I would like to have emu added to the Clean List or list B not requiring a permit. It meets all of the following criteria and is accepted as livestock by the USDA and is already being raised in all other states except Alaska. It's really surprising this wasn't added a long time ago.

(1) is not capable of surviving in the wild in Alaska;

(2) is not capable of causing a genetic alteration of a species that is indigenous to Alaska;

(3) is not capable of causing a significant reduction in the population of a species that is indigenous to Alaska;

(4) is not capable of transmitting a disease to a species that is indigenous to Alaska;

(5) does not otherwise present a threat to the health or population of a species that is indigenous to Alaska;

(6) is not captured from the wild for use as a pet;

(7) does not present a conservation concern in the species' native habitat outside of this state;

(8) can be reasonably maintained in good health in private ownership;

Emu are poultry raised for food eggs and leather in every US state except Alaska, and this is only because 5 AAC 92.029 is a backwards law that forces Alaskans to beg for permission instead of the gvt expressing legitimate reasons for a ban against any animals. I would like to raise mu for foods, pets, meat, they are USDA subsidized and meet all the conditions which is also documented by the USDA,

If any information on emu farming or birds is required I am happy to help, and all of it is on the USDA's website including care incubation range species farming methods and the benefits of the most completely utilized livestock being raised today. Thanks.

PROPOSED BY: Pike Ainsworth (EG-F19-001)

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PROPOSAL 143

5 AAC 92.029. Permit for possessing live game.

Add emu to the to the list of animals allowed to be possessed without a permit as follows:

It might read as follows: The Alaska Board of Game has adopted and approved the ownership of emus as a pet. The Board of Game recommends that a new owner of an emu to purchase a book that covers the keeping, care, housing, interaction, diet, and health.

What is the issue you would like the board to address and why? I would like to propose that you add emus to the clean list so I can legally have one as a pet. Emus are very docile and friendly birds. Australian farmers have found that emus make great pets because of their sweet and friendly nature. Emus are very docile and even tempered and are very predictable. Emus are very smart and can be easily trained. Emus like learning things because in part of the attention they get while training them. Emus usually retain what they are taught. A good example of this is the Liberty Mutual commercials with Lemu and Doug. In the first one it shows Lemu with his head out the window. He's enjoying the wind in his face. When the car stops, he starts biting the seat belt. Lemu was taught to do that. In the most recent one, it shows Doug driving a motor bike with Lemu riding in the sidecar. Doug completes the jingle for Liberty Mutual then Lemu was taught to say " pay for what you need ". Lemu speaks clear enough that you can understand the words pay for what you need. Emus are very good around children as they like the attention and like to play. That's why emus are becoming a favorite as a family pet. Emus like lots of love and attention. Once you meet and bond with an emu, they become very attached to you and want the love and attention that you can give them. I bought and received a book from Amazon titled Emu-Emus as pets. It covers emus keeping, care, housing, interaction, diet and health. I am 59 years old, divorced and live alone. I would prefer a female emu as I feel that a female would be more receptive of me than a male would. I also would gladly accept the challenge of caring for an abused female emu that's been kept in captivity by someone else. I would greatly appreciate it if you would take this proposal to heart and consider approving it. Thank you for your time and patience.

PROPOSED BY: Gary Royal Morrill (EG-F20-022)

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PROPOSAL 144

5 AAC 92.029. Permit for possessing live game.

Exempt "sterilized community cats" from the list of species prohibited form being released into the wild as follows:

This proposal is a request to change Alaska Administrative Code Number **5 AAC 92.029, Permit for Possessing Live Game** (http://www.legis.state.ak.us/basis/aac.asp#5.92.029). Specifically, I am requesting that **5 AAC 92.029** be changed to exempt "sterilized community cats" (under Cats/Felis catus) from the list of species who 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:

Common Name	**Scientific Name**
Dog	Canis familiaris
Cat	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.

…

According to the current regulation, Section (i) it is stated that the board will remove a species from the list in (b) of this section, if there is a preponderance of evidence that the species:

(1) is capable of surviving in the wild in Alaska;

(2) is capable of causing a genetic alteration of a species that is indigenous to Alaska;

(3) is capable of causing a significant reduction in the population of a species that is indigenous to Alaska;

(4) is capable of transmitting a disease to a species that is indigenous to Alaska;

(5) otherwise presents a threat to the health or population of a species that is indigenous to Alaska;

(6) is captured from the wild for use as a pet;

(7) presents a conservation concern in the species' native habitat outside of this state;

(8) cannot be reasonably maintained in good health in private ownership; or

(9) presents a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals.

Based upon this section, there is evidence to suggest that cats: (1) is (are) capable of surviving in the wild in Alaska and (6) is captured from the wild for use as a pet.

What is the issue you would like the board to address and why? My name is Shannon Basner, a constituent living in Anchorage and I am submitting this proposal to the Alaska Board of Game. 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 25 years collectively. I am also the founder of Mojo's Hope, a nonprofit organization that rescues, rehabilitates, and re-homes animals with special needs, and provides a loving, peaceful environment through our PAWspice program for those who may be at the end of their life (http://mojoshope.org/); Alaska Kitty Advocacy Awareness Adoption Tails (KAAATs), a non-profit organization that promotes advocacy, awareness, and adoptions of cats (http://www.pawprintshowlsandpurrs.org/alaska-s-kaaats); and Paw-Prints, Howls and Purrs, a purrtography business

(http://www.pawprintshowlsandpurrs.org/, specializing in cat photography). In addition, I am an Associate Certified Cat Behavior Consultant through The International Association of Animal Behavior Consultants specializing in cats with specific behavior needs, such as being fearful, shy, introverted or unsocialized primarily in the shelter or foster environment, with the goal of shaping behaviors so animals are comfortable with themselves, their new environments and if possible, potential adopters. I am also certified as a Pet Loss and Bereavement Counselor through the Association for Pet Loss and Bereavement.

Local Community Cat Information:

Over the past several years, we have monitored the website for Anchorage Animal Care and Control (AACC). AACC is the only open admissions shelter in the Anchorage municipality and the place most people bring cats they have trapped. The actual number of stray cats without a live outcome is not exact due to lack of transparency of the local AACC. We have offered guidance and support for the community regarding trapping, but we are bound by the current regulation. The muni website provides us with the location of the cats being trapped and we follow the outcome to the best of our ability. While this is just a snapshot into the number of community cats in our community, indications are many are coming from the same area of town in clusters and do not have a live outcome. Typically they fail their behavioral evaluation, which would be avoided if this regulation was lifted. These cats are able to thrive outdoors, but are caught by people who may not have an understanding of how to truly help them. There is strong evidence to show, with time and thorough rehabilitation, they can also be adopted into wonderful homes.

The following data has been collected over the past seven months. I am unable to track all of the incoming cats, but I collected what I could from the AACC website based upon the area of town and the number of incoming cats . The number of cats euthanized for behavior is very high and could have been avoided if the regulation was lifted.

Anchorage Animal Care and Control (AACC) cat collection intake and animal outcomes:

AACC Running List of Cats			
157367	adopted	253564	adopted
251137	euthanized-b	253601	adopted
251138	euthanized-b	253602	adopted
251227	returned to owner	253603	adopted
198263	adopted	253699	euthanized-b
251136	euthanized-b	253716	euthanized-b
251280	adopted	253722	euthanized-b
251281	adopted	253726	euthanized-b
		215667	claimed
251339	adopted	253753	available
251359	euthanized-medical	254449	euthanized-b
251371	euthanized-b	254459	not-evaluated
251376	euthanized-b	254450	euthanized-b
251383	euthanized URI	Twinkle	euthanized-b
251508	euthanized	254508	euthanized-b
251853	Simon got adopted 10/9/19 came from Tudor and Arctic	254481	euthanized-b
251860	euthanized-b	254581	euthanized-b
251885	euthanized uri	254618	euthanized-b
251886	euthanized-b	106487	claimed
251889	euthanized-disease	254468	euthanized-m
251890	euthanized-disease	254625	euthanized-b
251891	euthanized URI	254628	euthanized-b
251894	euthanized-medical	254647	euthanized-b
251895	euthanized-medical	254673	adoption
251897	euthanized-URI	254674	euthanized-b
251969	euthanized-URI	254692	euthanized-b
251970	euthanized-B	254693	euthanized-b
251974	euthanized-b	254694	adopted
251976	adopted	254696	adopted
251979	euthanized URI	254763	euthanized-b

252169	claimed	254765	euthanized-b
252182	claimed	254843	euthanized-m
252186	euthanized-b	254844	adopted
252201	euthanized-b	254902	euthanized-b
252284	euthanized-b	254925	euthanized-b
252302	claimed	254956	claimed
252331	euthanized-b	254961	euthanized-b
252362	euthanized-b	254973	adopted: Pepper
252388	euthanized-b	254975	euthanized-b
252410	euthanized-b	255001	adopted
252431	euthanized-b	255018	adopted
252504	euthanized-b	255019	euthanized-b
252577	euthanized-b	255074	euthanized-b
252587	9/10/2019-euthanized b	255885	euthanized-m
252588	9/10/2019-euthanized-b		
252723	9/10/2019-euthanized-b		
252756	adopted		
252865	euthanized-b		
252933	euthanized-b		
252979	adopted		
253179	found report		
253192	euthanized-b		
253219	euthanized-b		
253220	euthanized-b		
253262	euthanized-b		
253543	adopted		
253559	euthanized-b		
253568	euthanized-b		
253699	euthanized-b		
253716	euthanized-b		
253722	euthanized-b		
253726	euthanized-b		

Working with AACC, Mojo's Hope has helped rescue, rehabilitate, and rehome over 35 cats in one isolated area. Most of these cats were either trapped or caught, then vetted, spayed/neutered, rehabilitated, and rehomed. The others that were "friendly" on intake went to AACC to be adopted. The ones we didn't bring to the shelter would not have had a live outcome due to their extreme shy natures. Because of a positive foster home, and with time and patience, they were able to find loving homes and become a family pet.

Another rescue's efforts tracked a colony over a 15-month time period. They were initially able to trap 27 cats and in the next phase trapped the remaining 22. Out of the 49 cats trapped, two died due to illness, 20 were transferred to other rescues for adoption and 22 stayed with that rescue for vetting, spay/neuter, rehabilitation and later adoption.

In another area of town 16 cats were trapped, 15 of which were rehabilitated and adopted; one was returned to site.

Another area of town, 24 cats were trapped, all were vetted, spayed/neutered and out of the 24, 19 went up for adoption and five were returned to site.

Below is the annual data from AACC from 2017-2020. This data is available on their website. http://www.muni.org/Departments/health/Admin/animal_control/Pages/AnnualStatistics.aspx Paper copies of this data can be found at the customer service desk of AACC, but you must go into the shelter to access the information. They have monthly meetings with the community and share the data, however on their social media presence they do not share all of it . The data that AACC collects does not differentiate between strays and the owner surrenders for no live outcome.

ANCHORAGE ANIMAL CARE AND CONTROL
4711 Elmore Rd. Anchorage, Alaska 99507
(907) 343-8122

For the Month Of December, 2017

Animal Intakes And Outcomes

INTAKES	CATS	DOGS	OTHER	MONTH	YTD
Impounds	4	6	0	10	146
Protective Custody	1	7	0	8	98
Truck Stray	12	19	0	31	611
Office Stray	46	54	1	101	1896
Owner Surrendered	39	29	69	137	1398
Returned	1	2	0	3	108
Owner Request Euthanasia	6	13	0	19	263
Total Intakes	109	130	70	309	4520

OUTCOMES	CATS	DOGS	OTHER	MONTH	YTD
Adopted	96	60	50	206	2024
Claimed	6	54	0	60	1184
Owner Request Euthanasia	6	14	0	20	271
Died	0	1	0	1	36
Missing	0	0	0	0	0
Released To Wild	0	0	0	0	0
Transfer	0	0	0	0	2
Euthanized	24	6	16	46	649
Feral	0	0	0	0	11
Dead On Arrival	9	8	0	17	331
Total Outcomes	141	143	66	350	4497

	CATS	DOGS	OTHER	MONTH	YTD
Total Intakes	109	130	70	309	4520
Total Dead-On-Arrival	9	8	0	17	331
Total Live Animals Received	100	122	70	292	4189

	CATS	DOGS	OTHER	MONTH	YTD
Percent Claimed	11%	69%	0%	45%	53%
Percent Adopted	109%	109%	71%	109%	76%

ANCHORAGE ANIMAL CARE AND CONTROL

4711 Elmore Rd. Anchorage, Alaska 99507

(907) 343-8122

For the Month Of December, 2018

Animal Intakes And Outcomes

INTAKES	CATS	DOGS	OTHER	MONTH	YTD
Impounds	3	9	1	13	189
Protective Custody	0	13	0	13	92
Truck Stray	24	25	1	50	716
Office Stray	51	57	9	117	1978
Owner Surrendered	26	43	29	98	1425
Returned	2	6	0	8	122
Owner Request Euthanasia	7	17	0	24	228
Total Intakes	113	170	40	323	4750

OUTCOMES	CATS	DOGS	OTHER	MONTH	YTD
Adopted	77	61	26	164	2169
Claimed	19	78	0	97	1211
Owner Request Euthanasia	9	17	0	26	242
Died	1	0	0	1	28
Missing	0	0	0	0	0
Released To Wild	0	0	0	0	0
Transfer	0	0	0	0	0
Euthanized	28	15	18	61	772
Feral	1	0	0	1	15
Dead On Arrival	4	7	0	11	314
Total Outcomes	138	178	44	360	4736

	CATS	DOGS	OTHER	MONTH	YTD
Total Intakes	113	170	40	323	4750
Total Dead-On-Arrival	4	7	0	11	314
Total Live Animals Received	109	163	40	312	4436

	CATS	DOGS	OTHER	MONTH	YTD
Percent Claimed	26%	80%	0%	57%	49%
Percent Adopted	93%	89%	65%	91%	72%

ANCHORAGE ANIMAL CARE AND CONTROL

4711 Elmore Rd. Anchorage, Alaska 99507

(907) 343-8122

For the Month Of December, 2019

Animal Intakes And Outcomes

INTAKES	CATS	DOGS	OTHER	MONTH	YTD
Impounds	1	17	0	18	185
Protective Custody	3	3	0	6	81
Truck Stray	13	18	7	38	682
Office Stray	70	60	6	136	2358
Owner Surrendered	40	52	48	140	1499
Returned	2	4	0	6	149
Owner Request Euthanasia	7	8	0	15	214
Total Intakes	136	162	61	359	5168

OUTCOMES	CATS	DOGS	OTHER	MONTH	YTD
Adopted	76	54	49	179	2285
Claimed	18	69	0	87	1423
Owner Request Euthanasia	7	11	0	18	225
Died	6	1	1	8	40
Missing	0	0	0	0	0
Released To Wild	0	0	0	0	2
Transfer	0	0	0	0	3
Euthanized	24	15	11	50	824
Feral	1	0	0	1	12
Dead On Arrival	6	10	0	16	342
Total Outcomes	137	160	61	358	5144

	CATS	DOGS	OTHER	MONTH	YTD
Total Intakes	136	162	61	359	5168
Total Dead-On-Arrival	6	10	0	16	342
Total Live Animals Received	130	152	61	343	4826

	CATS	DOGS	OTHER	MONTH	YTD
Percent Claimed	22%	78%	0%	51%	51%
Percent Adopted	72%	70%	80%	71%	72%

Additional benefits of removing the barrier to the regulation:

By removing the current regulatory barrier we can move towards implementing Trap-Neuter-Return (TNR) programs to manage community cat populations.

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.
2. **Trap-Neuter-Return (TNR):** Cats are humanely trapped, spayed or neutered, vaccinated, ear-tipped, 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 the current Alaska Department of Fish and Game regulations allow only one option to manage them: Catch-and-Kill. Along with giving Alaska's local governments, shelters, residents, and animals a second option: Trap-Neuter-Return (TNR), cats fit the criteria for being removed from the current list under section (i) for numbers (1) and (6). The methods of catch and kill are not reducing the population and also has hindered the process of rehabilitating those with adoption possibilities.

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 country, 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 AACC 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 continues to look 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 on 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 entails humanely trapping community cats and transporting them to a veterinary clinic where they are spayed or neutered, vaccinated, and ear-tipped, which involves removing the tip of the cat's left ear, indicating he or she has been sterilized and vaccinated. Based on an assessment by the veterinary team and a cat behaviorist, healthy feral cats are then returned to their outdoor home and healthy socialized cats are brought to the local open admissions shelter or one of the local rescue groups for rehabilitation and adoption. We will work to educate the community about these community cats and respond to questions about the program and the cats. Our goal is to help the community cats of Anchorage 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.

Further Benefits 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 increase 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 and volunteers. 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 worker's compensation claims.

<u>TNR benefits local communities by:</u>

- 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.

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 cats fit the criteria for items (1) and (6) in section (i) and that 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.

CASE STUDIES OF SUCCESSFUL TNR PROGRAMS

Below are examples of communities across the country that have been transformed by Trap-Neuter-Return (TNR) programs!

[xviii] [xix]

ALBUQUERQUE, NEW MEXICO

When Jim Ludwick joined the city's Animal Welfare Department in 2007, he realized several thousand cats were being euthanized each year without any evidence it successfully controlled the community cat population. Per Ludwick, "It was adding to crowding in our catteries, at a time when crowding was a major contributing factor in the suffering and death of domestic, adoptable house cats at the shelters." In 2008, the city began covering the cost for community cat spay and neuter at clinics organized by New Mexico Animal Friends, a local nonprofit organization. Four years later, Ludwick reported that the shelter's intake of cats was down 24 percent and the euthanasia rate for cats was down 72 percent. As of July 2016, the city's animal intake is down from more than 27,000 nearly a decade ago, to less than 18,000 now.

[xx]

ARLINGTON, VIRGINIA

In 2009, Arlington County approved a countywide TNR program. The decision came after years of trapping and killing community cats resulted in a continued increase of cat populations, nuisance calls, and euthanasia rates. The shelter performed spay and neuter surgeries at no cost to the public, started a foster kitten program, loaned humane traps for TNR, organized community training workshops, and stopped euthanizing feral cats. Six years later, cat-related nuisance complaints decreased 94 percent, total cat intake decreased 30 percent, and total cat euthanasia decreased 73 percent. Shelter staff morale improved and animal control officers developed positive relationships with community cat caregivers. Susan Sherman, COO of the Animal Welfare League of Arlington, the county's animal control shelter, says, "I have been surprised that almost every resident who has complained about feral cats has chosen to participate in TNR once they understand it."

[xxi]

BUCKS COUNTY, PENNSYLVANIA

In late 2015, the Bucks County Municipal Government brought in animal organizations Animal Lifeline and Red Rover to initiate a TNR program in Core Creek Park, where a population of nearly 500 community cats lived. The goal was to achieve zero cats in 10 years. Animal Lifeline and Red Rover united officials, shelters, rescues, donors, and volunteers for a TNR effort that began in April 2016. Within 10 days of the start of the program, 465 cats and kittens were trapped and spayed or neutered. Over half of those were found to be adoptable, and the 169 cats who were returned to the park now live in a safe environment with trained caregivers. The project also put in place strict measures to prevent additional cats from being abandoned in Core Creek Park. Since the 10-day TNR program ended, only one new cat and a few kittens have been found in the park. Over 80 percent of the park's cats are estimated to have been neutered, which means the colony numbers will decline. The Core Creek Park project shows that even large-scale TNR can be done over a short time period.

Appendix

The appendix. references, and additional information submitted with the proposal are available on the Board' proposal book webpage at www.adfg.alaska.gov/index.cfm?adfg=gameboard.proposalbook or by contacting the ADF&G Boards Support Section at 465-6046.

PROPOSED BY: Shannon Basner (HQ-F20-029)

****

PROPOSAL 145

5 AAC 92.029. Permit for possessing live game.
5 AAC 92.230. Feeding of game.
5 AAC 92.990. Definitions.

Classify *F. catus* as deleterious exotic wildlife and prohibit their release into the wild, feeding, and maintaining unconfined populations as follows:

PROPOSAL: (Revision of former 'Proposal 63', submitted before Alaska Board of Game, November 2017, Anchorage, AK)–**ref.** 5 AAC 92.029--permit for possessing live game; 5 AAC 92.230--prohibition against releasing pets; 5 AAC 92.029 (b), (d), (h), 5 AAC 92.990 (21), Alaska Statute 16.05.940--restrictions for and definition of "*game*" and "*deleterious exotic wildlife*":

(1) Add language to 5 AAC 92.029 (b) which specifically prohibits release of domesticated cats (*Felis catus*) into wild, rural and urban environments for any reason in the state of Alaska.

(2) Add language to 5 AAC 92.029 which specifically and by name prohibits maintaining any unconfined population or individuals of *F. catus* under the aegis of "*trap-neuter-release*", "*trap-neuter-vaccinate-release*", "*return-to-field*" or other so-called "no-kill" practices predicated on trapping, providing veterinary treatment for and then releasing stray/feral cats outdoors anywhere in the State of Alaska.

(3) Add language to 5 AAC 92.230 which specifically prohibits feeding unconfined *F. catus* or aggregations of same anywhere in the State of Alaska.

(4) Add language to 5 AAC 92.230 which prohibits Alaskan animal control agencies from placing *F. catus* with members of any organization practicing "no-kill" management schemes, including those which maintain unconfined *F. catus* on their own properties and/or distribute "barn cats" or "working cats" to farms or businesses ostensibly for "rodent control".

(5) Specifically prohibit keeping or maintaining unconfined/unrestrained *F. catus*--regardless of 'owned' status or lack thereof--on either public or private property in wild, rural or urban environments for any reason in the State of Alaska per 5 AAC 92.029 (b) and 5 AAC 92.230; add language specifically requiring all specimens of *F. catus* only be allowed outdoors under direct owner control, e.g. in escape-proof enclosures or restrained on leashes per 5 AAC 92.029 (d) (1).

(6) To classify all specimens of *F. catus* as deleterious exotic wildlife per definitions and relevant restrictions outlined in 5 AAC 92.990 (21), 5 AAC 92.029 (b), (d), (h) and AS 16.05.940.

What is the issue you would like the board to address and why? On March 15th, 2018 the Western Governors Association, which represents 22 US states and--at the time--included former Alaska Governor Bill Walker, ranked feral cats (*Felis catus*) among the five most deleterious invasive species established in our western states. Authors of the above proposal herein respectfully submit this determination constitutes a long-overdue precedent for providing an effective remedy--indeed the *only* effective remedy--to the stray/feral cat overpopulation scourge, which presents a dire threat to both public health and biodiversity.

We note the Board of Game has previously classified the following domesticated, semi-domesticated and/or wild species as deleterious exotic wildlife: domestic dogs (*Canis familiaris*), European rabbits (*Oryctolagus cuniculus*), ferrets (*Mustela putorius*), raccoons (*Procyon lotor*), turkeys (*Meleagris gallopavo*), African hedgehogs (*Antelerix* spp.), Norwegian rats (*Rattus norvegicus*) and house mice (*Mus musculus*). Its status as a "pet" notwithstanding, *F. catus* is far more destructive to naturally-occurring fauna than other terrestrial species currently included on the deleterious exotic wildlife list, many of which are likewise regarded and kept as 'pets'.

Such animals are termed "game" per 5 AAC 92.029 (d) and AS 16.05.940. This term includes feral domesticated animals. A game animal defined as deleterious exotic wildlife is *feral* if the animal is not under direct control of the owner, not confined in a cage or other physical structure, or not restrained on a leash; per 5 AAC 92.029 (i) such an animal may NOT be released--even temporarily--anywhere in the State of Alaska if there is a preponderance of evidence indicating the species:

(1) is capable of surviving in the wild in Alaska;

(2) is capable of causing a genetic alteration of a species that is indigenous to Alaska;

(3) is capable of causing a significant reduction in the population of a species that is indigenous to Alaska;

(4) is capable of transmitting a disease to a species that is indigenous to Alaska;

(5) otherwise presents a threat to the health or population of a species that is indigenous to Alaska;

(6) is captured from the wild for use as a pet;

(7) presents a conservation concern to the species' native habitat outside of this state;

(8) cannot reasonably be maintained in good health in private ownership; and

(9) presents a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences for captive animals.

Items (1) and (3)-(5) from the above list clearly disqualify *F. catus* from being considered a species suitable for even temporary release into the wild, and just as clearly qualify them for designation as "deleterious exotic wildlife". Authors emphasize this qualification and proposed designation apply to the species *F. catus*--'owned' or 'un-owned'. We predicate this argument on:

(1) ***F. catus*** **is capable of surviving in the wild in Alaska.** In 2016 the Mat Su Borough animal shelter euthanized 364 feral cats--on average one a day. Shelter staff warned the numbers were increasing. The Borough has by law prohibited outdoor cats unless they're restrained on leashes or held in enclosures.

Feral cat populations have existed for many years in Anchorage, Wasilla, Soldatna, Kenai, Homer, Houston, Bethel, North Pole, Unalaska, Wrangell and Ketchikan, to name but a few locations.

Private 'cat-rescue' organizations such as 'Loving Companions Animal Rescue' (North Pole) and 'St. Francis Animal Rescue' (Wrangell) feed and maintain unconfined feral cat 'colonies' on their properties, which is unlawful per 5 AAC 92.230, per which maintaining and feeding unconfined 'pet' species, *even on one's own property* is prohibited (authors' *emphasis*). The former group has been doing so for 15 years, and the latter claims to have 'rescued' 467 abandoned and/or feral cats in the last four years. Disposition was either 'adoption' or release onto their properties. One of the authors (FHM) verified the above from the organizations' websites and with organization spokespersons in February 2019. https://www.adfg.alaska.gov/index.cfm?adfg=pets.releasing

Since at least 2013 Wasilla-based 'Clear Creek Cat Rescue' has argued that "*...cats need and have a right to the outside as much as humans or dogs...and to enjoy the wonders of the natural world.*" https://clearcreekcatrescue.org/about/

Prior to 2017 this group openly declared on their website they fed and kept unconfined feeding aggregations of cats (so-called 'colonies') in the Mat-Su Valley. Since the Alaska Board of Game ruling against legalizing such colonies in 2017, the group no longer publicly admits this. However, they still admit to placing so-called 'barn cats' in southcentral Alaska and the Kenai Peninsula. On their website they describe this process as follows:

"*An adopter of barn cats will need to provide...food and water...each day, as well as shelter...They will also need to be provided with health care... In exchange for these essentials, the cats will help control the rodent population in the adopter's barns, outbuildings, gardens and around homes.*

In most cases we offer barn cats in pairs or multiples where they have a support system...With a friendly group or companion, the cats are more likely to remain at their new home...we bring them to your home and get them set up for a 'settling in' period that will last 2 or 3 weeks. During this time they are kept in an enclosed area--tack room, garage, shed or a cage if...warm enough. They must be provided food, water and litter...until they are adjusted to the new place...after that time the door of the enclosure is opened and they are allowed to roam in and out until...settled" (authors' *emphasis*).

It's mentioned in passing that *F. catus* are non-hierarchical and do not form 'colonies'. What groups such as Clear Creek Cat Rescue inflict on our environment and communities are human-subsidized feeding aggregations--without feeding cats will disperse into the environment.

Obviously Clear Creek Cat Rescue distributes feral cats with the intention of their being fed and maintained *unconfined* in our rural communities, and has been doing so for years. This is just as obviously in violation of 5 AAC.92.029 and 5 AAC 92.230. https://clearcreekcatrescue.org/barn-cat-project/,

The group describes itself as 'non-shelter', but claims to 'rescue and rehome' 500 stray, feral and 'lost' cats *annually*. In March 2019 Clear Creek Cat Rescue's founder verbally admitted to one of the authors (FHM) via telephone her group still released 'barn cats' in rural south-central Alaska and the Kenai Peninsula. When advised this was illegal she hung up.

Anchorage-based rescue group 'Mojo's Hope'/'KAAATS' have likewise admitted online to feeding and harboring illegal cat 'colonies', and declared their intention to *continue* doing so. The group's president most recently stated this online on 11/17/17, the same day the Alaska Board of Game unanimously rejected her group's proposal to allow exemptions to 5 AAC 92.029 to accommodate trap-neuter-release (TNR). She posted that the group had removed their illegal 'colonies' to undisclosed locations. Since then the group has apparently deleted all mention of this from their website.

Conclusion: invasive felines have persisted unconfined in Alaska since at least the 19th century, and probably arrived much earlier with Russian settlers. Local 'animal rescue' groups currently enable and perpetuate this in defiance of Alaska Administrative Code and state law. They essentially function as permit-less 'cat ranchers' on both public and private land in Alaska.

(3) ***F. catus*** **is capable of causing significant population reductions of native species.** Scott R. Loss and Peter P. Marra, both of the Smithsonian Institute's Migratory Bird Conservation Center and National Zoological Garden, and Tom Will of the US Fish & Wildlife Service's Division of Migratory Birds released in 2013 a systematic review of 84 cat predation rate studies from the lower 48 US states and found that cat predation may constitute the single greatest cause of anthropogenic bird and small mammal mortality in the US. Their results indicated that unconfined cats--both "owned" and "unowned"--slaughter on average 2.7 billion (range 1.3-4.0 billion) wild birds and 14.3 billion (range 6.3 to 22.3 billion) mammals in the US each and every year.

This and subsequent studies by these and other researchers have found that invasive feline predation is a greater cause of bird mortality than wind-turbine, power line, building, window and auto collisions, open oil container/oil-spill entrapment, agricultural toxins and hunting--*combined*. USFWS estimates current wild bird populations at ~10 billion. This estimate more-or-less doubles during peak migration season (which is for most species also peak breeding season). Cats take from 15% to 33% of the US wild bird population annually. This is tantamount to each cohort (or 'year-class') of fledglings launching themselves from their nests directly into cat gullets.
https://www.nature.com/articles/ncomms2380

Authors noted during the November 2017 Board of Game meeting some board members' comments that scientific data presented by opponents and proponents of TNR offered "conflicting

scientific reports" in support of their respective arguments. Respectfully, this was not the case--the only *scientific* data was presented by opponents of (pro-TNR) Proposition 62.

Proposition 62 authors offered--at best--misrepresentation of three peer-reviewed studies which did not in fact support their position, and at worst outright propaganda from well-funded "nonprofit" feral cat-advocate groups which demonstrated no regard for accuracy and was predicated on no viable data. Two groups in particular--"Animal Best Friends Society" and "Alley Cat Allies"--had previously initiated science-denial campaigns attacking Loss, Will and Marra's findings, mostly via social media. The primary writers of these were P. J. Wolf and G. J. Matthews.

In June of 2018 Loss, Will, Marra and Longcore published point-by-point refutations of these groups' criticisms. To date neither Wolf, Matthews nor their respective sponsors have publicly responded to the authors' defense of their work, but have simply continued to repeat the same misinformation they've promulgated since release of the original study.
https://www.researchgate.net/publication/326379872_Responding_to_misinformation_and_criticisms_regarding_United_States_cat_predation_estimates

Nor is theirs the only such study demonstrating the ecological devastation caused by domestic cat predation. Similar findings have been outlined in studies published in the US, Canada, Mexico, UK, Australia, New Zealand, Israel, South Africa, Oceania, the Caribbean and elsewhere. Feral cat proliferation has become a dire threat to Australia's unique and irreplaceable wild fauna. John C. Z. Woinarski, B. P. Murphy et al released in June of 2018 a meta-analysis of 80 separate studies involving data garnered from stomach content analyses of ten thousand feral cats. From this data he found that feral cats slaughter 1.8 million native Australian reptiles each and every *day*. This carnage cuts a swath across 25% of Australia's more than 1,000 described reptile species.
Note that this toll is only attributable to *feral* cats--it doesn't count predation by the ~ 4 million unconfined 'pet' cats in Australia, which were estimated to take an additional 53 million reptiles annually. Such needless destruction of wildlife is inexcusable, unnecessary and above all unsustainable.https://thylation.com/wp-content/uploads/2018/12/WR17160-Cats-eat-reptiles.pdf

Authors are unaware of any specific studies of cat predation of wild species in Alaska. Yet we see no reason to expect, given the preponderance of data demonstrating invasive cats' global impacts on naturally-occurring wildlife assemblages, that the growing presence of this invasive species in Alaska will prove any less deleterious to our state's native wildlife.

Firstly, many of the migratory avian species which spend much of their yearly life cycles in Alaska have been shown to undergo significant cat-engendered population declines elsewhere in North America. Indeed, current estimates for all native North American bird species together are *one-third* what they were three decades ago.

Hence invasive cats deplete Alaskan bird populations even if much of the actual killing occurs in the lower 48 states (or beyond). Secondly, the board has in the past demonstrated due diligence by placing other species on the deleterious exotic wildlife list because of their known destructive impacts elsewhere--and rightly so.

An example is the Eurasian ferret, or polecat (*M. putorious*). Ferrets are popular pets in many regions, and were in fact domesticated in the Old World for rodent control long before cats were; nonetheless they, along with *F. catus*, are primarily responsible for the extinction of half of New

Zealand's endemic bird species, and remain an egregious threat not only to that country's surviving birds, but to nearly all of its more than 60 indigenous reptile and amphibian species, status of most of which ranges from 'threatened' to 'critically endangered'. In light of such destructive history, it hardly seems necessary to require a local study to justify placing ferrets--and even more so *cats*--on the Deleterious Exotic Wildlife List.

(4) ***F. catus*** **is capable of transmitting a disease to a species that is indigenous to Alaska**

F. catus transmits the following zoonotic diseases to other species, including taxa which naturally occur in Alaska.

Rabies: All mammals are susceptible to the rabies virus, although some taxa such as rodents only rarely become infected and almost never transmit it. Rabid caribou, little brown and Keen's myotis bats, Arctic and red foxes, wolves, domestic dogs and polar bears have been documented in the State of Alaska. Rabid black bears (*Ursus americanus*) have been recorded in Canada, and coyotes (*Canis latrans*)--the range of which has expanded into Alaska--have been documented rabid in Canada and the lower 48 states.

The primary wild rabies vectors in Alaska appear to be Arctic and red foxes. Endemic or "native" strains of the virus--including a self-maintaining strain in Arctic foxes (*Alopex lagopus*) which apparently doesn't kill its hosts--occurs in Alaska's north and west coastal regions, including the Aleutian Chain. Non-native strain(s) dominate in the Alaskan interior, including the Fairbanks area, where the primary vectors are invasive red foxes (*Vulpes vulpes*). Further, studies have postulated climate change may affect rabies' ecological niche in Alaska--a Scandinavian study found positive correlation between rabies incidence and increasing temperatures, and generated a model that predicted reduction of endemic Arctic strains and increase of non-endemic strains.
https://tandfonline.com/doi/pdf/10.1080/22423982.2018.1475185

Enter feral cats. Outside Alaska red foxes and other wild vectors, including raccoons and skunks, have been shown to readily transmit rabies to feral cats, and vice-versa. Today cats are the leading domesticated vectors of the rabies virus in the US. They have been the source of one-third of annual human rabies exposures--that's ~13,000 human exposures each and every year--for the last three decades. Without treatment, rabies is almost invariably fatal:
https://www.documentcloud.org/documents/681002-zoonotic-diseases-associated-with-free-roaming.html

Toxoplasmosis

Cats are the definitive host of a highly dangerous pathogenic protozoan—*Toxoplasma gondii*—which sexually reproduces exclusively in feline digestive tracts. In the US between 40% and 70% of free-roaming cats are infected with it and can be reinfected throughout their lives, usually by consuming infected rodents (secondary hosts).

From 15% to 20% of the US human population is also infected, and ~750 fatalities from this pathogen occur each year. Toxoplasmosis is per the CDC also the leading cause of pathogenic blindness. It is particularly dangerous to pregnant women and unborn fetuses, causing ~190,000 stillbirths, blind-births and other serious birth defects in the US annually.

https://www.academia.edu/24189429/Toxoplasma_gondii_in_Circumpolar_People_and_Wildlife

https://www.sciencemag.org/news/2019/04/scientists-decry-usdas-decision-end-cat-parasite-research

The pathogen's oocysts are its infectious agents, and infected cats shed hundreds of millions of them with their feces. *Only* cats shed the oocysts; the single exception is dogs which ingest feces from *T. gondii*-infected cats.

The oocysts persist and remain infectious for up to 1.5 years on land, and 4.5 years in water (including seawater). With an average feral cat population growth rate of ~38 million annually in North America, *T. gondii* oocysts now occur in our environment at densities of from three to 434 per square foot. They are capable of infecting and utilizing any warm-blooded animal, including humans, as secondary hosts. Infection is permanent, even if symptoms don't immediately manifest. Toxoplasmosis is killing thousands of marine mammals from Arctic Canada to New Zealand and from the California coast to the North Sea.
https://www.researchgate.net/publication/236608342_Detection_of_Toxoplasma_gondii_in_environmental_matrices_water_soil_fruits_and_vegetables

Both Atlantic and Pacific beluga (*Delphinapterus leucas*) populations are succumbing to the pathogen--a 2014 outbreak of congenital toxoplasmosis-induced stillbirths, birth defects and chronic miscarriages among Inuit women in western British Columbia was caused by consumption of infected beluga. Between 2009-2012, toxoplasmosis killed more than ten beluga a year off Quebec:https://news.ubc.ca/2014/02/13/bigthaw/

Canadian researchers found that sea-ice retreat due to climate change has apparently enabled T. gondii oocysts to spread into waters from which they were formerly absent, and advocate ongoing toxoplasmosis screening of beluga and seal meat prior to consumption. Their studies also cited the human-assisted proliferation of domestic cats, with resulting feces-contaminated runoff from unprecedented numbers of cats causing toxoplasmosis-induced marine mammal deaths--either directly or from strandings.
https://pressfrom.info/ca/news/canada/-98482-belugas-infected-with-cat-parasite-study.html
https://www.academia.edu/24189429/Toxoplasma_gondii_in_Circumpolar_People_and_Wildlife?email_work_card=view-paper

Further studies indicated *T. gondii* oocysts from feces-contaminated runoff accumulate in sessile filter-feeding organisms such as geoduck clams, mussels and oysters, as well as in those which feed in the water column like herring, anchovies and sardines. They postulated this was the route whereby toxoplasmosis is causing marine mammal die-offs. However, more recent studies suggest aquatic organisms ingest oocysts directly from water, macro-algae and substrates in their contaminated habitat, and that this may be the primary means of marine mammal infection. In any event the proliferation of *T. gondii* oocysts in Alaska's inshore marine environment poses a threat not only to our State's marine mammals, but to Alaskans who harvest them for subsistence.
https://cfpub.epa.gov/si/si_public_record_report.cfm?Lab=NERL&dirEntryId=213670

Nor is it necessary to consume seal or whale, or even raw shellfish, to contract toxoplasmosis. Sheep, both wild and domesticated, are particularly susceptible to toxoplasmosis--this frequently manifests as chronic miscarriage/abortion in ewes, usually followed by barrenness. Toxoplasmosis is so prevalent among domesticated sheep, women are cautioned to avoid contact with them if

pregnant. The risk to human females is likewise chronic miscarriage/abortion, barrenness, stillbirths and serious birth defects in fetuses carried full-term.

Recent studies found as much as 66% of Ohio's white-tailed deer population is infected with toxoplasmosis. This is almost *entirely* from unconfined *F. catus* feces-contaminated browsing areas. Except for the bobcat (*Lynx rufus*) Ohio's native cats are extinct. Bobcat numbers there are minuscule compared to those of domestic cats, thus representing negligible contribution to this disease's prevalence among white-tailed deer. An equally alarming situation exists in Illinois, where ten Canadian hunters contracted toxoplasmosis from consuming deer they shot on a hunting trip there last December. Canadian authorities now warn against consuming deer harvested in Illinois. Toxoplasmosis is also sexually transmissible from infected males to their partners.

https://montrealgazette.com/news/local-news/quebec-outbreak-of-toxoplasmosis-linked-to-undercooked-venison?fbclid=IwAR3mh6xoA72ZFk8O_AoVVY-IQmx14dd792BJyCB0dKQu_KtAZv9DtaffRg0

Although *T. gondii* oocyst density in Alaska is probably less than in the lower '48—if for no other reasons than our colder climate and relatively lower human--and therefore cat--populations, toxoplasmosis has persisted and appears to be gaining ground in the north and is infecting a variety of mammalian and avian species.

Toxoplasmosis represents a significant food safety hazard for Alaskans, among whom subsistence hunting is greater per capita than further south. A pregnant woman in Anchorage consumed toxoplasmosis-infected flesh from a moose her husband shot in October 2013, and passed *T. gondii* oocysts to her unborn child, who nearly died. At birth the infant presented with a 200 bpm heart rate and organ cavities filled with lymphocyte fluids. Thanks to heroic measures the child was stabilized, but he remains at risk of partial or complete blindness as well as hearing loss, cardiac, respiratory and seizure disorders. He will in any event be infected for life. 80% of newborns who congenitally contract toxoplasmosis will manifest usually severe symptoms within months, or years, of birth.

https://www.adn.com/alaska-news/article/link-found-between-moose-meat-and-unborn-babys-infection/2013/10/11/

The following is a partial list of nearctic species in which toxoplasmosis has been documented--those marked with an asterisk (*) have been recorded in Alaska. Others were from extralimital populations of species which also occur in Alaska, most documented in Arctic Canada: moose (*Alces alces*)*, caribou (*Rangifer tarandus*), musk ox (*Ovibos moschatus*), humpback whale (*Megaptera novaeangliae*), Risso's dolphin (*Grampius griseus*), beluga (*D. leucas*), killer whales (*Orcinus orca*), narwhal (*Monodon monoceros*), fin whale (*Balaenoptera physalus*), Minke whale (*B. acutorostrata*), Arctic foxes (*A. lagopus*)*, red foxes (*V. vulpes*), gray wolves (*Canis lupus*), black bears (*U. americanus*)*, brown bears (*U. arctos*)*, polar bears (*U. maritimus*), bearded seals (*Erignathus barbatus*)*, spotted seals (*Phoca largha*)*, ringed seals (*P. hispida*)*, harbor seals (*P. vitulina*), northern fur seals (*Callorhinus ursinus*), elephant seals (*Mirounga augustirostris*), Stellar's sealions (*Umetopias jumatus*)*, walrus (*Odobenus rosmarus*)*, wolverines (*Gulo gulo*), mink (*Neovison vison*), river otters (*Lutra canadensis*) and sea otters (*Enhydra lutris*)*.

We again emphasize this is a *partial* list of Alaskan mammals in which toxoplasmosis has been found--nearly all warm-blooded vertebrates are susceptible to toxoplasmosis, with carnivores being particularly vulnerable. However, as previously shown herbivores also become infected by browsing *T. gondii* oocyst-contaminated areas and/or drinking contaminated water. Wild mink have ingested the oocysts directly from water in their habitat and become infected, and farmed mink from contaminated meat/offal used as feed.

The pathogen is increasingly prevalent in Nearctic wildlife--in Saskatchewan, 60% of Arctic foxes are seropositive. Infection among Canadian polar bears has doubled in the last decade to where 46% are now seropositive. In Minnesota 52% of wolves (reestablished from Alaskan stock) and 45% of river otters are infected, as are 52% of California's southern sea otter population. The latter have incurred mass die-offs from toxoplasmosis.

By no means have all Alaska's native species been tested for toxoplasmosis--the CDC refers to toxoplasmosis as a 'neglected' parasitic infection even with respect to humans. Example, authors could find no research mentioning toxoplasmosis in martens (*Martes americana*). Yet martens are commercially trapped in Alaska more than any other furbearer, and their diet is almost exclusively rodents. This strongly suggests martins may serve as secondary *T. gondii* hosts. It is an obvious--and *serious*--potential health concern for fur trappers.

All studies reviewed in preparation for this proposal documented *acute* cases of toxoplasmosis--most were fatal to the animals sampled. Said studies also included observations concerning the public health significance of toxoplasmosis in northern regions--one 1974 study found 28% of n = 1,572 Native Alaskans tested positive for toxoplasmosis antibodies. This was thought to reflect the *high percentage of families with cats* in the sampled villages; incidence of infection in targeted subsistence species was not measured in that study (see second link below). A more recent (2009) study in Nunavek, Canada found 60% of the Inuit population was seropositive for toxoplasmosis. This was attributed to harvesting/ingesting toxoplasmosis-infected terrestrial and marine mammals and waterfowl for food.

https://www.researchgate.net/publication/14608928_Serologic_survey_of_Toxoplasma_gondii_in_grizzly_bears_Ursus_arctos_and_black_bears_Ursus_americanus_from_Alaska_1988_to_1991

https://www.researchgate.net/publication/12362457_Prevalence_of_Toxoplasma_gondii_Antibodies_in_Muskox_Ovibos_moschatus_Sera_from_Northern_Canada

http://www.epi.alaska.gov/bulletins/docs/b2005_07.pdf

The worst recorded toxoplasmosis outbreak in North American history occurred in 1995. The source was Humpback Reservoir, which serves as the Victoria, BC municipal water supply. Intake filter mesh did not exclude *T. gondii* oocysts, and chlorination at levels used in drinking water do not kill them. The result was 110 acute cases in the first nine months of 1995, including 42 pregnant women, 11 newborns and at least seven cases of toxoplasmosis-induced ocular lesions. Ultimately as many as 7,000 Canadians suffered (mostly) acute infections. The life history of the pathogen with respect to its asexual reproduction in secondary hosts suggest ultimately all, or nearly all, will manifest acute infections/disease.

Victoria has what the BC SPCA admits is an "enormous" stray/feral cat population. There are numerous feral cat 'colonies'--by definition this means someone is *feeding* them--with some colonies having up to 200 cats. In adjacent Surrey, cat advocates estimate there are 20,000 unconfined cats.

https://www.cdc.gov/mmwr/PDF/International/e-2118.pdf

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC106314/

Of particular concern in light of the above is the threat *T. gondii* poses to drinking water supplies in rural Alaska--chlorination of these water sources is frequently as low as 0.02 ppm--insufficient to kill oocysts--and overall state of rural water treatment facilities maintenance is, if anything, worse than that of Victoria, BC a quarter-century ago.

Authors have so far mentioned only two of at least 70 cat-vectored zoonotic diseases. "Zoonotic" is defined herein as diseases transmissible between different animal species, including humans:

Flea-born typhus (*Rickettsia typhii*)--in May 2018 a case of cat-vectored *R. typhii* was reported in San Diego Co., CA. It has since become an outbreak, spreading to and through Riverside and Los Angeles counties. Hundreds of cases have been reported. In Los Angeles typhus-carrying fleas have infected Los Angeles City Hall personnel, causing temporary closure of some offices;

R. felis--another form of cat-vectored typhus which may be transmitted from them to humans and other animals by ticks, true bugs, lice, mosquitoes and other blood-sucking arthropods--it can cause infections serious enough to require emergency medical intervention;

Bartonella henselae and ***Afipia felis*** are both etiological agents of "cat-scratch disease"--the latter less common than the former. Transmitted by cat scratches or bites. Immunocompromised individuals are vulnerable to potentially lethal systemic complications. Infections have sometimes been misdiagnosed as adult-onset schizophrenia;

Pasteurella motocida--an oral bacterium in 70%-90% of cats, and transmitted through their bites. Systemic infections can be serious and cause cardiovascular damage. Cat bite wounds are frequently deep, which facilitates sepsis. Elderly people and recipients of immunosuppressive therapy are particularly vulnerable;

Toxocara catii (e.g. toxocariasis, or larval migrans)--is a parasitic roundworm transmitted through contact with cat feces, causing potentially serious infections of central nervous system, ocular and renal tissues. Young children are particularly vulnerable and may be subject to developmental disability and blindness. P. J. Hotez, Dean of the Tropical Disease Institute at Baylor College of Medicine, states one-third of black American children living in low-income communities are infected. CDC recognizes toxocariasis as another 'neglected' disease;

Giardiasis (*Giardia lamblia*)--likewise transmitted via contaminated feces from Felids to Canids, Ovines and humans--and vice-versa. Transmissible to wildlife to the extent it can be contracted from drinking feces-contaminated water in seemingly 'pristine' areas. Also can be passed as an STD from infected to uninfected humans;

Camplyobacteriosis (*Camplyobacter jejunei*)--cats are a common vector. The organism is transmitted via incidental ingestion of feces by other animals (including humans);

Capnocytophaga canimorsus--associated with exposure to cat body fluids, including saliva. Has caused septicemia and meningitis. Elderly and immunocompromised people are particularly vulnerable;

Tularemia (*Francisella tularensis*)--the causative organism is common in the Alaskan interior--rabbits and hares are particularly susceptible. The disease can be transmitted by tick and fly bites, by consuming raw/undercooked flesh from an infected animal, drinking contaminated water in which an infected animal has died or inhaling/ingesting aerosolized *F. tularensis* bacteria. Is associated with dressing infected animals. Cats also carry and transmit the disease. The causative organism has been weaponized by the US, Russia and Japan. One application of 50 kg of *F. tularensis* aerosol can kill 19,000 people;

Salmonellosis, including a recently-described 'super strain' first identified in cats. *Salmonella* is per the CDC the leading cause of fatal food-borne illness (toxoplasmosis is second-place);

More than nine species of **Platyhelminthines**, i.e. flatworms or flukes, are transmissible from cats to humans. Worldwide they infect *millions* of people. Consequences include tuberculosis-like URI symptoms, cerebral hemorrhaging and seizures. Some can enter through skin on the soles of the feet;

Q fever (*Coxiella burnettii*)--ruminants are particularly vulnerable, but cats also carry and transmit the disease. It's highly infectious with a variety of transmission pathways. Acute cases can present as severe (life-threatening) URI, chronic endocarditis--usually fatal--and hepatitis;

Leptospirosis--is a potentially fatal disease caused by as many as ten different *Leptospira* bacterial strains. As it commonly infects rodents, it's commonly transmitted to cats and thence to people. Transmission may occur via skin contact or through cat urine. Severe symptoms include pulmonary hemorrhage, meningitis and hepatitis;

MRSA--an antibiotic-resistant *Staph aureus* strain which can cause extensive tissue necrosis--sometimes called 'the flesh-eating disease', and is potentially lethal. Commonly carried by cats and is transmissible by direct contact;

Feline lukemia virus (FeLV)--transmissible to wild felines such as Canada lynx. Has killed endangered Florida panthers (*Puma concolor couguar*);

Sporothrix schenckii and ***S. brasiliensis***--these are fungal diseases transmitted by contact with spores in soil, on vegetation and via infected cat scratches, bites and skin lesions. Domestic and wild felines--and humans--are susceptible. Also transmissible to other mammals. *S. brasiliensis* infection, until recently largely restricted to cats, produces more severe symptoms than *S. schenckii*. In Brazil thousands of cases of cat-vectored *S. brasiliensis* in people are being reported, and it's spreading to neighboring countries. *S. schenckii* is widespread in the US. *S. brasiliensis* hasn't reached here--yet.

Leishmania infantum--Leishmaniasis, is caused by at least 20 *Leishmania* bacterial strains, and is also referred to as a 'flesh-eating disease'. It's transmitted by biting flies. The disease in humans is serious and may be chronic. Cats, dogs--including wild Canids--are reservoir animals;

Chagas' disease (*Trypanosoma cruzii*)--formerly restricted to the neotropics, it has spread north with migrating human populations. It is a deadly disease from which one-third of its victims will sustain life-threatening cardiovascular complications. It's transmitted by blood-sucking 'true bugs' (order Hemiptera, family Reduviidae). Feral cats are a reservoir species, which when bitten by a Hemipterid can transmit the disease to humans. Transmission has been associated with individuals who sleep with cats;

Chlamydia psittacii--although usually called 'parrot fever', strains occur in pigeons and gallinaceous birds as well. Domestic mammals, including cats, are likewise hosts. It can be spread to other animals and humans via direct contact and/or respiratory droplets;

Cryptosporidiosis (*Cryptosporidium* spp.)--are pathogenic protozoans most commonly contracted by drinking water contaminated by infected animal feces. Cats (and other animals) shed *Cryptosporidium* oocysts with defecation. Oocysts survive in the environment for lengthy periods. Cryptosporidiosis is per the CDC a leading cause of water-borne illness;

Plague (*Yersinia pestis*)--like cats themselves, plague is invasive to North America. Cats are particularly susceptible and transmit bubonic, septicemic and (most commonly) pneumonic strains. The latter is the deadliest and hardest to diagnose and treat. Without early treatment 70% of infections are fatal.

Authors have listed less than *half* of the known zoonotic diseases carried and transmitted by cats. These diseases are more prevalent and infectious in regions with large unconfined cat populations. By demonstrating the destructive potential of this invasive disease-vector to public health and biodiversity, it is authors' hope to prevent Alaska from becoming like those regions.

SARS-Cov2 (causative viral agent of "coronavirus")--the origin of the SARS-Cov2 pandemic is believed to be the Chinese horseshoe bat (*Rhinolophus sinicus*) which ranges through much of China, Nepal, Vietnam and India). Bat life history seems to lend itself to generation of novel virus outbreaks because bats roost together in dense numbers, thus facilitating spread/transmission. Such viruses can travel via respiratory droplets and possibly other body fluids, and sometimes move across species-barriers.

For example, bats' propensity for huddling in dense populations is probably the reason they're the primary wild rabies virus vector. Bat-to-human transmission of rabies via respiratory droplet inhalation has been proven.

At this point the intermediate vector between bats and humans is said to be unknown. However, it has been shown that Felids and Mustelids process the virus more effectively than other species. At least one laboratory study has demonstrated transmission between cats placed in adjacent cages. With onset of SARS-Cov2 in Wuhan, China, local authorities undertook systematic killing of cats and dogs in infected households as a precaution.

https://www.biorxiv.org/content/10.1101/2020.03.30.015347v1.full

It has also long been known that cats carry and transmit SARS-Cov1, precursor to the current virus and which shares 70% of its genome with SARS-Cov2. Cats have tested positive for SARS-Cov2 in the US, Belgium and more than one location in China, as have several tigers and lions at the Bronx Zoo. Recently SARS-Cov2 rapidly infected caged mink kept in large numbers on two Netherlands mink ranches. While speculated the mink originally caught the virus from humans, this has not been demonstrated--but without question it was transmitted between mink.

https://wwwnc.cdc.gov/eid/article/10/5/04-0022_article?fbclid=IwAR1VAV8dZXdPWl377JbNkpaTzBSFAJRQau2QxChLhzXroSZ_76EOaJy2d5I

https://nltimes.nl/2020/04/26/mink-found-infected-covid-19-two-dutch-fur-farms-areas-now-closed-public

In light of these facts, allowing people to deliberately feed and maintain dense populations of domestic cats is to say the least problematic. Subsidizing dense artificial aggregations of invasive predators with food, usually near to human dwellings, is unsound in terms of public health, particularly in our current circumstances. However, so far the WHO has not found evidence of cat-to-human transmission of SARS-Cov2.

One potentially very serious problem, if it's determined that cats do consistently act as SARS-Cov2 vectors, is that this may hinder attempts to establish monitoring of the virus' spread via "contact tracing", which has in the past proved to be effective for, indeed essential to, controlling viral outbreaks. Thanks to human-driven proliferation of *F. catus*, it is now the most common and widespread terrestrial predator in North America.

(5) Otherwise presents a threat to the health or population of a species that is indigenous to Alaska

The International Union for the Conservation of Nature lists cats the second-most destructive invasive terrestrial vertebrate--only commensal rodents (*Rattus rattus*, *R. norvegicus*, *R. exulans* and *M. musculus*) are worse.

Unconfined *F. catus* represents an overarching ecological threat to native Alaskan wildlife even beyond direct predation and transmission of zoonotic disease. In high numbers they represent significant ecosystem destabilization risks. Whether "owned" or "unowned", humans subsidize cats through consistent feeding. This enables *F. catus* to exist at densities beyond the environmental carrying capacity of any naturally-occurring predator. This in turn engenders 'cascading trophic effects' through the elimination of prey species on which native predators depend.

Population growth is entirely dependent upon food supply. Natural systems reflect cyclical increases and decreases of food. With increase of Arctic grasses, ferns and shrubs, snowshoe hare populations increase, as does that of Canada lynx. With decrease in such vegetation, snowshoe hare populations decline, followed by lynx populations. This cycle of naturally-occurring organisms co-evolving through struggle to eat-and-not-be-eaten over millennia results in mutually-

sustainable numbers of predators and prey such that the latter don't exhaust their food supply and then starve, and the former don't eradicate their prey and then starve.

Feral cats have no place in such a system--they are domesticated reflex-killers. Cyclical population decrease is mitigated--or eliminated outright--by human feeding. Their killing and feeding impulses are controlled by separate regions of their brains. Humans bred them this way, perhaps even 'passively' by only supporting (and/or not culling) individuals which exhibited such behavior. This has been demonstrated experimentally in both laboratory and field.

In a San Diego, CA study by K. R. Crooks and M. E. Soule' ('Nature' 1999), wildlife kills by 35 *well-fed*, free-roaming 'pet' cats' were tallied. It was estimated these cats killed ~840 mammals, 525 birds and 595 reptiles each year. Adjusted for native species percentages (64%, 95% and 100% respectively), the cats' toll would have been ~563 native mammals, 499 native birds and 595 native reptiles--or 16 native mammals,14 native birds and 17 native reptiles per cat/per year.

The authors warned their findings were probably underestimates, as they only counted prey items brought back to the cats' residences, not those eaten or abandoned in situ. A subsequent study by Loyd, Hernandez et al ('Biological Conservation', 2013) which utilized collar-mounted video cameras on 50 unconfined 'pet' cats found the cats only brought home 25%-50% of their prey. A similar South African study found that pet cats only returned on average 22% of the animals they killed.

If Crooks' and Soule's' death toll is adjusted to include an 'average' of the above estimates of animals killed but not recovered or counted by owners, the estimated toll becomes 944 native mammals, 837 native birds and 998 native reptiles annually--or 27 native mammals, 24 native birds and 29 native reptiles per cat/per year. This is not an unreasonable estimate. 80 native wild animals per cat/per year is slightly less than one prey animal killed every five days.

Predation varies in different regions according to prey type and availability. For example, there are no reptiles in Alaska, so cats wouldn't be expected to kill them there. In Florida, established exotic reptile species outnumber native reptile species by more than two-to-one, so it's to be expected non-native reptiles would be well-represented in cat-kills there. Nonetheless the above calculated results are comparable to (and were derived from) findings from actual cat-predation studies, and are thus offered to demonstrate cats' destructive impacts on natural ecosystems.

SPCA estimates of US stray and feral cat populations average 84.5 million (range 47 million-122 million). Add to this 58 million (range 50 million-66 million) unconfined 'pet' cats. If the above calculations are representative, then unconfined US cats slaughter *11.4 billion* native mammals, birds and reptiles annually. Recall this represents each cat taking one prey item every five days--and that it may still be an underestimate.

This highlights F. catus' destructive and unsustainable impact on ecological systems. 11.4 billion smaller prey items annually removed by invasive felines represents 11.4 billion food items made unavailable to native lynx, raptors, foxes, wolves and mustelids each year. Therefore these native predators must expend more energy to obtain food, thus driving the 'energy-exchange balance' (i.e. the amount of energy expended in obtaining food vs. the amount of energy obtained from it) sharply against native predators. This is an example of a cascading trophic effect. The more energy required to obtain food, the more native predators are subject to starvation, injury and/or

exposure to predation themselves. Note this is much less an issue for domestic cats subsidized by human feeding.

Alaska is one of the few regions in which North American 'apex predators' survive--trophic 'disruption' by invasive *F. catus* in Alaska may prove to be at least as intense--and as ecologically destabilizing--as its impacts globally, it the species is permitted to increase in numbers at the rate they're expanding elsewhere in the world. Alaska is home to the Canada lynx (*L. canadensis*) and--possibly--the cougar (*P. concolor*), which may be naturally expanding its range into southeast Alaska from British Columbia. Alaska needs no other cats.

http://www.elkhornsloughctp.org/uploads/files/1238046095Crooks_Soule_1999_Nature_Mesopredators.pdf

https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1656&context=natrespapers

PROPOSED BY: Al-Hajji Frederick Minshall (EG-F20-028)
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Hunting and Other Permits

PROPOSAL 146

5 AAC 92.052. Discretionary permit hunt conditions and procedures.

Limit big game registration permits to one per species, per year as follows:

5 AAC 92.052 (19) a person may be limited to one big game registration permit **per species per year**.

What is the issue you would like the board to address and why? In recent years, hunters have been picking up multiple late season registration goat tags for different hunt areas in which the number of tags and the hunt dates are limited. It is not physically possible due to the limited hunt dates and distribution of hunts for a hunter to effectively access more than one area. By picking up multiple tags these hunters are taking away opportunities from other hunters. ADF&G cannot simply increase the number of tags available to deal with the issue because the number of hunters that might do in any given year is unknown and this species is sensitive to overharvest.

PROPOSED BY: Tom Young (EG-F20-013)

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PROPOSAL 147

5 AAC 92.031. Permit for selling skins, skulls, and trophies.

Allow the sale of prepared game trophies under a permit as follows:

5 AAC 92.031. Permit for selling skins, skulls, and trophies. (a) A licensed taxidermist may sell an unclaimed, finished skin or trophy under a permit issued by the department after the finished skin or trophy has been unclaimed for six month, and after the taxidermist sends notice of intent to sell, by registered mail at least 15 days before the sale, to the last known address of the person who ordered the taxidermy work.

(b) A court appointed or duly authorized estate executor, or a reference in a bankruptcy, may sell a game skin or trophy in a bankruptcy or probate action if that person first obtains a permit from the department.

(c) Repealed 7/1/2008.

(d)Repealed 7/1/2008.

(e)Repealed 7/1/2008.

(f) A person who has obtained ownership of a big game trophy as a result of a divorce may sell that big game trophy only if that person first obtains a permit from the department after providing the department with a list of the big game trophies being sold and a divorce decree documenting ownership.

(g) A person may sell, advertise, or otherwise offer for sale a skull or hide with claws attached of a brown bear harvested in an area where the bag limit is two brown bears per regulatory year only after first obtaining a permit from the department. Any advertisement must include the permit number assigned by the department, and the department will permanently mark all hides and skulls intended for sale. All bears sold under this permit must be reported to the department within the time frame specified on the permit.

(h) A person may sell a lawfully harvested and prepared big game trophy if that person first obtains a permit from the department.

What is the issue you would like the board to address and why? To allow the sale of prepared game trophies. Currently only taxidermists, estates, divorced and bankrupt persons are allowed to sell prepared big game trophies by permit. 2018 was the last time this regulation was changed, with regards to advertising the sale of certain grizzly bears, but in 2008 the regulation was changed to allow the sale of trophies from the proceeds of a divorced settlement. This regulation only allows Alaskans who fit one of these four reasons to sell a prepared big game trophy and discriminates against any other Alaskan, with no option to sell their prepared big game trophy.
The reason I am asking to allow Alaskans to have an option to sell their big game trophy by permit is. (1) At some point the state has to relinquish its ownership/control over legally harvested big game trophies, big game that has been lawfully harvested and was part of the sustained yield management plans implemented by the Board of Game, and the sale of a prepared big game trophy does not violate the sustained yield principles set out in our constitution. (2) I believe once a lawfully harvested/salvage of a big game animal has taken place and the trophy has been prepared, ownership of that trophy belongs to the harvester, just like the meat, yet Alaskans are allowed by law to barter meat for cash. Currently the only private property an Alaskan cannot sell is tobacco, alcohol, and pharmaceuticals.

PROPOSED BY: Russell Knight (EG-F20-025)
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PROPOSAL 148

5 AAC 92.031. Permit for selling skins, skulls, and trophies.

Allow persons over the age of 65 to sell trophies and rugs as follows:

Our request and proposal to the Board of Game is that a permit to sell skins or trophies be granted to persons over 65 under the additional following conditions:

1. Request the person owning the bear rug to give the approximate date and place of the kill.
2. Age of the person requesting a permit to sell: a suggestion would be 65 years and older
3. Age of the bear rug: a suggestion would be the bear rug be 25 years old or older
4. Years of Alaska residency
5. Reason for selling. This could be a notarized statement

What is the issue you would like the board to address and why? We had submitted an initial proposal on September 27, 2017 and have had further communication since then with no result. We are respectfully re-submitting the proposal change again.

In reading and speaking with authorities, we learned that you may not receive a "permit to sell" a grizzly bear rug in the State of Alaska except for some very restrictive criteria. We understand the underlying premise that if this were not a regulation, there would be the possibility of an unscrupulous group of persons that may indiscriminately kill bears for profit.

We are requesting an amendment to this regulation that there be additions to the exceptions that presently exist. It is our understanding that "a permit to sell" can only be issued under the following circumstances:

1. That the person killing the bear passed away (the family could then sell the bear rug)
2. The person or family was declaring bankruptcy
3. Or the person owning the rug wanted to donate it.

This regulation is discriminatory toward other Alaska persons who own bear rugs and choose to sell them.

In our situation, my husband who killed the bear is now 78 years old. Our child has no interest in the rug. We are in the process of downsizing and it is our desire to sell this bear rug.

PROPOSED BY: Thomas and Rose Shearer (HQ-F20-003)

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PROPOSAL 149

5 AAC 92.057. Special provisions for Dall sheep and mountain goat drawing permit hunts.

Create separate Dall sheep permit draw for second-degree-kindred hunters in areas that limit the number of nonresident hunters as follows:

The newly created 2DK permits would be as follows:

Unit 13D - DS365- East - 1 permit 2DK only. This is one of 7 nonresident permits for the 13D area.

Unit 14A - DS385- Friday Creek 2nd hunt-1 permit 2DK only. This is one of 5 nonresident permits for 14A.

Unit 14C- DS336- Ship Creek 1st hunt- 1 permit 2DK only. This is one of 8 nonresident rifle permits. This would eliminate DS236.

Unit 14C- DS340- Areawide Archery only. 1 permit 2DK only. This is one of 4 archery only nonresident permits.

Delta- DS313- First hunt- 1 permit 2DK only. This is one of a possible 7 nonresident permits.

Delta- DS314- Second hunt- 1 permit 2DK only. This is one of a possible 7 nonresident permits.

Tok- DS302- First hunt- 1 permit 2DK only. This is one of a possible 5 nonresident permits.

Tok- DS303- Second hunt- 1 permit 2DK only. This is one of a possible 5 nonresident permits.

What is the issue you would like the board to address and why? Less than 15% of nonresident sheep hunters are second degree of kindred (2DK) hunters statewide, (hunting with a relative) but yet there is no limit to the amount of nonresident permits that they can draw in most of the draw permit areas. The Tok area is the exception, and they can draw up to 50% of the possible nonresident permits there. This large number of permits that 2DK sheep hunters can draw is greatly disproportional to their percentage of participation in sheep hunting statewide. 2DK sheep hunters also have to compete with guided hunters in the draws with no guarantee of getting any permits at all.

My solution is to create a separate draw for 2DK hunters in draw permit areas that limit the amount of nonresident hunters. Only 2DK hunters could apply for them and they could not apply for the other permits allocated to nonresidents. These permits would be taken from existing nonresident permit allocation and would not create any new nonresident permits or allocation. The areas these permits would be created for would be Units 13D, 14A, 14C, Tok management area and Delta controlled use area. There will be only one 2DK permit in Unit 13D, 14A and two in Unit 14C but 1 will be for archery only because of the very limited number of permits allocated to nonresidents in these areas. These permits will be in a 300's series to identify them as 2DK permits. All other current sheep permits are in either a 100's or 200's series format. If ADF&G can arrange for the 2DK applicants to be able to apply as partners with their relative that would be desirable. By passing this proposal the board will stabilize the sheep draws in these areas for both groups of hunters, guided and 2DK and guarantee a very fair allocation to 2DK hunters. I ask the Board of Game to create a policy that no more than 20% of allocated nonresident permits be issued to 2DK hunters in the future using this proposal as a guide.

PROPOSED BY: Dan Montgomery (EG-F20-133)
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PROPOSAL 150

5 AAC 92.052. Discretionary permit hunt conditions and procedures.

Increase the number of times a hunter may apply for drawing permit hunts for each species as follows:

Change the maximum number of times a hunter can apply for a draw permit for each species from 6 to 10.

What is the issue you would like the board to address and why? Hunters can currently apply for draw permits up to six times for each species of big game. You can put all six of your opportunities in for one hunt or 6 different hunts. When this regulation was first passed in 2016 the Board of Game just doubled the number of permits applications from three to six. It has given

hunters a better chance at drawing the permit they want the most by being able to put in for it all six times. It is Alaska's version of a preference point system. I propose that we increase this from six per species to 10 per species. This would give a hunter, if they choose to put in all 10 times, an even a better chance of drawing the permit they want.

PROPOSED BY: Dan Montgomery (EG-F20-048)

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PROPOSAL 151

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.
5 AAC 92.069. Special provisions for moose drawing permit hunts.

Require all hunters to apply for permit hunts and pay the application fee during the application period as follows:

Amend language in 5 AAC 92.061 and 5 AAC 92.069 to absolutely require that all nonresidents may only be awarded a draw permit after first applying and paying the application fee during the application period. An alternate list for cancellations may be implemented, but if there was no application and application fee received during the application period, you are not eligible to hunt that permit. There will be no over the counter tags awarded outside the draw permit process. Everyone, both resident and nonresident, must apply for and pay an application fee for a draw permit during the application period, no exceptions.

Close any loopholes, comply with the language in 92.050(1)(A) for all draw permit hunts; do not allow the department to issue discretionary draw permits to anyone who has not first applied and paid the fee during the permit application period.

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

Nonresident moose and bear hunters "skipping" the draw permit process. On National Wildlife Refuge (NWR) lands, guides have exclusive guiding rights, and any moose or bear draw permits that take place on those NWR lands actually are awarded to the individual guide who has the right to guide in that guide use area on federal lands. This allows guides and their clients to completely skip the draw permit process, as is outlined in this advertisement from a well-known hunt booking agent in the lower 48 (we have left out the name of the agent but are happy to provide copies of his March 2020 advertisement):

"EXCLUSIVE! NO DRAWING KODIAK BROWN BEAR HUNT – GIANTS OF KODIAK ISLAND, ALASKA. SKIP THE PERMIT DRAWING PROCESS AND HUNT THE WORLD'S LARGEST BROWN BEARS!

We have a few openings for the ultimate bear hunt – Kodiak Island brown bears – and if you book with this outfitter, **you can bypass the permit drawing process and start planning your trip now."**

This same thing is happening with interior moose hunts in the Nowitna NWR where when you view the draw permit supplement after permits are awarded you will see quite a few zeroed out

applications. It shows that no one applied for that particular nonresident guided only draw permit, but in actuality those permits were utilized completely outside the draw permit process. A nonresident doesn't have to go through a "lottery" draw permit process at all, whereas a resident hunter must pay the $5 application fee and actually apply during the application period for a **chance** to win a draw permit for these moose and bear hunts on NWR lands.

That is not the way it's supposed to work and we are asking the Board of Game (board) to fix this by amending the language in 92.061 & 92.069.

An example**: Looking at the draw permit supplement for the 2019 - 2020 draw permit period there were ZERO applications for the seven available DM 811 nonresident must-be-guided moose draw permits for the upper Nowitna drainage within the Nowitna National Wildlife Refuge.** Meanwhile, 28 nonresidents applied for the three DM 809 permits for unguided nonresidents, and 65 Alaskans applied for the 10 DM 810 permits offered to residents. The chances of drawing the DM 809 nonresident unguided permit was around ten percent while the chances of a drawing the DM 810 resident permit was around 15 percent.

Records show, however, that all seven of the DM 811 nonresident must-be-guided draw permits were utilized in 2020, outside the draw permit process.[1] The chance of drawing the DM 811 nonresident must-be-guided permit was 100 percent! Because there was no "chance" or "lottery" involved. Just a phone call to the guide with exclusive refuge guiding rights, a signed guide-client agreement and you get an over the counter tag completely outside the draw permit process.

This alone does not comply with 5AAC 92.069, which reads:
5 AAC 92.069. Special provisions for moose drawing permit hunts
"(a) In a moose drawing permit hunt specified in this section, a nonresident may apply for and obtain a permit only as follows:
(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;
(2) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; until June 30, 2015, the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, for the applicable guide use area during the season the drawing permit is valid;
(3) the department shall enter in a non-guided nonresident drawing all other complete applications from nonresidents.
(b) The department shall issue permits as follows:
(3) in Unit 21(B), that portion within the Nowitna River drainage upstream from the Little Mud River drainage and within the corridor extending two miles on either side of and including the Nowitna River, the drawing permit hunt is allocated 50 percent to residents and 50 percent to nonresidents; the department shall issue a maximum of 75 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 25 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of nonresidents applying for permits

for either nonresident hunt is insufficient to award the required percentage, the department may award the remaining available nonresident drawing permits to the other nonresident hunt;"

Nothing within the language of 5AAC 92.069 would seem to allow for a nonresident to skip the draw permit process. Neither do we see anything in language about "undersubscribed" permits other than where it states: "*if the number of nonresidents applying for permits for either nonresident hunt is insufficient to award the required percentage, the department may award the remaining available nonresident drawing permits to the other resident hunt."*

The results of the 2019-2020 draw permit supplement shows ZERO applications for the DM 811 nonresident guided-only hunt and zero permits awarded, yet those apparently available permits were not awarded to the nonresident unguided hunt.

The same is true for the Unit 8 Kodiak brown bear permit system under 5 AAC 92.061. Many guides choose not to have their clients go through the permit process. Some guides even state that they don't always utilize "their" permits allocated to their guide use area for various reasons. The regulation addresses an "alternate" list whereby hunters who had applied but were not chosen have a chance to hunt if there were cancellations, but that isn't what is happening when nonresident clients show up in Kodiak with a signed guide-client agreement and get an over-the-counter tag. In looking at the draw permit supplement, there are typically over 30 zeroed out Kodiak nonresident must-be-guided applications each year, yet it turns out most of those are actually hunted.

Furthermore, under **5AAC 92.050 (1)(A) Required draw permit hunt conditions and procedures**, it clearly states that: "to apply for a drawing permit hunt for any hunt that requires a registered or master guide, a nonresident or a nonresident alien must contract a qualified registered guide or master guide as their agent **to submit the** application and provide hunting services; the contracting registered guide or master guide, shall provide, at the time of application, their current unique verification code that has been issued pursuant to 12 AAC 75.260.(d)"

[1] Correspondence with ADFG: Correct, we received zero applications for hunt DM811 during the Nov/Dec 2017 drawing application period for the hunt that took place in the fall of 2018. However the 7 permits were made available to hunters following our undersubscribed drawing permit process, and all 7 were picked up by hunters.

PROPOSED BY: Resident Hunters of Alaska (HQ-F20-020)

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PROPOSAL 152

5 AAC 92.050. Required permit hunt conditions and procedures.

Require all drawing permit hunts available to residents be available for application online as follows:

Amend 5 AAC 92.050 Required permit hunt conditions and procedures to add:

(a) The following conditions and procedures for permit issuance apply to each permit hunt:

(1) the applicant or the or the applicant's agent shall complete the application form; two hunters may apply as a party in a drawing permit hunt, and if drawn, both applicants will receive a permit; a permit application that is incomplete, or that does not include, if required, an Alaska big game hunting license number, or that contains false statement, is void; the applicant must obtain or apply for an Alaska big game hunting license before submitting a drawing permit application; **All drawing permit hunts available to resident Alaskans shall be made available for application online;** and

(A) to apply for a drawing permit hunt that requires a registered or master guide….

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

Resident draw permit applications not available online.
There are several resident-only draw permits in various parts of the state for moose, but you must travel to the region first to pick up a permit, typically within a limited timeframe well ahead of when the hunt occurs.

The idea behind this provision to not allow all Alaskans to apply online for a draw permit equally available to all, is to curtail opportunity for residents who may not live within that area or region by making it so expensive to fly out (and back) to another part of the state ahead of time just to pick up a permit.

This would seem contrary to the Alaska constitution in which we all should be treated equally in terms of "common use" of our wildlife resources. If a hunt is a draw-only hunt, and any Alaskan is eligible to participate, then any Alaskan should be able to apply online as with most other draw permit hunts.

PROPOSED BY: Resident Hunters of Alaska (HQ-F20-021)
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PROPOSAL 153

5 AAC 92.050. Required permit hunt conditions and procedures.

Establish a bonus point system for bison and muskox drawing hunts as follows:

I suggest the Board of Game come up with a bonus point system for both bison and muskox similar to many of the western states. Each year an individual does not get drawn, he or she will get a bonus point. The following year, the hunter will get his or her name in the hat twice instead of once. Every unsuccessful year an application is submitted, the hunter gets his or her name in the hat an equal number of times to unsuccessful attempts. Individuals may be able to apply for a hunt after he or she will be the age ten or older at the time of the hunt. Bonus points will be lost after someone successfully draws the hunt or the species is not applied for two consecutive years. Bonus points allow everyone a chance to win but is weighted toward individuals who have been applying longer. Bonus points also help the state to generate more income since it encourages individuals to have the maximum points possible. Most western states make millions from applications alone. Within this system, the Alaskan resident would have a large preference to our wildlife resources (bison and muskox).

Currently, Alaska residents have no preference for muskox or bison in the drawing applications. This proposal would allow a strong preference to residents, potentially limiting nonresidents to only one tag every two to three years depending on the data and what the Board of Game decides. A nonresident should never have an equal or close to equal opportunity to a limited wildlife resource where the Alaskan resident draw odds are less than 1%

What is the issue you would like the board to address and why? Draw-only permit hunts for both residents and nonresidents reflect a need to limit the number of hunters afield for reasons that could be related to conservation, trophy-quality, hunt aesthetics, crowding etc. Whatever the rationale for a draw-only hunt for all user groups, and whatever the species, resident hunters should have a clear and substantial priority to draw a permit and an opportunity to hunt.

Resident hunters don't currently have that preference. Currently, we have bison and muskox draw-only hunts for both residents and nonresidents that allow equal opportunity for a nonresident to draw a permit. Examples are: DI 403 and DX 001/003. If an individual hunter lives in Alaska, Florida, Montana, or Texas, each individual hunter has equal odds to our extremely limited Alaskan resource. The DI 403 Delta bison permit had 15,570 applicants for 45 permits in 2020 for less than one percent chance of drawing for all applicants. The DX 001 and DX 003 Nunivak Island Muskox permits are similar. These rare and highly sought-after draw permit hunts should not allow nonresidents an equal opportunity to draw. Currently, the nonresident draw percentage for Delta bison is about one percent. That is the same odds of drawing as a resident. That is not fair to the resident hunter who has been putting in for decades for that permit, who lives here and contributes all year to the economy, and does not have reciprocal hunting opportunities in any of the western states.

PROPOSED BY: Brad Sparks (HQ-F20-022)

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PROPOSAL 154

5 AAC 92.050. Required permit hunt conditions and procedures.

Direct ADF&G to issue an additional permit when a party application is drawn as last permit as follows:

The language and intent in 5 AAC 92.050 are clear, and no changes are necessary. I am asking the Board of Game to direct the Department of Fish and Game to issue an additional permit when a party application is drawn as the last permit.

This protocol **would not apply** in hunts where less than 10 permits are issued.

What is the issue you would like the board to address and why? In **5 AAC 92.050. Required permit hunt conditions and procedures.** (a) The following conditions and procedures for permit issuance apply to each permit hunt:

1. the applicant or the applicant's agent shall complete the application form; two hunters may apply as a party in a drawing permit hunt, and if drawn, both applicants will receive a permit, etc.

The intent of this regulation is clear but it is not the procedure followed in every draw hunt. If a party application is drawn as the last available permit to be issued, those applicants are not awarded a permit. Under the current system, the next single applicant is awarded that "last" permit.

According to information from department staff, this is not a common occurrence but does happen several times each year where a party application is drawn when only one permit is available. Draw permits are so difficult to win, it seems unfair to not award a permit to a person that was a winner.

PROPOSED BY: Ted Spraker (EG-F20-026)

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PROPOSAL 155

5 AAC 92.XXX. New regulation.

Establish protocol for ADF&G to issue "any bull" resident moose permit in selective harvest hunts as follows:

Establish a protocol to issue a limited number of resident draw permits for "any bull" moose in units managed by the selective harvest strategy as follows. In units managed by the selective harvest strategy, the department shall issue a limited number of "any bull" moose permits consistent with the sustained harvest principle.

As an example, in the following (current) selective harvest units or portions of Units: 1B, 1C, 3, 6A, 7, 9E, 11, 12, 14A, 14B, 14C, 15A, 17B, 17C, 19B, 19C and 21A, the department could issue a limited number of "any bull" moose permits consistent with the sustained harvest principle. Unless a larger number is warranted in an area, 3 to 10 any bull moose permits will be offered annually in the draw.

What is the issue you would like the board to address and why? Under the current system, there are only three units under selective harvest management where a small number of "any bull" permits are offered for hunting moose. In Unit 13, five permits were offered and 8,815 applications received; in subunits 15B and 15C, 28 permits were offered and about 9,000 applications received; in subunit 16A, 10 permits were offered and 2,918 applications were received. These three hunts generated $103,665 for wildlife management during a time when management funds are in decline. Currently, there are 17 additional units or portions of units managed under selective harvest that should be opened to a small number of any bull permits, consistent with the sustained harvest management principle. Equally important, by providing more areas hunters will be afforded an opportunity to apply in their local area, resulting in improved odds for all hunters.

PROPOSED BY: Ted Spraker (EG-F20-027)

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PROPOSAL 156

5 AAC 92.050. Required permit hunt conditions and procedures.

Allow qualified crossbow hunters the ability to apply for Methods and Means Exemption permits for archery only hunts as follows:

5 AAC 92.050(a) The following conditions and procedures for permit issuance apply to each permit hunt:

…

(9) an applicant for a certified bowhunters only permit hunt must successfully complete a department-approved bowhunter education course before submitting a permit application. **Applicants who intend to apply for a Methods and Means Exemption permit to use a crossbow in an archery only hunt must successfully complete a department-approved crossbow hunter certification course before submitting an application for a certified bowhunters only permit.**

What is the issue you would like the board to address and why? With the implementation of a crossbow education course, people are no longer able to take the bowhunter education (IBEP/NBEF) course with a crossbow. As a result, only applicants with a bowhunter education certification (IBEP/NBEF) can apply for archery only drawing permits, while applicants who have only completed the crossbow education certification course cannot apply for archery only drawing permit hunts.

The Board of Game can allow those crossbow hunters who want to participate in archery only hunts to apply with their crossbow education certification number. If successfully drawn, the applicant would still be required to apply for and obtain a Methods and Means Exemption permit in order to use a crossbow in the archery only hunt.

If no action is taken, crossbow hunters who physically cannot use archery equipment are unable to apply for archery only hunts. There are physically disabled hunters that apply for and receive Methods and Means Exemption permits to use crossbows in archery only hunts. Those hunters

are no longer able to apply for archery only drawing permit hunts. Adoption of this proposal would provide those disabled crossbow hunters the opportunity to apply for archery only drawing permit hunts.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-054)

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PROPOSAL 157

5 AAC 92.104. Authorization for methods and means disability exemptions.

Amend the language in the existing regulation for authorizing methods and means disability exemptions to be more consistent with the statute as follows:

5 AAC 92.104(a) A person with a disability, or their personal representative, may submit an application on a form available from the department for an exemption from a methods and means requirement set out in this chapter. The application must

(1) include a signed statement from a **physician licensed to practice medicine in the state of Alaska** [LICENSED PHYSICIAN] explaining the nature and extent of the person's disability;

AS 16.05.940(25) "person with developmental disabilities" means a person who presents to the department an affidavit signed by a physician licensed to practice medicine in the state stating that the person is experiencing a severe, chronic disability

(A) attributable to a mental or physical impairment or a combination of mental and physical impairments;

(B) that is manifested before the person reaches 18 years of age;

(C) that is likely to continue indefinitely;

(D) that results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency;

(E) that reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated;

(F) and that the person is not a danger to themselves or others; and

(G) and that the person does not suffer from a mental illness; in this subparagraph, "mental illness" means an organic, mental, or emotional impairment that has substantial adverse effects on a person's ability to exercise conscious control of the person's actions or ability to perceive reality or to reason or understand.

AS 16.05.940(26) "person with physical disabilities" means a person who presents to the department either written proof that the person receives at least 70 percent disability compensation from a government agency for a physical disability or an affidavit signed by a physician licensed to practice medicine in the state stating that the person is at least 70 percent physically disabled;

What is the issue you would like the board to address and why? The Department of Fish and Game regularly receives applications for Methods and Means Exemption permits signed by nurses, nurse practitioners, physician's assistants, chiropractors, and medical doctors. The inconsistency between regulation and statute makes it unclear exactly which signatures are allowed. In addition

to changing the language in the regulation to more closely match the statute, the department is also asking the board to provide guidance regarding which level of physician can sign the application.

If no action is taken the department will continue to receive applications signed by medical professionals that are not authorized to sign them (e.g. nurses), which results in denial of permits, additional doctor visits, and additional staff time reviewing otherwise straightforward applications.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-056)
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PROPOSAL 158

5 AAC 92.210. Game as animal food or bait.

Allow dog mushers to be eligible to receive game from the state by permit for use as dog food as follows:

Add "dog musher" as an approved group who the state could permit to take inedible game furnished by the state, like they do with trappers now.

What is the issue you would like the board to address and why? We would like to add "dog musher" to the group of who can be called by the state to take inedible for human consumption, road kill or seized animals. Dog mushers would have to be called by the state and obtain a permit to utilize game furnished by the state like trappers can already do. This would give the state more options of trying to find a group trapper or dog musher to use an animal that can't be used for human consumption but is still good for use by trappers or dog mushers.

PROPOSED BY: Copper Basin Advisory Committee (EG-F19-157)
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Salvage and Sealing Requirements

PROPOSAL 159

5 AAC 92.165. Sealing of bear skins and skulls.
5 AAC 92.170. Sealing of marten, fisher, lynx, beaver, otter, wolf, and wolverine.
5 AAC 92.175. Sealing of beaver.

Change the sealing and reporting requirements to business days instead of calendar days as follows:

All Hunting/Trapping Sealing and Reporting regulation requirement are to be based off of ADF&G Office ***Business Days, including exemptions of State & Federal Holidays****.*

Example.

Bear - 30 *business* day sealing requirement for brown bear, black bear at an ADF&G office from the date of harvest or from the first state business day if harvested on a Saturday, Sunday, or holiday.

Moose - 5 business day reporting requirement to an ADF&G office from the date of harvest or from the first state business day if harvested on a Saturday, Sunday, or holiday.

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

SEALING AND REPORTING.

C*alendar* day vs. b*usiness day*. Alaska hunting and trapping regulation requires sealing or reporting of wildlife on a *calendar day.*

ISSUE

- ADF&G offices operate only during the business week.

- ADF&G staff is not available to perform required sealing and reporting tasks on weekend days, as well as state or federal holidays.

- Alaska State Troopers have refused to seal bears on weekends or have indicated they are not equipped with the correct supplies to perform sealing or reporting requirements for species.

- Hunters/trappers are at a disadvantage to comply with state regulation as state staff and or office may not be open to the public to comply with existing regulation.

- In the event of state budget issues, and ADF&G staff was reduced to a -day work-week, this could place a further disadvantage to hunters/trappers to comply with sealing and reporting regulation.

-If a pandemic, terror attack or natural disaster presents itself and closes ADF&G offices, hunters and trappers cannot comply with sealing and reporting regulation if offices are closed.

Example: A moose hunter has five days to check in his/her harvest under the spike, fork, 50-inch or three brow tine regulation. While hunting with a family/group on a weeklong trip, perhaps he/she harvests a bull on a Tuesday...they must then potentially end a hunt early to return to town to check the bull into ADF&G by Friday as Monday would be day six from the harvest, and thereby outside of the acceptable sealing period. Therefore, hunting opportunity for others in the party would consequently be limited to accommodate the harvest over the ability to continue to hunt as the season allowed. ADF&G offices are closed on Saturdays, Sundays, as well as holidays therefore limiting the opportunity to comply as currently based on CALENDAR days, and not BUSINESS days with the **5-day reporting regulation.**

PROPOSED BY: Zach Decker (EG-F20-009)

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PROPOSAL 160

5 AAC 92.220. Salvage of game meat, furs, and hides.

Clarify the wanton waste regulation to specify that game animals taken by domestic pets must be reported and salvaged for human consumption, as follows:

(a) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990. In addition,

(1)…

(7) any owner or caretaker of a domestic animal that kills a game animal must, in addition to salvaging the meat for human consumption, report the take to the department no less than annually. If the owner or caretaker cannot identify the species of the game animal, it must be delivered to the department for identification as soon as possible.

What is the issue you would like the board to address and why? Domestic animals kill millions of game animals in Alaska annually according to estimates based on national figures. Dogs account for some of this take, but cats are primarily responsible for the high numbers. Many of these game animals are protected species such as songbirds; however, some dogs are capable of killing game animals as large as moose (most frequently calves) and cats kill snowshoe hares, red, ground and flying squirrels, spruce and ruffed grouse, ptarmigan and ducks (all of which require salvage of meat or hides); unclassified game such as shrews, mice and crows (all of which are included in the hunting regulation booklet); furbearers such as marten, ermine and muskrats; as well as a wide variety of other game animals (primarily wild birds).

By definition, all wild animals in Alaska are game animals. Compiling and analyzing game harvests is a fundamental exercise of the Department of Fish and Game's mandate and authority. Unfortunately, cats don't always bring prey items back to their owners. But many do. There is no other straightforward way to ascertain the impact of domestic pets on game animal populations than by requiring the owners to report their pets' annual kill.

A reporting requirement for harvesting game animals is not without precedent. The state requires hunters to report kills on harvest tickets in accordance with 5 AAC 92.010. Similarly, a person who collides with a big game animal is required to notify the Alaska State Troopers as soon as possible, according to 5 AAC 92.220(b), and those figures are shared with the department.

Alaska is the only state with a legislative mandate to manage game animals intensively for human consumption. The Alaska Legislature and Board of Game have demonstrated a compelling interest in minimizing the wanton waste of game. The meat of most game animals killed by pets is wasted. It's a reasonable extension of the legislature's intensive management and wanton waste laws to better understand and minimize the wanton waste of game killed by pets.

PROPOSED BY: Rick Sinnott (EG-F20-035)
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PROPOSAL 161

5 AAC 92.220. Salvage of game meat, furs, and hides.

Change the salvage requirement for sheep, goat and deer to all meat on the outside of the ribs as follows:

Change the salvage requirements of sheep, goat and deer from [ALL THE MEAT OF THE RIBS] to **all of the meat on the outside of the ribs.**

This would not include moose, caribou, elk, bison and muskox.

What is the issue you would like the board to address and why? We would like to see the salvage requirements of sheep, goat, and deer be changed to make it all of the meat on the outside of the rib rather than all the meat of the ribs. This would NOT include moose, caribou, elk, bison and muskox.

This would encourage hunters to still take as much good meat as logistically possible from the animal, but not enforce the taking of rib meat between the actual ribs. A hunter may remove the entire rib cage if they choose, or they may be selective when it comes to not taking bloodshot or tainted meat from any portion of the rib meat. Especially in mountain animals, poor shots or damage to the meat from a fall are much more common and often contaminates the inside of the rib meat. This would allow the hunter to salvage the usable meat and not worry if checked by a wildlife trooper. It would also apply to deer in southeast Alaska and on Kodiak, where large brown bears are present, and there may be a safety issue when butchering deer in the field. The process of removing the meat between the ribs adds precious time to a twilight hunting situation, where leaving the kill site in an appropriate amount of time is imperative. In most cases this would amount to less than a pound of meat. It is already not required to remove rib meat from black bear

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (HQ-F20-008)
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PROPOSAL 162

5 AAC 92.220. Salvage of game meat, furs, and hides.

Require the salvage of the meat or hide of snowshoe hare as follows:

5 AAC 92.220. Salvage of game meat, furs, and hides. (a) Subject to additional requirements in 5AAC 84 - 5 AAC 85, a person taking game shall salvage the following parts for human use:

(1) the hide of a wolf, wolverine, coyote, fox, lynx, marten, mink, fisher, weasel, and land otter, and the hide or meat of a beaver, muskrat, pika, ground squirrel, **snowshoe hare**, or marmot;

What is the issue you would like the board to address and why? Currently there is no salvage requirement for snowshoe hare statewide. This proposal would create a statewide salvage requirement for human use. The human use requirement would be met as long as some portion of the carcass is used for human consumption, trapping, sewing, dog training, dog food, etc. This proposal would simply prohibit the take of a snowshoe hare with no attempt to recover, eat, or in any way make an attempt to use part or all of the carcass. Trappers would be allowed to use a whole or portion of a carcass for trapping bait.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-057)

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Bag Limit

PROPOSAL 163

5 AAC 92.130. Restrictions to bag limit.
5 AAC 92.010. Harvest tickets and reports.

Count wounded big game animals towards the hunter's bag limit for all units and require additional action in the field from hunters that attempt to take game as follows:

Reconstruct 5 AAC 92.130:
• [**(F)** IN UNITS 1 - 5 AND UNIT 8, A BLACK OR BROWN BEAR WOUNDED BY A PERSON COUNTS AGAINST THAT PERSON'S BAG LIMIT FOR THE REGULATORY YEAR IN WHICH THE BEAR IS TAKEN. HOWEVER, IN UNITS 1 - 5 AND UNIT 8, A BROWN BEAR WOUNDED BY A PERSON DOES NOT COUNT AGAINST THAT PERSON'S ONE BEAR EVERY FOUR REGULATORY YEARS BAG LIMIT ESTABLISHED IN 5 AAC 92.132.
• **(G)** IN UNIT 8, AN ELK WOUNDED BY A PERSON COUNTS AGAINST THAT PERSON'S BAG LIMIT FOR THE REGULATORY YEAR IN WHICH THE ELK IS TAKEN.]

To read 5 AAC 92.130:
• **(f) In Units 1-26 a big game animal wounded by a person counts against that person's bag limit for the regulatory year in which the animal is taken. The wounding of an animal of any species does not prevent that person from hunting that particular species the following regulatory year.**

• **(g) Upon attempting to take a big game animal the hunter is obligated to inspect the surrounding area in which the animal was standing to determine if the animal was wounded. A person must use every lawful means at their disposal to bag a wounded animal while it is in danger of escaping.**

Add section (m) to 5 AAC 92.010 as follows:

• **(m) A hunter who wounds a big game animal and that animal is not recovered must, before leaving the field, remove the day and month from the harvest ticket or permit and lock the metal locking tag when applicable.**

What is the issue you would like the board to address and why? That any wounded game be counted against the hunter's bag limit.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (HQ-F20-011)
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PROPOSAL 164

5 AAC 92.130. Restrictions to bag limit.
5 AAC 92.010. Harvest tickets and reports.

Count wounded big game animals towards nonresident hunter's bag limit for all units, excluding the one sheep and one bear every four years as follows:

Add section (k) to 5 AAC 92.130 as follows:

• **(k) In Units 1-26 a big game animal wounded by a nonresident hunter that animal will count against that hunter's bag limit. However a wounded brown bear does not count against that person's one bear every four regulatory years bag limit established in 5 AAC 92.132; and a wounded Dall sheep does not count against the person's one sheep every four regulatory years bag limit as established in 5 AAC 85.055.**

Add section (m) to 5 AAC 92.010 as follows:

• **(m) If a nonresident has wounded a big game animal but that animal was not recovered the hunter at the end of a contracted hunt or before leaving the field, the hunter must remove the day and month from their harvest ticket or permit and lock their big game metal locking tag.**

• Many outfitters already have this or similar written into their contracts.

• 12 AAC 75.340. PROFESSIONAL ETHICS STANDARDS FOR GUIDES. (d) Field craft standards. (2) use every lawful means at the licensee's disposal to bag a wounded animal while it is in danger of escaping, or, in a serious emergency, while human life or well-being is endangered.

• Nonresident hunters should be held to the utmost highest standard when hunting big game is concerned.

• It is commonly taught in hunter education courses to take the most ethical shot on an animal yet there is no accountability for making poor judgement calls in the field.

• A nonresident hunting with or without a guide could currently continue to hunt after an animal is wounded but not dispatched or retrieved.

• There are areas of the state that already have a regulation to include wounded game in a person's bag limit for both residents and nonresidents for certain species. This exemplifies that an expanded version of this type of regulation to hold nonresidents to a standard of ethics that is being taught as well as to protect our game from unreasonable loss is within the powers of the Board of Game.

• All methods of take have some probability of wounding game, however, current trends such as long range shooting have a high potentiality of wounded game. That game deserves the respect of being ethically hunted and dispatched.

• For hunt report filing purposes the report would be filled out as though an animal were taken, however, an additional option for "Was the animal recovered? Yes/No" would be included in the reporting process.

What is the issue you would like the board to address and why? That any big game wounded by a nonresident be counted against that hunter's bag limit.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (HQ-F20-012)
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PROPOSAL 165

5 AAC 92.050. Required permit hunt conditions and procedures.

Apply auction permit holder's bag limit to the year the animal is taken as follows:

Auction permit bag limits should apply only to the calendar year the animal is taken, and the hunter should be able to hunt the animal with a permit or auction tag the next year. The hunter would also be able to bid on the auction permit after a successful harvest of the same species in prior years.

What is the issue you would like the board to address and why? We would like to see auction permit holders' harvest only apply to that year's bag limit. This would allow the hunter to bid on the same auction permit the following year, or to bid on an auction permit after a prior successful hunt. It would allow for more bids to be placed, which in turn would generate more money for the Alaska Department of Fish and Game, and would give the hunter the opportunity to hunt the same species again. It would not increase the nonresident harvest.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (HQ-F20-007)
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Miscellaneous Topics and Game Management Unit Boundaries

(*Licensing and feeding animals; Game Management Unit boundaries, Dalton Highway Corridor Management Area; Nonresident non-guided hunts; and prohibiting harvest of white animals*)

PROPOSAL 166

5 AAC 92.012. Licenses and tags.

Amend the requirement for licenses and tags to include game legally taken with dogs and cats as follows:

5 AAC 92.012. Licenses and tags

(a) No hunting or trapping license is required of a resident under the age of 18. An appropriate license and big game tag are required of nonresidents, regardless of age, for hunting and trapping. No person may take waterfowl unless that person has a current, validated, federal migratory bird hunting stamp or "duck stamp" in possession as required under federal regulations. **No person may take game (except deleterious exotic wildlife) with a dog or cat, unless the dog or cat is used to find, tree, or retrieve game taken in season and in an area open to hunting in association with a hunting license or permit.**

(b) …

What is the issue you would like the board to address and why? In 1916 Edward Howe Forbush observed that "a man may be fined $10 for killing a songbird, but he may keep any number of cats." Our pets, particularly cats and dogs, are capable of injuring and killing wildlife. Dogs can kill a moose or caribou; however, state and local regulations have significantly reduced the number of wild animals killed by dogs. For instance, AS 03.55.030 allows any person to kill a free-ranging dog that habitually annoys domestic or wild animals after giving the owner reasonable opportunity to restrain the animal. And the local jurisdictions where most dogs live usually require dogs to be licensed and leashed, which promotes responsible ownership. Not so with cats. State law does not allow a person to shoot a cat harassing wildlife and most local jurisdictions do not require licenses, much less leashes for cats.

Cats are not native to North America. However, the number of pet cats has tripled during the last 40 years, and pet cats are now more numerous than dogs, with an estimated 94 million pet and 70-100 million unowned cats in the U.S. Cats are now the most abundant terrestrial carnivore in North America.

Free-ranging cats, including many pets but also feral, abandoned, and stray cats, kill an estimated 1.3 to 4 billion wild birds and 6.3 to 22.3 billion mammals annually in the contiguous United States.[1] Using the same predation rates as the national study, an estimated 30,000 free-ranging and 74,600 pet cats are estimated to kill 1,148,000 birds and 5,975,000 mammals annually in the Municipality of Anchorage alone.[2] These estimates are driven primarily by the high numbers of cats. The average pet cat probably kills less than a bird a month, but it adds up.

Cats kill far more wild animals than they do house mice, rats or other deleterious exotic species. Cats are now the single greatest cause of wild bird mortalities. They kill more birds than windows, communication towers, vehicles, and pesticides combined.[1] Many of their prey are not normally considered game animals. However, cats compete with coyotes, foxes, lynx, ermine and other mid-sized furbearers and fur animals by removing voles, shrews, squirrels and even snowshoe hares from the food chain. Cats hunt and kill even when well fed.

If your dog is harassing wildlife and you know about it but don't do anything, Alaska law allows your neighbor to shoot the dog. If your young son is shooting protected birds or game birds out of season with his BB gun, you are responsible and may be fined. If you use your dog to find or retrieve game birds, you need a hunting license. Alaskan falconers, who possess birds of prey to hunt game animals, are required to purchase a hunting license even if the bird isn't flown that year. But if your cat is killing dozens of birds and small mammals every year, you don't need a hunting license and you'll never suffer the indignity of a game violation for your cat's wanton waste.

That's wrong and it should be rectified. People who own pet cats or feed stray or feral cats should be held responsible for taking protected species or "hunting" in closed areas or out of season. In other words, they should be required to purchase a hunting license annually if they know or can be reasonably expected to know that their cat is hunting wildlife, and to take reasonable precautions to prevent the cat from hunting protected species, in closed areas, or out of season.

Everyone knows free-roaming cats kill wild birds and mammals and, in a perverse sense, that cat predation is "hunting related." Reasonable precautions should include keeping cats indoors or otherwise under control, affixing a predation-control device to the cat's collar, or not owning a cat in the first place. Certainly, abandoning a cat or allowing a cat to roam outside presupposes that the cat will prey on wild birds and mammals.

[1] Loss, S.R., T. Will, and P.P. Marra. 2013. The impact of free-ranging domestic cats on wildlife in the United States. Nature Communications 4. http://www.nature.com/articles/ncomms2380

[2] Sinnott, R. 2019. Animal control in Anchorage, Alaska: cats and dogs deserve equal treatment. Prepared for the Anchorage Animal Control Advisory Board and Anchorage Watershed and Natural Resources Advisory Commission, Anchorage, Alaska. 110 pp. https://www.muni.org/Departments/OCPD/Planning/SiteAssets/Pages/WNRCReso-MinutesArchive/WNRC%20ltr%20to%20Animal%20Control%20Board%20w%20Report-12-20-2019%20rev.pdf

PROPOSED BY: Rick Sinnott (EG-F20-033)

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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. [1,2,3]

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 simply enforcement of this regulation.

[1] 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/snr07042l.pdf

[2] 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

[3] 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/

PROPOSED BY: Rick Sinnott (EG-F20-036)

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PROPOSAL 168

5 AAC 92.XXX. New regulation.

Adopt a new regulation that specifies the Board of Game will not require guides for nonresidents hunting moose, caribou or black bear as follows:

Prohibit the creation of any new must-be-guided moose, caribou, or black bear hunts for nonresident U.S. citizens.

What is the issue you would like the board to address and why? Creation of new "must-be-guided" hunts for nonresidents.

The Alaska Legislature in statute (AS 16.05.407) requires all nonresident (U.S. citizen) hunters to be accompanied by a licensed guide when hunting Dall sheep, brown bear, or mountain goat, and

requires all nonresident aliens (AS 16.05.408) to be accompanied by a licensed guide when hunting any big game animal.

Resident Hunters of Alaska (RHAK) continues to believe that the Board of Game does not have the authority outside the legislature to create new must-be-guided species for nonresident U.S. citizens. However, the Department of Law attorney attached to the board believes otherwise.

Aside from taking this issue before the legislature, we would like the board to prohibit the creation of any new must-be-guided hunts for nonresident U.S. citizens for species not within AS 16.05.407.

Whenever the board creates these new must-be-guided hunts for moose, for example, in the interior, it causes residents to lose opportunity. These must-be-guided moose hunts for nonresident U.S. citizens are in fact a separate subsidy and allocation to individual guides and the legislature never intended to require nonresident U.S. citizens to be accompanied by a guide when hunting moose, or caribou or black bear.

PROPOSED BY: Resident Hunters of Alaska (HQ-F20-019)

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PROPOSAL 169

5 AAC 92.XXX. New regulation.

Prohibit the harvest of white animals as follows:

No white animals should be harvested for any reason as it violates Native American religion.

What is the issue you would like the board to address and why? No white animals should be harvested as it violates Native American religions. A white bison was born in our state along with white moose, ravens, and a killer whale in the last few years which is prophecy according to Native American religions which indicates the times we live in and spiritual responsibility. Killing them for any reason violates this spiritual belief that there could be negative natural effects to earth and mankind for doing so. We now have many "lower 48" natives who hold this spiritual belief that are now residents of Alaska. If this proposal is not enacted profiteers could make multiple thousands of dollars for the hide while insulting and committing spiritual blasphemy to Native American religions. It could have a worse effect than we know.

PROPOSED BY: Ed Sarten (EG-F19-142)

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PROPOSAL 170

5 AAC 92.450. Description of game management units.

Modify the Unit 1C and Unit 4 boundaries as follows:

Unit 1C: that portion draining into Stephens Passage and Lynn Canal north of Cape Fanshaw and south of the latitude of Eldred Rock, including Berner's Bay, Sullivan Island, **Pleasant Island, Porpoise Islands**, and all mainland portions north of Chichagof Island and south of the latitude of Eldred Rock, and excluding drainages into Farragut Bay.

Unit 4: All islands south and west of Unit 1C and north of Unit 3, including Admiralty, Baranof, Chichagof, Yakobi, **and** Inian [, AND PLEASANT] Islands and all seaward waters and lands within three (3) miles of the coastlines.

What is the issue you would like the board to address and why? Shift the boundary between Unit 1C and 4 to include Pleasant and Porpoise Islands in Unit 1C

Pleasant and Porpoise Islands are much more closely related ecologically and geographically with the Gustavus Forelands (Unit 1C) than with Chichagof Island (Unit 4) to the south. Pleasant Island is a small island approximately one mile south of Gustavus. Porpoise Islands are a very small series of islands east of Pleasant Island. For management purposes, current big game regulations for the remainder of Unit 1C are more appropriate for Pleasant and Porpoise Islands than Unit 4 regulations.

Pleasant Island is an important source of deer for the community of Gustavus. From RY2014 to RY2018 hunters harvested five deer total (range 0-4) on Pleasant Island. During the previous five-year period (RY2009 – RY2013), 152 deer (range 8-56) were harvested. Winters have been mild which can result in greater dispersal of deer across the landscape contributing to variability in harvest. Wildlife can move freely between Pleasant Island and the Gustavus Forelands. The distance between Pleasant Island and the mainland is approximately 0.65 mile (~1 km).

Deer hunting regulations for Unit 4 allow residents and nonresidents to harvest six deer annually between August 1 and December 31. Antlerless harvest is allowed after September 15. Federally qualified hunters can hunt through January and may harvest additional deer for any other federally qualified hunter under the federal designated hunter program. Gustavus residents are federally qualified. Harvest under these regulations are currently unsustainable for this island.

Deer hunting regulations for the Remainder of 1C are two bucks for residents and nonresidents from August 1 to December 31 under state regulations and four deer for federally qualified rural residents. Under federal regulations, does are allowed between September 15 and December 31. These regulations are likely unsustainable for Pleasant Island as well, but are currently more suitable than Unit 4 regulations.

Black bears are occasionally observed on Pleasant Island. There is currently no hunting season for black bears in Unit 4. If Pleasant Island was moved to Unit 1C, there would be a black bear season from September 1 to June 30 for both residents and nonresidents.

Wolf seasons and bag limits for wolves are currently identical for Unit 1C and Unit 4 under both hunting and trapping regulations.

Porpoise Islands are a group of very small islands east of Pleasant Island and while not much wildlife occur on these, it is appropriate to include these in Unit 1C.

Adoption of this proposal will require assessment of current customary and traditional findings and amounts necessary for all species for subsistence determinations for both Unit 4 and Unit 1C.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-059)

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PROPOSAL 171

5 AAC 92.450. Description of game management units.

Divide Unit 19A into two subunits as follows:

The description of the eastern boundary of **Unit 19A** will be the same description for the TM680 moose hunt in the ADF&G Hunting Regulations book.

That is – "*The Kuskokwim River drainage downstream from, and including the George River drainage, and downstream from and excluding the Downey Creek drainage.*"

The description of the western, (same), border of **Unit 19E** will be - "*The Kuskokwim River drainage upstream from, and excluding the George River drainage, and upstream from, and including the Downey Creek drainage.*"

Note: The Stony Holitna Advisory Committee submitted maps with 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.

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

The division of Game Management Unit 19A into two subunits - 19A West to remain 19A and 19A East to become 19E.

Background Information:

The Tier II hunt in 19A West and the Closure in 19A East, came about in 2006, primarily because residents in the two areas had/ have fundamentally different views on moose management.

There are two Advisory Committees in 19A –

- Acting in the interests of western 19A - The Central Kuskokwim Advisory Committee (CKAC), representing five villages – Lower Kalskag, Upper Kalskag, Aniak, Chuathbaluk, and Crooked Creek.

- Acting in the interests of eastern 19A - The Stony Holitna Advisory Committee (SHAC), representing four villages – Red Devil, Sleetmute, Stony River, and Lime Village.

The existence of two separate Game Management Units will simplify and facilitate wildlife management by ADF&G in each of the new subunits, particularly in regard to moose.

There are several differences between the two areas that offer compelling reasons for the division of 19A.

This following info is excepting the Lime Village Management Area, LVMA.

- Although all of 19A is designated as an Intensive Management Area, and qualifies for aerial wolf predator control, this program has been operational only in 19A East since 2009.
- 19A has two identified moose stocks, with two separate harvestable surpluses, which are managed separately by ADF&G.
- 19A East and West have different use patterns from each other.
- There are two separate hunts in 19A- RM682 in 19A East & TM680 in 19A West.
- SHAC and CKAC want these hunts to continue to remain separate.
- The topography of those portions of 19A that is accessible by boat is mainly heavily timbered, upland in the west, and mainly lowlands with both tundra and timber in the east.
- Land ownership is mainly federal and native corporation land in the west, and state and Native corporation land in the east, which has negatively affected the success of predator control programs, due to its prevention on both federal and Native corporation land. *In 2019, the local Native corporation board voted to allow predator control on its lands. This will contribute to the success of the two predator control programs in both 19A East and 19A West.*
- As of the March, 2020 Board of Game meeting, 19A West now has a separate predator control program

PROPOSED BY: Stony Holitna Fish and Game Advisory Committee (HQ-F20-032)

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The Board of Game deferred this proposal from the Interior and Eastern Arctic Region meeting in March 2020. The original proposal was Proposal 64.

PROPOSAL 172

5 AAC 92.530. Management areas.

Clarify the legal use of highway vehicles, snow machines and off-road vehicles in the Dalton Highway Corridor Management Area (DHCMA) for hunting and trapping. Clarify the use of firearms, and transport of furbearers and trapping bait when trapping in the DHCMA:

- Do hunting restrictions in 5 AAC 92.530(7) allow travelers who exit the DHCMA (e.g. to travel by licensed highway vehicle or other motorized means to Nuiqsut, Anaktuvuk Pass, Bettles, Wiseman, Coldfoot airport, or by snow machine to a homestead outside the corridor) to hunt once they exit the DHCMA?
- Does the definition of "off-road vehicle," in AS 19.40.210 affect use of a "licensed highway vehicle" and "snow machine" in 5 AAC 92.530(7)?
  - When it is operated off the highway, is a "licensed highway vehicle" in 5 AAC 92.530(7) an "off-road vehicle," as defined by 19.40.210?
  - Is the prohibition in 5 AAC 92.530(7) on use of motorized vehicles, with exceptions

for use of licensed highway vehicles, snow machines, aircraft and boats consistent with restrictions placed on off-road vehicles and snow machines in AS 19.40.210?

- Does the prohibition on hunting in 5 AAC 92.530(7)(B) also prohibit trapping?
  - If 5 AAC 92.530(7)(B) allows use of firearms for trapping in 5 AAC 92.530(7), is this consistent with the prohibition of hunting with firearms in AS 16.05.789?
- May a trapper or hunter crossing the DHCMA with a snow machine, stop to hunt or trap within the DHCMA, or become "parallel to the right-of-way of the highway" without violation of AS 19.40.210?
- May a trapper or hunter use a snow machine to enter the DHCMA from outside the area and trap or hunt within the DHCMA if the trapper does not travel all the way across the DHCMA?

What is the issue you would like the board to address and why? This is a placeholder proposal, intended to solicit public and agency input regarding the interpretation of state statutes and regulations pertaining to the Dalton Highway Corridor Management Area (DHCMA). Clarification is needed, as there is confusion within state government and the public regarding which activities and methods of access are legal within the DHCMA and what changes to 5 AAC 92.530(7) the Board of Game could legally undertake.

Although the above list is not a comprehensive list of issues associated with the DHCMA, the department recommends clarification of these issues in order to give the public the ability to correctly follow the restrictions set out in 5 AAC 92.530(7) and statutes AS 19.40.210 and AS 16.05.789, or to recommend changes to 5 AAC 92.530(7).

Federal access permits are also a consideration on federal lands within the DHCMA. For example, on federal lands in the DHCMA, federally-qualified users may use a snowmachine to trap, but cannot use a snowmachine to transport furbearers they catch or parts of game used as bait because of current language in 5 AAC 92.530(7). Additionally, nonfederally qualified users may obtain a permit to cross federal lands in the DHCMA by snowmachine in order to access property outside the DHCMA, but they may not use a snowmachine to trap in the DHCMA or transport game across the DCHMA. Federally-qualified trappers and nonfederally-qualified trappers who obtain such a permit can use snowmachines on federal land, but not state lands such as frozen rivers, and cannot transport game.

To aid the board in their decisions regarding 5 AAC 92.530(7) and possible conflicts this regulation may have with Alaska Statutes, we provide the relevant statutes below. Regulation 5 AAC 92.530(7) prior to the March 2019 Board of Game meeting is also included. The most recent board changes to 5 AAC 92.530(7) will be provided when they are available to the department.

Regulation 5 AAC 92.530. Management areas. The following management areas are subject to special restrictions:

...

(7) the Dalton Highway Corridor Management Area:

(A) the area consists of those portions of Units 20 and 24–26 extending five milesfrom

each side of the Dalton Highway, including the drivable surface of the Dalton Highway, from the Yukon River to the Arctic Ocean, and including the Prudhoe Bay Closed Area;

(B) the area within the Prudhoe Bay Closed Area is closed to the taking of big game; the remainder of the Dalton Highway Corridor Management Area is closed to hunting; however, big game, small game, and fur animals may be taken in the area by bow and arrow only, and small game may be taken by falconry;

(C) no motorized vehicle may be used to transport hunters, hunting gear, or parts of game, within the Dalton Highway Corridor Management Area, except that

(i) licensed highway vehicles may be used on the following designated roads: (1) Dalton Highway, (2) Bettles Winter Trail during periods when the Bureau of Land Management and the City of Bettles announce that the trail is open for winter travel, (3) Galbraith Lake Road from the Dalton Highway to the BLM campground at Galbraith Lake, including the gravel pit access road when the gate is open, (4) Toolik Lake Road, excluding the driveway to the Toolik Lake Research Facility, (5) the Sagavanirktok River access road two miles north of Pump Station 2, and (6) any constructed roadway or gravel pit within one- quarter mile of the Dalton Highway;

(ii) aircraft and boats may be used;

(iii) a snowmachine may be used to cross the management area from land outside the management area to access land on the other side of the management area;

(D) any hunter traveling on the Dalton Highway must stop at any check station operated by the department within the Dalton Highway Corridor Management Area

...

Alaska Statute Sec. 16.05.789. Prohibition on hunting adjacent to highway between Yukon River and Arctic Ocean.

(a) Hunting with firearms is prohibited north of the Yukon River in the area within five miles on either side of the highway between the Yukon River and the Arctic Ocean.

(b) A person who violates this section is guilty of a class A misdemeanor.

Alaska Statute Sec. 19.40.210. Prohibition of off-road vehicles.

(a) Off-road vehicles are prohibited on land within the highway corridor. However, this prohibition does not apply to

(1) off-road vehicles necessary for oil and gas exploration, development, production, or transportation;

(2) a person who holds a mining claim in the vicinity of the highway and who must use land in the highway corridor to gain access to the mining claim;

(3) the use of a snow machine to travel across the highway corridor from land outside the

corridor to access land outside the other side of the corridor; this paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway; or

(4) a person who must use land in the highway corridor to gain access to private property that

(A) is located outside the corridor; and

(B) has an established history of use as a homestead.

(b) Nothing in this section authorizes a person to access the land of another person unlawfully.

(c) In this section, "highway corridor" or "corridor" means land within five miles of the right-of-way of the highway.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F19-152)

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The Board of Game deferred this proposal from the Interior and Eastern Arctic Region meeting in March 2020. The original proposal was Proposal 63.

PROPOSAL 173

5 AAC 92.530(7). Management areas.

Repeal the Dalton Highway Corridor Management Area as follows:

Repeal 5 AAC 92.530(7) in total. Present language does not mirror all of the restrictions in Alaska Statute 19.40.210 causing confusion among hunters and enforcement. Present language in codified:

(7) the Dalton Highway Corridor Management Area:
- (A) the area consists of those portions of Units 20 and 24-26 extending five miles from each side of the Dalton Highway, including the drivable surface of the Dalton Highway, from the Yukon River to the Arctic Ocean, and including the Prudhoe Bay Closed Area.
- (B) the area within the Prudhoe Bay Closed Area is closed hunting; however, big game, small game, and fur animals may be taken in the area by bow and arrow only, and small game may be taken by falconry;
- (C) no motorized vehicle may be used to transport hunters, hunting gear, or parts of game, within the Dalton Highway Corridor Management Area, except that
  - (i) licensed highway vehicles may be used on the following designated roads:
    - (1) Dalton Highway,
    - (2) Bettles Winter Trail during periods when the Bureau of Land Management and the City of Bettles announce the trail is open for winter travel,
    - (3) Galbraith Lake Road from the Dalton Highway to the BLM campground at Galbraith Lake, including the gravel pit access road when the gate is open,
    - (4) Toolik Lake Road, excluding the driveway to the Toolik Lake Research Facility,

(5) the Sagavanirktok River access road two miles north of Pump Station 2, and any constructed roadway or gravel pit within one-quarter mile of the Dalton Highway;

(ii) aircraft and boats may be used

(iii) a snowmachine May be used to cross the Management area from land outside the management area to access land on the other side of the management area

(D) any hunter traveling on the Dalton Highway must stop at any check station operated by the department within the Dalton Highway Corridor Management Area;

What is the issue you would like the board to address and why? REPEAL (7) the Dalton Highway Corridor Management Area. The restrictive regulations codified are unnecessary and confusing to the public and law enforcement. The guiding restrictions are clear in AS 19.40.210. Hunting regulations should refer to the statute. Conflicts arise from federal agency management for federally qualified rural Alaskans to the detriment of Alaskans who are subsistence hunting. The statutory limits prevail so let's use the instead of re-creating some of them.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (EG-F19-116)

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Reauthorization of Antlerless Moose Hunts and Brown Bear Tag Fee Exemptions for other Regions

PROPOSAL 174

5 AAC 85.045(a)(1). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Unit 1C.

5 AAC 85.045. Hunting seasons and bag limits for moose.

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Unit 1C, Berners Bay drainages 1 moose by drawing permit only; up to 30 permits may be issued	Sept. 15 – Oct. 15 (General hunt only)	Sept. 15 – Oct. 15
…		
Unit 1C, that portion west of Excursion Inlet and north of Icy Passage 1 moose per regulatory year, only as follows:		
…		
1 antlerless moose by drawing permit only; up to 100 permits may be issued	Nov. 10 – Dec. 10 (General hunt only)	Nov. 10 – Dec. 10

What is the issue you would like the board to address and why? Antlerless moose hunts have been authorized for the Berners Bay and Gustavus moose populations in Unit 1C for over a decade. Those hunts were instituted as tools that could be used to manage both populations to within carrying capacity of the limited habitat in each area and to offer additional harvest opportunity as warranted. Antlerless hunts have been periodically and successfully used in both areas but must be reauthorized each year.

Berners Bay: The Berners Bay (Unit 1C) strategic moose management plan calls for a post-hunt population of 90 moose based on the area's estimated carrying capacity. The Department o Fish

and Game (department) has been successful at maintaining the Berners Bay population close to the post-hunt population objective by implementing both bull and cow hunts.

From 1998–2006 the number of drawing permits for Berners Bay moose ranged from 10 bull and 10 antlerless permits to 7 bull permits and no antlerless permits. The average annual harvest of bulls during that period was 7 moose, and in years when antlerless permits were issued, the annual harvest averaged 4 cow moose. Although the department has authorization to issue a total of 30 permits each year, no more than 20 total permits have been issued during a single year. Several severe winters from 2006 – 2009 resulted in overwinter mortality and population declines. No Berners Bay moose permits were issued from 2007–2013.

The number of drawing permits issued annually for Berners Bay is based on the number of moose observed during winter aerial surveys. The mean number of moose seen during aerial surveys conducted from 1990–2006 was 77 (range: 59–108). The number of moose seen on surveys declined during consecutive severe winters from 2006–2009 and with only 33–62 moose seen during surveys from 2007-2009. Since 2010 most winters have been moderate to mild and the population has recovered. Under ideal survey conditions in 2012, 102 moose were observed, including 21 bulls, 81 cows, and 14 calves. Since 2012 the moose population has been stable. The department was unable to complete a survey during the winter 2019/2020, but snow conditions were some of the deepest since the harsh winter of 2006/2007. The most recent survey was February 2019 when a total of 106 moose were observed, including 2 bulls, 26 cows, 13 calves, and 65 adult moose of unknown sex. Based on that survey and sightability of collared moose, the population was estimated to be 137 +/- 23 moose. Since 2012 the moose population in Berners has been stable and even though we received heavy snow during the 2019/2020 winter it came later in the year and the impacts to the moose population are expected to be minimal. Moose management is expected to be the same this coming year as it has been since 2012.

Berners Bay is almost entirely federal land. In 2018 the Federal Subsistence Board established a federal moose hunt in Berners Bay requiring 25% of the available hunting opportunity to be reserved for federally qualified hunters residing in Units 1-5. Those same federally qualified users also remain eligible for Berners Bay permits issued through the state draw permit system. The federal hunt was first held in fall 2019, and two of the seven available permits were issued to federally qualified hunters leaving 5 permits available for the State hunt. In 2020 the state plans to offer 6 permits while 2 permits will be issued to Federally qualified hunters. All permits will be for bulls only.

The department maintains management authority over the Berners Bay population and would like to retain the ability to implement an antlerless moose hunt should the population or habitat conditions warrant that type of management.

Gustavus: The Gustavus moose population (Unit 1C) rapidly expanded from just a few animals in the 1980s and early 1990s to a peak of about 400 animals in 2003. In 2002 the department estimated the density of moose on the Gustavus Forelands winter range exceeded 5 moose per km^2 despite only a small proportion of the area consisting of productive (abundant willow) winter habitat. In response to concerns about moose damaging the winter habitat, the department initiated spring browse surveys in 1999 and determined that an unsustainable level (85% - 95%) of the current annual growth of willow twigs had been consumed by moose.

To conserve winter habitat the department requested the board authorize an antlerless moose hunt, and the first antlerless hunt was held in the fall of 2000. From 2002– 2008 hunters harvested between 11 and 67 antlerless moose annually, depending on the number of permits issued. No hunt was held in fall 2007 due to high moose mortality during the severe winter of 2006-2007, and no antlerless hunts have been held since 2009.

The objective of antlerless moose hunts in Gustavus is to maintain the moose population using the winter range to levels commensurate with habitat capability. Based on aerial surveys corrected for sightability and annual browse surveys, management of the population using antlerless hunts has been successful. In 2013, under favorable survey conditions 186 moose (25 bulls, 121 cows, and 40 calves) were observed. The population estimate corrected for sightability was 323 +/- 87 moose. Under poor late winter survey conditions in March 2014 91 (24 cows, 12 calves, and 55 unknown) moose were seen yielding a sightability corrected population estimate of 244 +/- 98 moose. Due to exceptionally mild winter weather, at the time of this survey, a number of radiocollared moose had already transitioned to forested summer range outside the survey area. There was little snow cover during the winter of 2014–15, so no survey was attempted. A moose survey was completed in February 2020 and observed 91 moose (1 bull, 10 cows, 13 calves, and 67 unknown sex). The resulting population estimate was 188 ± 56 moose. This is slightly lower than the winter 2018 estimate of 218 $\pm$ 22 moose.

Severe winters from 2006 through 2009 reduced calf survival, but since then calf survival has improved. Even during severe winters survival of adult females remained high at about 89%. Given the improved survival rate of calves during successive mild winters and stable cow survival, the potential exists for the Gustavus moose population to rapidly increase.

The Gustavus moose population is currently at a level the department believes is appropriate for the available winter habitat. However, it is important to retain the ability to implement antlerless hunts should the population increase to a level that is detrimental to the habitat.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-069)

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PROPOSAL 175

5 AAC 85.045(a)(3). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose hunt in Unit 5A, Nunatak Bench as follows.

Units and Bag Limits	**Resident Open Season (Subsistence and General Hunts)**	**Nonresident Open Season**
(3)		
Unit 5(A), that portion south of Wrangell - Saint Elias National Park, north and east of Russell and Nunatak	Nov. 15 - Feb. 15	Nov. 15 - Feb. 15

Fiords, and east of
the east side of East
Nunatak Glacier to
the Canadian Border
(Nunatak Bench)

1 moose by registration
permit only; up to 5
moose may be taken

What is the issue you would like the board to address and why? The Nunatak Bench (Unit 5A) hunt area is managed as a separate population because it is generally isolated from other moose populations by fiords and glaciers. The area is subject to severe winters and has low capability to support moose relative to other moose habitat in Unit 5A. The purposes of this hunt are to provide opportunity as the population allows and to maintain the number of moose within a level the limited habitat can support. This hunt opens after other moose hunts in the unit have closed, and it is a popular alternative for hunters who were unsuccessful during those hunts. Because much of the open season for this hunt takes place after bulls have dropped their antlers, either sex may be harvested.

The Nunatak Bench strategic moose management plan calls for a post-hunt population of no more than 50 moose. During an aerial survey in 2001 52 moose were seen. From 2005 through 2012 only 11 – 14 moose with 1 or 2 calves were seen during surveys. The decline in moose numbers following the 2001 survey may be related to the 68-foot rise of Russel Fiord flooding and damaging habitat when it was blocked by the surging Hubbard Glacier during 2003. Due to poor weather and the remoteness of the location this area was not surveyed again until December 2015 when a total of 14 moose (3 bulls, 2 cows, 3 calves, and 6 unknown) were seen. A series of severe winters from 2006 through 2012 may have inhibited recovery of the population. Anecdotal reports from hunters indicate that wolves in the area may also be inhibiting recovery of this small population.

From 1997 through 2004 an average of 12 either sex permits were issued annually with an average of 4 people hunting each year. During that period a total of 15 moose (9 bulls, 6 cows) were harvested for an average of about 2 moose per year. No permits have been issued and no moose have been harvested in this area since 2004.

The department believes it is important to retain the ability to implement an antlerless hunt in this area to prevent habitat damage should the population increase. The department will continue to monitor this population as conditions allow, but we do not plan to issue hunt permits until the population reaches at least 25 moose.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-070)
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Proposal 176

5 AAC 085.045(4). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose season in Unit 6C.

Seasons and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(4)		
…		
Unit 6(C)		
1 moose per regulatory year, only as follows:		
1 moose by drawing permit only; up to 40 permits for bulls and up to 20 permits for antlerless moose may be issued; or	Sept. 1-Oct. 31 (General hunt only)	No open season.
1 moose by registration permit only;	Nov. 1-Dec. 31	No open season.
...		

What is the issue you would like the board to address and why? Antlerless moose hunts must be reauthorized annually by the Board of Game. The Department of Fish and Game recommends reauthorizing the state antlerless hunt in Unit 6C to achieve the harvest objectives when the federal subsistence hunt is not able to achieve the desired level of harvest. The population objective in Unit 6C is 600–800 moose. A population estimate completed during March 2018 yielded an estimate of 677 moose, 32% of which were calves. Because the available antlerless harvest quota in Unit 6C is currently harvested under a federal subsistence season administered by the U. S. Forest Service, there has not been a state antlerless hunt since RY99. The department would like to retain the ability to implement an antlerless moose hunt should the population or habitat conditions warrant it.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-066)

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Proposal 177

5 AAC 85.045(5). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose season in the Twentymile/Portage/Placer hunt area in Units 7 and 14C.

Seasons and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(5)		
…		
Unit 7, the Placer River drainages, and that portion of the Placer Creek (Bear Valley) drainage outside the Portage Glacier Closed Area, and that portion of Unit 14(C) within the Twentymile River drainage		
RESIDENT HUNTERS:		
1 moose by drawing permit only; up to 60 permits for bulls will be issued in combination with nonresident hunts, and up to 70 permits for antlerless moose will be issued	Aug. 20—Oct. 10 (General hunt only)	
NONRESIDENT HUNTERS:		
1 bull by drawing permit only; up to 60 permits for bulls will be issued in combination with resident hunts		Aug. 20—Oct. 10
…		

What is the issue you would like the board to address and why? Antlerless moose seasons must be reauthorized annually, and the Department of Fish and Game (department) recommends reauthorizing the antlerless hunt in Units 7 and 14C. The moose population in the Twentymile/Portage/Placer area has a history of rapid increase following mild winters and sharp reductions during severe winters. In 2009, antlerless permits were issued for the first time since 2004. The number of permits issued depends on the current population estimate and bull:cow ratios, as well as estimated winter mortality. A December 2016 aerial composition count of moose in the Twentymile, Portage, and Placer river drainages found 153 moose with a bull:cow ratio of

30 bulls per 100 cows and a calf:cow ratio of 18 calves per 100 cows. Since 2016, there has not been enough snow in early winter to conduct surveys.

The harvest of antlerless moose provides the department with a management tool to maintain the number of moose in the Twentymile/Portage/Placer area at a population level low enough to reduce over-browsing of winter habitat, moose-vehicle collisions, and starvation during severe winters. The moose population will be healthier and more productive due to decreased stress levels associated with winter food shortages. This hunt has been successful in creating additional moose hunting opportunity with little or no controversy.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-062)

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Proposal 178

5 AAC 85.045(5). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Unit 14C as follows:

Seasons and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(12)		
…		
Unit 14(C), Joint Base Elmendorf-Richardson (JBER) Management Area	Sept. 1—Mar 31 (General hunt only)	Sept 1.—Mar 31
1 moose by regulatory year by drawing permit, and by muzzleloading blackpowder rifle or bow and arrow only; up to 185 permits may be issued		
Unit 14(C), that portion known as the Birchwood Management Area	Sept. 1—Mar 31 (General hunt only)	Sept 1.—Mar 31
1 moose by drawing permit, by bow and arrow only; up to 25 permits may be issued		
Unit 14(C), that portion known as the Anchorage Management Area	Sept 1.—Nov. 30 (General hunt only)	No open season

1 antlerless moose by drawing permit only, and by bow and arrow, shotgun, or muzzleloading black powder rifle only; up to 50 permits may be issued		
Unit 14(C), that portion of the Ship Creek drainage upstream of the Joint Base Elmendorf-Richardson (JBER) Management Area		
1 moose by drawing permit only; up to 50 permits may be issued; or	Sept. 1—Sept. 30 (General hunt only)	Sept. 1—Sept. 30
1 bull by registration permit only	Oct. 1—Nov. 30 (General hunt only)	Oct. 1—Nov. 30
…		
Remainder of Unit 14(C)		
1 moose per regulatory year, only as follows:		
1 bull with spike-fork antlers or 50-inch antlers or antlers with 3 or more brow tines on one side; or	Sept. 1—Sept. 30 (General hunt only)	Sept. 1—Sept. 30
1 antlerless moose by drawing permit only; up to 60 permits may be issued; or	Sept. 1—Sept. 30 (General hunt only)	No open season
1 bull by drawing permit only, by bow and arrow only; up to 10 permits may be issued	Oct. 20—Nov. 15	No open season
…		

What is the issue you would like the board to address and why? Antlerless moose hunts must be reauthorized annually, and the Department of Fish and Game recommends reauthorizing the antlerless moose hunts in Unit 14C. The harvest of antlerless moose provides the department with a management tool to maintain the number of moose in Unit 14C at the desired population objective (1,500 moose). This population size has been demonstrated to reduce over-browsing of winter habitat, moose-vehicle collisions, moose-human conflicts in urban areas, and starvation during severe winters.

These hunts have also been successful in providing additional moose hunting opportunities in the state's human population center with little controversy.

Moose in Unit 14C are managed intensively for a population objective of 1,500–1,800 moose and an annual harvest objective of 90–270 moose (5AAC 92.108). The number of antlerless permits issued depends on the current population estimate and bull:cow ratios, as well as estimated winter mortality. In 2013, the department estimated that the moose population contained approximately 1,533 moose in Unit 14C from a combination of population census, composition surveys and extrapolation to unsurveyed areas. Since 2013, a lack of snow has limited the ability to conduct surveys, however there is no indication from either harvest or roadkill numbers that the moose population has changed significantly.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-063)

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Proposal 179

5 AAC 085.045(13). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose season on Kalgin Island in Unit 15B as follows:

Units and Bag Limits	**Resident Open Season (Subsistence and General Hunts)**	**Nonresident Open Season**
(13)		
…		
Unit 15(B), Kalgin Island		
1 moose per regulatory year, by registration permit only	Aug. 20—Sept. 20	Aug. 20—Sept. 20
...		

What is the issue you would like the board to address and why? Antlerless moose hunts must be reauthorized annually by the Board of Game. The current regulation for hunting moose on Kalgin Island in Unit 15B allows hunters to harvest antlerless moose with the goal of reducing the population to the management objective.

In response to concerns that the moose population on Kalgin Island had exceeded the island's carrying capacity and deteriorating habitat conditions, the board established a drawing permit hunt for antlerless moose in 1995. In a further attempt to reduce the number of moose on the island, the board established a registration hunt for any moose in 1999. Despite these measures to reduce moose numbers, moose remain abundant on the island and continue to exceed the management objective.

During the most recent moose survey, Department of Fish and Game staff counted 118 moose on Kalgin Island in February 2020. This count exceeded the population objective of 20–40 moose. In

the last 10 years, an average of 122 permits were issued for this hunt; of which 87 permittees hunted, with an annual harvest of 30 moose.

The any moose registration hunt is recommended to provide liberal harvest opportunity on this predator-free island population. A registration hunt also allows the department to continue gathering biological information from specimens provided by successful hunters. The difficult hunting conditions and limited access will make over-harvest unlikely.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-064)

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Proposal 180

5 AAC 85.045(13). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Unit 15C as follows:

This proposal would reauthorize the antlerless moose hunt for the Homer bench (DM549) and the targeted hunt (AM550).

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(13)		
…		
Unit 15(C), that portion south of the south fork of the Anchor River and northwest of Kachemak Bay		
RESIDENT HUNTERS:		
…		
1 antlerless moose by drawing permit only; the taking of calves, and females accompanied by calves, is prohibited; up to 100 permits may be issued in combination with the nonresident drawing hunt: or	Oct. 20—Nov. 20	
…		
1 moose by targeted permit only[,]	Oct. 15—Mar. 31	

NONRESIDENT HUNTERS:

…

1 antlerless moose by drawing permit only; the taking of calves, and females accompanied by calves, is prohibited; up to 100 permits may be issued in combination with the resident drawing hunt	Oct. 20—Nov. 20

Remainder of Unit 15(C)

…

RESIDENT HUNTERS:

…

1 moose by targeted permit only[,]	Oct. 15—Mar. 31

What is the issue you would like the board to address and why? Antlerless moose seasons must be reauthorized annually, and the Department of Fish and Game recommends reauthorization of the Homer bench hunt (DM549) and the targeted hunt (AM550) along the Sterling Highway in 15C for the 2020-21 hunting season.

In February 2017, a GSPE census was conducted in the northern portion of Unit 15C (north of Kachemak Bay) and resulted in a population estimate of 3,529 moose (95% CI: range 2,769–4,289), of which 19% (95% CI: 14–24) where calves. This equates to a density of approximately 3 moose/mi^2 in the census area. Density estimates for the winter are difficult to determine because the areas available to moose vary depending on snowfall, but winter density is consistently higher. Fall composition counts in core count areas during December 2019 provided a bull ratio of 40 bulls:100 cows.

The Homer bench land in Unit 15C, which encompasses the hunt boundary of DM549, contains high densities of moose in winters when deep snow drives moose into human populated areas. Even without deep snow, some moose die due to malnutrition and negative interactions with humans occur as moose become more aggressive in their search for food around human residences. Fifty permits were issued in each of the last 10 years resulting in an average harvest of 24 cows annually.

The purpose of AM550 is to allow for the harvest of antlerless moose along the Sterling Highway in Unit 15C during deep snow winters if they pose a threat to highway vehicles. On average, 62 known animals are killed each year in vehicle collisions in Unit 15C. The department will decide when and where permits will be issued during the hunt period. Targeted hunts are administered through a registration permit and up to 100 moose may be taken. The number of permits issued each year will depend on conditions, and it is possible no permits will be issued in some years based on snow conditions.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-065)

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PROPOSAL 181

5 AAC 85.045(a)(16). Hunting seasons and bag limits for moose.

Reauthorize the resident antlerless moose season in Unit 18 as follows:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(16) …		
Unit 18, that portion that drains into Kuskokwim Bay south of the Carter Bay drainage		
RESIDENT HUNTERS:		
…		
1 moose by registration Permit only; to be announced by emergency order	Dec. 1—Mar. 31 (Season to be announced)	No open season.
Remainder of Unit 18		
RESIDENT HUNTERS:		
2 moose; of which only 1 may be an antlered bull; a person may not take a calf or a cow accompanied by a calf; or	Aug. 1—Sept. 30	
2 antlerless moose; or	Oct. 1—Nov. 30.	
2 moose	Dec. 1—April 30.	
NONRESIDENT HUNTERS:		
…		
1 antlerless moose		Dec. 1—Mar. 15

…

What is the issue you would like the board to address and why? To be retained, the antlerless moose seasons in Unit 18 must be reauthorized annually. The current antlerless hunts in the Remainder of Unit 18 were adopted at the January 2014 Board of Game meeting in Kotzebue. The current antlerless hunt in the Goodnews Hunt area and nonresident antlerless hunt was adopted at the January 2017 Board of Game meeting in Bethel. Both of these antlerless hunts were amended at the BOG meeting in 2020 in Nome. The Board has previously reauthorized the antlerless moose season for resident hunts in Unit 18 remainder for regulatory year (RY) 2016 through RY2020. This proposal requests reauthorization for RY2021.

Implementation of antlerless hunts began in 2007 and has continued each year due to increased moose abundance, productivity, and population growth along the Yukon River drainage in Unit 18. Based on the steady growth in moose populations and productivity, ADF&G proposes continued antlerless moose hunts in the Remainder of Unit 18.

Within the areas near the Yukon River, the moose population is estimated at a minimum of 17,000 animals with calf:cow ratios ranging from 65:100 to 75:100, and twinning rates from 20% to 50% for all areas. Population growth continues to be strong in this portion of Unit 18 and anecdotal evidence suggests that calf survival rates remain high. The population is expected to continue to grow with high recruitment and adult survival.

Although the current year harvest data in the Remainder of Unit 18 has not been finalized due to the early proposal deadline, we expect harvest to be similar to the past 4 years and well within sustained yield for this robust population. Allowing antlerless harvest will benefit hunters through increased opportunity, and any increases in harvest may help slow the growth rate of the population in this portion of Unit 18.

The moose population in the Goodnews River drainage had grown steadily in the past 15 following a closure in 2004. The fall hunt has had a quota of 10 in the first few years of the hunt and recently increased to 30. The season has not been closed by EO and the past few years the quota was not meet. In the two years that the winter hunt has been held, harvest has been low (only 5 killed in RY2017 and none in RY2018). The population now is over 300 moose and based on the steady growth in moose populations and productivity, ADF&G proposes continued antlerless moose hunts in the Goodnews River Drainage.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-047)

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PROPOSAL 182

5 AAC 85.045(a)(17). Hunting seasons and bag limits for moose.

Reauthorize a winter antlerless moose season during February in a portion of Unit 19D as follows.

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(17)		
…		
Unit 19(D) East, those portions of the Kuskokwim River drainage within 19(D) upstream from the Selatna River drainage, but excluding the Black River drainage		
RESIDENT HUNTERS:		
...		
1 moose, by registration permit only, a person may not take a cow accompanied by a calf	Feb 1 – Last day of Feb.	
...		

What is the issue you would like the board to address and why? Antlerless moose hunting seasons must be reauthorized annually. The goal is to provide additional harvest opportunity and meet harvest objectives.

The moose population in Unit 19D East has approximately doubled since predator removals began in 2003. The Department of Fish and Game is starting to observe decreasing nutritional status as indicated by declining twinning rates. Prior to intensive management, bull-to-cow ratios along the Kuskokwim River drainage were measured at 18 bulls per 100 cows. After predator reductions and a closure of moose hunting in the Bear Control Focus Area (BCFA), ratios improved to 39 bulls per 100 cows by 2007. By 2019 ratios had declined again and the two-year average was 18 bulls per 100 cows.

To maintain a healthy and productive moose population, department research (Boertje et al. 2007) indicates that when the two-year average twinning rate is 11–20% populations should be stabilized. Twinning rates in Unit 19D East remained high until 2015; however, the current 2-year average twinning rate is now 16%, indicating a decreasing nutritional status in this population. The current

Intensive Management plan for Unit 19D East calls for to stabilization of the population through harvest when the -year average twinning rate is between 15 and 20%.

Additional harvest opportunity is available. Winter hunts distribute hunter pressure and allow access to areas inaccessible in the fall.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-036)

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PROPOSAL 183

5 AAC 85.045(18). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Unit 20A as follows:

Units and Bag Limits	Resident Open Season Subsistence and General Hunts	Nonresident Open Season
(18)		
Unit 20(A), the Ferry Trail Management Area, Wood River Controlled Use Area, and the Yanert Controlled Use Area		
RESIDENT HUNTERS:		
...		
1 antlerless moose by drawing permit only; up to 2,000 permits may be issued in combination with the Remainder of Unit 20(A); a person may not take a cow accompanied by a calf; or	Aug. 15–Nov. 15	
1 antlerless moose by registration permit only; a person may not take a cow accompanied by a calf; or	Oct. 1–last day of Feb.	
...		
1 moose by targeted permit only; by shotgun, crossbow, or bow and arrow only; up to 100 permits may be issued	Season to be announced by emergency order	

Units and Bag Limits	Resident Open Season Subsistence and General Hunts	Nonresident Open Season
...		
Remainder of Unit 20(A)		
RESIDENT HUNTERS:		
...		
1 antlerless moose by drawing permit only; up to 2,000 permits may be issued in combination with Unit 20(A), the Ferry Trail Management Area, Wood River Controlled Use Area, and the Yanert Controlled Use Area; a person may not take a cow accompanied by a calf; or	Aug. 15–Nov. 15	
1 antlerless moose by registration permit only; a person may not take a cow accompanied by a calf; or	Aug. 25– last day of Feb.	
...		
1 moose by targeted permit only; by shotgun, crossbow, or bow and arrow only; up to 100 permits may be issued	Season to be announced by emergency order	
...		

What is the issue you would like the board to address and why? Antlerless moose hunting seasons must be reauthorized annually. Antlerless hunts are important for maintaining the moose population at levels that the habitat can support. Antlerless hunts also help regulate moose population growth, help to meet Intensive Management (IM) objectives for high levels of harvest, and provide subsistence hunters with a reasonable opportunity to pursue moose for subsistence uses without reducing bull-to-cow ratios.

If antlerless moose hunts are not reauthorized, the moose population could increase to levels beyond the ability of the habitat to support the moose population. Allowing the population to grow beyond what the habitat can support may require the population to be reduced dramatically

to avoid long term habitat damage. Opportunity to hunt a harvestable surplus of cow moose would be lost, and the ability to meet IM harvest objectives could be compromised. Subsistence hunters in the portion of Unit 20A outside the Fairbanks Nonsubsistence Area (part of the western Tanana Flats) may not have a reasonable opportunity to pursue moose for subsistence uses.

Reauthorizing antlerless moose hunts will allow hunting opportunity and harvest to increase and allow the Department of Fish and Game to manage the moose populations at an optimum level. The additional harvest will help in meeting IM harvest objectives without reducing bull-to-cow ratios to low levels. Meat and subsistence hunters will benefit from the opportunity to harvest cow moose. Moose populations will benefit by maintaining moose densities at a level compatible with their habitat. Motorists and residents may benefit from reduced moose–vehicle collisions and moose–human conflicts.

The current objective is to maintain moose numbers within the IM population objective of 10,000–15,000 moose, while monitoring indicators of moose and habitat condition for positive density-dependent responses. The Unit 20A population was estimated at 9,581–13,959 moose (90% confidence interval) in 2019. This estimate falls within the IM population objective. The department does not want the population to further increase because of concerns density effects. The department will monitor Unit 20A calves for twining rates below 20% and short yearling weights below 400 pounds to detect density dependent issues. Therefore, the intention is to harvest moose at a rate of 1% of the population which has been shown to stabilize the moose population at its current level. Antlerless harvest will be by drawing permits for a majority of Unit 20A and a registration permit outside the nonsubsistence area in northwest Unit 20A near Nenana. The harvest objective will be based on the most recent survey results.

The number of moose in Unit 20A was estimated at 17,768 (2.6 moose/mi^2) in 2003. Research indicated this high-density moose population was experiencing density-dependent effects, including low productivity, relatively light calf weights, and high removal rates of winter forage. The objective beginning in regulatory year 2004–2005 (RY04) was to reduce moose numbers to the population objective of 10,000–12,000 moose (1.5–1.8 moose/mi^2) unless indicators of moose condition showed signs of improvement at higher densities. In 2016, the Board of Game adopted the IM population objective of 10,000–15,000 moose and the 2019 population estimate is within the IM objective.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-038)

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PROPOSAL 184

5 AAC 85.045(18). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Unit 20B as follows:

Units and Bag Limits (18)	**Resident Open Season Subsistence and General Hunts**	**Nonresident Open Season**
...		
Unit 20(B), that portion within Creamer's refuge		
...		
1 antlerless moose by bow and arrow only, by drawing permit only; up to 150 bow and arrow permits may be issued in the Fairbanks Management Area; a recipient of a drawing permit is prohibited from taking an antlered bull moose in the Fairbanks Management Area; or	Sept. 1–Nov. 27	Sept. 1–Nov. 27
1 antlerless moose by muzzleloader by drawing permit only; up to 10 permits may be issued; a recipient of a drawing permit is prohibited from taking an antlered bull moose in the Fairbanks Management Area	Dec. 1–Jan. 31	Dec. 1–Jan. 31
Unit 20(B), remainder of the Fairbanks Management Area		
...		
1 antlerless moose by bow and arrow only, by drawing permit only; up to 150 bow and arrow permits may be issued in the Fairbanks Management Area; a recipient of a drawing permit is prohibited from taking an antlered bull moose in the Fairbanks Management Area; or	Sept. 1–Nov. 27	Sept. 1–Nov. 27

Units and Bag Limits	Resident Open Season Subsistence and General Hunts	Nonresident Open Season
1 moose by targeted permit only; up to 100 permits may be issued	Season to be announced by emergency order	No open season.
Unit 20(B), that portion within the Minto Flats Management Area		
RESIDENT HUNTERS:		
...		
1 antlerless moose by registration permit only	Oct. 15– Last day of Feb.	No open season.
...		
Unit 20(B), the drainage of the Middle Fork of the Chena River		
1 antlerless moose by drawing permit only; up to 300 permits may be issued; a person may not take a cow accompanied by a calf; or	Aug. 15–Nov. 15	
1 antlerless moose by registration permit only; a person may not take a cow accompanied by a calf; or	Oct. 1– Last day of Feb.	No open season.
...		
Unit 20(B), that portion southeast of the Moose Creek dike within one-half mile of each side of the Richardson highway		
...		
1 moose by drawing permit only; by crossbow, bow and arrow, or muzzleloader only; up to 100 permits may be issued; or	Sept. 16–Last day of Feb.	No open season.

Units and Bag Limits	Resident Open Season Subsistence and General Hunts	Nonresident Open Season
1 moose by targeted permit only; by crossbow, shotgun, or bow and arrow only; up to 100 permits may be issued	Season to be announced by emergency order	No open season.
Remainder of Unit 20(B)		
1 antlerless moose by drawing permit only; by youth hunt only; up to 200 permits may be issued; or	Aug. 5–Aug. 14	No open season
...		
1 antlerless moose by drawing permit only; up to 1,500 permits may be issued in the remainder of Unit 20(B); a person may not take a cow accompanied by a calf; or	Aug. 15–Nov. 15	No open season.
1 antlerless moose by registration permit only; a person may not take a cow accompanied by a calf; or	Oct. 1– Last day of Feb.	
1 moose by targeted permit only; by crossbow, shotgun, or bow and arrow only; up to 100 permits may be issued	Season to be announced by emergency order	No open season.
...		

What is the issue you would like the board to address and why? Antlerless moose hunting seasons must be reauthorized annually. The goal is to provide for a wide range of public uses and benefits, and to protect the health and habitat of moose populations. Antlerless hunts are important for improving or maintaining the ability of moose habitat to support current populations. They also help regulate moose population growth, help to meet Intensive Management (IM) objectives for high levels of harvest, and provide subsistence hunters with a reasonable opportunity to pursue moose for subsistence uses without reducing bull-to-cow ratios.

If antlerless moose hunts are not reauthorized, the moose population may exceed population objectives causing habitat degradation and a loss of opportunity to hunt a surplus of antlerless moose. Furthermore, subsistence hunters in the portion of Unit 20B in the Minto Flats Management Area may not have a reasonable opportunity to pursue moose for subsistence uses.

The reauthorization of antlerless moose hunts in Unit 20B will allow Alaska Department of Fish and Game (ADF&G) to manage the moose population within the population objectives of 12,000

to 15,000 moose. Hunting opportunity and harvest will increase and allow ADF&G to manage this moose population at optimum levels. The additional harvest is necessary to meet intensive management harvest objectives while maintaining bull-to-cow ratios within objectives. Subsistence hunters will have reasonable opportunity to harvest cow moose. Moose populations will benefit by maintaining moose densities at levels compatible with their habitat. Motorists and residents may benefit from reduced moose–vehicle collisions and moose–human conflicts.

The moose population level in Unit 20B is currently within the population objective of 12,000–15,000 moose. The population declined from an estimated 20,173 moose in 2009 to 11,064 in 2015, due in large part to antlerless moose hunts designed to lower the population to those objectives. The population increased slightly to 12,871 moose in 2017. To maintain the current population level the department recommends limited antlerless hunts in the Minto Flats Management Area (MFMA) and the Fairbanks Management Area (FMA). The department will continue to monitor the moose population and may implement additional antlerless hunts if the population continues to trend upward.

Fairbanks Management Area (FMA)—The purpose of this antlerless hunt is to regulate population growth in the FMA and reduce potential moose–vehicle collisions and nuisance moose problems.

The number of moose–vehicle collisions in the FMA is high and pose significant safety risks to motorists. In addition, moose nuisance issues continue to place significant demands on property owners. To increase hunting opportunity and harvest and reduce moose–vehicle collisions, the department incrementally increased the number of drawing permits for antlerless moose in the FMA during RY99–RY10. Moose–vehicle collisions and moose nuisance problems have remained lower since, presumably, in part due to consistent antlerless moose harvests.

Minto Flats Management Area (MFMA)—The primary purpose of this antlerless hunt is to provide a reasonable opportunity for subsistence uses and to regulate the moose population in the MFMA.

The MFMA moose density was high in 2010 (4.4 moose/mi^2). To reduce the moose population, the harvest of antlerless moose during RY12 and RY13 was about 2.5% of the population. The fall 2015, 2017, and 2019 estimates showed more appropriate densities of 1.6, 1.7, and 2.0 moose/mi^2, respectively. Because the population level has been stable and within the population objectives, the antlerless harvest has been reduced to approximately 1% of the total population to maintain the current population level.

Targeted Hunt—The purpose of the targeted hunt is to allow the public to harvest moose that are causing nuisance or public safety issues. These permits are used sparingly but allow the public to harvest the moose instead of the department just dispatching them.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-40)
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PROPOSAL 185

5 AAC 85.045(18). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose hunting seasons in Unit 20D as follows:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(18)		
...		
Unit 20(D), that portion lying west of the west bank of the Johnson River and south of the north bank of the Tanana River, except the Delta Junction Management Area and the Bison Range Controlled Use Area		
RESIDENT HUNTERS:		
...		
1 antlerless moose by drawing permit only; up to 1,000 permits may be issued in combination with that portion in the Delta Junction Management Area; a person may not take a calf or a cow accompanied by a calf; or	Oct. 10–Nov. 25	
1 antlerless moose by registration permit only; a person may not take a calf or a cow accompanied by a calf	Oct. 10–Nov. 25	
...		
Unit 20(D), that portion within the Bison Range Controlled Use Area		
...		

1 antlerless moose, per lifetime of a hunter, by youth hunt drawing permit only; up to 10 permits may be issued; a person may not take a calf or a cow accompanied by a calf;	Sept. 1–Sept. 30	Sept. 1–Sept. 30
Unit 20(D), that portion within the Delta Junction Management Area		
RESIDENT HUNTERS:		
1 moose every four regulatory years by drawing permit only, a person may not take a calf or a cow accompanied by a calf; or	Sept. 1–Sept. 15	
...		
1 antlerless moose by drawing permit only; up to 1,000 permits may be issued in combination with that portion lying west of the west bank of the Johnson River and south of the north bank of the Tanana River; a person may not take a calf or a cow accompanied by a calf; or	Oct. 10–Nov. 25	
1 antlerless moose by registration permit only; a person may not take a calf or a cow accompanied by a calf	Oct. 10–Nov. 25	
NONRESIDENT HUNTERS:		
1 moose every four regulatory years by drawing permit only, a person may not take a calf or a cow accompanied by a calf; or		Sept. 1–Sept. 15
...		

What is the issue you would like the board to address and why? Antlerless moose hunts must be reauthorized annually. The objectives of the Unit 20D antlerless moose hunts are to 1) stabilize population growth of this high-density moose population; 2) address concerns about range degradation, reduced nutritional condition, and reduced reproductive success; 3) make progress

toward meeting the Unit 20D intensive management (IM) harvest objective of 500–700 moose; and 4) provide youth and disabled veteran hunting opportunity. These objectives are being met.

If antlerless moose hunts are not reauthorized, the moose population could quickly increase to levels beyond the ability of the habitat to support the moose population. Opportunity to hunt a harvestable surplus of cow moose would be lost, and the ability to meet IM harvest objectives could be compromised. Additionally, the population may need to be reduced dramatically when new data are available and analyzed.

Antlerless moose hunts are offered in southwest Unit 20D, which has the highest moose density in the unit. This area has great potential for population growth due to an abundance of high-quality moose habitat created from extensive land clearing for agricultural use and multiple wildfires over the past 30 years. Total moose harvest in all of Unit 20D averaged 248 moose (an average of 231 bulls and 17 antlerless moose) during regulatory years 2017 and 2018.

Antlerless hunting opportunity is limited at present because this small opportunity helps to maintain the moose population within the ability of habitat to support the population. The largest antlerless harvest (n=113) that occurred recently in Unit 20D was in 2009 when antlerless hunts were newly authorized. The southwest Unit 20D population estimate (approximately 4,000–4,500 moose, with a sightability correction factor applied) and bull harvest in southwestern Unit 20D (226–282) have been stable since 2011. The 2019 population estimate for southwest Unit 20D was 3,647 moose (corrected for sightability) with a density of 2.8 moose per square mile, 31 calves:100 cows and 28 bulls:100 cows.

Antlerless harvest will likely be needed to maintain the population at the optimal density and will help make progress toward the IM harvest objective of 500–700 moose without reducing bull:cow ratios below the management objectives. The population trend and harvest rate suggest the low, consistent antlerless harvest provided by the drawing permit hunts in Unit 20D, in conjunction with other mortality factors (including ceremonial harvest, vehicle collision, accidents, and predation), is an appropriate rate of antlerless moose mortality that contributes to stability in the southwest Unit 20D moose population.

The Department of Fish and Game will continue to evaluate antlerless moose hunts and their effect on moose density and population growth. Future antlerless moose hunts will be implemented as needed based on evaluation of three indices of density-dependent moose nutritional conditions in relation to changes in moose density: biomass removal of current annual growth on winter browse, proportion of females with twin calves, and late-winter calf weights.

Additional drawing or registration permits will be issued only if more harvest is needed in specific areas to maintain optimal moose densities.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-42)

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PROPOSAL 186

5 AAC 85.045(a)(19)(B). Hunting seasons and bag limits for moose.

Reauthorize a winter any-moose season during March in a portion of Unit 21D.

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(19)		
Unit 21(D), that portion south of the South bank of the Yukon River, downstream of the up-river entrance of Kala Slough and west of Kala Creek		
RESIDENT HUNTERS:		
...		
1 moose, by registration permit only, up to 15 days during March; a person may not take a cow accompanied by a calf	(Winter season to be announced)	
...		

What is the issue you would like the board to address and why? Antlerless moose hunting seasons must be reauthorized annually. The goal is to provide additional harvest opportunity and meet harvest objectives. This harvest opportunity of antlerless moose recently emerged because the moose population in the Kaiyuh Flats is increasing rapidly, especially the number of cows in the population. This reauthorization will likely improve or maintain hunting opportunity. If this antlerless moose hunt is not reauthorized, opportunity to utilize a harvestable surplus of cow moose would be lost, and the ability to meet IM harvest objectives could be compromised. In addition, rather than allow the population to go through dramatic rates of expansion and contraction, it is prudent to dampen the current accelerating rate of increase.

The Intensive Management (IM) harvest objective for Unit 21D is 450–1,000 moose. The 10-year average estimated harvest during 2009–2018 was 412 moose, which includes the reported and estimated unreported harvest. The annual estimated harvest has not met the harvest objective since 2003 when the estimated harvest was 489 moose. Additional harvest from this hunt will help make progress toward achieving the IM harvest objectives without reducing bull-to-cow ratios to low levels. Subsistence hunters will benefit from the opportunity to harvest cow moose.

Analysis of three Trend Count Areas (Squirrel Creek, Pilot Mountain, and Kaiyuh Slough TCAs) within the Kaiyuh Flats in this hunt area showed a significant increase in moose abundance among

all age classes, and adult moose abundance increased 57% above the 16-year average by 2017. Geospatial Population Estimate data also showed a statistically significant increase from 1,897 (±11%) moose in 2011 to 4,116 (±10%) moose in 2017. Moose twinning data for the hunt area also showed high and stable twinning rates since 2004.

The portion of 21D affected by this reauthorization is approximately 21% (2,559 mi^2) of Unit 21D (12,093.6 mi^2). Moose abundance in this area was estimated at 4,000–4,500 moose, which is approximately 39–44% of the total moose estimated in Unit 21D. At 10,305 moose (±1,546) in 2017, the mid-point for the total 21D moose population estimate was above the IM population objective for all of Unit 21D (12,093.6 mi^2) of 9,000–10,000 moose.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-44)

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PROPOSAL 187

5 AAC 85.045(a)(19). Hunting seasons and bag limits for moose.

Reauthorize a winter any-moose season during part of February and March in Unit 21E as follows.

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(19)		
Unit 21(E)		
RESIDENT HUNTERS:		
...		
1 moose, by registration permit only, a person may not take a cow accompanied by a calf	Feb 15 – Mar 15	
...		

What is the issue you would like the board to address and why? Antlerless moose hunting seasons must be reauthorized annually. The goal is to provide additional harvest opportunity and meet harvest objectives.

This moose population is beginning to show signs of nutritional stress. The most current survey in 2019 indicated there are 9,777 moose in Unit 21E, which is within the range of the Intensive Management (IM) population objective of 9,000-11,000 moose. There is currently a harvestable surplus of 390 moose, however only approximately 200 moose are harvested each year and there

are additional moose available to harvest. Bull-to-cow ratios are high, with 42 bulls per 100 cows in 2018. The Intensive Management (IM) harvest objective for Unit 21E is 550-1,100 moose.

Within the Unit 21E moose survey area (4,094 mi^2), the overall moose density increased from 1.0 moose/mi^2 in 2000 to 2.1 moose/mi^2 in 2019. During most of these years of growth, twinning rates remained high; however, twinning rates began declining in 2015. The 2-year average twinning rate in the Holy Cross area is 12%, while north of Anvik and Shageluk (where moose density is lower) the twinning rate is 32%. The current intensive management plan calls for stabilizing the population through harvest when the 2-year average twinning rate is 15–20%. Browse utilization is high in the Holy Cross area where the population density is highest and where winter mortality in deep snow years is a concern.

Additional harvest opportunity is available. Winter hunts distribute hunter pressure and allow access to areas inaccessible in the fall.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-045)

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PROPOSAL 188

5 AAC 85.045(a)(24). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose season in the western portion of Unit 26A as follows:

Units and Bag Limits	**Resident Open Season (Subsistence and General Hunts)**	**Nonresident Open Season**
(24)		
…		
Unit 26(A), that portion west of 156° 00´ W. longitude and excluding the Colville River drainage.		
1 moose; a person may not take a calf or a cow accompanied by a calf	July 1—Sept. 14	No open season.
…		

What is the issue you would like the board to address and why? To be retained, the antlerless moose season in the portion of Unit 26A west of 156º 00’ W longitude and excluding the Colville drainage must be reauthorized annually.

The moose population in the western portion of Unit 26A north of the Colville drainage is somewhat unique compared to the unit-wide population, and the distribution is very sparse because

there is very little moose habitat in the coastal plain. However, each year a small number of bulls and cows migrate into the area from the major river drainages in the central and southern parts of the unit. So far, the marginal habitat in this portion of Unit 26A has not allowed moose to establish a population, but these moose provide the only opportunity to harvest a moose in the northwestern portion of Unit 26A.

Unit 26A moose population estimates have historically fluctuated between 294 and 609 moose between 2011 and 2014. More recently, moose counts have observed 145 moose and 218 moose in 2015 and 2018, respectively. The overall trend appears to be slow growth after a decline that started about 2007. The number of moose in the antlerless hunt area is difficult to estimate, but is approximately 10 moose. Harvest reports indicate 4 antlerless moose have been harvested since 2005, and the annual harvest rate of antlerless moose is less than 1% of the total population. Due to the low harvest rate the Department of Fish and Game recommends reauthorization of the antlerless moose season in this area to provide additional hunting opportunity for the small number of hunters to opportunistically harvest antlerless moose in this remote portion of Unit 26A.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-049)

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PROPOSAL 189

5 AAC 92.015(a)(4). Brown bear tag fee exemptions.

Reauthorize resident grizzly/brown bear tag fee exemptions throughout Interior and Northeast Alaska as follows:

(a) A resident tag is not required for taking a brown bear in the following units:

...

(4) Units 12, 19, 20, 21, 24, 25, 26(B), and 26(C)

...

What is the issue you would like the board to address and why? Brown bear tag fee exemptions must be reauthorized annually. Reauthorizing the exemption allows residents who have not purchased the $25 brown bear tag to take bears opportunistically. This reauthorization would assist with our objective of managing Region III brown bear populations for hunter opportunity and would continue to allow hunters to take brown bears opportunistically.

Region III (Interior and Eastern Arctic) brown bear populations are healthy, and harvest is monitored through the brown bear sealing requirement. Reauthorizing all resident brown bear tag fees throughout Region III maintains simpler regulations, high resident hunter opportunity, and is not likely to cause declines in these brown bear populations. This reauthorization includes tag fee exemptions for subsistence registration permit hunts in Units 19A and 19B (downstream of and including the Aniak River drainage), 21D, and 24.

The Department of Fish and Game estimates that brown bear harvest accounts for less than 6%

of the bear population. Harvest is composed primarily of males and is sustainable. Where harvests are elevated (i.e., Units 20A, 20B, 20D, and portions of 26B), brown bear populations are managed by adjusting seasons and bag limits. The resident tag fees that were in place prior to 2010 appeared to have little effect on harvest rates in these areas.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-051)

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PROPOSAL 190

5 AAC 92.015. Brown bear tag fee exemptions.

Reauthorize the current resident tag fee exemptions for brown bear in Units 18, 22, 23 and 26A as follows:

(a) A resident tag is not required for taking a brown bear in the following units:

…
(4) Units… 26;
…
(8) Unit 22;
(9) Unit 23;
…
(13) Unit 18;
…

(b) In addition to the units as specified in (a) of this section, if a hunter obtains a subsistence registration permit before hunting, that hunter is not required to obtain a resident tag to take a brown bear in the following units:

…
(4) Unit 18;
…
(7) Unit 22;
(8) Unit 23;
…
(10) Unit 26(A).

What is the issue you would like the board to address and why? The Board of Game must reauthorize brown bear tag fee exemptions annually or the fee automatically becomes reinstated. We recommend continuing resident tag fee exemptions for the general season and subsistence season hunts in Region V (Units 18, 22, 23, and 26A).

General Season Hunts: Reauthorizations are needed for: Unit 18, where the tag fee has been exempted for 7 years; Unit 22, where the tag fee has been exempted for 17 years; Unit 23, where the tag fee has been exempted for 12 years; and Unit 26A, where the tag fee has been exempted for 7 years. Tag fee exemptions are desired to allow: 1) incremental increase in annual harvest; 2) opportunistic harvest by resident hunters; and 3) harvest by a wide range of users.

General season brown bear harvest rates are within sustained yield limits and previous exemptions of the resident tag fee have not caused dramatic or unexpected increases in overall harvest. In Units

18 and 26A, tag exemptions were authorized for RY2012 and harvest has remained within sustained yield and continues to be similar to the preceding ten-year period. In Unit 22, the 17-year tag-free period for residents has had an average annual harvest of 50 brown bears (range 41–63 bears). In Unit 23, general harvests have been increasing slowly since 1961 primarily in response to increases in human population rather than regulatory changes, although annual harvests vary due to weather and hunting conditions. Harvest data for Unit 23 show no trend in the sex ratio, age or size of bears harvested under all types of hunts.

Subsistence Season Hunts: Reauthorizations are needed for Units 18, 22, 23, and 26A where brown bear subsistence hunt requirements include: 1) registration permit, 2) tag fee exemption, 3) salvaging meat for human consumption, 4) no use of aircraft in Units 22, 23 and 26A, 5) no sealing requirement unless hide and skull are removed from subsistence hunt area, and 6) if sealing is required, the skin of the head and front claws must be removed and retained by ADF&G at the time of sealing. Continuing the tag fee exemption helps facilitate participation in the associated brown bear harvest programs maintained by ADF&G for subsistence hunts.

In all units, subsistence brown bear harvest rates are low and well within sustained yield limits and exempting the resident tag fee has not caused an increase in subsistence harvest. In Unit 18, we estimate 0–3 bears are taken annually in subsistence hunts. In Unit 22, subsistence harvest by permit is quite low, averaging less than one bear per year (less than 1% of the total brown bear harvest). In Unit 23, subsistence permit harvest is less than five bears annually since 1992 (less than 10% of the total brown bear harvest). In Unit 26A, between zero and five bears are taken annually by subsistence hunters.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-061)

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Proposed Changes Outside the Board of Game's Authority

The Board of Game (board) does not have authority to adopt the requested changes in the following proposals. They are included in the book for review, comments, and discussion at the applicable board meeting.

Note: The Board of Game does not have authority to establish and change fees for permits and applications.

PROPOSAL 191

5AAC 92.037(g)(10). Permits for Falconry.

Current regulation: The department may, in its discretion, establish additional permit requirements necessary to administer this program.

Suggested condition of nonresident permit under 5AAC 92.037(g)

Nonresident Falconry application and permit fees

Permit and application fees for the nonresident take of raptors program are as follows:

Item

Nonresident Fee (Per Person)

Non-Refundable Lottery Application Fee

$50

Nonresident Permit Winner Fee

$250

To maintain a fair and equitable system for allowing nonresidents to take a raptor under provisions of 5 AAC 92.037 and to provide for a cost recovery process for the administration of the nonresident falconry permit application process by the department, the following conditions apply to the lottery process for nonresident falconry permits:

A non-refundable application fee of $50 is required for each applicant to apply for a nonresident permit to take and export a raptor from the State of Alaska under 5 AAC 92.037(g).

The permit application fee must be paid by credit card, check or money order - checks and money orders must be in U.S. funds drawn on a U.S. bank. Cash will not be accepted.

Applicants are allowed to submit one application per year. If more than one application is submitted, all applications submitted by that applicant will be invalid and the applicant will forfeit all application fees.

False or incorrect information on an application voids the application.

Any application that is illegible or has incomplete information will be invalid.

Any credit card charges that are denied or checks returned for insufficient funds will void the entire application.

Any rejected, revoked or ineligible application will forfeit the application fee.

Applications cannot be accepted in person. They must be submitted online or mailed to the address listed on the application. Applications must be submitted online by March 1 or if mailed, they must arrive at the department's Anchorage office by March 1.

A successful applicant is ineligible to apply for a nonresident permit the following calendar year. Example: if an applicant won a 2021 nonresident permit to take a raptor, that applicant cannot apply again until the 2023 calendar year.

The fee for a successful nonresident applicant to take a raptor is $250. ADF&G must receive this fee by April 15 or the applicant will forfeit the permit.

The department annually administers the nonresident falconry permit application process. The administration of this process takes a considerable number of man hours each year for the permit biologist who manages the applicant's qualifications, contacts the applicants home state falconry coordinator, issues export permits to nonresident falconers, and makes phone calls to each successful applicant as required under the targeted hunt system; the team that collects the data and administers the drawing permit process; and the regional area biologists who must check out the successful applicants, identify and photograph the captured raptor and complete the checkout process required to issue the export permit.

Under current regulation, there are no fees assessed to nonresident falconers to apply for a permit or take a raptor under this section. 5 AAC 92.037 (a) a permit and valid hunting license is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. This proposal requests that the Board of Game implement these fees in a cost recovery process
This request is reasonable, equitable, and in line with other programs administered by the department that provide cost recovery for staff time and resources expended directly as a result of administration of those programs. Other department managed and co-managed projects where cost recovery fees are applied include McNeil River and Stan Price bear viewing areas, and all big game drawing permit applications. All applicants who successfully draw a big game hunting permit for the current year are precluded from applying for the same drawing permit the following year.

What is the issue you would like the board to address and why? 5 AAC92.037. Permits for Falconry. Cost recovery for the administration of the nonresident falconry permit program by the Alaska Department of Fish and Game.

PROPOSED BY: David Lorring (EG-F20-005)
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Note: The Board of Game does not have administrative, budgeting, or fiscal powers.

PROPOSAL 192

5 AAC 92.047. Permit for using radio telemetry equipment.

As a successful wolf trapper here in Southeast Alaska, I strive to catch fur when it is prime and in its best condition. I recently caught 2 collared wolves here in Southeast Alaska. While I am all for research, I am also strongly against the ruining of a prime winter wolf fur. Especially as it applies to collared wolves which tend to be one of the most valuable highly prized furs in Alaska. When a researcher collars a wolf in Alaska it undoubtably leaves a collar mark in which little to no fur remains under the three to four-inch-wide collar. This rub in the fur length and quality downgrades the value of the fur to a potential buyer or taxidermist significantly.

My suggestion and hope is that the commissioner's Office would advise researchers when they are setting out their budgets for a study or project concerning collared wolves and or wolverine that they would put some kind of funding into their budget which is usually comes from grant money so as to reimburse trappers for the damage caused by these collars to the animal's fur. I would think 250 to $500 is what the damage caused by a collar does to a wolf hide. I have talked to other trappers around the state who have caught colored wolves and they feel the same way, that the research project does indeed ruin the resource of this highly prized fur. As a trapper I don' think it' too much to ask that the researchers put money into their budget to account for this. The odds of a trapper catching the wolf are fairly minimal. Obviously that would change in an area where there are higher numbers of wolves being collared. Researchers already are spending exorbitant amounts of money for the collars (which is usually federal grants matched based off of trappers, license sales ammo, gear, etc). A researcher spends approximately 2 to $5,000 per collar plus the deployment and maintenance on these types of projects. It's not uncommon for a researcher to fly with a helicopter pilot for several days and amass a hefty bill. As a trapper I feel that research is important but I also am frustrated having seen first hand the damage that collars do to the fur quality of highly prized and valued fur bearers. I am a member of the Alaska Trappers Association and have talked with several of the leaders of our organization and they agree that this is a step in the right direction of proper resource management done without bias. Regards, Jesse Ross

What is the issue you would like the board to address and why? State and federal researchers use radio collars on wolves to study them. The fur is danged around the neck. The radio collar being worn around the neck ruins their prime winter fur. I propose that ADF&G compensate trappers $500 upon return of a collar from a radio/gps collared wolf. Though trappers recognize the value of wolf studies, the collars currently in use damage fur in the neck area while in use. As such, trappers are being forced to suffer economic hardship and should be compensated as such. I feel that a policy compensating trappers for damaged fur caused by research collars would represent a goodwill gesture from both state and federal agencies.

PROPOSED BY: Jesse Ross (EG-F20-117)

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