

**ALASKA DEPARTMENT OF FISH AND GAME**  
**STAFF COMMENTS**  
**STATEWIDE PROPOSALS**  
**ALASKA BOARD OF GAME MEETING**  
**FAIRBANKS, ALASKA**  
**MARCH 4-12, 2022**



The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Game meeting, March 4-12, 2022 in Fairbanks, Alaska, and are prepared to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

**PROPOSAL 101 – 5 AAC 92.990 (11). Definitions.** Change the definition for bows to include crossbows.

**PROPOSED BY:** Neil DeWitt

**WHAT WOULD THE PROPOSAL DO?** The proposal would change the definition of a bow to include a crossbow.

**WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 92.080. Unlawful methods of taking game; exceptions. The following methods of taking game are prohibited:

(11) unless specifically authorized by regulation, with the use of a crossbow in any restricted weapons hunt that authorizes taking by bow and arrow;

(17) in restricted-weapons hunts in Units 1-5, in hunts open to the use of muzzleloader and bow and arrow, or shotgun and bow and arrow, the use of crossbows is allowed unless specifically prohibited by regulation;

5 AAC 92.990. Definitions. (11) “bow” means a long bow, recurve bow, or compound bow that is a device for launching an arrow which derives its propulsive energy solely from the bending and recovery of two limbs, and that is hand-held and hand-drawn by a single and direct pulling action of the bowstring by the shooter with the shooter’s fingers or a hand-held or wrist-attached release aid; the energy used to propel the arrow may not be derived from hydraulic, pneumatic, explosive, or mechanical devices...

(19) "crossbow" means a bow, mounted on a stock, which mechanically holds the string at partial or full draw, that shoots projectiles which are generally called bolts or quarrels;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

If the proposal is adopted, crossbows would be legal to use in archery-only restricted weapons hunts. People would no longer need to apply for a Methods and Means exemption per 5 AAC 92.104 to use a crossbow in an archery-only restricted weapons hunt.

**BACKGROUND:** The use of bow and arrow for hunting activities has a longstanding history in Alaska. Allocations of restricted weapons hunts for take by bow and arrow have occurred due to the differences between hunting with a firearm and hunting with a bow and arrow. The bowhunting/archery community has felt that crossbows aren’t archery equipment because how a crossbow shoots, the distance a crossbow can shoot, and the mechanics of a crossbow are very different from long bows, recurve bows, and compound bows.

The Board chose not to adopt proposals during the 2012, 2016, and 2018 statewide meetings to make crossbows legal in archery-only areas. The current bow definition in Alaska does not match what a crossbow is. Also, one of the main reasons given for the proposal in 2012, and also for the current proposal, is that people are unable to use a bow and arrow due to a disability or lack of strength. The Board provides opportunities for an individual with disabilities to use a

crossbow in an archery-only area through 5 AAC 92.104. This regulation allows for a Methods and Means exemption and the form is available from the department.

Technology has improved bowhunting/archery equipment to the point where it's easier to reach the minimum draw weights of 40 and 50-pounds required to hunt big game in Alaska. The department emphasizes education and training for all equipment used to harvest animals. Because crossbows are advancing in technology, many hunters do not have the knowledge needed to safely and effectively shoot a crossbow. The skills needed to shoot a crossbow are different than shooting either a bow or a firearm.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal and if adopted asks that the board evaluate each existing archery only hunt to determine if crossbows will be an acceptable weapon to use in those hunts.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposal 102

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**PROPOSAL 103 – 5 AAC 92.990. Definitions.** Clarify whether hay and grain are considered as “hunting gear”.

**PROPOSED BY:** Resident Hunters of Alaska

**WHAT WOULD THE PROPOSAL DO?** The proposal would define “hunting gear” and would clarify whether hay and grain are considered “hunting gear”.

**WHAT ARE THE CURRENT REGULATIONS?** Currently controlled use areas prohibit the transportation of hunters and their hunting gear by various means.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted the proposal could define hunting gear and could also clarify whether hay and grain for horses are included in the definition of hunting gear.

**BACKGROUND:** In March of 2020 the Board of Game deliberated Proposal 129 which asked to specify the dates the Yanert Controlled Use Area (CUA) was in effect. The Yanert CUA was the only controlled use area that was in effect year-round and caused confusion for hunters attempting to supply hunting camps during winter months, outside of hunting seasons. There were two ways to address the issue, one to define hunting gear as excluding hay and grain, and the other to establish dates the CUA was in effect. The Board chose to set dates the CUA was in effect, thereby eliminating the need of the board to define hunting gear. Proposal 129 provided

both options, and the Board deferred the discussion on defining hunting gear to the next statewide board meeting because of the need to create definitions on a statewide basis.

**DEPARTMENT COMMENTS:** The department is **SUPPORTS** defining terms at a statewide level. The issue that led to this proposal being submitted for the March 2020 meeting was resolved and the board now has the opportunity to define “hunting gear”. Depending on how broadly “hunting gear” is defined, creating a definition has the potential to lead to a need for additional regulatory action each time new equipment or gear needs to be added to the definition. In addition to all CUAs using the term hunting gear, hunters are also prohibited from using helicopters to transport hunting gear statewide. If the board adopts a definition that excludes certain items, those items will then be eligible to be transported statewide via helicopter.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 104 – 5 AAC 92.990 (11). Definitions.** Update the definition of deleterious exotic wildlife by replacing outdated names with more common ones.

**PROPOSED BY:** Rick Sinnott

**WHAT WOULD THE PROPOSAL DO?** The proposal would change the names of some species included in the definition of deleterious exotic wildlife to more commonly used names as follows:

5 AAC 92,990(a)(21) “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 putorius furo***) or feral swine (***Sus scrofa***);

**WHAT ARE THE CURRENT REGULATIONS?**

- (21) "deleterious exotic wildlife" includes
  - (A) English sparrow;
  - (B) raccoon;
  - (C) starling;
  - (D) unconfined or unrestrained
    - (i) Belgian hare;
    - (ii) Muridae rodent;
    - (iii) rockdove;
  - (E) feral
    - (i) ferret;
    - (ii) swine;
  - (F) Eurasian collared dove;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted there may be less confusion about if it is legal to hunt some of the animals in question.

**BACKGROUND:** Since being added to the definition of deleterious exotic wildlife some of the species have been renamed by the appropriate groups, which puts the regulations at odds with common practices.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal and in general supports changes to regulations that increase the ability of the public, department, and enforcement to understand, follow and enforce the regulations.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 105 – 5 AAC 92.990 (21). Definitions.** Add roof rat and house mouse to the definition of deleterious exotic wildlife.

**PROPOSED BY:** Rick Sinnott

**WHAT WOULD THE PROPOSAL DO?** The proposal would add roof rat (*Rattus rattus*) and house mouse (*Mus musculus*) to the definition of deleterious exotic wildlife.

**WHAT ARE THE CURRENT REGULATIONS?**

- (21) "deleterious exotic wildlife" includes
  - (A) English sparrow;
  - (B) raccoon;
  - (C) starling;
  - (D) unconfined or unrestrained
    - (i) Belgian hare;
    - (ii) Muridae rodent;
    - (iii) rockdove;
  - (E) feral
    - (i) ferret;
    - (ii) swine;
  - (F) Eurasian collared dove;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted there would be no closed season and no bag limit for roof rats or house mice. These species will be identified by species rather than the rodent genera listed in the current regulation.

**BACKGROUND:** Both roof rats and house mice have become established in Alaska however unlike Norway rats the public does not have the ability to take those species. Roof rats (*Rattus rattus*) and house mouse (*Mus Musculus*) are both members of the Order *Rodentia* and Family

*Muridea*. As such, both species fall within existing deleterious exotic wildlife definition (Muridae rodent).

**DEPARTMENT COMMENTS:** The department recommends the board **TAKE NO ACTION** on this proposal because the existing definition of deleterious exotic wildlife includes Muridae rodents which includes roof rats and house mice.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 106 – 5 AAC 92.990. Definitions.** Create a definition for “feral”.

**PROPOSED BY:** Rick Sinnott

**WHAT WOULD THE PROPOSAL DO?** The proposal would create 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 ARE THE CURRENT REGULATIONS?**

AS 16.05.940 defines game as:

(19) “game” means any species of bird, reptile, and mammal, including a feral domestic animal, found or introduced in the state, except domestic birds and mammals; and game may be classified by regulation as big game, small game, fur bearers or other categories considered essential for carrying out the intention and purposes of AS 16.05 — AS 16.40;

5 AAC 92.029 (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 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;

5 AAC 92.990 defines nuisance wildlife as:

(53) "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 issued under 50 C.F.R. Sec. 21.43; (B) an animal that (i) invades or comes to occupy a dwelling, vessel, vehicle, structure, or storage container; (ii) causes property damage; or (iii) is an invasive species or introduced nonnative species that poses immediate or long-term threats to human health, safety, or property or to native wildlife, wildlife health, or habitat;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

If adopted, this proposed language would define feral domestic animals, which would classify domestic animals as both deleterious exotic wildlife and nuisance wildlife. Each of these classifications have unique regulations allowing for take. Deleterious exotic wildlife has no closed season or bag limit statewide. Nuisance wildlife can be taken by a permit issued by the department.

**BACKGROUND:** The department regularly receives calls concerning domestic animal and wildlife interaction. These are often related to domestic animals harassing or killing wildlife. Existing regulations allow for the take of domestics engaged in such behavior, but we are aware of few incidents where domestic animals are killed. There are other examples of domestic animal issues such as rats, birds, and domestic rabbits that result in behaviors defined in 5 AAC 92.990 (53). The department has relied on existing regulations to address wildlife harassment and nuisance animal situations.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The department is concerned with the application of the definition and existing regulations. The general public is unaware of the details associated with defining feral and classifying game as deleterious exotic or nuisance wildlife. While further defining such terms may be useful for public interactions, it is largely to benefit the department and enforcement agencies.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 107 – 5 AAC 92.990. Definitions.** Add domestic cats to the definition of deleterious exotic wildlife.

**PROPOSED BY:** Rick Sinnott

**WHAT WOULD THE PROPOSAL DO?** Add domestic cat (*Felis catus*) to the definition of deleterious exotic wildlife.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.990(a)(21) “deleterious exotic wildlife” includes (A) English sparrow; (B) raccoon; (C) starling; (D) unconfined or unrestrained (i) Belgian hare; (ii) Muridae rodent; (iii) rockdove; (E) feral (i) ferret; (ii) swine; (F) Eurasian collared dove; The statutory definition of game found in AS 16.05.940 includes feral domestic

animals. Because *F. catus* is not currently defined as deleterious exotic wildlife, when feral it becomes “unclassified game” as defined in 5 AAC 92.990. The hunting seasons and bag limits for unclassified game are found in 5 AAC 85.070, and there is currently only an open season for “all unclassified game” in Unit 14C within the Joint Base Elmendorf-Richardson Management Area, with no closed season and no bag limit. Deleterious exotic wildlife statewide currently have no closed season and no bag limit.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adding cats to the definition of deleterious exotic wildlife would create a year round hunting seasons for them statewide with no bag limit.

**BACKGROUND:** Disease risks associated with feral cats pose threats to public health. Cats can carry rabies, toxoplasmosis, cat bite cellulitis, cat-scratch disease, cutaneous larva migrans (hookworms), visceral larva migrans (roundworms), and fleas (and flea-borne diseases). These diseases can be transmitted to humans through direct contact with the animal (scratch/bite) or through the environment (fecal contamination of dirt). If contracted, human symptoms from these diseases range from mild infection to death. Toxoplasmosis alone has been linked to many human diseases/disorders, including Parkinson’s, autism, schizophrenia, Alzheimer’s, psychosis, suicide, and personality changes. Additionally, feral cat colonies can serve as a disease-vector for other animals, such as raccoons, opossums, coyotes, foxes, and others, that are attracted to the available food source.

ADF&G and other government agencies are charged with the management, conservation, and preservation of native flora and fauna. Multiple scientific studies have shown feral cats kill millions of wild birds and small mammals annually, while others studies have shown that cats have an innate behavior to hunt; this does not change based on cat ownership, vaccination, reproductive potential, or on the availability of food. One study in particular showed the native bird and rodent diversity was significantly lower near a feral cat colony than in a similar habitat without the presence of feral cats.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The release of any animal to the wild is currently prohibited under existing regulation.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 108 – 5 AAC 92.037. Permits for falconry.** Increase opportunity for nonresident take for certain eyas raptors for falconry.

**PROPOSED BY:** Alaska Falconers Association

**WHAT WOULD THE PROPOSAL DO?** Authorize an eyas take program for nonresident falconers.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.037 (g) The taking, transporting, or possessing a raptor for falconry by a nonresident is allowed under the following conditions:

...

*(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 WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Permitted nonresident falconers would be able to take an eyas goshawk statewide (n=5) or peregrine falcon from GMU's 1-4 in Alaska (n=5).

**BACKGROUND:** Nonresident falconers can capture passage birds (birds in their first year of life that are capable of sustained flight) of any legal falconry species under the current nonresident falconry program authorizing 5 permits, annually. These birds must be checked out by ADF&G, receive a health certificate from a licensed veterinarian, be microchipped, and receive an export permit from the department prior to export. An average of 22 nonresidents apply for the 5 passage permits available. Eyas birds (nestling birds not yet capable of flight) are not legal for nonresidents to capture. This proposal would triple the number of permits available to nonresidents by adding permits for 5 eyas goshawks and 5 eyas peregrines.

Alaska has many goshawks throughout the state, though no good population estimate exists. There is not a population level concern with authorizing a nonresident eyas take program on goshawks as proposed.

Peregrine falcons occur at low densities throughout GMU's 1-4, though no good population estimate exists. Their population is presumably stable and the proposed annual harvest should be biologically sustainable. There is not a population level concern with authorizing a nonresident eyas take program on peregrine falcons as proposed.

Raptor chicks can be difficult to identify by species, including by falconers, and thus, creating a season on one species could make illegal take of other raptor species somewhat easier. Requiring the same check-out process as that for passage birds would reduce the likelihood of accidental or purposeful removal of other species from the state through the proposed program.

Saint Lazaria Island is proposed as a closed area for falconry take because it's a well-known seabird colony visited by approximately 2,000 people annually for bird watching. The island is designated as Wilderness by the USFWS and the public is asked not to land on the island to prevent seabird chick mortalities from human disturbance.

The proposed eyas take program would result in an increased workload for our falconry representatives and regional staff during the busy summer field season when some staff are unavailable at times. The current nonresident falconry program requires considerable time and attention by staff for each individual winner on a highly time-sensitive basis because the wellbeing of a live bird is at hand. Regions I and II are likely to be most impacted by this assuming birds would be exported primarily through the Anchorage or Juneau airports.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. There is no biological concern with the additional take as proposed.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 109 – 5 AAC 92.037. Permits for falconry.** Modify the microchip requirements for live raptors exported from Alaska by nonresidents.

**PROPOSED BY:** Alaska Falconers Association

**WHAT WOULD THE PROPOSAL DO?** Remove microchipping requirement for all species except for wild source Gyrfalcons exported by nonresident falconers and require microchips be registered.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.037 (h) all live raptors exported from the state, including propagated birds, must be microchipped.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Proposal would reduce administrative burden on resident falconers wishing to temporarily or permanently export their falconry birds. It would also ensure microchips be registered in a database so that they can be used to identify birds after they leave the state.

**BACKGROUND:** The original microchip proposal brought before the Board was specific to large falcons taken by nonresident falconers which are commercially valuable. During discussions, the scope was broadened to include all raptors, including captive-raised raptors, for both resident and non-resident falconers, and all exports, including temporary exports. It is not clear what benefit this requirement provides the state in most instances. Captive raptors already are required to have a permanent, sealed, metal band marker. Concern about illegal activity and the need to have a more permanent marker compared to the plastic federal band is primarily

applicable to the more commercially valuable gyrfalcon and to a lesser extent, Peale's peregrines. Also, the identity and disposition of birds temporarily exported by resident falconers can be verified, if needed, upon return to the state.

Microchipping a falconry bird is typically done by a veterinarian using a large gauge syringe and sometimes light sedation. Unlike with domestic pets, microchips are not very useful for recovering a lost bird; they are only useful for confirming the identity of a bird in question.

Current regulations require all exported raptors be microchipped but do not require the microchips be registered. If chips are not registered in a widely recognized database, they cannot be used to track birds and are essentially useless, nullifying any desired effect of the current regulation.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal although microchipping greatly improves the department's ability to administer the falconry program by tracking individual birds. If the board keeps the requirement to microchip birds, the department recommends the board require those microchips to be registered with a widely recognized database so the birds can be tracked and easily identified.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 110 – 5 AAC 92.037. Permits for falconry.** Extend the nonresident season for acquiring passage raptors.

**PROPOSED BY:** Alaska Falconers Association

**WHAT WOULD THE PROPOSAL DO?** Change the nonresident passage season to September 15 – November 15.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.037 (g)(8) the annual nonresident season for acquiring a passage raptor is from August 15 - October 31;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Delay the season start date by 30 days and end date by 15 days.

**BACKGROUND:** The current season dates were selected to provide nonresident falconers an opportunity to take all falconry species after birds leave their natal area (i.e. passage bird). However, the current season dates allow gyrfalcons to be taken near the nest shortly after they fledge because they have an extended post-fledging period during which they remain near their nest. This has become a conservation concern because gyrfalcons are the primary focus of nonresident falconers and some nonresident falconers have publicized gyrfalcon nest locations widely via social media and publications.

Any incentive to make raptor nest sites more widely known is a conservation concern because some species, including Gyrfalcons, use the same site for centuries. Alaska Statute 16.05.815(d) defines raptor nests as sensitive wildlife locations and prohibits the release of their locations. This is particularly important for white Gyrfalcons because they are rare (n<150 in Alaska), financially valuable, and highly desired for both legal and illegal purposes.

Gyrfalcons depart natal areas in Alaska between August 15 and September 12 (McIntyre et al. 2009, Eisaguirre et al. 2014), after which many move to the coast where they have been historically captured as passage birds. A start date of September 15 would remove the incentive for nonresident falconers to target or share nest site locations while still providing substantial opportunity to take gyrfalcons as true passage birds.

The peak of fall migration (passage) 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. Gyrfalcons remain available along coastal areas throughout October and into November. The proposed dates maintain the opportunity for nonresident falconers to take all legal species as passage birds in Alaska. It does narrow the window of take opportunity for some migratory species that leave slightly earlier than others such as sharp-shinned hawks, merlins, and red-tailed hawks. However, none of these species have been targeted by non-resident falconers thus far and all are available for potential take in lower 48 states.

**DEPARTMENT COMMENTS:** The department **SUPPORTS** this proposal because it serves to protect sensitive wildlife locations consistent with Alaska Statute 16.05.815(d).

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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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.

**PROPOSED BY:** Alaska Falconers Association

**WHAT WOULD THE PROPOSAL DO?** Establish a waiting period for successful falconry applicants during which they are ineligible to win the same tag.

**WHAT ARE THE CURRENT REGULATIONS?** 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; (6) a targeted hunt system will be used to determine permit winners if the number of applicants exceeds the number of permits available;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would spread out the opportunity for nonresident applicants to draw a tag by making previously successful applicants ineligible for a period of 1 or 4 years.

**BACKGROUND:** Currently, successful applicants can draw tags in consecutive or multiple years in close succession. This has happened by random chance in the past. Some nonresident and resident falconers have voiced a desire to implement restrictions similar to those used in some big game drawings to restrict successful applicants from obtaining another tag for a period of time.

This proposal would make nonresident falconers who successful take a raptor ineligible to obtain a permit for a period of 4 years. It would make nonresident falconers who draw a permit but do not take a bird ineligible to obtain a permit for 1 year. This proposal would likely increase the opportunity to draw a tag for those who are not drawn.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is allocative in nature.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 112 – 5 AAC 92.037. Permits for falconry.** Increase nonresident opportunity for acquiring raptors.

**PROPOSED BY:** American Falconry Conservancy

**WHAT WOULD THE PROPOSAL DO?** Eliminate regulations specific to nonresident falconers and create a minimum of 25 nonresident falconry take permits for any legal species, year-round with no quotas.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.037 (g) The taking, transporting, or possessing a raptor for falconry by a nonresident is allowed under the following conditions: (1) a permit 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) 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; (9) the department shall specify other permit conditions as required to be consistent with the federal falconry laws and regulations, Alaska Falconry Manual, and export requirements;(10) the department may, in its discretion, establish additional permit conditions necessary to administer this program;(11) the department may, in its discretion, close areas for nonresident take; (12) if live birds or mammals are to be imported to assist with trapping raptors, all federal and state import requirements shall be met; including the requirements of 5 AAC 92.029; deleterious exotic wildlife and species not listed in 5 AAC 92.029(b) may not be imported to Alaska for use in trapping raptors; resident pigeons and starlings, if used as lure birds, shall not be released into the wild; (13) permits are nontransferable.

### **WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

Nonresident falconry opportunity and harvest would increase substantially. Harvest would likely exceed sustainable levels for some species. Conflict between resident and nonresident falconers could be substantial in some areas along the road system, especially for eyas raptors. Sensitive nest site locations of raptors and especially rare white gyrfalcons would become more widely known.

**BACKGROUND:** While some falconry species are abundant in Alaska, others have small or unknown population sizes. These rare, lesser studied species that are not readily available in other states are likely to be highly desirable for nonresident falconry take. Such species include snowy owls, hawk owls, and gyrfalcons. Millsap and Allen (2006) estimate maximum harvest rate for less abundant raptors, including gyrfalcons, at 1% of annual productivity. Alaska supports approximately 550 pairs of Gyrfalcons (less than 10% of which are white). Using Millsap and Allen (2006), maximum harvest limit is approximately 10 gyrfalcons annually, of which only 1 could be white.

The proposed nonresident falconry program authorizing a minimum of 25 permits, each allowing the take of two birds of any legal falconry species (n=50 birds total) would likely exceed sustainable harvest limits for rarer species including snowy owls and hawk owls which have very poor statewide population estimates.

Establishing an eyas program, as proposed, would likely result in nest locations becoming more widely known. This has become a conservation concern for gyrfalcons in the current passage program because season dates allow for take near nests. Some nonresident falconers have publicized these nest locations globally via social media and publications.

Allowing raptor nest sites to become widely known is a conservation concern because some species, including gyrfalcons, use the same site for centuries. Alaska Statute 16.05.815(d) defines raptor nests as sensitive wildlife locations and prohibits the release of their locations. This is particularly important for white Gyrfalcons because they are rare, financially valuable, and highly desired for both legal and illegal purposes.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal. Harvest would likely exceed sustainable limits for some species and increase knowledge of sensitive wildlife locations protected by Alaska Statute 16.05.815(d).

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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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.

**PROPOSED BY:** The California Hawking Club

**WHAT WOULD THE PROPOSAL DO?** Authorize an eyas and passage take program for nonresident falconers.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.037 (g) The taking, transporting, or possessing a raptor for falconry by a nonresident is allowed under the following conditions: (1) a permit 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) 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; (9) the department shall specify other permit conditions as required to be consistent with the federal falconry laws and regulations, Alaska Falconry Manual, and export requirements; (10) the department may, in its discretion, establish additional permit conditions necessary to administer this program; (11) the department may, in its discretion, close areas for nonresident take; (12) if live birds or mammals are to be imported to assist with trapping raptors, all federal and state import requirements shall be met; including the requirements of 5 AAC 92.029; deleterious exotic wildlife and species not listed in 5 AAC 92.029(b) may not be imported to Alaska for use in trapping raptors; resident pigeons and starlings, if used as lure birds, shall not be released into the wild; (13) permits are nontransferable.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Permitted nonresident falconers would be able to take a passage or eyas gyrfalcon (n=5), peregrine falcon (n=5), or any other legal falconry species (n=5), year-round.

**BACKGROUND:** Nonresident falconers can capture passage birds (birds in their first year of life that are capable of sustained flight) of any legal falconry species under the current nonresident falconry program. These birds are required to be checked out by ADF&G, receive a health certificate from a licensed veterinarian, be microchipped, and receive an export permit from the department prior to export. An average of 22 nonresidents apply for the 5 passage permits available, annually. Eyas birds (nestling birds not yet capable of flight) are not legal for nonresidents to capture. This proposal would triple the number of permits available to nonresidents and allow eyas take.

Alaska supports at least 1,500 pairs of peregrine falcons. This proposal would not exceed Alaska's federal quota of 41 peregrine falcons, annually.

There is substantial desire outside Alaska to obtain eyas gyrfalcons, particularly rare white birds, for financial gain by captive propagation businesses, for illegal international markets, and for domestic falconry. Eyas raptors are more successfully bred in captivity and are more desirable than passage birds for non-falconry purposes.

Alaska supports approximately 550 pairs of Gyrfalcons (about 10% of which are white). This proposal would allow up to 5 gyrfalcons be taken by nonresidents. Resident falconers take 0-8 gyrfalcons (average of 3), annually. Millsap and Allen (2006) estimate maximum harvest rate is 1% of annual productivity for Gyrfalcons. This equates to approximately 10 gyrfalcons in Alaska, only 1 of which could be white.

The proposed nonresident take program, combined with resident take, would approach estimated sustained yield limits for Gyrfalcons in most years and exceed it in years when residents take more than 5 birds and during low nesting years. Harvest of white gyrfalcons would exceed estimated sustained yield limits in most years.

Establishing an eyas program as proposed would also likely result in gyrfalcon nest locations becoming more widely known. This has become a conservation concern in the current nonresident passage program because season dates allow for take near some gyrfalcon nest sites. Nonresident falconers have already publicized some gyrfalcon nest site locations globally via social media and publications from their trips to Alaska.

Allowing raptor nest sites to become widely known is a conservation concern because some species, including gyrfalcons, use the same site for centuries. Alaska Statute 16.05.815(d) defines raptor nests as sensitive wildlife locations and prohibits the release of their locations. This is particularly important for white Gyrfalcons because they are rare, financially valuable, and highly desired for both legal and illegal purposes, potentially greatly incentivizing the



sharing of their nest locations.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal. Levels of take could exceed sustainable harvest limits for Gyrfalcons, would likely exceed limits for white gyrfalcons, and could exceed limits for rarer falconry species including snowy and hawk owls. The proposed program would also likely increase knowledge of sensitive gyrfalcon nest locations protected by Alaska Statute 16.05.815(d).

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 114 – 5 AAC 92.037. Permits for falconry.** Change the nonresident season for acquiring a passage raptor.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** Change the nonresident passage season to September 15 – November 15.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.037 (g)(8) the annual nonresident season for acquiring a passage raptor is from August 15 - October 31;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Delay the season start date by 30 days and end date by 15 days.

**BACKGROUND:** The current season dates were selected to provide nonresident falconers an opportunity to take all falconry species after birds leave their natal area (i.e. passage bird). However, the current season dates allow gyrfalcons to be taken near the nest shortly after they fledge because they have an extended post-fledging period during which they remain near their nest. This has become a conservation concern because gyrfalcons are the primary focus of nonresident falconers and some nonresident falconers have publicized gyrfalcon nest locations widely via social media and publications.

Any incentive to make raptor nest sites more widely known is a conservation concern because some species, including Gyrfalcons, use the same site for centuries. Alaska Statute 16.05.815(d) defines raptor nests as sensitive wildlife locations and prohibits the release of their locations. This is particularly important for white Gyrfalcons because they are rare (n<150 in Alaska), financially valuable, and highly desired for both legal and illegal purposes.

Gyrfalcons depart natal areas in Alaska between August 15 and September 12 (McIntyre et al. 2009, Eisaguirre et al. 2014), after which many move to the coast where they have been

historically captured as passage birds. A start date of September 15 would remove the incentive for nonresident falconers to target or share nest site locations while still providing substantial opportunity to take gyrfalcons as true passage birds.

The peak of fall migration (passage) 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. Gyrfalcons remain available along coastal areas throughout October and into November. The proposed dates maintain the opportunity for nonresident falconers to take all legal species as passage birds in Alaska. It does narrow the window of take opportunity for some migratory species that leave slightly earlier than others such as sharp-shinned hawks, merlins, and red-tailed hawks. However, none of these species have been targeted by non-resident falconers thus far and all are available for potential take in lower 48 states.

**DEPARTMENT COMMENTS:** The department **SUPPORTS** this proposal because it serves to protect sensitive wildlife locations consistent with Alaska Statute 16.05.815(d).

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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Proposal 115

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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.

**PROPOSED BY:** Alaska Outdoor Council

**WHAT WOULD THE PROPOSAL DO?** The proposal would remove the crossbow certification requirement for people born before January 1, 1986.

**WHAT ARE THE CURRENT REGULATIONS?**

(l) Beginning July 1, 2018, a hunter using a crossbow must have successfully completed a department-approved crossbow hunter certification course.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, only crossbow hunters born on or after January 1, 1986 would be required to have successfully completed a department-approved crossbow hunter certification course, which would bring the crossbow education requirements into alignment with the existing archery regulations.

**BACKGROUND:** The existing crossbow education requirements were adopted by the board during the March 2016 Statewide Board of Game meeting, which coincides with when the department was solidifying its crossbow certification course. At the same meeting the board removed the bowhunter certification requirement for archery hunters born prior to January 1, 1986.

**DEPARTMENT COMMENTS:** The department **SUPPORTS** the proposal because it reduces the regulatory complexity, which has proven to be a barrier to participation. If the board wishes to retain the age restriction for crossbow education the department recommends the same age restriction be adopted for all types of weapons specific education requirements.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 117 – 5 AAC 92.003. Hunter education and orientation requirements and 5 AAC 92.012. Licenses and tags.** Require hunters to possess proof of completion of required educational certifications in the field.

**PROPOSED BY:** Alaska Wildlife Troopers

**WHAT WOULD THE PROPOSAL DO?** The proposal would create a new regulation that requires hunters participating in hunts that require department approved hunter education or orientation courses to possess proof of course completion. The proposal would also require hunters to present for inspection proof of completion when requested by anyone enforcing the requirement.

**WHAT ARE THE CURRENT REGULATIONS?** There are many hunter education and orientation requirements in 5 AAC 92.003, however very few of them require proof of completion to be in the hunters possession while in the field.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted hunters would be required to carry proof of weapons certification and completion of required orientations, and would be required to present that proof if contacted in the field. The proposal reduces the regulatory complexity by aligning requirements for hunters to carry certain pieces of information with them in the field.

**BACKGROUND:** The proposed requirements mimic those of hunting licenses and harvest tickets, and most other states already require proof of completion for these courses to be in the person's possession when in the field. Proof of completion can be in paper or electronic form.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the proposal and supports the Wildlife Trooper’s ability to enforce regulations the board adopts for management of wildlife.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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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.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** The proposal would create a new regulation that will require applicants for crossbow only hunts to have successfully completed a department approved crossbow hunter certification course prior to applying for the permit.

**WHAT ARE THE CURRENT REGULATIONS?**

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted applicants for crossbow only hunts will be required to have successfully completed a department approved crossbow hunter certification course prior to applying for those permits. This change would bring the application requirements for crossbow only hunts into alignment with those of archery and muzzleloader only hunts, bringing consistency to how the hunts are administered.

**BACKGROUND:** The board recently created weapons restricted hunts where crossbows were an allowable method of harvest, and has since been slowly addressing the related regulations.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** the proposal because it reduces the regulatory complexity by aligning application requirements for weapons restricted hunts.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposals 119-120

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**PROPOSAL 121 – 5 AAC 92.085 Unlawful methods of taking big game; exceptions.** Allow the use of dogs to hunt big game.

**PROPOSED BY:** George Lewis

**WHAT WOULD THE PROPOSAL DO?** If adopted this proposal would allow the use of dogs to hunt big game.

**WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 92.085

...

(5) with the aid or use of a dog, except that (A) one leashed tracking dog, under the direct control of the handler, may be used to track wounded big game; and (B) a dog may be used to hunt black bear by a permit issued at the discretion of the department; the department may issue a nontransferable permit to an individual who qualifies under the permit conditions established by the department in 5 AAC 92.068;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal may provide an advantage to hunters as dogs are able to detect game more easily than humans and are mobile allowing the tracking of game.

**BACKGROUND:** Exceptions to the prohibition of the use of dogs are found throughout regulation but are limited to recovery of game. Dogs can be used to hunt coyotes in Unit 20D (5 AAC 92.090); and to hunt black bear in Alaska under a permit from the department. As noted by the author, the use of dogs to hunt game has occurred for thousands of years, and the practice continues to this day. Eleven states allow the use of dogs to hunt deer. Well trained hunting dogs are a tool that can be used and with technological advances (e.g., gps collars) make tracking dogs, and presumably game, more successful than past practices.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is methods and means in nature, and has allocative implications. The proposal does not offer recommendations for training standards, specialized equipment to track and retrieve dogs, how many dogs can be used, and if it is more appropriate to use dogs during certain times of the year. Hunting black bear with dogs is legal under the conditions of a permit, which allows the department to have conversations with hunters about how many dogs will be used and how they will be used. Division staff routinely receive calls from the public who are concerned about dogs harassing wildlife and the board should discuss the differences between harassing wildlife which is currently prohibited, and hunting with dogs.

**COST ANALYSIS:** Adoption of this proposal would not result in additional cost to the department.

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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.

**PROPOSED BY:** Mike Harris

**WHAT WOULD THE PROPOSAL DO?** Lower the peak draw weight requirements for hunting big game with archery equipment.

**WHAT ARE THE CURRENT REGULATIONS?** 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 pounds peak draw weight when hunting black-tailed deer, wolf, wolverine, black bear, Dall sheep, and caribou;
    - (ii) 50 pounds peak draw weight when hunting mountain goat, moose, elk, brown/grizzly bear, musk ox, and bison;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If the proposal is adopted, the peak draw weight to hunt big game animals in Alaska will become:

- (i) 35 pounds peak draw weight when hunting black-tailed deer, wolf, wolverine, black bear, Dall sheep, and caribou;
- (ii) 45 pounds peak draw weight when hunting mountain goat, moose, elk, brown/grizzly bear, musk ox, and bison;

**BACKGROUND:** The draw weight of a bow is the amount of force needed to pull the string of a bow back and is measured in pounds. Although a compound bow's draw weight doesn't vary with differing draw lengths, a recurve bow's draw weight increases as it's drawn. Most states have draw weight requirements to bowhunt, ranging from 30-50 pounds. Some states have different draw weight requirements due to species while others have different draw weight requirements based on the type of bow use while hunting. It is recommended that bowhunters shoot as much poundage as they can safely pull and accurately shoot to increase the probability of making ethical and lethal shots. Shot placement, shot distance, arrow weight, draw length, and broadhead design are also important factors in ensuring a person's arrow and broadhead penetrate vital organs.

Technology has improved bowhunting/archery equipment to the point where it's easier to reach the draw weights of 40 and 50-pounds required to hunt big game in Alaska. Alaska allows the use of both mechanical and fixed-blade broadheads. At lower draw weights, some mechanical broadheads may not deploy properly in thicker skinned animals such as moose, elk, or bison which could lead to higher wounding losses.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is a methods and means issue.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 123 – 5 AAC 92.085 Unlawful methods of taking big game; exceptions.** Allow electronic range finders mounted on bows be used for hunting big game.

**PROPOSED BY:** Brian Vanderbunt

**WHAT WOULD THE PROPOSAL DO?** The proposal would change the definition of allowable archery equipment or devices in a restricted weapons hunt that authorizes take by bow and arrow. It would allow the use of electronic bow sights with built-in range finders.

**WHAT ARE THE CURRENT REGULATIONS?**

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

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

(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 or a lighted nock on the end of an arrow, or a scope or electronic sight that does not project light externally;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

5 AAC 92.085 Unlawful methods of taking big game; exceptions

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

(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, a range finder, or a lighted nock on the end of an arrow, or a scope or electronic sight that does not project light externally;

**BACKGROUND:** The use of range finders while hunting big game in Alaska is legal. Range finders assist bowhunters with judging distance, especially in mountainous or tundra terrain, which can aid in better shot placement for more ethical, lethal kills. The current regulations for items attached to bows and arrows in restricted weapons hunts are designed for more primitive equipment and the fact that optical enhancement is not needed for shots taken with a bow since the distance is so much less than with a rifle. Technology has advanced and there are now

electronic bow sights with built-in range finders on the market. These sights do not project light externally and do not provide optical enhancement.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is a methods and means of taking game.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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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.

**PROPOSED BY:** Bruce Brown

**WHAT WOULD THE PROPOSAL DO?** The proposal would change the definition of allowable archery equipment or devices in a restricted weapons hunt that authorizes take by bow and arrow. It would allow the use of electronic bow sights with built-in range finders.

**WHAT ARE THE CURRENT REGULATIONS?**

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

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

(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 or a lighted nock on the end of an arrow, or a scope or electronic sight that does not project light externally;

(B) scopes or other devices attached to the bow or arrow for optical enhancement;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

5 AAC 92.085 Unlawful methods of taking big game; exceptions

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

(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, a range finder, or a lighted nock on the end of an arrow, or a scope or electronic sight that does not project light externally;

(B) scopes or other devices attached to the bow or arrow for optical enhancement;



**BACKGROUND:** The use of range finders while hunting big game in Alaska is legal. Range finders assist bowhunters with judging distance, especially in mountainous or tundra terrain, which can aid in better shot placement for more ethical, lethal kills.

The current regulations for items attached to bows and arrows in restricted weapons hunts are designed for more primitive equipment and the fact that optical enhancement is not needed for shots taken with a bow since the distance is so much less than with a rifle. Technology has advanced and there are now electronic bow sights with built-in range finders on the market. These sights do not project light externally and do not provide optical enhancement.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is a methods and means of taking game.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 125 – 5 AAC 92.080. Unlawful methods of taking big game; exceptions.** Allow the use of crossbows for hunting big game in weapons restricted hunts.

**PROPOSED BY:** Orion Peter Harper

**WHAT WOULD THE PROPOSAL DO?** The proposal would allow the use of crossbows in archery-only restricted weapons hunts with the following conditions:

- No scopes, only iron sights and peep sights
- Successful completion of a crossbow certification course and carry the certification card with them in the field.

**WHAT ARE THE CURRENT REGULATIONS?**

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

The following methods of taking game are prohibited:

- (11) unless specifically authorized by regulation, with the use of a crossbow in any restricted weapons hunt that authorizes taking by bow and arrow;
- (17) in restricted-weapons hunts in Units 1-5, in hunts open to the use of muzzleloader and bow and arrow, or shotgun and bow and arrow, the use of crossbows is allowed unless specifically prohibited by regulation;

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

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

- (15) with a crossbow, unless
- (D) the crossbow has no attached electronic devices, except for a scope or electronic sight that does not project light externally; and

5 AAC 92.003. Hunter education and orientation requirements

- (l) Beginning July 1, 2018, a hunter using a crossbow must have successfully completed a department-approved crossbow hunter certification course.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If the proposal is adopted, crossbows would be legal to use in archery-only restricted weapons hunts with the following conditions:

- No scopes, only iron sights and peep sights
- Successful completion of a crossbow certification course and carry the certification card with them in the field.

People would no longer need to apply for a Methods and Means exemption per 5 AAC 92.104 to use a crossbow in an archery-only restricted weapons hunt if they planned to follow the additional conditions listed above.

**BACKGROUND:** The use of bow and arrow for hunting activities has a longstanding history in Alaska. Allocations of restricted weapons hunts for take by bow and arrow have occurred due to the differences between hunting with a firearm and hunting with a bow and arrow. The bowhunting/archery community has felt that crossbows aren't archery equipment because how a crossbow shoots, the distance a crossbow can shoot, and the mechanics of a crossbow are very different from long bows, recurve bows, and compound bows.

The Board chose not to adopt a proposal during the 2012, 2016, and 2018 statewide meetings to make crossbows legal in archery-only areas. The current bow definition in Alaska does not match what a crossbow is. The department emphasizes education and training for all equipment used to harvest animals. Because crossbows are advancing in technology, many hunters do not have the knowledge needed to safely and effectively shoot a crossbow. The skills needed to shoot a crossbow are different than shooting either a bow or a firearm.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it addresses methods and means of taking game; however, the department continues to encourage the board to address weapons restrictions on a hunt by hunt basis and does have concerns with the different capabilities of crossbows and bows, and the board has the ability to add crossbows to hunts where it is appropriate to do so.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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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.

**PROPOSED BY:** Kurt Wellong

**WHAT WOULD THE PROPOSAL DO?** The proposal would allow the use of muzzleloaders equipped with a scope in a muzzleloader-only weapons restricted hunt.

**WHAT ARE THE CURRENT REGULATIONS?**

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

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 hunt for muzzleloaders only, is prohibited;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

Muzzleloaders equipped with a scope would be allowed to be used in a muzzleloader-only weapons restricted hunt.

**BACKGROUND:** Weapons restricted hunts were designed with a more traditional view of fair chase principles in mind. Most muzzleloader enthusiasts enjoy a nostalgic shooting experience using open or peep sights. A muzzleloader’s effective hunting range is 100-yards or less since a muzzleloader fires large, heavy projectiles that have a reduced trajectory making shot placement more difficult compared to a rifle. The definition of a scope is a telescopic sight mounted on top of a rifle that helps to improve one’s aim by magnifying and pinpointing a target.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 127 – 5 AAC 92.085. Unlawful methods of taking big game; exceptions.** Allow air rifles for hunting big game.

**PROPOSED BY:** George Lewis

**WHAT WOULD THE PROPOSAL DO?** The proposal would permit the use of air rifles to be used to hunt big game.

**WHAT ARE THE CURRENT REGULATIONS?**

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

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

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

This proposal would allow air rifles to be used to harvest big game animals.

**BACKGROUND:**

Currently in Alaska, only small game can be harvested using an air rifle. Here is a table of Western states and their current regulations regarding air rifles.

Wyoming	No	Currently require a minimum of a .22 center fire, 60 grain bullet that is over 2 inches for antelope and deer. and a minimum .224 for center fire, 60 grain bullet that is over 2 inches for moose, elk and larger big game species.
California	No	Big game may only be taken by rifles using centerfire cartridges with softnose or expanding projectiles; bow and arrow (see Section 354 of these regulations for archery equipment regulations); or wheellock, matchlock, flintlock or percussion type, including "in-line" muzzleloading rifles using black powder or equivalent black powder substitute, including pellets, with a single projectile loaded from the muzzle and at least .40 caliber in designation  •(d) Shotguns capable of holding not more than three shells firing single slugs may be used for the taking of deer, bear and wild pigs.
Arizona	Yes	.35 caliber or larger
Colorado		Centerfire Rifles-Must use expanding bullets that weigh a minimum of 70 grains for deer, pronghorn and bear, 85 grains for elk and moose, and have an

		<p>impact energy (at 100 yards) of 1,000-ft.-pounds as rated by manufacturer.</p> <p>Muzzleloaders-Must be a single barrel that fires a single round ball or conical projectile. To hunt deer, pronghorn or bear, they must be a minimum of .40 caliber. To hunt elk or moose, they must be a minimum of .50 caliber. From .40 caliber to .50 caliber, bullets must weigh a minimum of 170 grains. If greater than .50 caliber, bullets must weigh a minimum of 210 grains.</p>
New Mexico	No	<p>Legal sporting arms for hunting big-game species (page 133) include: centerfire rifle or handgun(see individual species for caliber restrictions); shotgun no smaller than 28 gauge, firing a single slug;</p> <p>bow and arrows; crossbow and bolts; and muzzleloading rifle.</p>
Hawaii	No	<p>No person shall possess or use...guns powered by compressed gas... Legal game mammal hunting weapons include rifles, shotguns, handguns, bows and arrows, and spears and knives.</p>
Oregon	No	<p>No other firearm may be used for hunting</p> <p>during a muzzleloader-only season.</p>
Washington	No	<p>Rifles, handguns, shotguns, crossbows, muzzleloaders</p>

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The department has serious concerns about wounding loss, the equipment, and industry standards, if air rifles are allowed to be used for harvesting big game in Alaska. If this proposal is

adopted, the department asks the Board to adopt standards for air rifle equipment. The Board has standards for every other weapon used to harvest big game in Alaska. Research indicates air rifles in the .30 caliber range under 150 ft/lb are good for mid-weight animals (deer, pigs) but marginal for big game. The .40 caliber air rifles and larger that produce 300 ft/lb have been found to be more effective on big game. The proposal does not address potentially dangerous game (bears) and consideration should be given to hunters' safety using an air rifle. The department recommends more research be conducted before air rifles are allowed to harvest big game in Alaska, and further recommends defining air rifles as:

“Air rifles are shoulder-mounted rifles whose projectile (bb or pellet) is propelled by compressed air or carbon dioxide in contrast to a firearm which uses combustible propellants.”

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposal 128

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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,

**PROPOSED BY:** Ted Spraker

**WHAT WOULD THE PROPOSAL DO?** The proposal would require the use of expanding (soft point) bullets for big game hunting, excluding wolf and wolverine.

**WHAT ARE THE CURRENT REGULATIONS?**

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

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 either 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, registered, or special season hunt for muzzleloaders only, is prohibited;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If the proposal is adopted, hunters would be prohibited from using non-expanding bullets to hunt big game animals, excluding wolf and wolverine.

**BACKGROUND:** There are three basic types of bullet construction: frangible, non-expanding, and expanding. Each of these bullets has a specific purpose. Frangible bullets break up into very small pieces upon impact with the target or the background. Frangible bullets are typically used to hunt animals weighing less than 30 pounds. Non-expanding bullets (FMJ) typically retain their general shape as the bullet penetrates and passes through the target. The penetration of this type of bullet is usually much greater than frangible or expanding bullets because the frontal area of a non-expanding bullet does not increase as it penetrates. Since the wound channel is typically much narrower than that of an expanding bullet, the damage caused by a non-expanding bullet is usually much less, and quick kills on North America big game animals are rare. Non-expanding bullets are discouraged or illegal for big game hunting in most of North America. Round-nose non-expanding bullets are used by some big game hunters in Africa when hunting elephant or rhino where deep penetration is required against heavy hide and bone. Expanding or "controlled expansion" bullets are designed to deform or "mushroom" as the bullet penetrates and passes through the target. Expanding bullets are normally used to hunt big game animals by creating significant tissue damage as the bullet passes through the animal so that the animal dies as quickly as possible. The term "soft point" refers to the lead exposed at the tip of the bullet, which helps to initiate bullet expansion upon impact with the target. There are hunting bullets that are not soft point types, however "soft point" bullets are the kind most commonly seen.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 130 – 5AAC 92.080. Unlawful methods of taking game; exceptions.** Prohibit the use of urine from any species of the deer (*Cervidae*) family urine as scent lures or bait.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** This proposal would expand the list of prohibited scent lures to use of urine of all species of the deer (*Cervidae*) family and align this list statewide.

**WHAT ARE THE CURRENT REGULATIONS?**

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

The following methods of taking game are prohibited:

...

(15) with the use of deer or elk urine, and while in immediate personal possession of deer or elk urine, including scent lures;

...

(18) 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 WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would make it illegal statewide to use natural urine of all deer species as lures. This may decrease the likelihood of urine infected with the prions believed to cause Chronic Wasting Disease (CWD) from being transported to Alaska.

**BACKGROUND:** Chronic wasting disease (CWD) is an infectious disease found in populations of deer, elk, and moose in several countries and potentially could infect all species within the deer family (Cervidae) including caribou and reindeer. Urine, blood, and saliva from CWD-infected animals have been shown to contain the protein or ‘prion’ thought to be the causative agent. Research has also shown that the prion binds to soil and can remain indefinitely to serve as a potential way of CWD transmission. Because CWD is not known to be present in Alaska, it is in the best interest of Alaska’s wildlife to prohibit use of any substance for hunting that might bring this disease into the state. For example, other states and provinces have enacted regulations to prevent the import and use of doe urine with the general concern that captive deer facilities could sell CWD-infected urine.

In 2011 the board passed a proposal to prohibit the use of deer or elk urine as a method of taking game, citing concerns for the transmission of (CWD). Subsequently, moose urine began to be sold in Alaska as scent lure. At the Interior and Eastern Arctic board meeting in 2020, the board passed a proposal prohibiting the use of moose, caribou, and reindeer urine, but was able to do so only in that portion of the state. This prohibition would best to be in place for the entire state to afford protection against this disease for moose, caribou, reindeer, deer, and elk populations. A precautionary step by the board now would be a simple contribution to minimizing the risk of CWD presence in wild cervid populations in Alaska.

**DEPARTMENT COMMENTS:** The department **SUPPORTS** this proposal due to concerns about CWD. If adopted, this proposal would decrease the risk of potential CWD transmission to Alaska. and would make the regulations the same across the state. Artificial urine scent lures, which pose no danger, would not be prohibited.



**COST ANALYSIS:** Adoption of this proposal would not result in any additional costs to the department.

\*\*\*\*\*

**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.

**PROPOSED BY:** Sam Hancock

**WHAT WOULD THE PROPOSAL DO?** The proposal seeks to allow the back and wings including the humerus, radius, ulna, and meat of the back and wings from swans, geese and cranes be used for other purposes such as trapping bait.

**WHAT ARE THE CURRENT REGULATIONS?** The pertinent regulations are as follows:

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:

...;

- (2) parts of legally taken animals that are not required to be salvaged as edible meat, if the parts are moved from the kill site;

5 AAC 92.220(d) 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.

5 AAC 92.990(a)(26) “edible meat” means, ...in the case of small game birds, except for cranes, geese, and swan, the meat of the breast; 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 the metacarpals...

5 AAC 92.990(a)(70) “Salvage” means to transport the edible meat, heart, liver, kidneys, head, skull, or hide, as required by statute or regulation, of a game animal or small game bird to the location where the edible meat, heart, liver, or kidneys will be consumed by humans or processed for human consumption in order to save or prevent the edible meat, heart, liver, or kidneys from waste, and the head, skull, or hide will be put to human use;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the meat of migratory game bird parts currently required by regulation to be salvaged as edible meat, could be used as trapping bait. This includes the meat of the back and wings from cranes, geese, and swans. However, adoption of this proposal also would require the “edible meat” definition in 5 AAC 92.990(a)(26) be changed to exclude, in the case of cranes, geese, and swan, the meat of the back and wings. The migratory game bird parts that do not include meat (e.g.,

bones of the back and wings), are not excluded by regulation to be used for other purposes such as trapping bait.

**BACKGROUND:** While not a regulatory requirement, the department encourages the use of all meat that is edible beyond what is required to be salvaged. How a person uses different parts of small game birds can vary considerably. Salvage regulations have been applied to all game meat, including small game, on a statewide basis to establish minimum standards to ensure responsible use of game animals. In 2017, the board expanded the definition of “edible meat” for cranes, geese, and swan (5 AAC 92.990(a)(26)) required to be salvaged to include the meat of the back and wings – which is more aligned with the federal migratory bird subsistence harvest regulations definition of “edible meat” that includes meat from the breast, back, thighs, legs, wings, gizzard, and heart.

**DEPARTMENT COMMENTS:** The department is NEUTRAL on this proposal since it does not address nor present biological concerns.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposal 132

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**PROPOSAL 133 – 5 AAC 92.090. Unlawful methods of taking fur animals and 92.095. Unlawful methods for taking furbearers; exceptions.** Add bow and arrow as a legal methods for taking beaver.

**PROPOSED BY:** John Frost

**WHAT WOULD THE PROPOSAL DO?** Allow harvest of beaver with bow and arrow statewide.

**WHAT ARE THE CURRENT REGULATIONS?** Under current trapping regulations, taking beaver by any means other than a steel trap or snare is prohibited, except that a firearm may be used to take 2 beaver per day in Units 9 and 17 from Apr. 15 through May 31 if the meat is salvaged for human consumption; a firearm may be used to take beaver in Units 1-5, 8, 18, 22 and 23 throughout the seasons and with the bag limits established in 5 AAC 84; a firearm or bow and arrow may be used to take beaver in Unit 17 from Dec. 1 through April 14 if the meat is salvaged; a firearm or bow and arrow may be used to take beaver in Units 12, 19, 20(A), 20(C), 20(E), 20(F), 21, 24, and 25 throughout the seasons and with the bag limits established in 5 AAC 84;

Under current hunting regulations, beavers may be taken by all allowable methods of taking game, except they may not be taken by using a dog, trap, snare, net, or fish trap, and dens may not be destroyed or disturbed in the course of hunting.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Bow and arrow would be a legal method of taking beaver during trapping seasons statewide.

**BACKGROUND:** The harvest methods for beaver in some areas of the state currently allow for the take of beaver using firearms and bow and arrow. This is to provide for additional opportunity to take these animals outside of traditional trapping methods and allow for and increase their take as food.

This proposal would allow for more general hunting opportunity for take with bow and arrow thereby providing more opportunity for bowhunters to take beaver during the beaver seasons currently described in the trapping regulations.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allowing the harvest of beaver with bow and arrow statewide as there is no biological concern and this method of harvest is already allowed in several game management units in the state.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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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.

**PROPOSED BY:** John Ryan

**WHAT WOULD THE PROPOSAL DO?** The proposal would allow the use of cameras that transmit messages through wireless communication for the take of furbearers in traps.

**WHAT ARE THE CURRENT REGULATIONS?** 92.080(7)(H)

The following methods of taking game are prohibited:

(7) with the aid of

(H) any camera or other sensory device that can send messages through wireless communication;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted trappers that choose to use game cameras capable of sending messages through wireless communication would be notified immediately if an animal were caught in a trap. This would

allow trappers to respond immediately. As the proponent mentions, this would also allow troopers to more quickly locate those that intentionally interfere with others traps.

**BACKGROUND:** In November 2017 Statewide Board of Game meeting the board deliberated a proposal submitted by the Alaska Wildlife Troopers asking for clarification regarding when cellular and satellite communication (wireless communication) could be used. The board ultimately passed a proposal that prohibited the use of cameras that can send messages through wireless communication.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** regarding the adoption of this proposal because it does not create or address a biological concern. If adopted, it is possible less fur would be lost to environmental conditions and some animals may be retrieved sooner. Alaska Wildlife Troopers would also have more evidence to potentially identify those that intentionally obstruct the lawful trapping of others.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposals 135-139

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**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.

**PROPOSED BY:** Alaska Professional Hunters Association

**WHAT WOULD THE PROPOSAL DO?** The proposal would increase the number of bait sites guides can place per guide use area for the spring of 2021 only, from 10 to 20, to allow guides to recoup some of the losses incurred during the spring 2020 nonresident bear hunting closures.

**WHAT ARE THE CURRENT REGULATIONS?**

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

(4) a person may not have more than two bait stations established with bait present at any one time, except that in Units 6, 7, 9, 11, 12, 13, 14(A), 14(B), 15, 16, 17, 19, 20, 21, 24, and 25, a registered guide-outfitter may operate up to 10 bait station sites at a time in each guide use area that the registered guide-outfitter may conduct big game hunting services in under AS 08.54.750, and may either personally or through licensed class-A assistant or assistant guides establish and maintain those sites simultaneously, if a signed big game commercial services contract under 12 AAC 75.260 is used for each hunter that uses any of the sites;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted guides would have been allowed to establish and maintain 20 bait sites per guide use area instead of 10. The proposal asked for action for the spring of 2021 which has passed.

**BACKGROUND:** Due to the onset of COVID-19 the Department closed nonresident bear hunting seasons in the spring of 2020. The Board of Game took action allowing nonresident hunters to transfer their drawing permits for those closed seasons to regulatory year 2020 or 2021, and opened the registration hunt in Unit 9 when it would normally have been closed. The board did not address guided nonresident hunters participating in hunts open by general season, because those hunters had the opportunity to come to Alaska to hunt during the next regular season.

**DEPARTMENT COMMENTS:** The department recommends the board **TAKE NO ACTION** on this proposal because the date for the requested change has passed. While the proposed action would have increased the number of bears harvested in the spring of 2021, it is unknown by how many. Regulations in place that protect sows with cubs and cubs would have prevented overharvest of populations, however it is possible there may have been some areas that would have experienced localized depletion of the population.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposal 141

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**PROPOSAL 142 – 5 AAC 92.029 Permit for possessing live game.** Allow Emus to be possessed without a permit from the department.

**PROPOSED BY:** Pike Ainsworth

**WHAT WOULD THE PROPOSAL DO?**

Adoption of this proposal would add Emu (*Dromaius novaehollandiae*) to the list of species that may be possessed without a permit in Alaska.

**WHAT ARE THE CURRENT REGULATIONS?**

Emus are not currently a species listed in current regulations.

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:

...

(h) Upon application, the board will add a species to the list in (b) of this section if there is clear and convincing evidence that the species (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; and (9) does not present a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

5 AAC 92.029. Permit for possessing live game

...

(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:

...

Members of the bird family *Casuariidae*\*

...

\*This would include five identified subspecies

**BACKGROUND:**

In the United State, emus are primarily farmed and raised as pets. Emus are farmed primarily for their meat, leather, feathers and oil, and 95% of the carcass can be used. Emu meat is a low-fat product (less than 1.5% fat), and is comparable to other lean meats.

**DEPARTMENT COMMENTS:** The department is **NUETRAL** on this proposal, however the department has no evidence that suggests Emus (*Dromaius novaehollandiae*) do not meet the criteria in 5 AAC 92.029(h) to be placed on the cleanlist.

**COST ANALYSIS:** Adoption of this proposal will not result in increased costs to the department.

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**PROPOSAL 143 – 5 AAC 92.029 Permit for possessing live game.** Allow Emus to be possessed without a permit from the department.

**PROPOSED BY:** Gary Royal Morrill

**WHAT WOULD THE PROPOSAL DO?** Adoption of this proposal would add Emu (*Dromaius novaehollandiae*) to the list of species that may be possessed without a permit in Alaska.

**WHAT ARE THE CURRENT REGULATIONS?** Emus are not currently a species listed in regulations.

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:

...

(h) Upon application, the board will add a species to the list in (b) of this section if there is clear and convincing evidence that the species (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; and (9) does not present a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

5 AAC 92.029. Permit for possessing live game

...

(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:

...

Members of the bird family

*Casuariidae*\*

...

\*This would include five identified subspecies

**BACKGROUND:** In the United State, emus are primarily farmed and raised as pets. Emus are farmed primarily for their meat, leather, feathers and oil, and 95% of the carcass can be used. Emu meat is a low-fat product (less than 1.5% fat), and is comparable to other lean meats.

**DEPARTMENT COMMENTS:** The department is **NUETRAL** on this proposal, however the department has no evidence that suggests Emus (*Dromaius novaehollandiae*) do not meet the criteria in 5 AAC 92.029(h) to be placed on the cleanlist.

**COST ANALYSIS:** Adoption of this proposal will not result in increased costs to the department.

\*\*\*\*\*

**PROPOSAL 144 – 5 AAC 92.029. Permit for possessing live game.** Exempt “sterilized community cats” from the list of species prohibited from being released into the wild.

**PROPOSED BY:** Shannon Basner

**WHAT WOULD THE PROPOSAL DO?** The proposal asks to exempt sterilized community cats from the list of species prohibited from being released into the wild.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 92.029 allows cats (*Felis catus*) to be possessed without a permit and prohibits them from being released into the wild.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Sterilized feral cats could legally be released to the wild, except where prohibited by local governments.

**BACKGROUND:** Trap-Neuter-Release (TNR) programs are implemented throughout the US, often at the municipality level, in an effort to stabilize or reduce feral/community cat populations as an alternative to the trap/ethanize option. Proponents of TNR programs argue that this option is cost-efficient, sustainable, and a humane alternative for managing feral cat colonies by increasing the number of neutered cats, decreasing unwanted litters, reducing shelter and animal control costs, and increasing vaccination rates of cats.

The American Association of Wildlife Veterinarians (AAWV), American Society of Mammalogists (ASM), and many in the scientific community oppose TNR programs. Repeated studies show TNR programs are ineffective at controlling feral cat populations; one study calculated between 71-94% of cats in a single feral colony would need to be neutered for the program to be effective, but this percentage of sterilization has rarely been achieved. While TNR programs vaccinate cats during the trap/neuter process, they do not address that effective vaccination of an animal requires multiple booster shots throughout the duration of the animal’s life. Feral cats that become trap shy will be extremely hard to recapture and administer additional doses to.



Disease risks associated with feral cats pose threats to public health. Cats can carry rabies, toxoplasmosis, cat bite cellulitis, cat-scratch disease, cutaneous larva migrans (hookworms), visceral larva migrans (roundworms), and fleas (and flea-borne diseases). These diseases can be transmitted to humans through direct contact with the animal (scratch/bite) or through the environment (fecal contamination of dirt). If contracted, human symptoms from these diseases range from mild infection to death. Toxoplasmosis alone has been linked to many human diseases/disorders, including Parkinson's, autism, schizophrenia, Alzheimer's, psychosis, suicide, and personality changes. Additionally, feral cat colonies can serve as a disease-vector for other animals, such as raccoons, opossums, coyotes, foxes, and others, that are attracted to the available food source.

ADF&G and other government agencies are charged with the management, conservation, and preservation of native flora and fauna. Multiple scientific studies have shown feral cats kill millions of wild birds and small mammals annually, while other studies have shown that cats have an innate behavior to hunt; this does not change based on cat ownership, vaccination, reproductive potential, or on the availability of food.

**DEPARTMENT COMMENTS:** The department **OPPOSES** this proposal. In addition to the public health concerns, feral cats are known predators of wild birds and small mammals.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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**PROPOSAL 145 – 5 AAC 92.029. Permit for possessing live game.** Classify *F. catus* as deleterious exotic wildlife and prohibit their release into the wild, feeding, and maintaining unconfined populations.

**PROPOSED BY:** Al-Hajji Frederick Minshall

**WHAT WOULD THE PROPOSAL DO?** The proposal would classify cats (*Felis catus*) as deleterious exotic wildlife and prohibit their release into the wild, feeding, and maintaining unconfined populations.

**WHAT ARE THE CURRENT REGULATIONS?** 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... (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 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.

The statutory definition of game found in AS 16.05.940 includes feral domestic animals. Because *F. catus* is not currently defined as deleterious exotic wildlife, when feral it becomes “unclassified game” as defined in 5 AAC 92.990. The hunting seasons and bag limits for unclassified game are found in 5 AAC 85.070, and there is currently only an open season for “all unclassified game” in Unit 14C within the Joint Base Elmendorf-Richardson Management Area, with no closed season and no bag limit. Deleterious exotic wildlife statewide currently have no closed season and no bag limit.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** By classifying feral cats as deleterious exotic wildlife, releasing, feeding feral cats, and maintaining feral cat colonies, would explicitly be prohibited under regulation, and there would be no closed season and no bag limit for them.

**BACKGROUND:** Trap-Neuter-Release (TNR) programs are implemented throughout the US, often at the municipality level, in an effort to stabilize or reduce feral/community cat populations as an alternative to the trap/euthanize option. Proponents of TNR programs argue that this option is cost-efficient, sustainable, and a humane alternative for managing feral cat colonies by increasing the number of neutered cats, decreasing unwanted litters, reducing shelter and animal control costs, and increasing vaccination rates of cats.

The American Association of Wildlife Veterinarians (AAWV), American Society of Mammalogists (ASM), and many in the scientific community oppose TNR programs. Repeated studies show TNR programs are ineffective at controlling feral cat populations; one study calculated between 71-94% of cats in a single feral colony would need to be neutered for the program to be effective, but this percentage of sterilization has rarely been achieved. While TNR programs vaccinate cats during the trap/neuter process, they do not address that effective vaccination of an animal requires multiple booster shots throughout the duration of the animal’s life. Feral cats that become trap shy will be extremely hard to recapture and administer additional doses to.

Disease risks associated with feral cats pose threats to public health. Cats can carry rabies, toxoplasmosis, cat bite cellulitis, cat-scratch disease, cutaneous larva migrans (hookworms), visceral larva migrans (roundworms), and fleas (and flea-borne diseases). These diseases can be transmitted to humans through direct contact with the animal (scratch/bite) or through the environment (fecal contamination of dirt). If contracted, human symptoms from these diseases range from mild infection to death. Toxoplasmosis alone has been linked to many human diseases/disorders, including Parkinson’s, autism, schizophrenia, Alzheimer’s, psychosis,

suicide, and personality changes. Additionally, feral cat colonies can serve as a disease-vector for other animals, such as raccoons, opossums, coyotes, foxes, and others, that are attracted to the available food source.

ADF&G and other government agencies are charged with the management, conservation, and preservation of native flora and fauna. Multiple scientific studies have shown feral cats kill millions of wild birds and small mammals annually, while others studies have shown that cats have an innate behavior to hunt; this does not change based on cat ownership, vaccination, reproductive potential, or on the availability of food. One study in particular showed the native bird and rodent diversity was significantly lower near a feral cat colony than in a similar habitat without the presence of feral cats.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The release of any animal to the wild is currently prohibited under existing regulation.

**COST ANALYSIS:** Adoption of this proposal would not result in additional costs for the department.

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Proposals 146-152

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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.

**PROPOSED BY:** Brad Sparks

**WHAT WOULD THE PROPOSAL DO?** Establish a bonus point draw system for bison and muskox draw hunts.

**WHAT ARE THE CURRENT REGULATIONS?** There are currently no Bonus Point Drawing hunts for any species in Alaska. All bison and muskox standard draw permits are awarded on a strictly random basis.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Regular hunt drawing applicants would be awarded additional chances to draw hunting permits for bison and muskox based on the number of times they have been unsuccessful in previous drawings.

**BACKGROUND:** There has been interest from the public to provide additional opportunity for the draw hunt applicants based on their previous application history. The board has considered similar proposals numerous times in the past at statewide BOG meetings. These proposals have never passed after having been reviewed, discussed, and debated by the public, the board, and the department at many different levels. Typically, draw hunts for Dall sheep, brown bear, bison,

and muskox have been the focus of these efforts. Historically, these are also the species with the lowest drawing odds. For example last year, 47720 applications were received for 172 bison permits and 7091 applications were received for 75 muskox permits. In addition to the mandatory 1 year waiting period for all successful draw applicants (for the specific draw hunt awarded), those residents that are successful in drawing a bison permit must wait for 10 years before reapplying. There are a small number of hunts where the successful applicant can only be awarded one permit per lifetime, such as nonresident bison hunters.

Bonus points along with preference points and the related modifications are drawing systems that include various rules that are structured to increase the opportunity for applicants to draw a permit based on the number of times they have participated in the draw or purchased “points” during previous draw application periods. Bonus points are the simplest and easiest to understand of these types of draw systems. For example, if an applicant is not drawn for a permit, they will receive a “point” or additional opportunity the next time they apply for the permit. In this way, they can accumulate points or opportunities to successfully draw in subsequent drawings. Preference point systems generally award all or a majority of the permits to those applicants with the most points. They are also generally considered to be the least desirable system for new or novice hunters due to the low or non-existent drawing odds in the bottom end of the point pool.

There are other considerations regarding draw systems designed to increase drawing odds. It can be challenging for agencies that conduct bonus / preference point drawings to accurately track the drawing history of applicants. This is a necessary and primary component of any draw system that requires historic draw application history to determine eligibility for additional chances for the current application year. Also, other draw rules such as waiting periods, species draw requirements, hunt restrictions, and allocations can all complicate tracking and eligibility.

Bison and muskox drawing odds are typically less than 1% and often much less. These draw permits are arguably the most sought after and difficult to draw in Alaska. The large numbers of applicants which significantly dilute the current opportunity to draw would effectively reduce the potential impact of a modified drawing system like bonus points. Because many of the other draw applicants would be also accumulating points in a bonus point system, the odds for one applicant would not necessarily increase substantially with their individual accumulation of points. For example, if 100 hunters apply for 1 permit, the odds are 1%. In the next year, if 50 of those applicants apply again, their accumulated bonus points would result in 150 opportunities to draw one permit. An applicant with two chances (application + one bonus point) is applying would result in 1.3% draw odds. Depending on applicant participation, it could still be many years before an applicant was ultimately successful in drawing a bison or muskox permit.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal. Bonus Point Drawing Systems are challenging and expensive to implement. The creation of this type of a drawing system would require additional staff time to develop, design and manage the tracking

of drawing applicants for bison and muskox. Applicant draw record tracking would by necessity begin with regulation implementation. Therefore, potential “meaningful” benefit from accumulated bonus points may take several years or more into the future. The addition of 6 drawing hunts per species has slightly improved drawing odds. Bonus Points can improve the applicants draw probability, but with high numbers of draw applicants as with these two species, the probability of drawing a permit will remain very low.

**COST ANALYSIS:** There would be a development cost to modify the current drawing system to allow for the accumulation and tracking of bonus points for drawing applicants and establishing an applicant data base complete with draw history and related eligibility information. Regardless of whether this is done internally or by an outside contractor, the cost could be substantial.

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**PROPOSAL 154 – 5 AAC 92.050 Required permit hunt conditions and procedures.**

Instruct the department to issue an additional permit when a party application is drawn as the last permit for a hunt.

**PROPOSED BY:** Ted Spraker

**WHAT WOULD THE PROPOSAL DO?** The proposal would instruct the department to issue an additional permit when the last permit drawn is a party application, unless there were 10 permits or fewer issued for the hunt.

**WHAT ARE THE CURRENT REGULATIONS?**

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; ...

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted the department expects a few additional permits to be issued each year. The proponent states this protocol would not be applied in hunts where fewer than 10 permits are issued, which would prevent over harvest in areas where few permits are issued.

**BACKGROUND:** When drawing permits are awarded there is always a chance that the one last permit to be awarded will go to a party application, however the department lacks the ability to issue an additional permit so that both party members can receive permits, and the department lacks the ability to split a party hunt and award the permit to only one of the party members. This results in potential winners not receiving a permit.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. Adoption of the proposal may result in a few additional animals being harvested each year however by only applying the protocol to hunt where more than ten permits are issued prevents this from becoming a conservation issue. If the board adopts the proposal the department recommends this be put into regulation and requests the board work in language that will allow the department to issue permits that exceed the total allowed in 5 AAC 85 for each hunt as a result of a party application being awarded the last remaining permit, and that the additional permit issued does not count against any existing allocation regulations such as residency or guide type.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposal 155

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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.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** The proposal would create a new regulation that will require applicants that intend to apply for a Methods and Means Exemption permit to hunt with a crossbow in an archery only hunt to have successfully completed a department approved crossbow hunter certification course prior to applying for the permit.

**WHAT ARE THE CURRENT REGULATIONS?** Applicants for archery only hunts must have successfully completed a department approved bowhunter education course before applying for the hunt, and persons with a disability can submit an application for an exemption from a methods and means requirement.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted applicants with a disability that prevent them from being able to use archery equipment will be able to apply for drawing permits open only to archery.

**BACKGROUND:** 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 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.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** the proposal because it allows those hunters that participate in archery only hunts with a Methods and Means Exemption permit the ability to apply for archery only hunts, where they would utilize the Methods and Means Exemption permit. Current regulations prohibit those hunters from applying for drawing permits open only to archery hunters.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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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.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** If adopted the words “licensed physician” would be replaced by “physician licensed to practice medicine in the state of Alaska”.

**WHAT ARE THE CURRENT REGULATIONS?** 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 licensed physician explaining the nature and extent of the person’s disability;

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 WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The proposal would bring into alignment board regulations regarding methods and means disability exemptions with existing statutes and would alleviate any confusion or interpretation for the department which will allow the boards regulations to be administered more consistently.

**BACKGROUND:** The department 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.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** the proposal because it will remove the potential for inconsistent implementation by the department and will result in clear instructions to the public regarding methods and means disability exemptions.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposals 158-231

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**PROPOSAL 232 – 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions.**

Allow the use of dogs to recover wounded furbearers

**PROPOSED BY:** Elijah Barbour

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would make it legal to use a dog to recover a wounded or lost furbearer.

**WHAT ARE THE CURRENT REGULATIONS? 5 AAC 92.095. Unlawful methods of taking furbearers; exceptions** (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:



...

(5) using a dog, net, or fish trap (except a blackfish or fyke trap);

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Trappers would be able to use dogs to retrieve wounded furbearers. The use of a dog may result in increased success in locating wounded furbearers. Well trained hunting dogs are a tool that can be used and with technological advances (e.g., GPS collars) make tracking dogs, and presumably furbearers, more successful.

**BACKGROUND:** The board has authorized the use of dogs to track wounded big game; hunt black bears under the authority of a permit issued by the department, and to hunt coyotes in Unit 20D (5 AAC 92.090). In addition, dogs are used routinely to hunt small game, upland birds, and waterfowl to accomplish the results the author is seeking in this proposal.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is methods and means in nature. The proposal does not ask to allow dogs to take furbearers, but to retrieve wounded furbearers. The difference in language is important. Division staff routinely receive calls from the public who are concerned about dogs harassing wildlife. Simply allowing dogs to hunt or harass furbearers without specific conditions to ensure ethical hunting and trapping, and humane take of furbearers is contrary to the mission of the Division of Wildlife Conservation. The board may wish to consider allowing dogs to be used to retrieve wounded fur animals as well.

**COST ANALYSIS:** Adoption of this proposal would not result in additional cost to the department.

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Proposals 233-234

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**PROPOSAL 235 – 5 AAC 85.065. Hunting seasons and bag limits for small game.** Allow the use of artificial light while hunting small game animals that have no closed seasons and no bag limit.

**PROPOSED BY:** Paul Warta

**WHAT WOULD THE PROPOSAL DO?** Allow the use of artificial light for small game species with no closed season and no daily bag limit. This proposal is seeking to use artificial light for the purpose of hunting snowshoe hare.

**WHAT ARE THE CURRENT REGULATIONS?** The current grouse hunting regulations can be found in 5 AAC 85.065 and in the *2021–2022 Alaska Hunting Regulations*.

Currently, artificial light is not allowed as a legal method for identifying and hunting small game in Alaska.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The hunting public would be allowed to use artificial light for the purpose of identifying, pursuing, and harvesting small game (excepting waterfowl) species that currently have no closed season and no bag limit. Additional small game harvest of all species is expected if this proposal is adopted.

**BACKGROUND:** Currently, the use of artificial light is not allowed to pursue, identify, or harvest any small game classified species in Alaska.

The use of artificial light is currently allowed under recreational and trapping regulations. 1) for tracking and dispatching wounded game; however, a hunter may not be on or in a motorized vehicle while using artificial light; 2) artificial light may also be used under a trapping license during an open furbearer season in units 7, 9-26; and 3) a resident black bear hunter under customary and traditional use activities at a den site in units 19A, a portion of unit 19D, and 21B, 21C, 21D, and 25D.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The department currently does not have the means to monitor the portion of harvest potential for small game if this proposal were adopted. It would be difficult to discern conservation concerns created by adoption of this proposal.

**COST ANALYSIS:** Adoption of this proposal would not result in significant costs to the department.

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Proposal 236-247

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**PROPOSAL 248 – 5 AAC 92.003 Hunter education and orientation requirements.** Allow nonresidents aged 10-17 to hunt on behalf of an adult permit holder.

**PROPOSED BY:** Adam Bowers

**WHAT WOULD THE PROPOSAL DO?** The proposal would allow nonresidents aged 10-17, that have successfully completed a certified hunter education course, to hunt on behalf of a permit holder who is at least 18 years of age, under the direct immediate supervision of that permit holder, who is responsible for ensuring that all legal requirements have been met.

**WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 92.003

(b) Notwithstanding (a) of this section, a resident hunter who is 10 through 17 years of age at the start of the hunt, and has successfully completed a certified hunter education course, is allowed to hunt on behalf of a permit holder who is at least 18 years of age, under the direct immediate supervision of that permit holder, who is responsible for ensuring that all legal requirements are met.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted nonresident hunters ages 10-17 would be afforded the opportunity to hunt on behalf of adult permit holders, which is currently only allowed for resident youth. As written this would allow nonresident youth to hunt on behalf of nonresident or resident permit holders.

**BACKGROUND:** The ability for a resident aged 10-17 to hunt on behalf of an adult permit holder is one of a few existing opportunities for youth hunters. There is also a mix of resident and nonresident opportunities for youth hunters, however the proposal does not address “youth only hunts”, it focuses only on allowing nonresidents aged 10-17 to hunt on behalf of a permit holder aged 18 or older, following all other existing conditions.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal and adoption of the proposal would not result in additional animals being harvested and would also not take away opportunity for resident hunters. Though the proposal mentions harvest tickets, the proposal does not propose altering existing harvest ticket opportunities and would not allow nonresident youth to hunt on behalf of an adult participating in a harvest ticket hunt.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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Proposals 249-250

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**PROPOSAL 251 – 5 AAC 85.045(13). Hunting seasons and bag limits for moose.**

Reauthorize the antlerless moose season on Kalgin Island in Unit 15B.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** This proposal would reauthorize the antlerless moose hunt for Kalgin Island in Unit 15B.

**WHAT ARE THE CURRENT REGULATIONS?** The current regulations as defined in 85.045 are:

<b>Resident</b>	
<b>Open Season</b>	
<b>(Subsistence and</b>	<b>Nonresident</b>

Units and Bag Limits	General Hunts)	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

There is a positive customary and traditional finding for moose on Kalgin Island, and an amount reasonably necessary of 2 moose.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The antlerless moose season for Kalgin Island (RM572) in Unit 15B would be reauthorized. This hunt will help to maintain moose populations within sustainable levels on Kalgin Island, provide subsistence opportunity, maximize other harvest opportunity, and decrease the chance of high winterkill due to a lack of suitable forage.

**BACKGROUND:** Antlerless moose hunts must be reauthorized annually by the Board. 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 due to 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 (March 2021), department staff counted 70 moose on Kalgin Island. This count exceeded the population objective of 20–40 moose. In the last 10 years, an average of 121 permits were issued for this hunt; of which 88 permittees hunted, with an annual harvest of 30 moose.

The "any moose" registration hunt is recommended to provide additional mortality 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 minimize the danger of overharvest.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. This hunt helps to control the moose population on Kalgin Island and keep it within sustainable limits and provides subsistence opportunity.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the Department.

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**PROPOSAL 252 – 5 AAC 85.045.(a)(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 land (DM549) and the targeted hunt (AM550).

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** This proposal would reauthorize the antlerless moose hunt for the Homer Bench and the targeted antlerless hunt along the Sterling Highway in Unit 15C.

**WHAT ARE THE CURRENT REGULATIONS?** The current regulations as defined in 85.045 are:

<b>Units and Bag Limits</b>	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
(13)		
...		
Unit 15(C), that portion south of the south fork of the Anchor River and northwest of Kachemak Bay		

**RESIDENT HUNTERS:**

1 bull with spike or 50–inch antlers or antlers with 4 or more brow tines on one side; or	Sept. 1–Sept. 25 (General hunt only)
1 antlerless moose by drawing permit only; the taking of calves, and females accompanied by calves, is prohibited;	Oct. 20–Nov. 20

up to 100 permits may be issued in combination with the nonresident drawing hunt: or

1 moose by targeted permit only,

Oct. 15–Mar. 31

**NONRESIDENT HUNTERS:**

1 bull with 50–inch antlers or antlers with 4 or more brow tines on one side; or

Sept. 1–Sept. 25  
(General hunt only)

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

These hunts are within the Anchorage-Matsu-Kenai Peninsula Nonsubsistence Area.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The antlerless moose season for the Homer Bench (DM549) and the targeted hunt (AM550) along the Sterling Highway in Unit 15C would be reauthorized for the 2022–2023 hunting season. This harvest will help minimize human–moose conflicts and winter kill deaths of moose due to limited habitat on the Homer Bench.

**BACKGROUND:** Antlerless moose seasons must be reauthorized annually. The Homer Bench in Unit 15C, which encompasses the hunt boundary of DM549, often holds high moose densities in winters when deep snow pushes the moose down into human populated areas. Even without deep snow, moose die due to malnutrition, and negative interactions with humans are also common as moose become more aggressive in their search for food around human residences.

In February 2017, a GSPE census was conducted in the northern portion of Unit 15C (north of Kachemak Bay) that produced a population estimate of 3,529 moose (95% CI: range 2,769–4,289), of which 19% (95% CI: 14–24) were calves. When compared to the 2013 GSPE estimate of 3,204 ± 650, the 2017 estimate suggests the 15C moose population is stable or increasing slightly. Fall composition counts in core count areas in November of 2021 provided a bull ratio of 33 bulls:100 cows. Fifty permits were issued in each of the last 10 years, resulting in an average annual harvest of 25 cows per year.

The purpose of AM550 is to allow for the harvest of moose along the Sterling Highway in Unit 15C during winters with deep snow accumulation that result in moose congregating near the Sterling Highway, which pose a significant threat to highway vehicles. On average, 63 known animals are killed each year in vehicle collisions in Unit 15C. The department determines when and where permits will be issued during the hunt period. The hunt is 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. This hunt was established in 2015 and no permits have been issued to date.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. Residents are in favor of a limited antlerless moose harvest that provides additional opportunity and helps to limit habitat degradation and wildlife conflicts.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the Department.

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**PROPOSAL 253 - 5 AAC 85.045 Hunting season and bag limits for moose.** Reauthorize the antlerless moose seasons in Remainder of Unit 18.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** This proposal reauthorizes the resident and nonresident antlerless moose season south of and including the Goodnews River drainage and in the remainder of Unit 18.

**WHAT ARE THE CURRENT REGULATIONS?** Antlerless hunting during the winter seasons is allowed for resident hunters south of and including the Goodnews River drainage in Unit 18 in a “may be announced” season in that can start December 1 and go until March 31. The season timing and length depend on the winter travel conditions and how many moose are left from the fall quota.

Antlerless hunting during fall and winter seasons is allowed for resident hunters in the “Remainder of Unit 18”. There are three components to antlerless seasons:

- 1) during August 1–September 30 the bag limit is 2 moose; however, only one antlered bull may be taken and taking calves or cows accompanied by calves is prohibited;
- 2) during October 1–November 30 the bag limit is 2 antlerless moose with no additional restrictions; and
- 3) during December 1–March 15 the bag limit is 2 moose with no additional restrictions.

There is a positive C&T finding for moose in Unit 18, and an ANS of 200–400.

Antlerless moose hunting is also allowed for nonresident hunters in Unit 18 remainder. The current season for nonresidents is December 1- March 15 and the bag limit is one antlerless moose.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The antlerless hunts in the areas south of and including the Goodnews River drainage and the remainder of Unit 18 would be reauthorized for RY2022. Hunters would have the same seasons and bag limits as RY2022 (see Current Regulations above).

**BACKGROUND:** Antlerless moose seasons must be reauthorized annually. Both hunt areas support a large moose population, reaching a conservative estimated minimum population of 15,500 moose. In all areas surveyed, moose populations had twinning rates of 15-42% in 2021.

Harvests by residents in RY2019 (n=588) is lower than the previous 3-year average harvest (n=657). In RY2019, the harvest ticket reports from the remainder of Unit 18 included 222 cows taken, along with the harvest of 518 bull moose (residents and nonresidents). The combined harvest for the remainder of Unit 18 represented in this reauthorization is well within sustained yield, and the population trajectory has not been affected by antlerless harvests.

The moose population in remainder of Unit 18 is at historical high levels. A survey from February and March 2021 estimated about 23,000 moose in the remainder of Unit 18. This follows a 30-year trend of growth but there are signs of overabundance. Two April browse surveys estimate that over 30% of annual growth is being consumed by moose. This level of browse removal indicates that we are at or above the carry capacity for these areas.

RY2017 was the first year for antlerless hunts for nonresidents. No nonresidents reported harvesting moose from Dec. 1 through March 31 from RY2017 to RY2019. We anticipate that participation in this hunt will remain low.

The total harvest in the area south of and including the Goodnews River drainage was 14 bull moose.

Continuing antlerless moose harvest opportunity will benefit hunters and may also help slow the growth rate of the population.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal to maintain antlerless hunts in areas where moose populations are increasing or at high levels.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional cost to the department.

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**PROPOSAL 254 – 5 AAC 85.045(a)(17). Hunting seasons and bag limits for moose.**

Reauthorize a winter any-moose season during February in a portion of Unit 19D.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO:** This proposal would reauthorize the antlerless moose hunt in Unit 19D East which is that portion of the Kuskokwim River drainage upstream of the Selatna River, but excluding the Black River.

**WHAT ARE THE CURRENT REGULATIONS?** The current regulations as defined in 85.045(a) are:

<b>Units and Bag Limits</b>	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
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(17)

...

Unit 19(D), that portion upstream of the Selatna River, excluding the Black River

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 WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The antlerless moose season for 19D (RM660) would be reauthorized. Antlerless hunts will continue to be available to hunters, and the department will continue to have the ability to use antlerless hunts as a tool to regulate the moose population.

**BACKGROUND:** Antlerless moose hunting seasons must be reauthorized annually. The goals of this hunt are to provide additional harvest opportunity, stabilize the population, protect bull cow ratios, and meet harvest objectives.

The moose population in Unit 19D East has approximately doubled since predator removals began in 2003. Beginning in 2016 the department started to observe declining twinning rates indicating decreasing nutritional status. 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 2020 ratios had declined again and the two-year average was 19 bulls per 100 cows, primarily a result of continued growth in the cow population.

To maintain a healthy and productive moose population, department research (Boertje et al. 2007) indicates that when the 2-year average twinning rate is 11–20% populations should be stabilized. Twinning rates in Unit 19D East remained high (> 30%) until 2015; however, the current 2-year average twinning rate is now 19%, indicating a decreasing nutritional status in this population. The current Intensive Management plan for Unit 19D East calls for stabilizing the population through harvest when the 2-year average twinning rate is between 15 and 20%.

Winter hunts allow access to areas inaccessible in the fall, potentially distributing harvest more evenly across the landscape. Additional harvest is necessary to meet IM harvest objectives.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. There are additional moose that can be harvested, and this proposal can contribute toward meeting IM harvest objectives. Antlerless harvest provides the most effective means for regulating growth in areas that are not predator limited.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the Department.

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**PROPOSAL 255 – 5 AAC 85.045(18) Hunting seasons and bag limits for moose.**  
Reauthorize the antlerless moose seasons in Unit 20A.

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** Reauthorize the antlerless moose hunting seasons in Unit 20A.

**WHAT ARE THE CURRENT REGULATIONS?** Antlerless moose hunts are available throughout Unit 20A.

In the Ferry Management Trail, Wood River Controlled Use, and the Yanert Controlled Use Areas antlerless moose hunts are as follows:

Residents:

- Drawing permit for one antlerless moose, August 15–November 15.
- Targeted hunt for one moose by permit (AM751) announced by emergency order.
- Registration permit for one antlerless moose; a person may not take a cow accompanied by a calf, Oct. 1–last day of February. These permits have not been issued for several years because desired harvest is achieved through drawing permits.

Nonresidents:

- No antlerless moose seasons

In the remainder of Unit 20A, antlerless moose hunts are as follows:

Residents:

- Drawing permit for one antlerless moose, August 15–November 15.
- Registration permit for one antlerless moose; a person may not take a cow accompanied by a calf, August 25–last day of February. In most areas of Unit 20A these permits have not been issued for several years because desired harvest is achieved through drawing permits.
- Registration permit, RM768, has been issued to provide reasonable opportunity to harvest antlerless moose for subsistence uses; this hunt occurs outside the Fairbanks Non-subsistence Area (FNA).

Nonresidents:

- No antlerless moose seasons

Hunts for bull moose are also available in Unit 20A. Refer to the *2021–2022 Alaska Hunting Regulations* for specific details about bull moose hunting seasons in Unit 20A.

The intensive management (IM) population objective for moose in Unit 20A is 10,000–15,000 moose and the IM harvest objective is 500–900 moose.

There is a positive C&T finding for moose in Unit 20A outside the boundaries of the FNA with an Amount Necessary for Subsistence of 50–75 moose.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The Alaska Department of Fish and Game (department) will have the authority to administer antlerless hunts

as a management tool to regulate the moose population in Unit 20A and to provide subsistence moose hunting opportunity outside the FNA and antlerless opportunity inside the FNA.

**BACKGROUND:** Antlerless moose hunting seasons must be reauthorized annually. Antlerless hunts help regulate population growth, provide subsistence hunters with a reasonable opportunity to harvest moose, and can reduce incidences of vehicle collision and other nuisance situations. Overall, the goal is to protect the health and habitat of the moose population over the long term and to provide for a wide range of public uses and benefits.

The department attempts to maintain the Unit 20A population within the IM population objective while monitoring nutritional status. The last two population surveys in 20A occurred in 2015 and 2019. The 2015 population estimate was 12,315 moose and the 2019 population estimate was 11,770 moose. These abundance estimates equate to 2.4 and 2.3 moose/mi<sup>2</sup> respectively. This moose population has been maintained at high densities for over 30 years, and continues to experience density-dependent effects, including low productivity and relatively light short-yearling female weights. Although sporadic signs of improvement in nutritional condition have been observed (i.e., higher twinning rates in portions of 20A and increases in male short-yearling weights in 2015 and 2016 compared to the late 1990s through early 2000s), no clear signals or significant trends have yet been detected. The department recommends continued antlerless hunts in regulatory year 2021 to stabilize the population within the IM population objective. The three-year average antlerless moose harvest in Unit 20A is 80 moose (14% of the total 20A harvest).

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal because antlerless hunts are an important management tool in regulating this high-density, nutritionally stressed moose population. If antlerless moose hunts are not reauthorized, the department will lose the ability to regulate this moose population, IM harvest objectives may not be met, and the IM population objective may be exceeded. Additionally, the public will lose opportunity to harvest a surplus moose and subsistence hunters in the portion of Unit 20A outside the FNA (part of the western Tanana Flats) may not have a reasonable opportunity to pursue moose for subsistence uses.

**COST ANALYSIS:** Adoption of this proposal would not result in any additional costs to the department.

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**PROPOSAL 256 – 5 AAC 85.045(18). Hunting seasons and bag limits for moose.**

Reauthorize the antlerless moose seasons in Unit 20B.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** Reauthorize antlerless moose hunting seasons in Unit 20B.

**WHAT ARE THE CURRENT REGULATIONS?** Antlerless moose hunts are authorized in Unit 20B by drawing, registration, or targeted permit only, as follows:

Fairbanks Management Area, including Creamer’s Field

Residents and nonresidents:

- 1 antlerless moose by drawing permit, by bow and arrow only, up to 150 permits, a recipient is prohibited from taking an antlered bull in the Fairbanks Management Area, September 1–November 27;
- 1 antlerless moose by muzzleloader by drawing permit, up to 10 permits, a recipient is prohibited from taking an antlered bull in the Fairbanks Management Area, Dec 1–January 31.

Fairbanks Management Area, outside of Creamer’s Field

Residents only:

- 1 moose by targeted permit by shotgun, crossbow or bow and arrow only, up to 100 permits, season to be announced by emergency order

Minto Flats Management Area

Residents only:

- 1 antlerless moose by registration permit, October 15–February 28

Middle Fork of the Chena River drainage

Residents only:

- 1 antlerless moose by drawing permit, up to 300 permits, taking of calves or cows with calves is prohibited, August 15–November 15
- 1 antlerless moose by registration permit, taking of calves or cows with calves is prohibited, October 1–February 28

Southeast of the Moose Creek dike within ½ mile each side of the Richardson Highway

Residents only:

- 1 moose by drawing permit, by bow and arrow, crossbow, or muzzleloader, up to 100 permits, September 16–February 28
- 1 moose by targeted permit by shotgun, crossbow, or bow and arrow only, up to 100 permits, season to be announced by emergency order

Remainder of Unit 20B

Residents only:

- 1 antlerless moose by drawing permit, by youth hunt only, up to 200 permits, August 5–14;
- 1 antlerless moose by drawing permit, up to 1,500 permits, taking of cows with calves is prohibited, August 15–November 15
- 1 moose by targeted permit by shotgun, crossbow, or bow and arrow only, up to 100 permits, season to be announced by emergency order.

Hunts for bull moose are also available in Unit 20B. Refer to the *2020–2021 Alaska Hunting Regulations* for specific details about moose hunting seasons in Unit 20B.

There is a positive C&T finding for moose in Unit 20B, within the Minto Flats Management Area, with an ANS of 20–40 moose.

There is a positive C&T finding for moose in Unit 20B, outside the boundaries of the Minto Flats Management Area and outside the boundaries of the Fairbanks Nonsubsistence Area, with an ANS of 75–100 moose.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Antlerless hunts will continue to be available to hunters, and the department will continue to have the ability to use antlerless hunts as a tool to regulate the moose populations.

**BACKGROUND:** Antlerless moose hunting seasons must be reauthorized annually. The Department’s goal in Unit 20B 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, provide hunting opportunity, help 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 hunts are not reauthorized, subsistence hunters in the portion of Unit 20B outside the Fairbanks Nonsubsistence Area may not have a reasonable opportunity to pursue moose for subsistence uses.

The Department has administered multiple different antlerless hunts over the last 10 years in 20B. Currently the moose population is estimated to be within the Intensive Management objective of 12,000–15,000 moose, therefore the necessity for harvest is minimal and fewer hunts are offered at this time. The antlerless hunts that the Department is currently administering are as follows:

*Fairbanks Management Area (FMA)* – The purposes of these antlerless hunts are to regulate population growth in the FMA and potentially reduce moose–vehicle collisions and moose–human conflicts.

The number of moose–vehicle collisions in the FMA is high and poses significant safety risks to motorists. In addition, moose–human conflicts continue to place significant demands on property owners. To increase hunting opportunity and harvest and to reduce moose–vehicle collisions, the department incrementally increased the number of drawing permits for antlerless moose in the FMA during Regulatory Year 1999 (RY99; that is, RY = 1 July 1999 through 30 June 2000) through RY10. Moose–vehicle collisions and moose–human conflicts declined during RY06–RY20, presumably, in part due to the consistent antlerless moose harvests during RY09–RY20.

*Minto Flats Management Area (MFMA)* – The primary purposes of this antlerless hunt are 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 (4.1 moose/mi<sup>2</sup>). In order to reduce the moose population, harvest of antlerless moose during RY12 and RY13 was about 2.5% of the population. The fall 2013 estimate indicated a more sustainable density (2.6 moose/mi<sup>2</sup>) in the MFMA. The 2019 estimate now indicates densities are at approximately 2.0 moose/mi<sup>2</sup>. The antlerless harvest in this area is intended to stabilize this population, therefore we intend to only harvest antlerless moose at about 1% of the total population to maintain the current population size.

*Targeted Hunts* – The purpose of the targeted hunts is primarily to reduce moose–vehicle collisions and moose–human conflict near schools, neighborhoods, and roads by harvesting moose that habitually spend time along roadways and have a high likelihood of being injured by highway vehicles or have already been injured. We also use targeted hunts as an option for resolving moose–human conflict situations. These permits are used sparingly but allow the public to harvest specific moose instead of the department dispatching them.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. There are no biological concerns associated with the harvest of antlerless moose taken under these regulations in these hunt areas; however, elimination of these hunts would create a biological concern. The board should also consider whether a reasonable opportunity for subsistence uses on populations with positive C&T findings would still be provided if these

hunts were eliminated. The Unit 20B moose population has potential for growth due to the extensive burns (i.e., increased productivity) and high survival rates. If antlerless moose hunts are not reauthorized, the moose population may exceed carrying capacity and would require population reduction. These hunts regulate moose densities in response to habitat and population performance while providing opportunities to hunt antlerless moose and help meet IM harvest objectives.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 257 – 5 AAC 85.045(a)(18). Hunting seasons and bag limits for moose.**

Reauthorize the antlerless moose hunting season in Unit 20D.

**PROPOSED BY:** Alaska Department of Fish & Game

**WHAT WOULD THE PROPOSAL DO?** Reauthorize antlerless moose hunting seasons in Unit 20D.

**WHAT ARE THE CURRENT REGULATIONS?** Unit 20D currently has antlerless hunts available by drawing permit only, with fewer than 50 permits offered. Current antlerless moose seasons in Unit 20D are as follows:

- Bison Range Youth Moose Hunt (YM792): youth (ages 10 to 17) hunters that are residents or nonresident children of residents; one bull per lifetime with spike-fork or 50-inch antlers or antlers with 4 or more brow tines on one side, or one antlerless moose; however, a calf or cow accompanied by a calf may not be taken; September 1–30.
- Disabled Veteran/Purple Heart Recipient Hunt (DM795): qualified Purple Heart Recipient and 100% service-connected disability, resident and nonresident hunters; one moose every 4 years; however, a calf or cow accompanied by a calf may not be taken; September 1–15 within the Delta Junction Management Area
- Southwestern Unit 20D drawing hunt (DM791) excluding the Delta Junction Management Area; resident hunters; one antlerless moose; however, a calf or cow accompanied by a calf may not be taken; October 10–16.

All antlerless hunts listed above occur in the Fairbanks Nonsubsistence Area (FNA). Additional antlerless hunts outside the FNA are not sustainable. In addition to these drawing hunts, registration hunts are retained in the codified regulation for the department to utilize in reducing or maintaining the moose population in some areas of southern Unit 20D by increasing antlerless harvest.



Hunts for bull moose are also available in Unit 20D. Refer to the *2021–2022 Alaska Hunting Regulations* for specific details about moose hunting seasons in this area.

Moose in that portion of Unit 20D that is north of the Tanana River and outside the boundaries of the Fairbanks Nonsubsistence Area have a positive C&T finding and an ANS of 5–15. Moose in that portion of 20D that is south of the Tanana River and outside of the boundaries of the Fairbanks Nonsubsistence Area (FNA) also have a positive C&T finding and an ANS of 5.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal will allow antlerless hunts to continue to be available to hunters, and the department will continue to have the authority to use antlerless hunts as a tool to regulate the moose population. This will help keep the population stable and prevent sharp population declines by avoiding range degradation.

**BACKGROUND:** Antlerless moose hunting seasons must be reauthorized annually. The goals of Unit 20D antlerless hunts are to make progress toward achieving the board’s intensive management (IM) harvest objective by harvesting cow moose from this highly productive population and to address concerns about range degradation, declines in nutritional indices, and reduced reproductive success by slowing moose population growth. It is important to manage this population for stability and a consistent harvestable surplus, rather than allow large population expansions and contractions, which can cause wide swings in the number of cow moose available for harvest.

These antlerless moose hunts are intended to improve or maintain the ability of moose habitat to support the current moose population. Hunting opportunity and harvest could increase, and the additional harvest could contribute to meeting Intensive Management (IM) harvest objectives. Moose populations will benefit by having moose densities compatible with their habitat. Delta Junction residents, staff, and motorists may benefit from reduced moose–vehicle collisions and moose– human conflicts.

To maintain a healthy and productive moose population, department research (Boertje et al. 2007) indicates that 10-month-old calves should weigh at least 385 pounds and that the population should not be allowed to grow when the 2-year average twinning rate is 11–20%. We confirmed in 2019 that 10-month-old calf weights in Unit 20D remain under 385 pounds (20D avg weight = 368 pounds). The Unit 20D 2-year twinning rate of 9% is also an indication this population is showing signs of nutritional stress. The department will continue to monitor these, and other density-dependent indices of nutritional condition.

The department will issue antlerless moose permits as needed to maintain a healthy moose population in Unit 20D, and expects to issue 30–75 drawing permits for antlerless moose in

RY22. During RY17–RY20 we issued an average of 30 drawing permits in Unit 20D for which the bag limit included antlerless moose, with an average harvest of 19 females (7% of the total 20D harvest). In RY21 we issued 45 drawing permits in Unit 20D which included antlerless moose as part of the bag limit. Registration permits will only be issued in specific areas if additional harvest is necessary to maintain optimal moose densities.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. There are no biological concerns associated with harvest of antlerless moose taken under these regulations in these hunt areas. However, we do have biological concerns regarding habitat degradation, reduced nutritional condition, and reduced reproductive success if antlerless hunts are eliminated. The Unit 20D moose population has great potential for growth due to the extensive agricultural land, wildland fire footprints, and high predator harvest. If antlerless moose hunts are not reauthorized, the moose population may quickly exceed carrying capacity. These hunts maintain the opportunity to hunt a harvestable surplus of cow moose and help to meet IM harvest objectives.

**COST ANALYSIS:** Adoption of this proposal would not result in any additional costs to the department.

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**PROPOSAL 258 – 5 AAC 85.045 (a)(19).** **Reauthorize a winter any-moose season in a portion of Unit 21D.** Reauthorize the antlerless moose hunting season in a portion of Unit 21D.

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal will reauthorize a 15-day RM831 registration any-moose season to-be-announced during March in a portion of Unit 21D. The season has a harvest quota established by the department prior to the beginning of the season, and if the total harvest or harvest of cows reaches the quota, the season will be closed by emergency order.

**WHAT ARE THE CURRENT REGULATIONS?** The RM831 any-moose season is announced by emergency order in March when conditions allow for good success in harvesting moose and closed after 15 days or once the quota is reached.

<b>Units and Bag Limits</b>	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
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(a)

(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 bull, by registration permit only; or Aug. 22–Aug. 31  
Sept. 5–Sept. 25

1 bull by drawing permit only; up to 600 permits may be issued in combination with Unit 21(D) remainder; or Sept. 5–Sept. 25

1 moose, by registration permit only, up to 15 days during March, however, a person may not take a cow accompanied by a calf (Winter season to be announced)

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers or antlers with 4 or more brow tines on one side, by drawing permit only; up to 600 permits may be issued in combination with Unit 21(D) remainder Sept. 5–Sept. 25

...

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal would continue to allow harvest of a few antlered bulls, antlerless bulls and cows in March when conditions allow for good success in harvesting moose. Because so few bulls have antlers during March, an any-moose season will have greater success rates than a bulls-only hunt and it will eliminate the need for hunters to make legal-animal determinations. This hunt will provide an opportunity utilize the current harvestable surplus of cows and bulls, but the concern of overharvest of cows will be mitigated by a harvest quota for this hunt.

**BACKGROUND:** Antlerless moose hunting seasons must be reauthorized annually. The goals of this antlerless moose season are to provide additional opportunity during a time of year when conditions allow for good success in harvesting moose, slow the growth of this moose population, and to make progress toward achieving the board's intensive management (IM) harvest objective of 450–1,000 moose in all of Unit 21D by harvesting cows from this highly productive area. Reauthorizing this hunt will likely make progress toward achieving these goals.

If this antlerless moose hunt is not reauthorized, opportunity to utilize a harvestable surplus of cow moose would be lost and our ability to meet Intensive Management (IM) harvest objectives could be compromised. In addition, rather than allow large population expansions and contractions, we believe it is important to manage the population for stability and a consistent harvestable surplus.

The 2019, 2020, and 2021 hunts had a 2-day reporting requirement and a quota of 25 moose with no more than 20 cows. Harvest from this hunt will make progress toward achieving the IM harvest objectives without reducing bull-to-cow ratios to low levels. Five cows and 3 bulls were harvested in the March 2019 hunt, 11 cows and 3 bulls were harvested in 2020, and 7 cows and 1 bull in 2021. Since its inception, this hunt has constituted 3.7% (30 of 807 total) of the reported harvest in 21D. The Middle Yukon Advisory Committee voted to support the RY22 reauthorization, however they asked the Department to postpone the hunt so they could assess results from fall 2021 planned surveys.

Unit 21D has a positive finding for intensive management (IM), with IM objectives of a population of 7,000–10,000 and harvest of 459–1,000 moose. The IM harvest objective has not been met since 2003 when the estimated harvest was 489 moose. The average estimated harvest during regulatory years 2008–2019 was 408 moose, including reported and estimated unreported harvest. The overall Unit 21D population estimate at the end of 2018 was 10,478 moose ( $\pm 1,572$ ). The Board made a positive customary and traditional uses finding (C&T) for moose all of Unit 21 with an established Amounts Necessary for Subsistence (ANS) of 600–800 moose. The current estimated combined harvestable surplus is least 1,095 moose for Unit 21.

This antlerless moose hunt area is approximately 2,559 mi<sup>2</sup> (21%) of the 12,093.6 mi<sup>2</sup> encompassed by Unit 21D. Moose abundance in this area was estimated at 4,000–4,500 moose, which is approximately 39–44% of the estimated total Unit 21D moose population.

The moose population in this portion of 21D is increasing, especially the number of cows in the population. Analysis of three Trend Count Areas (Squirrel Creek, Pilot Mtn., and Kaiyuh Slough TCAs) within the Kaiyuh Flats showed an increase in moose abundance among all age classes. Geospatial Population Estimate data also showed a statistically significant increase from 1,897 ( $\pm 11\%$ ) moose in 2011 to 4,116 ( $\pm 10\%$ ) moose in 2017. Moose twinning data for the winter any-moose hunt area showed high and stable twinning rates since 2004 (avg. = 38.7%).

**DEPARTMENT COMMENTS:** The department **SUPPORTS** this proposal. Additional harvest opportunity, including the harvest of cows, exists in this portion of 21D.

**COST ANALYSIS:** Adoption of this proposal would not result in any additional costs for the department.

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**PROPOSAL 259 – 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.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO:** This proposal would reauthorize the antlerless moose hunt in Unit 21E.

**WHAT ARE THE CURRENT REGULATIONS?** The current regulations as defined in 85.045(a) are:

<b>Units and Bag Limits</b>	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
(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 WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The antlerless moose season for 21E (RM837) would be reauthorized. Antlerless hunts will continue to be available to hunters, and the department will continue to have the ability to use antlerless hunts as a tool to regulate the moose population.

**BACKGROUND:** Antlerless moose hunting seasons must be reauthorized annually. The goals of this hunt are to provide additional harvest opportunity, meet harvest objectives, and stabilize the 21E moose population.

The most recent survey (2019) indicated there were 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, including unreported harvest. There are additional moose available to harvest. Bull-to-cow ratios are high, with 42 bulls per 100 cows in 2018.

Within the Unit 21E moose survey area (4,094 mi<sup>2</sup>), the overall moose density increased from 1.0 moose/mi<sup>2</sup> in 2000 to 2.1 moose/mi<sup>2</sup> 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 appears 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 allow access to areas inaccessible in the fall and can distribute harvest more evenly on the landscape.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. There are additional moose that can be harvested, and this proposal will help meet harvest objectives.

**COST ANALYSIS:** Adoption of this proposal is not expected to result in additional costs to the Department.

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**PROPOSAL 260 – 5 AAC 85.045(24). Hunting seasons and bag limits for moose.**

Reauthorize the antlerless moose seasons in Unit 26A.

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** This proposal reauthorizes the antlerless moose season in the western portion of Unit 26A.

**WHAT ARE THE CURRENT REGULATIONS?** Antlerless moose hunts for residents are allowed in the portion of Unit 26A west of 156° 00' W. longitude, excluding the Colville River drainage, where antlerless hunting through a 1 moose bag limit is allowed July 1–September 14.

There is a positive C&T for moose in Unit 26, and an ANS of 21–48, including 15–30 in Unit 26A.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The antlerless moose hunt in the portion of Unit 26A west of 156° 00' W longitude and north of the Colville drainage would be reauthorized. Because antlerless moose seasons were closed due to population declines in the remainder of the unit, only the western portion of Unit 26A has a hunt affected by this proposal.

**BACKGROUND:** The moose population is low in Unit 26A and has declined since 2008. The minimum population count declined from 1,180 moose in 2008 to 610 moose in 2011. The population grew slowly from 2011–2013 but declined again to 294 moose in 2014. The most recent minimum count was conducted in 2017 and estimated 339 moose. Reported moose harvest in recent years has remained low, ranging between 1 and 13 moose for the period 2010–2020. Moose in these regions can be a useful source of meat in times of low caribou abundance or sparse caribou distribution.

The portion of Unit 26A west of 156° 00' W longitude and north of the Colville drainage does not have a year-round moose population. Moose occasionally disperse away from the major river drainages to the coastal plain during summer months, and these are the only moose available for harvest in this northwestern portion of Unit 26A. The small number of antlerless moose harvested under the hunt have very little impact on the size of the population. To date, after several years of hunting opportunity in this area, only 4 antlerless moose have been harvested: 1 cow in 2006, 1 in 2008, 1 in 2014, and 1 in 2018. One bull moose was harvest under this regulation in 2020. Keeping an antlerless moose season in this portion of Unit 26A provides additional opportunity in a portion of the state that generally does not have moose.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. Antlerless harvests in the western section of Unit 26A are anticipated to be very low and have little impact on the population.

**COST ANALYSIS:** Approval of this proposal is not expected to result in additional costs to the department.

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Proposal 261

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**PROPOSAL 262 –5 AAC 92.015 Brown bear tag fee exemptions.**

Reauthorize the brown bear tag fee exemption for Units 18, 22, 23, and 26A.

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** The proposal would reauthorize the resident tag fee exemptions for brown bears for Units 18, 22, 23, and 26A.

**WHAT ARE THE CURRENT REGULATIONS?** Brown bear tag fees are not required for residents in drawing, registration, or subsistence permits hunts in Units 18, 22, 23, and 26A.

Below are the C&T findings and ANSs for subsistence uses for brown bears in Units 18, 21, 22, 23, 24, and 26:

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Game Management Unit	Finding	Amounts Reasonably Necessary
Unit 18	Positive	23-30
Units 21 and 22	Positive	20-25
Units 23, 24, 26	Positive	25-35

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**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Resident hunters would not be required to purchase a resident locking tag for general season, drawing or registration permit brown bear hunts in Units 18, 22, 23 and 26A. Hunters participating in subsistence registration permit hunts would also not be required to purchase a brown bear locking tag to harvest a bear, although possession of the subsistence registration permit would be required.

**BACKGROUND:** The Board of Game must reauthorize brown bear tag fee exemptions annually or the fee automatically becomes reinstated. Brown bear general season, drawing, and registration permit hunts have had the tag fees exempted in Unit 18 and 26A for 8 years, in Unit 22 for 18 years, and in Unit 23 for 13 years. Exemptions have been implemented to allow: 1) incremental increases in harvest; 2) additional opportunity for residents; and 3) harvest for a wide range of uses. Current harvest levels in each of the Units are appropriate based on sealing and anecdotal information. Previous exemptions of resident tag fees have not caused dramatic or unexpected increases in overall harvest.

In subsistence brown bear registration permit hunts, reauthorizations are needed for Unit 18, 22, 23 and 26A where requirements include: 1) a registration permit; 2) a tag fee exemption; 3) salvage of 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 the subsistence registration permit hunt area; 6) if sealing is required, the skin of the head and the front claws must be removed and retained by the department at the time of sealing. Continuing the tag fee exemption helps facilitate



participation in the associated brown bear harvest programs maintained by the department for subsistence registration permit hunts. In all units, subsistence brown bear registration permit harvest rates are low and believed to be appropriate based on harvest reports; exempting the resident tag fee has not caused an increase in subsistence harvest.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. Brown bear numbers in the identified units are stable or increasing and the increased harvests that result from the tag fee exemption do not present a conservation concern.

**COST ANALYSIS:** Approval of this proposal is not expected to result in additional costs to the department.

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Proposals 263-264

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**PROPOSAL 265 –5 AAC 85.045. Hunting seasons and bag limits for moose.** Change the Unit 22E registration moose hunt to a drawing hunt with specific application conditions.

**PROPOSED BY:** Justin Horton

**WHAT WOULD THE PROPOSAL DO?** This proposal would change the non-resident moose registration permit hunt in Unit 22E to a drawing permit hunt. The proponent also requests that the department apply special provisions to the administration of the hunt, including: (1) require a signed guide-client contract be completed before or at the time of application; (2) limit the number of applications submitted by a registered guide to the number of permits available for the hunt; and (3) make any unused permits available to applicants on an alternate list or over the counter if no such alternate exists.

**WHAT ARE THE CURRENT REGULATIONS?**

	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
<b>Units and Bag Limits</b>		
(20)		
...		
Unit 22(E)		
<b>RESIDENT HUNTERS:</b>		
1 bull; or	Aug. 10-Dec. 31	
1 antlered bull	Jan. 1-Mar. 15	

NONRESIDENT HUNTERS

Sept. 1-Sept. 14

1 bull with 50-inch antlers or antlers with 4 or more brow tines one side by registration permit only

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal will provide timely drawing information for nonresident hunters and guides to plan a hunt. The adoption of the special provisions outlined by the proponent will influence the allocation of permits between guided and non-guided non-residents hunting moose in the area. Administering the hunt as a draw permit will continue to provide the department the tools necessary to maintain harvest in the area at sustainable levels.

**BACKGROUND:** The Department completed a moose abundance survey in Unit 22E in 2020 at which time the estimated abundance of moose was 662 moose (90% CI: 476-847). Fall composition surveys completed in the area 2013-2019 averaged 38 bulls:100cows indicating that adult sex ratios are currently above the management objective of 30 bulls:100cows.

Resident and non-resident reported harvest in the area averaged 13 and 14 bull moose respectively RY2016-RY2020. A portion of the resident harvest from the area is not reported to the department through the general season moose harvest ticket (GM000) reporting system. Household subsistence surveys completed within communities in the hunt area 2000 through 2018 are used to make inferences about unreported harvest in the area. The combined estimates of reported and unreported harvest averaged 54 bull moose RY2016-RY2020. Harvest from the area is believed to be at the upper limit of what may be sustainable for this population.

Nonresident registration moose hunt RM855 (hunt area Unit 22E) was adopted by the Board of Game in 2015 and administered RY2015 to RY2021. From RY2015 to RY2019, the RM855 hunt was administered with an annual harvest quota, an unlimited number of permits available and a bag limit of one bull with antlers greater than 50-inches or 4 or more brow tines on at least one side. Access to Unit 22E is difficult and 86% of hunters utilized the services of a registered guide between RY2015 and RY2019. Historically, competition among guide outfitters was limited and emergency order season closures were not required to meet harvest objectives. As a result, the hunt typically ran throughout the season dates published in regulations (September 1-September 14).

In RY2020, the quota for the RM855 hunt was 9 bulls. The department issued an emergency order season closure on September 8<sup>th</sup>,2020 to limit harvest. The final realized harvest during the RY2020 RM855 non-resident registration permit hunt was 13 bulls. An increase in competition between guide outfitters operating in the area is believed to have contributed to the increased rate

of harvest. This was the first instance in the history of the hunt in which an emergency order season closure was necessary to significantly limit hunting opportunity.

In RY2021, the department limited the number of permits available for the hunt to maintain harvest at sustainable levels and avoid the need to issue an in-season emergency order season closure to reduce hunting opportunity. A total of 10 permits were made available, first come first served online at [hunt.alaska.gov](http://hunt.alaska.gov) on July 7<sup>th</sup>, 2021 at 9:00am.

The department received several complaints from hunters and guide outfitters about the process used to issue permits on a first come first served basis using the online permitting system. Most of the complaints centered around issues navigating the system, not receiving a permit and a belief that some applicants may have an unfair advantage when applying for permits. In total 10 permits were issued, 8 permit holders reported hunting and 7 were successful.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal because it is allocative in nature. Increased competition between guide outfitters in RY2020 and RY2021 suggests that future nonresident hunting opportunity in the area will need to be administered with a limited number of permits to maintain harvest at sustainable levels.

**COST ANALYSIS:** Approval of this proposal is not expected to result in additional costs to the department.

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**PROPOSAL 266 – 5 AAC 92.450 (21). Description of game management units.** Change the boundary for Game Management Units 21C and 21D to match the Koyukuk/Nowitna/ Innoko National Wildlife Refuge designated guide use areas.

**PROPOSED BY:** Koyukuk National Wildlife Refuge.

**WHAT WOULD THE PROPOSAL DO?** The proponent is seeking a change to Game Management boundaries to align with Guide Use Area boundaries. This proposal was submitted as a result of incomplete information on existing State of Alaska registered guide regulations and incorrect boundary information available at the time of submitting the proposal. A change is not necessary.

**WHAT ARE THE CURRENT REGULATIONS?**

**5 AAC 92.450. Description of game management units.**

(21)

...

(C) Unit 21(C) consists of that portion of Unit 21 in the Melozitna River Drainage upstream from Grayling Creek, and the Dulbi River drainage upstream from and including Cottonwood Creek drainage;

(D) Unit 21(D) consists of that portion of Unit 21 in the Yukon River drainage from and including the Blackburn Creek drainage upstream to Ruby, including the area west of the Ruby-Poorman Road, excluding the Koyukuk River drainage upstream from the Dulbi River drainage and excluding the Dulbi River drainage upstream from Cottonwood Creek.

...

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The current boundaries for Federal and State Guide Use Areas are currently aligned, and adoption of this proposal would have no effect on Guide Use Area boundaries. Registered Guides are limited only by State Guide Use Areas (3) but are not limited by the number of Game Management Units. In the initial Agenda Change Request, Game Management Unit boundaries were assumed to be relevant to the number of Guide Use Areas that a guide could utilize; this is not the case. Even if Guide Use Areas and Game Management Unit boundaries were misaligned, this proposal would not have resolved the perceived problem.

**BACKGROUND:** Based on information provided to the Department, the proponent is no longer seeking to change these Game Management Unit boundaries. This issue was perceived to be a concern to the proponent, based upon outdated maps and a misunderstanding related to Guide Use Areas. Updated maps provided to the proponent demonstrated that the issue of misaligned boundaries does not exist, therefore there is no need for changes to State or Federal Guide Use Area boundaries of Game Management Unit boundaries. Additionally, because Registered Guides are limited based upon Guide Use Areas, rather than Game Management Units [AS 08.54.750(b)(1)], this proposal was not a potential resolution to the stated issue. Finally, AS 08.54.750(d) makes provision for Registered Guides to apply additional Guide Use Areas in situations where Federal and State Guide use areas are misaligned, which offered an additional resolution if this problem had existed.

**DEPARTMENT COMMENTS:** The department recommends the board **TAKE NO ACTION** on this proposal because the proponent has agreed the change is not needed and has requested the proposal be withdrawn.

**COST ANALYSIS:** Adoption of this proposal would not result in any additional costs for the department.

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Proposals 267-271

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