

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.

The board deferred Proposal 22 from the January 2022 Central and Southwest Region meeting to the March 2022 Statewide meeting in order for the affected advisory committees to provide comment.

PROPOSAL 22 – 5 AAC 99.025 Customary and traditional uses of game populations. Determine customary and traditional uses of the Nushagak Peninsula caribou herd (Units 17A and 17C – Nushagak Peninsula, Bristol Bay).

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Make a customary and traditional use (C&T) determination for the Nushagak Peninsula Caribou Herd (NPCH).

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 99.025, the Board of Game (the board) determined that the caribou in GMUs 9A, 9B, 17, and 18, defined as the Mulchatna herd, are customarily and traditionally taken or used for subsistence. A positive C&T finding for Mulchatna caribou in GMUs 9A, 9B, 17, and 18 was established; the board also established that the amount reasonably necessary for subsistence uses (ANS) was 2,100–2,400 caribou. There is no C&T finding for the separate Nushagak Peninsula herd.

The current caribou hunting regulations can be found in 5 AAC 85.025 and in the *2020–2021 Alaska Hunting Regulations*. Since 2016, an area within the Nushagak Peninsula occupied by the Nushagak Peninsula herd has been open to hunters under the state RC501 permit. This registration permit hunt does not apply to that portion of Units 17A and 17C consisting of the Nushagak Peninsula south of the Igushik River, Tuklung River and Tuklung Hills west to Tvativak Bay. The excluded area of the Nushagak Peninsula is currently closed to state caribou hunting.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A positive C&T finding will allow subsistence hunting of the caribou population to continue. A negative C&T finding will find that there are no subsistence uses of this caribou population. The effects of these findings on hunting opportunity are not specifically within the scope of this proposal, which is limited to only determining if there are subsistence uses of this population.

BACKGROUND: This background information supplements a worksheet prepared for the board that outlines evidence of uses organized by the criteria outlined in the Joint Boards of Fisheries and Game subsistence procedures (5 AAC 99.010; also called the “eight criteria”). The worksheet is posted on the meeting website.

Under AS 16.05.258, the board is required to identify game populations, or portions of populations, that are customarily and traditionally taken or used for subsistence. This is done by examining the use data as presented by the department as well as by other sources (such as public testimony) as organized by the eight criteria at 5 AAC 99.010.

In 1988, the board made a positive C&T finding for caribou in Units 9A, 9B, 17, and 18. Generally, the Board of Game makes C&T findings for specific caribou herds. In early 1988, most caribou taken in Unit 17 were from the Mulchatna caribou herd (MCH). Therefore, the information provided to the board from which they made their positive C&T determination generally addressed uses specific to the MCH. Also in 1988, 146 caribou were transplanted from the Northern Alaska Peninsula herd to the Nushagak Peninsula (southern portions of GMUs 17A and 17C), establishing the NPCH. Since the transplant, two distinct caribou populations have been present in Unit 17: the MCH and the NPCH. A customary and traditional use finding specific to the NPCH has not been made.

The purpose of the 1988 transplant was to reintroduce caribou to an area where they had once been abundant. The transplanted herd was managed under an agreement between the U.S. Fish and Wildlife Service, ADF&G, and the communities of Togiak, Manokotak, Aleknagik, and Dillingham. Part of the goal in conducting the transplant was to provide hunting opportunities once the herd size became sufficient to sustain hunting pressure. Local communities agreed not to hunt the herd until such time that their numbers permitted sustainable harvest. In regulatory year 1994–1995, the Federal Subsistence Board (FSB) enacted regulations affording hunters from nearby communities an opportunity to harvest Nushagak Peninsula caribou after the FSB found that residents of Aleknagik, Clarks Point/Ekuk, Dillingham, Manokotak, Togiak, and Twin Hills have a positive customary and traditional use for caribou on the Nushagak Peninsula. At this time a hunt was established that was limited to federally qualified subsistence users of the communities listed above.

Since the reintroduction, the Nushagak Peninsula caribou herd has experienced substantial fluctuations in population size. The herd initially grew to approximately 1,400 caribou by the late 1990s, but during the following decade, the population declined to below 500 caribou in 2006. From 2007 to 2015, the population increased to approximately 1,000 caribou. Since 2015, the population has declined, which is due in part to federal regulations managing for high harvest in recent years. The most recent (2019) population was estimated to be 822 caribou. The population currently approximates the population objective of the *Nushagak Peninsula Caribou Management Plan*, which is to maintain a population of 400–900 caribou, with an optimum of 750 caribou. With the exception of regulatory years 2015–2016, 2017–2018, and 2019–2020, caribou hunting on the Nushagak Peninsula has been limited to federally qualified subsistence users. Table 22-1 provides Nushagak Peninsula reported caribou harvest by community, for regulatory years 1994–1995 to 2019–2020.

Table 22-1. Nushagak Peninsula caribou reported harvest by community, regulatory years 1994–2020

Regulatory Year	Community							Total
	Aleknagik	Dillingham	Manokotak	Togiak	Twin Hills	Clark's Point	Other	
1994-1995	3	5	25	1	1	0	---	35
1995-1996	0	2	50	0	0	0	---	52
1996-1997	1	10	9	0	0	0	---	20
1997-1998	4	38	25	0	0	0	---	67
1998-1999	0	45	10	0	0	0	---	55
1999-2000	1	40	16	6	0	0	---	63
2000-2001	0	107	19	0	0	0	---	126
2001-2002	5	76	46	0	0	0	---	127
2002-2003	0	0	3	0	0	0	---	3
2003-2004	0	7	27	0	0	0	---	34
2004-2005	0	2	7	0	0	0	---	9
2005-2006	1	0	10	0	0	0	---	11
2006-2007	---	---	0	---	---	---	---	0
2007-2008	---	---	0	---	---	---	---	0
2008-2009	---	---	8	---	---	---	---	8
2009-2010	1	6	11	---	---	---	---	18
2010-2011	11	10	24	---	---	---	---	45
2011-2012	17	22	32	15	0	---	---	86
2012-2013	26	38	37	4	4	---	---	109
2013-2014	9	52	41	---	---	---	---	102
2014-2015	4	8	4	---	---	---	---	16
2015-2016 ^b	6	33	23	---	---	2	2	64
2016-2017 ^c	40	241	87	8	---	---	---	378
2017-2018 ^d	0	61	39	0	0	0	---	100
2018-2019 ^e	1	5	8	---	---	---	0	14
2019-2020 ^f	34	191	55	17	4	0	6	307
Total	164	999	616	51	9	2	8	1849
%	8.9	54.0	33.3	2.8	0.5	0.1	0.4	100.0
---"no permits issued 2015-2016 ^b includes 10 caribou harvested in RC501 2016-2017 ^c includes 28 caribou harvested in RC501, including 2 by non-local residents 2017-2018 ^d includes 5 caribou harvested in RC501 2018-2019 ^e includes 2 caribou harvested in RC501 2019-2020 ^f includes 12 caribou harvested in RC501 and 7 caribou harvested illegally								

The department has prepared a report with information relevant to the eight criteria (5 AAC 99.010) that the board uses to determine if game populations have C&T uses, to assist the Board with this finding.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this analysis but is **NEUTRAL** on allocative aspects. If the board chooses to make a positive C&T finding for the Nushagak Peninsula caribou herd, the department will also provide options for the board to consider establishing an amount reasonably necessary for subsistence (ANS).

COST ANALYSIS: Adoption of this proposal would not result in significant costs to the public nor to the department.

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.

PROPOSAL 102 – 5 AAC 92.990 Definitions. Create a definition of primitive weapons.

PROPOSED BY: Neil DeWitt

WHAT WOULD THE PROPOSAL DO? The proposal would create a definition of “primitive weapons” and define the term as “primitive weapons include crossbow, longbow, shotgun, and muzzleloader.”

WHAT ARE THE CURRENT REGULATIONS? The board has defined bows, crossbows, and muzzleloaders and has set additional requirements for those and shotguns when being used in restricted-weapons hunts. Additional requirements include things like minimum draw weight for bows and crossbows, and rifled barrels for shotguns, for example.

Under 5 AAC 92.990(a)(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, but may be derived from the mechanical advantage provided

by wheels or cams if the available energy is stored in the bent limbs of the bow; no portion of the bow's riser (handle) or an attachment to the bow's riser may contact, support, or guide the arrow from a point rearward of the bowstring when strung and at rest; "bow" does not include a crossbow or any device that has a gun-type stock or incorporates any mechanism that holds the bowstring at partial or full draw without the shooter's muscle power.

Under 5 AAC 92.990(a)(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.

Under 5 AAC 92.990(a)(50) "muzzleloader" means a firearm for which firing components are loaded into the muzzle end of the firearm.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted there would be an additional label for hunts that are restricted to certain weapons. It is unclear if the intent is to allow all four types of weapons to be used for existing weapons-restricted hunts.

BACKGROUND: The board has created definitions for the types of weapons allowed and has set additional requirements for their use when necessary. Each time a new hunt is created the board discusses any necessary weapons restrictions for that hunt, and as a result not all existing weapons restricted hunts are open to all four types noted in this proposal.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, provided it is not intended to allow the use of all four types of weapons for each existing weapons-restricted hunt. The department continues to encourage the board to address weapons restrictions on a hunt-by-hunt basis and does have concerns that defining primitive weapons will mean future weapons-restricted hunts will be open to all primitive weapons which may not be appropriate.

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

PROPOSAL 115 – 5 AAC 92.003. Hunter education and orientation requirements. Remove the hunter education requirement for beneficiaries using proxy hunters.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? The proposal would remove the requirement for the beneficiary in a proxy hunt to have successfully completed hunter education.

WHAT ARE THE CURRENT REGULATIONS?

(a) Beginning August 1, 2002, a person born after January 1, 1986 that is

(1) required to have a hunting license must have successfully completed a certified hunter education course in order to hunt in Units 7, 13, 14, 15, and 20. The proxy hunt program was established in 1992 under the authority of the state proxy statute (AS 16.05.405) to allow a hunter (the beneficiary) no longer capable of hunting, to assign their (beneficiary) bag limit to another hunter (the proxy). Current statute states that a resident hunter who is blind, at least 70% physically disabled, 65 years of age or older, or developmentally disabled may qualify to have a beneficiary hunt for them by proxy. Proxy authorizations may be made for all deer hunts, most caribou hunts, and some moose hunts. Additional proxy hunting details can be found in the hunting regulations summary.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, people who are unable to successfully complete basic hunter education for physical or developmental reasons would still be able to have someone proxy hunt for them. People who are 65 or older are exempt from hunter education requirements in the majority of hunts, so this proposal would not affect them (except in a limited number of hunts, see below).

BACKGROUND: Persons born after January 1, 1986 who are 18 and older are required to have hunter education to hunt in Units 7, 13, 14, 15, and 20. If someone in that age group is unable to complete basic hunter education they cannot have someone proxy hunt for them, because the beneficiary is ineligible to participate in the hunt. This does prevent some Alaskans from participating in the hunt and in this case, it prevents some Alaskans from having someone else proxy hunt for them.

All hunters must successfully complete a Basic Hunter Education course before hunting in the Eagle River Management Area (Unit 14C bears and small game); Eklutna Lake Management Area (Unit 14C bears); Anchorage Coastal Wildlife Refuge (Unit 14C); Joint Base Elmendorf-Richardson Management Area (Unit 14C small game and big game); Mendenhall Wetlands State Game Refuge (Unit 1C, hunters under 10 years old must be accompanied by an adult or must have Basic Hunter Education); and the Palmer/Wasilla Management Area (Unit 14A shotgun for big game).

Further information about the hunter education program can be found online at <https://adfg.alaska.gov/index.cfm?adfg=huntered.main>

DEPARTMENT COMMENTS: The department **SUPPORTS** the proposal because it better aligns existing regulations with recent statutory changes that allow proxy hunting for persons

with developmental disabilities; and the change would allow persons with physical disabilities that are incapable of completing hunter education to have someone proxy hunt for them.

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

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.

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.

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.

PROPOSAL 119 –5 AAC 92.011(k). Taking of game by proxy. Include muskox on the list of species that can be taken under a proxy permit.

PROPOSED BY: Charlie Lean

WHAT WOULD THE PROPOSAL DO? This proposal would allow muskoxen in Tier II hunts to be proxy hunted.

WHAT ARE THE CURRENT REGULATIONS? The current 5 AAC 91.011(k) regulations read as follows:

- (k) Proxy hunting under this section is only allowed for
 - (1) caribou;
 - (2) deer;
 - (3) moose in Tier II hunts, any-bull hunts, and antlerless moose hunts; and
 - (4) emperor geese.

To be eligible for proxy hunting, the beneficiary must be blind, 70% or greater physically disabled, 65 years of age or older, or be developmentally disabled. Both beneficiary and proxy must have obtained licenses, regardless of age, and any necessary harvest tickets and/or permits before applying via the Proxy Hunting Authorization form. Additional proxy hunting details can be found in the hunting regulations summary.

There are various customary and traditional (C&T) use findings for muskoxen within regions III and V:

- The muskoxen population in Unit 22 and the portion of Unit 23 that is south and west of the Kobuk River drainage (23 Southwest, or 23 SW) has a positive C&T and finding and a combined amount reasonably necessary for subsistence (ANS) of 100-150 muskoxen, including 10-25 in Unit 22E.
- The muskoxen population in that portion of Unit 23 that is north and west of the Kobuk River drainage have a positive finding and an ANS of 18 – 22 muskoxen.
- The muskoxen population in Unit 26A and in that portion of Unit 26B that is west of the Dalton Highway Corridor has a positive finding, and an ANS of 20 muskoxen.
- The muskoxen population in that portion of Unit 26B that is east of the Dalton Highway Corridor has a positive finding and an ANS of 4 muskoxen.
- The muskoxen population in Unit 26C has a positive finding and an ANS of 15 muskoxen.
- The muskoxen population in Unit 18 have a negative finding.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, all Tier II muskox hunts would be eligible for proxy hunting. Proxy authorization for muskox Tier II hunts may potentially increase the harvest rates for these subsistence hunts, but despite that potential, it is unlikely an effect will be seen on the affected muskox populations.

BACKGROUND: The proxy hunt program was established in 1992 under the authority of the state proxy statute (AS 16.05.405) to allow a hunter (the beneficiary) no longer capable of hunting, to assign their (beneficiary) bag limit to another hunter (the proxy). Current statute states that a resident hunter who is blind, at least 70% physically disabled, 65 years of age or older, or developmentally disabled may qualify to have a beneficiary hunt for them by proxy. Proxy authorizations may be made for all deer hunts, most caribou hunts, and some moose hunts.

Much of the muskox harvest in Alaska is permitted through the subsistence Tier II system: for example, all 6 hunts in Unit 22 and both hunts within Unit 23 are managed via the Tier II hunt system. There are also muskox hunts in Unit 18, but the population within the unit has a negative C&T determination, thus the hunters would not qualify for a proxy authorization. Unit 26A does not currently have an open state-managed muskox hunt.

Annually, an average of 4 (range 1-8 annually) individuals, or 7.2%, of Tier II muskox permit holders are over the age of 65 when they receive their permit. Data to assess the number of Tier II hunters who may qualify under the remaining proxy options, are not available.

Quotas for the Tier II hunts in Unit 22 and Unit 23 are based on population information obtained from abundance and composition surveys completed biennially. An average of 4 (range 3-5) permits are issued annually for the TX095 hunt in 22C, with a 5-year average hunter success rate of 92%. An average of 3 (range 2-4) permits are issued annually for the TX096 permit in 22C, with an average hunter success rate of 85%. TX102, the 22D muskox permit, issues an average of 12 (range 6-15) permits between the east and west portions of the hunt, and has a success rate of 50%. For the TX103 hunt in 22D, 2 permits are issued annually with a success rate of 40%. TX104, issued for muskoxen in 22E, was recently changed from a registration permit to a Tier II permit hunt in RY2018, in which 4 permits were issued and 3 muskoxen were harvested at a success rate of 75%. TX105, in 22B, for which an average of 11 (range 9-13) permits are issued annually, has an average success rate of 53%. For the southwest portion of Unit 23, an average of 5 (range 3-6)

TX106 permits are issued annually, with an average hunter success rate of 49%. The TX107 hunt in Unit 23 issues an average of 5 (range 3-6) permits annually, with a 5-year average hunter success rate of 73.3%.

In the past, the public has requested that wildlife managers consider allowing Tier II muskox hunts to be eligible for proxy hunting. A similar proposal was brought before the Board in 2005 but failed to pass due to reservations that the proposal would result in a substantial increase in harvest. Proxy authorization for muskox Tier II hunts may potentially increase the harvest rates for these subsistence hunts, but despite that potential, it is unlikely an effect will be seen on the local muskox population.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it has not identified biological concerns associated with muskox harvests.

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

PROPOSAL 120 – 5 AAC 92.011 (k)(3). Taking of game by proxy. Allow proxy hunting for moose in any antlered bull hunts.

PROPOSED BY: Roger Seavoy

WHAT WOULD THE PROPOSAL DO? This proposal would amend 5 AAC 92.011(k)(3) to make any antlered bull bag limits eligible for proxy hunting for moose.

WHAT ARE THE CURRENT REGULATIONS? Currently, proxy hunting by Alaska residents is allowed for moose in Tier II hunts, any-bull hunts, and antlerless moose hunts.

In Unit 19D residents may harvest “one antlered bull” by harvest ticket or registration permit, depending on the drainage and area.

The board has determined a positive customary and traditional use (C&T) finding for moose in that portion of Unit 19 that is outside of the Lime Village Management Area (LVMA), with an amount reasonably necessary for subsistence (ANS) of 400–700 moose, including 175–225 in Unit 19A and 20–24 in Unit 19B. The board has also made a separate positive C&T finding for moose in the LVMA, which is entirely within Unit 19A, with an ANS of 30–40 moose.

Moose hunting regulations in Units 9B, 17B, 17C, 18, 19A, 21A, 21E, 22, 23, 24B, and 24C have similar antlered bull bag limits. These bag limits were put into place to exclude harvest of male calves. In the case of winter hunts, the bag limit excludes bulls that have dropped their antlers so that cows are less likely to be harvested by mistake. These areas also have positive C&T and ANS findings.

The proxy hunt program was established in 1992 under the authority of the state proxy statute (AS 16.05.405) to allow a hunter (the beneficiary) no longer capable of hunting, to assign their (beneficiary) bag limit to another hunter (the proxy). Current statute states that a resident hunter who is blind, at least 70% physically disabled, 65 years of age or older, or

developmentally disabled may qualify to have a beneficiary hunt for them by proxy. Proxy authorizations may be made for all deer hunts, most caribou hunts, and some moose hunts. Additional proxy hunting details can be found in the hunting regulations summary.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Proxy hunting for moose would be allowed in hunts with an any-antlered-bull bag limit.

BACKGROUND: This proposal was deferred from the Region III BOG meeting in March 2020 (Proposal 110). The original proposal just affected Unit 19D, but the board wanted to address the issue on a statewide basis. In previous regulatory years, the department interpreted that an any-antlered-bull bag limit was eligible for proxy hunting in Unit 19D because there were no antler restrictions; however, the interpretation was not consistent with what is found in 5 AAC 92.011 (k)(3). The proponent wishes to allow proxy hunting in Unit 19D but maintain the any-antlered-bull bag limit instead of switching to any-bull because they want to prevent the harvest of calves. An any-antlered-bull bag limit allows bulls of any antler size and configuration to be harvested so long as antlers are present, whereas any-bull hunts allow bull calves to be harvested.

The proponents assert that proxy hunting is an important traditional practice in the McGrath area.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because no biological concerns are generated or addressed by this proposal. In general, the department is supportive of additional harvest opportunity where possible, and supports clarifying when proxy hunting is allowed.

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

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.

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.

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.

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 lightednock 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 lightednock 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.

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

- (I) 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.

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.

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	<p>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</p> <p>•(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.</p>
Arizona	Yes	.35 caliber or larger
Colorado		<p>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 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</p>

		.50 caliber, bullets must weigh a minimum of 210 grains.
New Mexico	No	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; bow and arrows; crossbow and bolts; and muzzleloading rifle.
Hawaii	No	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.
Oregon	No	No other firearm may be used for hunting during a muzzleloader-only season.
Washington	No	Rifles, handguns, shotguns, crossbows, muzzleloaders

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.

PROPOSAL 128 – 5 AAC 92.080 Unlawful methods to take game; exceptions. Prohibit the use of mechanical or powered body suit for hunting.

PROPOSED BY: Tom Young

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would prohibit the use of a mechanical or powered body suit to aid in hunting. Such a prohibition would result in maintaining a level of fairness among hunters.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.080. Unlawful methods of taking game; exceptions

The following methods of taking game are prohibited:

- (1) by shooting from, on, or across a highway;
- (2) with the use of a poison or substance that temporarily incapacitates game, except with the written consent of the board; or with the use of an Electronic Control Device (ECD) Taser-type device that temporarily incapacitates game, except under a permit issued by the department; however, the use of a poison for taking deleterious exotic wildlife within a building, vessel, port, vehicle, or aircraft, is authorized without board approval when using Department of Environmental Conservation registered pesticides in their approved manner under 18 AAC 90;
- (3) unless otherwise provided in this chapter, knowingly, or with reason to know, with the use of a helicopter in any manner, including transportation to, or from, the field of any unprocessed game or parts of game, any hunter or hunting gear, or any equipment used in the pursuit or retrieval of game; this paragraph does not apply to transportation of a hunter, hunting gear, or game during an emergency rescue operation in a life-threatening situation;
- (4) unless otherwise provided in this chapter, from a motor-driven boat or a motorized land vehicle, unless the motor has been completely shut off and the progress from the motor's power has ceased, except that a
 - (A) motor-driven boat may be used as follows:
 - (i) in Units 23 and 26 to take caribou;
 - (ii) notwithstanding any other provision in this section, in Unit 22 to position hunters to select individual wolves for harvest;
 - (iii) under authority of a permit issued by the department;
 - (B) motorized land vehicle may be used as follows:

(i) in Units 22, 23, and 26(A), a snowmachine may be used to position a caribou, wolf, or wolverine for harvest, and caribou, wolves, or wolverines may be shot from a stationary snowmachine;

(ii) notwithstanding any other provision in this section, in the wolf control implementation areas specified in 5 AAC 92.111 - 5 AAC 92.113, 5 AAC 92.118, and 5 AAC 92.121 - 5 AAC 92.124, a snowmachine may be used to position a hunter to select an individual wolf for harvest, and wolves may be shot from a stationary snowmachine;

(iii) notwithstanding any other provision in this section, in Units 9(B), 9(C), 9(E), 17, 18, 19, 21, 22, 24, 25(C) and 25(D), except on any National Park Service or National Wildlife Refuge lands not approved by the federal agencies, a snowmachine may be used to position a hunter to select an individual wolf for harvest, and wolves may be shot from a stationary snowmachine;

(iv) notwithstanding any other provision in this section, in the bear control implementation areas specified in 5 AAC 92.111 - 5 AAC 92.113, 5 AAC 92.118, and 5 AAC 92.121 - 5 AAC 92.124, a snowmachine may be used to position a hunter to select an individual bear for harvest, and bears may be shot from a stationary snowmachine;

(v) notwithstanding any other provision in this section, in Units 9(B), 9(C), 9(E), 17, 22 and 25(C), except on any National Park Service or National Wildlife Refuge lands not approved by the federal agencies, an ATV may be used to position a hunter to select an individual wolf for harvest, and wolves may be shot from a stationary ATV;

(vi) under authority of a permit issued by the department;

(vii) in Unit 18, a snowmachine may be used to position a wolf or wolverine for harvest, and wolves or wolverines may be shot from a stationary snowmachine;

(viii) in Unit 17, a snowmachine may be used to assist in the taking of a caribou and caribou may be shot from a stationary snowmachine. "Assist in the taking of a caribou" means a snowmachine may be used to approach within 300 yards of a caribou at speeds under 15 miles per hour, in a manner that does not involve repeated approaches or that causes a caribou to run. A snowmachine may not be used to contact an animal or to pursue a fleeing caribou.

(5) except as otherwise specified, with the use of a motorized vehicle to harass game or for the purpose of driving, herding, or molesting game;

(6) with the use or aid of a machine gun, set gun, or a shotgun larger than 10 gauge;

(7) with the aid of

(A) a pit;

(B) a fire;

(C) artificial light, except that artificial light may be used

(i) for the purpose of taking furbearers under a trapping license during an open season November 1 - March 31 in Units 7 and 9 - 26;

- (ii) by a tracking dog handler with one leashed dog to aid in tracking and dispatching a wounded big game animal;
- (iii) to aid in tracking, recovering, and dispatching a wounded game animal without the use of a motorized vehicle;
- (iv) by a resident hunter taking black bear under customary and traditional use activities at a den site from October 15 through April 30 in Unit 19(A), that portion of the Kuskokwim River drainage within Unit 19(D) upstream from the Selatna River drainage and the Black River drainage, and in Units 21(B), 21(C), 21(D), 24, and 25(D);
- (D) laser sight, except that
 - (i) a rangefinder may be used;
 - (E) electronically enhanced night vision;
 - (F) any forward looking infrared device;
 - (G) any device that has been airborne, controlled remotely, or communicates wirelessly, and is used to spot or locate game with the use of a camera or video device;
 - (H) any camera or other sensory device that can send messages through wireless communication;
 - (I) wireless communication to take a specific animal by a person until 3:00 a.m. following the day after the use of the device, except that
 - (i) in a unit 20(D) bison hunt, the use of ground-based radio communications, including cellular or satellite telephones, to locate bison is allowed;
 - (ii) in targeted moose hunts in 5 AAC 85.045, the use of ground-based wireless communication to locate individual animals is allowed;
 - (J) artificial salt lick;
 - (K) explosive;
 - (L) expanding gas arrow;
 - (M) bomb;
 - (N) smoke;
 - (O) chemical (excluding scent lures);
 - (P) a conventional steel trap with an inside jaw spread over nine inches; or
 - (Q) a killer style trap with an inside jaw spread over 13 inches;
- (8) with a snare, except for taking an unclassified game animal, a furbearer, grouse, hare, or ptarmigan;
- (9) repealed 7/7/94;
- (10) from a motorized land vehicle, except that in those portions of Units 7 and 15 within the Kenai National Wildlife Refuge, a motorized land vehicle may be used to take game by a person with physical disabilities, as defined in AS 16.05.940, who requires a wheelchair for mobility, under authority of a permit issued by the department and in compliance with Kenai National Wildlife Refuge regulations, and a snowmachine or ATV may be used to take game as described in (4) of this section;

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

(12) with any bow designed to shoot more than one arrow at a time;

(13) taking upland game birds in Unit 26 with a shotgun using any shot other than nontoxic material approved by the United States Fish and Wildlife Service, including loose shot used in muzzleloading firearms, and while in immediate personal possession of lead shot;

(14) taking game in Unit 18 with a shotgun using any shot other than nontoxic material approved by the United States Fish and Wildlife Service, that is size t, .20 caliber or smaller, including loose shot used in muzzleloading firearms, and while in immediate personal possession of lead shot;

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

(16) on or after January 1, 2013, with the use of footgear with soles of felt, or other absorbent fiber material, while wading in freshwater streams in this state;

(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;

(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? If adopted, hunters will not have the advantage a mechanical or powered body suit would provide to supplement an individual's strength and endurance. If this proposal is not adopted, hunters able to procure a mechanical or powered body suit would have an advantage in accessing and retrieving game.

BACKGROUND: Mechanical and powered suits are available in both full-body and partial-body (arms, legs, etc.) for purchase, but do not appear to be widespread currently. While some brands and models are available to the public, others are restricted or available prescription by a physician. Costs are variable ranging between \$70,000 and \$120,000, some partial-body apparatuses appear to be available for slightly less. For medically directed use, this equipment may be paid with insurance and is addressed on a case-by-case basis. Without a medical need it is likely cost and support/service will limit purchases.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The proposal addresses method and means. The department can issue Methods and Means Exemptions when appropriate. An exemption may be appropriate for a mechanical or powered body suit for hunters with limited mobility.

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

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.

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.

PROPOSAL 132 – 5 AAC 92.990. Definitions; 5 AAC 92.210 Game as animal food or bait; and 5 AAC 92.220 Salvage of game meat, furs, and hides. Allow bird wings and parts to be used for trapping.

PROPOSED BY: Felix Magallanes

WHAT WOULD THE PROPOSAL DO? The proposal seeks to allow the back and wings, including meat of the back and wings, of cranes, geese, and swans to be used for trapping in Unit 18.

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

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 92.210 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)(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, in Unit 18 only, the meat of the back and wings from cranes, geese and swans will not require salvage because it will no longer meet the definition of “edible meat” and therefore could be used as trapping bait. It is currently legal to use the parts of all other game birds 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 swans (5 AAC 92.990(a)(26)) to include the meat of the back and wings – which is

more aligned with the federal migratory bird subsistence harvest regulatory 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.

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.

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.

PROPOSAL 135 – 5 AAC 92.085. Unlawful methods of taking game. Repeal the restriction on the use of aircraft for locating Dall sheep for hunting.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? Repeal the restriction on the use of aircraft for locating Dall sheep for hunting.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 92.085(8) and from August 10 through September 20, aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season; however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep. This prohibition does not prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Aircraft other than helicopters could be used to actively locate Dall sheep during the open sheep hunting season. It is possible that some conflict may occur with sheep hunters on the ground when they are in close proximity to aircraft observing sheep or otherwise engaged in pursuing the same sheep as the aircraft are flying over to view.

BACKGROUND: This proposal addresses the use of aircraft for sheep hunting considered by the board at the board meetings in 2015, 2016, and 2017. During the 2015 board cycle, the board adopted a proposal to restrict aircraft use. The current regulation allows for hunters to use an aircraft to establish and maintain sheep hunting camps, but prohibits the use of aircraft to spot or locate sheep during the hunting season.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal does not create or address a biological concern regarding sheep populations.

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

PROPOSAL 136 – 5 AAC 92.085. Unlawful methods of taking game. Repeal the restriction on the use of aircraft for locating Dall sheep for hunting.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? Repeal the restriction on the use of aircraft for locating Dall sheep for hunting.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 92.085(8) and from August 10 through September 20, aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season; however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep. This prohibition does not prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Aircraft other than helicopters could be used to actively locate Dall sheep during the open sheep hunting season. It is possible that some conflict may occur with sheep hunters on the ground when they are in close proximity to aircraft observing sheep, or otherwise engaged in pursuing the same sheep as the aircraft are flying over to view.

BACKGROUND: This proposal addresses the use of aircraft for sheep hunting considered by the board at the board meetings in 2015, 2016, and 2017. During the 2015 board cycle, the board adopted a proposal to restrict aircraft use. The current regulation allows for hunters to use an aircraft to establish and maintain sheep hunting camps, but prohibits the use of aircraft to spot or locate sheep during the hunting season. This is one of three proposals during this board cycle to repeal the restriction on the use of aircraft to locate Dall sheep during the sheep hunting season.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal does not create or address a biological concern regarding sheep populations.

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

PROPOSAL 137 – 5 AAC 92.085. Unlawful methods of taking game. Repeal the restriction on the use of aircraft for locating Dall sheep for hunting.

PROPOSED BY: Adam Grenda

WHAT WOULD THE PROPOSAL DO? Repeal the restriction on the use of aircraft for locating Dall sheep for hunting.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 92.085(8) and from August 10 through September 20, aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season: however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and

camps, maintain existing camps, and salvage harvested sheep. This prohibition does not prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Aircraft other than helicopters could be used to actively locate Dall sheep during the open sheep hunting season. It is possible that some conflict may occur with sheep hunters on the ground when they are in close proximity to aircraft observing sheep, or otherwise engaged in pursuing the same sheep as the aircraft are flying over to view.

BACKGROUND: This proposal addresses the use of aircraft for sheep hunting considered by the board at the board meetings in 2015, 2016, and 2017. During the 2015 board cycle, the board adopted a proposal to restrict aircraft use. The current regulation allows for hunters to use an aircraft to establish and maintain sheep hunting camps, but prohibits the use of aircraft to spot or locate sheep during the hunting season. This is one of three proposals during this board cycle to repeal the restriction on the use of aircraft to locate Dall sheep during the sheep hunting season.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal does not create or address a biological concern regarding sheep populations.

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

PROPOSAL 138 – 5 AAC 92.085. Unlawful methods of taking game. Make the restriction on the use of aircraft for locating Dall sheep for hunting applicable to all open seasons.

PROPOSED BY: Mike Harris

WHAT WOULD THE PROPOSAL DO? Modify the restriction on the use of aircraft for locating Dall sheep for hunting to include all open hunting seasons for sheep.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 92.085(8) and from August 10 through September 20, aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season; however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would include the restriction on using aircraft to all open sheep hunting seasons. Currently, the restriction is from August 10 through September 20. The proposed change would remove the dates and insert “in any area where there is an open sheep hunting season”. This would further restrict the use of aircraft for locating sheep to hunt during the open sheep hunting seasons that occur outside of the current August 10 through September 20 time-period. For

example, the current youth sheep hunting season of August 1 through 5 does not have a restriction on the use of aircraft for locating sheep. The proposal would restrict the use of aircraft during the youth season similar to the restriction currently in place for the August 10 through September 20 sheep season.

BACKGROUND: This proposal addresses the use of aircraft for sheep hunting considered by the board at the board meetings in 2015, 2016, and 2017. During the 2015 board cycle, the board adopted a proposal to restrict aircraft use. The current regulation allows for hunters to use an aircraft to establish and maintain sheep hunting camps, but prohibits the use of aircraft to spot or locate sheep only during the August 10 through September 20 sheep hunting season. The additional restriction to include “any open sheep hunting season” described in this proposal has been discussed and questioned by sheep hunters since the original proposal became regulation five years ago.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal does not create or address any biological concerns regarding sheep populations.

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

PROPOSAL 139 – 5 AAC 92.085. Unlawful methods of taking game. Modify the language on the use of aircraft for locating Dall sheep for hunting.

PROPOSED BY: Daniel Montgomery

WHAT WOULD THE PROPOSAL DO? Modify the language describing the restriction on the use of aircraft for locating Dall sheep for hunting to prohibit multiple consecutive approaches.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 92.085(8) and from August 10 through September 20 aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season; however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would amend the language to say “...aircraft may not be used to make multiple, consecutive approaches near any sheep or group of sheep”. This would allow for aircraft to fly over a sheep or group of sheep, provided that there was not more than one approach and fly over by the aircraft at a time. The proposer suggests the language include the definition already provided by regulation regarding the term “harass”, which is “to repeatedly approach an animal in a manner which results in the animal altering its behavior” (5 AAC 92.990(a)(34)). Amending

5 AAC 92.085(8) in the manner suggested may have limitations in its application. For example, the same aircraft could, theoretically, at a later time, make another approach and fly over of the same sheep or group of sheep.

BACKGROUND: This proposal addresses the use of aircraft for sheep hunting considered by the board at the board meetings in 2015, 2016, and 2017. During the 2015 board cycle, the board adopted a proposal to restrict aircraft use. The current regulation allows for hunters to use an aircraft to place and remove hunters, establish and maintain hunting camps, and salvage harvested sheep, but prohibits the use of aircraft to spot or locate sheep for sheep hunting from August 10 through September 20. This issue has been discussed and debated among sheep hunters, sheep hunting guides, and others since it was established in regulation in 2016.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal does not create or address any biological concerns regarding sheep populations.

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

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.

PROPOSAL 141 – 5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures. Require bait sites to be at least one mile apart.

PROPOSED BY: Tim Nelson

WHAT WOULD THE PROPOSAL DO? The proposal would require bait sites to be at least one mile apart.

WHAT ARE THE CURRENT REGULATIONS? There are currently no regulations that prohibit bait from being placed within a certain distance from other bait.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the department will need GPS coordinates of bait stations to identify the exact location, and the department will need to create a database and a method of determining if a requested bait station location is within one mile of another. Hunters may not be able to register bait stations if there are already some in the area they wish to bait.

BACKGROUND: Before a person establishes a bear baiting station and places bait at the baiting station that person shall, at the time of registration, provide to the department the specific location of the baiting station on a form provided by the department. “Specific location” has not

been defined and as a result the department gets some locations that are not precise enough for staff and enforcement to locate them. Without the specific location in GPS format the department will not be able to determine if any new sites are within one mile of existing sites.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it does not address nor create a biological concern. If adopted, the department requests a delayed implementation of 2 years to provide time to determine how best to implement this new requirement and to conduct the necessary outreach for the public. It is highly likely the department will need to return to the board for additional guidance for how to administer the program as well.

COST ANALYSIS: Adoption of this proposal is expected to result in significant additional costs to the department in the form of substantial database development to accommodate the need to identify bait stations with GPS coordinates, and to calculate distances from existing sites. These additional requirements will result in additional staff time.

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.

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/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 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.

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.

PROPOSAL 146 – 5 AAC 92.052 Discretionary permit hunt conditions and procedures.
Limit the number of registration permits may receive.

PROPOSED BY: Tom Young

WHAT WOULD THE PROPOSAL DO? The proposal would allow the department the ability to limit a person to receiving only one big game registration permit per species, per year.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.052.

...

(19) a person may be limited to one big game registration permit at a time in Units 1, 17, 20(E), 22, and 23;

(20) the number of registration permits that may be issued per household for a specified big game hunt may be limited;

...

(27) a person may be limited to one registration permit for moose each regulatory year within the drainages of the Kuskokwim River;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted the department would be able to limit a person to obtaining only one big game registration permit per species each year. Because this would restrict the ability of the hunter to obtain a permit, this could have restrictive implications for reasonable opportunity of hunters seeking success in harvesting big game for subsistence uses, especially during winter hunts that provide opportunity for hunters who did not harvest during the fall season, or hunts open by emergency order for hunters who had not already harvested, or hunts in adjacent units or subunits for hunters who had not already harvested.

BACKGROUND: As noted above in 5 AAC 92.052 the department currently has the ability to limit a person to one big game registration permit at a time in specific areas in the state. Typically this is used when there are a limited number of registration permits available and is in hunts where there is a quota or relatively small amount of allowable harvest.

While the proposed change would be available to the department statewide, the issue the proponent would like the board to address is the limited number of permits available for goat hunts on the Kenai Peninsula, the majority of which are in the Anchorage-Matsu-Kenai Nonsubsistence Area⁴. To avoid the need for extremely short reporting periods and to avoid overharvest, the hunts are managed with a quota and a limited number of permits available. Hunters are able to pick up multiple permits which allows them to hunt in multiple areas, effectively keeping other potential hunters from getting those permits. Hunters can obtain more than one permit per species; however, bag limits are not cumulative, and hunters in this case are limited to taking only one goat, regardless of how many permits they have in their possession.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative issue. As written the proposal changes the department's current ability to limit the number of big game permits a person may have at a time in Units 1, 17, 20(E), 22, and 23 and the department is **OPPOSED** to removing that discretionary authority. If the board adopts the proposal the department recommends the board add this as a new discretionary condition for the department, subject to board instruction, instead of removing the ability to limit hunters to one big game registration permit at a time. In addition, the board should determine whether reasonable opportunity for a normally diligent participant to have success in harvesting big game for subsistence uses still exists.

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

PROPOSAL 147 – 5 AAC 92.031. Permit for selling skins, skulls, and trophies. Create a new opportunity for people to sell trophies.

PROPOSED BY: Russell Knight

WHAT WOULD THE PROPOSAL DO? The proposal would allow a person to sell lawfully harvested and prepared big game trophies with a permit from the department.

WHAT ARE THE CURRENT REGULATIONS?

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

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

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

(c) Repealed 7/1/2008.

(d) Repealed 7/1/2008.

(e) Repealed 7/1/2008.

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

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

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted any person would be able to sell a legally harvested, fully prepared big game trophy after first obtaining a permit from the department.

BACKGROUND: Since 2016 the department has issued 55 permits to sell trophies as a result of an estate sale; 10 permits to sell trophies as a result of a divorce; none as the result of a bankruptcy; and 16 permits to taxidermists to sell unclaimed items. The department has issued 32 permits since 2018 when the board created a regulation requiring permits to sell brown bears taken in two bear bag limit areas.

Currently the department uses discrete applications for each of the applicable regulatory sections (5 AAC 92.031) to authorize the sale of big game trophies. These applications and required documentation (e.g., death certificate, probate court order) serve to identify the owner of the trophy, or taxidermist of unclaimed trophy, and serves as a stop gap for simply anyone selling a trophy.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Current regulations result in relatively few permits to sell trophies in extenuating circumstances. Should the sale of trophies be authorized for any interested party, it is unclear how many additional requests the department might get, how the department will determine the owner of a trophy; and if additional increase in harvest may occur because trophy sales are legal and a market exists.

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

PROPOSAL 148 – 5 AAC 92.031. Permit for selling skins, skulls, and trophies. Create a new opportunity for people over the age of 65 to sell trophies under specific conditions.

PROPOSED BY: Thomas and Rose Shearer

WHAT WOULD THE PROPOSAL DO? The proposal would allow a person over the age of 65 to sell lawfully harvested and prepared big game trophies with a permit from the department, if they meet the following proposed criteria:

1. The person owning the bear rug must give the approximate date and place of kill.
2. Age of the person requesting a permit to sell: suggested 65 years and older.
3. Age of the bear rug: suggested 25 years old or older.
4. Years of Alaska residency.
5. Reason for selling.

WHAT ARE THE CURRENT REGULATIONS?

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

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

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

(c) Repealed 7/1/2008.

(d) Repealed 7/1/2008.

(e) Repealed 7/1/2008.

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

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

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted any person would be able to sell a legally harvested, fully prepared big game trophy after first obtaining a permit from the department.

BACKGROUND: Since 2016 the department has issued 55 permits to sell trophies as a result of an estate sale; 10 permits to sell trophies as a result of a divorce; none as the result of a bankruptcy; and 16 permits to taxidermists to sell unclaimed items. The department has issued 32 permits since 2018 when the board created a regulation requiring permits to sell brown bears taken in two bear bag limit areas.

Currently the department uses discrete applications for each of the applicable regulatory sections (5 AAC 92.031) to authorize the sale of big game trophies. These applications and required documentation (e.g., death certificate, probate court order) serve to identify the owner of the trophy, or taxidermist of unclaimed trophy, and serves as a stop gap for simply anyone selling a trophy.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The board should consider if the authority exists to adopt regulations based on age criteria. Current regulations result in relatively few permits to sell trophies in extenuating circumstances. Should the sale of trophies be authorized for any interested party, it is unclear how many additional requests the department might get, how the department will determine the owner of a trophy; and if additional increase in harvest may occur because trophy sales are legal and a market exists.

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

PROPOSAL 149 – 5 AAC 92.057. Special provisions for Dall sheep and mountain goat drawing permit hunts. Create a separate drawing hunt for nonresident hunters hunting with resident relatives within second-degree of kindred in areas that limit the number of nonresident hunters, and allocate up to 20 percent of nonresident permits to those hunters.

PROPOSED BY: Dan Montgomery

WHAT WOULD THE PROPOSAL DO? The proposal will allocate nonresident sheep drawing permits in hunts that limit the number of nonresident permits available by allocating no more than 20 percent to nonresidents guided by resident relatives.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.057

...

(b) The department shall issue Dall sheep permits as follows:

(1) Units 12, 13(C), and 20(D), Tok Management Area: the department shall issue 10 percent of the drawing permits to nonresidents and 90 percent of the drawing permits to residents; in the event an odd number of permits is available, the percentage of permits awarded to nonresidents will be rounded down to allow for residents to receive the resulting additional permit; a maximum of 50 percent of the nonresident permits may be issued to nonresidents accompanied by a resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a);

(2) Unit 13(D): the department shall issue a maximum of 20 percent of the drawing permits to nonresidents and a minimum of 80 percent of the drawing permits to residents;

(3) Unit 14(A): the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents;

(4) Unit 14(C): the department shall issue a maximum of five percent of the archery drawing permits to nonresidents and a maximum of 13 percent of the remaining drawing permits to nonresidents;

(5) Units 13(B), 20(A) and 20(D), those portions within the Delta Controlled Use Area: the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents; in the Delta Controlled Use Area a nonresident does not have to meet the requirements in (a) of the section.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted there would be a set allocation between guided nonresident sheep hunters and nonresident sheep hunters hunting with resident relatives within the second degree of kindred. If adopted, this proposal may limit nonresident (guided by a relative) guided opportunity in some Units.

BACKGROUND: Board policy (2017-222-BOG) states when a draw hunt is deemed necessary, allocation will be determined on a hunt-by-hunt basis and will be based upon the historical data of nonresident and resident permits, harvest, or participation over the past ten or more years. The same policy also says the board may choose to address areas for conservation, hunter overcrowding, or conflict issues by placing limitations on or between commercial service-dependent hunts, or request that the appropriate regulatory body address the service provider issue if it is beyond the board's authority. This may be accomplished by guided-only or non-guided only permit stipulations for any species, as the board has done in several places in the past.

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

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

PROPOSAL 150 – 5 AAC 92.050. Required permit hunt conditions and procedures.

Increase the number of times an applicant may apply for a drawing permit for each species from 6 to 10.

PROPOSED BY: Dan Montgomery

WHAT WOULD THE PROPOSAL DO? The proposal would allow applicants to apply for 10 hunts per species.

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:

...

(2) except as provided in 5 AAC 92.061 and 5 AAC 92.069, a person may not

(A) apply for more than six drawing permit hunts for the same species per regulatory year;

...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted applicants would be able to apply for 10 hunts per species, and with few existing exceptions such as Unit 23 moose for nonresidents, could apply for a single hunt 10 times. Allowing applicants to apply for more hunts per species, and to apply for individual hunts an additional four times, has the potential to increase an applicant's chances of winning the hunt they want.

BACKGROUND: Prior to 2016, applicants were limited to applying for 3 hunts per species, and could only apply for each hunt once. After receiving requests to implement bonus points or preference points, or both, the board changed the regulations to allow applicants to put in for 6 hunts per species, and to put in for hunts multiple times (up to 6). Doing so potentially increased a person's chances of winning desired hunts. The current drawing permit process relies on random chance to select permit winners. The possibility can be impacted by factors such as number of permits available and number of applications received.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal and recognizes the changes the board made in 2016 did increase a person's chances of winning the hunt they wanted most.

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

PROPOSAL 151 – 5 AAC 92.061 Special provisions for brown bear drawing permit hunts.
5 AAC 92.069 Special provisions for moose drawing hunts. Require all hunters to apply for permits during the regular application period.

PROPOSED BY: Resident Hunters of Alaska

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would require all nonresident hunters for Unit 8 brown bears and Interior Alaska moose to apply for drawing permits, with applicable fees, to participate in these hunts.

WHAT ARE THE CURRENT REGULATIONS?

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

(a) In the Unit 8 general brown bear drawing permit hunt, the department shall issue permits, and a hunter may apply for a permit, as follows:

(1) the department shall issue a maximum of 40 percent of the drawing permits to nonresidents and a minimum of 60 percent to residents; each guide may submit the same number of nonresident applications for a hunt as the number of permits available for that hunt;

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

(3) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, as required under AS 16.05.407 or 16.05.408;

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

(A) an applicant for a guided nonresident drawing permit may apply for one such permit for fall hunts and one such permit for spring hunts;

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

(C) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(D) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the permit becomes available, by registration at the Kodiak ADF&G office, to the first applicant furnishing proof that the applicant will be accompanied by a guide;

(5) repealed 7/1/2007.

5 AAC 92.069. Special provisions for moose and caribou drawing permit hunts

(a) In a moose drawing permit hunt specified in this section, a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; until June 30, 2015, the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, for the applicable guide use area during the season the drawing permit is valid;

(3) the department shall enter in a non-guided nonresident drawing all other complete applications from nonresidents.

(b) The department shall issue moose drawing permits as follows:

(1) in Units 21(D) and 24, the Koyukuk Controlled Use Area,

(A) the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(B) an applicant for a guided nonresident drawing permit may apply for only one permit per application period;

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

(D) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(E) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the department shall issue permits by registration at the Fairbanks division of

wildlife conservation office, to the next succeeding non-guided nonresident, awarded in the order in which the names were drawn, until the alternate list is exhausted;

(2) in Unit 21(D), outside the Koyukuk Controlled Use Area, if the drawing permit hunt is allocated between residents and nonresidents, the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(3) in Unit 21(B), that portion within the Nowitna River drainage upstream from the Little Mud River drainage and within the corridor extending two miles on either side of and including the Nowitna River, the drawing permit hunt is allocated 50 percent to residents and 50 percent to nonresidents; the department shall issue a maximum of 75 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 25 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of nonresidents applying for permits for either nonresident hunt is insufficient to award the required percentage, the department may award the remaining available nonresident drawing permits to the other nonresident hunt;

(4) in Unit 23, that portion south of the north bank of the Kobuk River and Melvin Channel downstream of the Kobuk Valley National Park boundary below the Kallarichuk River mouth, the Selawik River drainage, the Kauk River drainage, and the Baldwin Peninsula; the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; and

(5) in Unit 21(E), a maximum of 30 percent of the nonresident drawing permits will be issued to hunters using a registered guide, and a minimum of 70 percent of the nonresident drawing permits to hunters not using a registered guide;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED: If adopted, this proposal would remove provisions for nonresident hunters to receive drawing permits through guides operating in exclusive guide areas. The department would not be able to issue undersubscribed permits to nonresidents for hunts listed in 5 AAC 92.061 and 5 AAC 92.069.

BACKGROUND: Both Unit 8 and interior areas offer resident and nonresident hunting opportunity for several species. Nonresident brown bear hunters who are citizens of the United States are required to be personally accompanied in the field by an Alaska-licensed guide or be accompanied by a relative within second degree of kindred that is 19 years of age or older when hunting brown bears. Moose are not a guide required species in AS 16.05.407. Residents and guides (on behalf of their non-resident clients) may apply for a Kodiak brown bear drawing permit to hunt in any of the 31 hunt areas. Resident applicants can apply for up to 6 hunts and may apply for the same hunt more than once. Guided non-residents may only apply once for a

single fall brown bear hunt and only once for a spring brown bear drawing hunt. In addition, guides may only submit as many hunt applications for their clients as permits available for that hunt. If a hunt area receives fewer applicants than available permits, the drawing hunt area is considered ‘undersubscribed’. Offices will issue the remaining permits on a first -come, first-served basis starting on a pre-determined date prior to the hunt (the date is published annually in the hunt supplement and typically occurs 1-2 months prior to start of the hunt). It is important to note there are several brown bear hunt areas on Kodiak and interior moose hunts on national wildlife refuges that are either entirely or partially comprised of an Exclusive Guide Use Area. Exclusive Guide Use Areas are areas in which only certain guides are permitted to take non-resident hunters (resident hunters are still allowed to hunt in these areas). Guided non-resident hunters wishing to hunt in these areas are only permitted to hunt with the exclusive guide registered for that area. Because some hunt areas are entirely comprised of an Exclusive Guide Use Area in which only one guide is allowed to take clients, some guides choose not to submit hunt applications for their clients in these areas. Unfortunately, this can lead to confusion when hunters seeking information about their odds of being drawn for a specific hunt area use the Alaska Drawing Permit Hunt Supplement (i.e., percent applications drawn). Exclusive guide use hunt areas in which guides do not submit their client applications appear to have very few or no applications submitted for the area and appear to be undersubscribed. However, these permits are most often issued to clients of guides with exclusive guiding privileges and while technically undersubscribed the permits are picked up over the counter and utilized by the exclusive guides and their clients.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative in nature. Kodiak area regulations will be before the board in March 2023, and Interior Alaska moose regulations will be before the board in March 2024. Adoption of the proposal will create a difference in how undersubscribed hunts are handled, and the department would like guidance from the board regarding how to handle other undersubscribed drawing hunts. If adopted, the department recommends the board amend 5 AAC 92.052(23) to exclude all hunts open to nonresidents in 5 AAC 92.061 and 5 AAC 92.069 for consistency.

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

PROPOSAL 152 – 5 AAC 5 AAC 92.050. Required permit hunt conditions and procedures. Require all drawing permit hunts available to residents to be available online.

PROPOSED BY: Resident Hunters of Alaska

WHAT WOULD THE PROPOSAL DO? The proposal would require all drawing permit hunts available to residents to be made available for application online.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.050. Required permit hunt conditions and procedures.

...

(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; a permit application that is incomplete, or that does not include, if required, an Alaska big game hunting license number, or that contains a false statement, is void; the applicant must obtain or apply for an Alaska big game hunting license before submitting a drawing permit application; and

5 AAC 92.052. Discretionary permit hunt conditions and procedures.

...

(23) except as otherwise provided, if a drawing permit hunt is undersubscribed, surplus permits may be made available at the division of wildlife conservation office responsible for management of the applicable hunt. Surplus permits are not subject to the limitations in 5 AAC 92.050(2) and (4)(F);

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? All drawing hunts available to resident Alaskans will be made available online.

BACKGROUND: Applications are accepted online only for drawing permits. As technology has improved the department has and continues to make permits available online when it will not prove an administrative or conservation issue. The department also follows board guidance for allocative issues which may be easily addressed by making permits available in specific locations such as within the hunt area or prior to the hunt opening.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative issue, and recommends the board **TAKE NO ACTION** because the proponent later submitted Proposal 239 and has asked that this proposal be withdrawn.

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

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.

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.

PROPOSAL 155 – 5 AAC 85.045 Hunting seasons and bag limits for moose. Provide additional any-bull opportunity in selective harvest moose hunts.

PROPOSED BY: Ted Spraker

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would create additional moose drawing permit hunts for any-bull moose in areas where moose selective harvest

strategies (for example, spike/fork/3 brow tine/4 brow tine/2 by 2 brow tine/ \geq 50 inch total antler width/any antlered bull winter hunts) are used to manage bull moose hunts.

WHAT ARE THE CURRENT REGULATIONS? Current moose hunting seasons and bag limits can be found in the Alaska Fish and Game Laws and Regulations Annotated book (5 AAC 85.045, pg. 934-981; and in the 2021-2022 Alaska Hunting Regulations by Game Management Unit.

There are various positive C&T and ANS findings throughout the state, and a few negative findings. There are also five nonsubsistence areas throughout the state where the subsistence priority would not apply.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

New language would be added to 5 AAC 92.050, which would read:

(xx) Notwithstanding 5 AAC 85.045, the department may issue up to 10 additional any-bull resident moose permits by drawing for selective harvest bull moose hunts in Game Management Units 1-26. Permits will be valid during the existing selective harvest hunt seasons and will be issued at the discretion of the department under the following conditions:

- (a) the department has determined that additional harvestable surplus is available; and
- (b) bull moose calves are not legal to harvest

Adoption of this proposal will provide additional moose hunting opportunity in areas where surplus bull moose are available.

BACKGROUND: Selective harvest strategies for moose were first implemented on the Kenai Peninsula in the 1990s. Since then, these management strategies have been applied throughout the state (as noted by the author) and have undergone changes to be prescribed to specific management situations in a given Game Management Unit (GMU). These strategies are used to protect portions of the bull population to ensure adequate breeding (bull:cow ratio) and can control the tempo of bull moose hunts. In many areas in the state any-bull hunts are closed by emergency order after very short seasons; selective harvest allows the seasons to run longer providing opportunity and quality hunts.

Any-bull moose hunts are highly prized by hunters and provide significant opportunities for success in harvesting a moose for subsistence uses. These hunts do not require a hunter to identify a legal antler configuration prior to harvesting the animal, which is an efficient and economical aspect of a subsistence opportunity. An exhaustive list of GMUs where this proposal is applicable will take time and consideration to develop; however, there are Units where additional bull moose are available in the harvestable surplus that will not negatively impact bull to cow ratios. As noted above in the ‘What Would the Proposal Do’ section, the department has modified antler restriction to both reduce and increase harvest within existing selective harvest

strategy bull moose hunts. This proposal provides an additional tool to provide additional opportunity for nonsubsistence users.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. Current hunt structures make it time consuming to adjust bag limits in selective harvest moose hunts. This proposal will provide flexibility to staff when additional any-bull moose opportunity is available for resident hunters. The department is **NEUTRAL** on the allocative (resident-only and subsistence vs. nonsubsistence users) aspect of this proposal.

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

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 a 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.

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.

PROPOSAL 158 – 5 AAC 92.210 Game as animal food or bait. Allow dog mushers to receive game from the department for use as dog food.

PROPOSED BY: Copper Basin Advisory Committee

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would allow otherwise salvage-required portions of game to be used by dog mushers as dog food when determined to be unsuitable for human consumption.

WHAT ARE THE CURRENT REGULATIONS?

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:

(1) the hide, skin, viscera, head, or bones of game legally taken or killed by a motorized vehicle, after salvage as required under 5 AAC 92.220;

(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;

(3) the skinned carcass of a bear, furbearer, or fur animal, after salvage as required under 5 AAC 92.220;

- (4) small game; however, the breast meat of small game birds may not be used as animal food or bait;
- (5) unclassified game;
- (6) deleterious exotic wildlife;
- (7) game that died of natural causes, if the game is not moved from the location where it was found; for purposes of this paragraph, "natural causes" does not include death caused by a human;
- (8) game furnished by the state, as authorized by a permit under 5 AAC 92.040.

5 AAC 92.040. Permit for taking furbearers with game

(a) The department may issue a permit to take furbearers by trapping with the use of game, furnished by the state, as bait. Procedures under which a permit will be issued are contained in Standard Operating Procedure II-025-3 (Confiscated Equipment/Salvaged Animals or Parts - nonedible meat and fish; permitting procedures to take furbearers with game), revised as of March 17, 2002, and are adopted by reference.

(b) To be eligible for a permit, a person must either hold a trapping license issued by the department or be exempt from licensure under AS 16.05.400.

(c) A person using game for bait under a permit issued under this section shall post a notice at the trap site indicating the permit number.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide another option for disposing of game meat that is deemed unusable for human consumption.

BACKGROUND: Department staff currently provide game meat, as described in the proposal, to trappers to use as bait. Roadkill, necropsied, and other inedible game meat is provided by trappers on a first come, first serve basis.

Game that is determined to be fit for human consumption is donated to charities through direct donation, private salvage groups, and through charity lists maintained by the Department of Public Safety.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The use of game meat for trapping bait is intended to bring furbearers to a trap sight rather than to explicitly feed animals. The department cannot certify the meat is safe and has concerns with dog health should they consume game meat provided by the department that is unsafe for consumption of any kind. The board may want to discuss the difference between dog mushers and dog owners, and why dog mushers will be eligible to receive the game and not dog owners if the proposal is adopted.

COST ANALYSIS: If adopted this proposal will result in a small increase in costs to the department through staff time to administer the program and to develop appropriate permits.

PROPOSAL 159 – 5 AAC 92.165 Sealing of bear skins and skulls and 92.170 Sealing of marten, fisher, lynx, beaver, otter, wolf, and wolverine. Change number of days hides, skulls and furs must be sealed to business days from calendar days.

PROPOSED BY: Zach Decker

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal will define sealing periods in business days.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.165. Sealing of bear skins and skulls

- (a) Sealing is required for hides and skulls of brown bear taken in any unit in the state, hides and skulls of black and brown bear taken in any unit in the state before the hide or skull is sold, hides and skulls of black bear of any color variation taken from January 1 through May 31, and skulls of black bear of any color variation taken from June 1 through December 31 in Units 1 - 7, 14(A), 14(C), 15 - 17, and 20(B). The seal must remain on the skin until the tanning process has commenced. A person may not possess or transport the untanned skin or skull of a bear taken in a unit where sealing is required, or export from the state the untanned skin or skull of a bear taken anywhere in the state, unless the skin or the skull, or both as required in this section have been sealed by a department representative within 30 days after the taking, or a lesser time if requested by the department, except that

5 AAC 92.170. Sealing of marten, fisher, lynx, beaver, otter, wolf, and wolverine

- (a) A person may not possess, transport, or export from the state the untanned skin of a marten taken in Units 1 - 7 and 14 - 16, the untanned skin of a beaver taken in Units 1 - 11 and 13 - 15, and 17, the untanned skin of a fisher taken in Units 1 - 5, or the untanned skin of a lynx, land otter, wolf, or wolverine, whether taken inside or outside the state, unless the department has sealed the skin. The seal must remain on the skin until the tanning process has commenced, or the skin has been transported from the state; however, the seal may be removed from the skin of a marten taken in Units 1 - 5 when the skin has been prepared for shipment from the state. Skins must be sealed according to the schedule in (b) of this section.
- (b) The sealing of marten, fisher, lynx, beaver, land otter, wolf, or wolverine must be accomplished as follows:

...

(2) wolf (except in Unit 2), wolverine, and lynx taken by hunting must be sealed on or before the 30th day after the date of taking;

(3) fisher (Units 1 - 5 only), marten (Units 1 - 7 and 14 - 16 only), wolf (except in Unit 2), wolverine, lynx, beaver, and otter taken by trapping must be sealed on or before the 30th day after the close of the season in the unit where taken;

...

(5) the untanned hides of wolves taken in Unit 2 must be promptly sequentially numbered or marked and the date and location of take for each wolf must be reported in person or by telephone to the department not later than seven days after take; wolves taken in Unit 2 must be sealed not later than 15 days after take;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will add some convenience to hunters and trappers by extending the number of days (business vs. calendar) they must seal furs, hides and skulls. As the author noted, this proposal could prevent the loss of hunting days for multiple hunter groups by reducing the need to leave the field to meet sealing day requirements.

BACKGROUND: The administrative code does not define calendar or business days for sealing requirements. The department uses sealing data for a variety of reasons to include total harvest, sex ratios in the harvest, aging, etc. For some species (i.e., furbearers) sealing data is often the only empirical data available.

There are times when sealing generally is not available (weekends and holidays). However, department staff will work with hunters and trappers to accomplish sealing. This can be in the form of weekends, being flexible on the day a hunter and trapper can get to an office and sealing at airports and on boats. These options are not always available but have been used for many years as needed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Using business, rather than calendar days will not present a management problem. As noted in the listed regulations sealing occurs relatively late after the harvest. It should be noted that reporting a harvest is different than sealing; days required to report a harvest are not included in this proposal.

COST ANALYSIS: If adopted, this proposal will not result in increased costs to the department.

PROPOSAL 160 – 5 AAC 92.220 Salvage of game meat, furs, and hides. Require game taken by domestic pets to be salvaged and reported to the department.

PROPOSED BY: Rick Sinnott

WHAT WOULD THE PROPOSAL DO? If adopted 5 AAC 92.220 would be modified as follows:

5 AAC 92.220. Salvage of game meat, furs, and hides.

...

(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. In addition,

...

(7) any owner or caretaker of a domestic animal that kills a game animal must, in addition to salvaging the meat for human consumption, report the take to the department no less than annually. If the owner or caretaker cannot identify the species of the game animal, it must be delivered to the department for identification as soon as possible.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations addressing the take of game by domestic animals. The use of dogs for hunting black bear (5 AAC 92.068) and coyote (5 AAC 92.090). in some Units is permitted. Dogs may be used to track wounded game.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will attempt to hold domestic animal owners responsible for game taken by domestics. The proposal will also put a burden on domestic animal owners by requiring active salvage for human consumption and reporting the take to the department. The reports will provide some data on game taken by domestic animals.

BACKGROUND: Salvage of game meat, furs and hides (5AAC 92.220) is required for a variety of species in Alaska, and by definition all birds, reptiles, and mammals are considered game [AS 16.05.940(19)] but there no salvage requirements for many species. Existing salvage requirements assume a harvest by a hunter and trapper, who is expected to have the appropriate hunting or trapping license, and harvest ticket, or permit. Would domestic animal owners be required to have a hunting or trapping license? The department does receive reports of game taken by domestic animals, mainly by cats and dogs. The department does not record, store, or analyze the take of game by domestic animals. Domestic animals are defined specifically for the department and include muskox, elk, and bison but does not include species such as cats or dog and it is unclear of the legal authority to require salvage for animals that are not defined in ADF&G statute or regulation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not collect or use data from the take of game by domestic animals. In addition, legal authority to require salvage of game taken by domestic animals is unclear, and enforcement of regulations resulting from this proposal would be difficult. All game that is taken in violation of existing regulations is the property of the State, and it is currently not legal to use a dog to take fur bearers or fur animals. The regulations are silent on the take of furbearers and fur animals with cats. The board may wish to consider whether all domestic animal owners will need to purchase hunting licenses if the proposal passes. As it stands now, only those that intend to take game are required to purchase a license.

COST ANALYSIS: If adopted this proposal is not expected to result in additional cost to the department.

PROPOSAL 161 – 5 AAC 92.220 Salvage of game meat, furs, and hides. Remove requirement to salvage all rib meat for harvested Dall sheep, mountain goats, and Sitka black-tailed deer.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would change the requirement to salvage all rib meat for the species listed above to requiring only the meat on the outside of the ribs.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.220. Salvage of game meat, furs, and hides

(6)(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. Definitions

(a) In addition to the definitions in AS 16.05.940, in 5 AAC 84 - 5 AAC 92, unless the context requires otherwise,

(26) "edible meat" means, in the case of a big game animal, except a bear, the meat of the ribs, neck, brisket, front quarters, hindquarters, and the meat along the backbone between the front and hindquarters; in the case of a bear, the meat of the front quarters and hindquarters and meat along the backbone (backstrap); 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; however, "edible meat" of big game or small game birds does not include meat of the head, meat that has been

damaged and made inedible by the method of taking, bones, sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, hunters would be required to salvage slightly less meat than is currently required.

BACKGROUND: Salvage requirements are in place to encourage the fullest use of harvested game. Additional requirements have been adopted (e.g., meat on the bone) for specific reasons such as reducing spoilage. Again, these requirements serve to utilize as much of an animal as possible.

Current regulations provide for losing meat to gun shot and in the process of field dressing. While rib meat on these species is less than other wildlife, it is there and is utilized by many hunters.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Relaxing the requirement to salvage all rib meat from Dall sheep, mountain goats, and Sitka black-tailed deer does not present a conservation concern. Hunters will still be required to salvage a portion of the rib meat. If salvage requirements are changed the department does have some concern that additional waste may occur in the field, and that the change may lead to enforcement challenges.

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

PROPOSAL 162 – 5 AAC 92.220. Salvage of game meat, furs, and hides. Create a salvage requirement for snowshoe hare.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Create a statewide salvage requirement for snowshoe hares.

WHAT ARE THE CURRENT REGULATIONS? Currently there is no statewide salvage requirement for snowshoe hares.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The hunting public would be required to salvage, for human use, the hide or meat of snowshoe hares.

BACKGROUND: Currently there is no salvage requirement for snowshoe hare in the state of Alaska. This proposal would create a statewide salvage requirement for human use. The human use requirement would be met as long as some portion of the carcass is used for human consumption, trapping, sewing, dog training, dog food, etc. This proposal would simply prohibit the take of a snowshoe hare with no attempt to recover, eat, or in any way make an attempt to use

part or all of the carcass. Trappers would be allowed to use a whole or a portion of a carcass for trapping bait.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

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

PROPOSAL 163– 5 AAC 92.130 Restrictions to bag limit and 92.010 Harvest tickets and reports.. Count wounded big game animals towards the hunter's bag limit for all units and require additional action in the field from hunters that attempt to take game.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal will require wounded big game to count towards a hunter's bag limit, and the hunter is obligated to validate the harvest ticket or permit for the applicable species and hunt.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.130. Restrictions to bag limit

(a) Unless otherwise provided in 5 AAC 84 - 5 AAC 92, no person may take a species of game in any unit or portion of a unit if that person's total statewide take of that species already equals or exceeds the bag limit for that species in that unit or portion of a unit, except as provided in (d) of this section.

(b) The bag limit specified for a subsistence season for a species and the bag limit set for a general season for the same species are not separate and distinct. This means that a person who has taken the bag limit for a particular species under a subsistence season may not after that take any additional animals of that species under the bag limit specified for a general season.

(c) A bag limit applies to a regulatory year unless another time period is specified in the bag limit.

(d) The bag limit specified for a trapping season for a species and the bag limit set for a hunting season for the same species are separate and distinct. This means that a person who has taken a bag limit for a particular species under a trapping season may take additional animals under the bag limit specified for a hunting season, or vice versa.

(e) A hunter who is under 10 years of age may take big game only under the direct, immediate supervision of a licensed hunter who is at least 18 years of age. The supervising hunter is responsible for ensuring that all legal requirements are met. The big game animal taken will count against the supervising hunter's bag limit. This section does not relieve an individual from complying with big game tag requirements, but does require a supervising hunter to

validate the hunter's harvest ticket, or permit, in accordance with 5 AAC 92.010, immediately following the taking of big game under this section.

(f) In Units 1 - 5 and Unit 8, a black or brown bear wounded by a person counts against that person's bag limit for the regulatory year in which the bear is taken. However, in Units 1 - 5 and Unit 8, a brown bear wounded by a person does not count against that person's one bear every four regulatory years bag limit established in 5 AAC 92.132.

(g) In Unit 8, an elk wounded by a person counts against that person's bag limit for the regulatory year in which the elk is taken.

(h) In this section, "wounded" means there is sign of blood or other sign that the animal has been hit by a hunting projectile.

(i) A big game animal, except deer in an area where the bag limit is one, taken under a youth hunt, will count as the bag limit of both the child and the supervising hunter who accompanies the child; only the child may shoot the big game animal, except that the accompanying adult may shoot the animal only to prevent the animal from escaping after having been wounded by the child. The supervising hunter is responsible for ensuring that all legal requirements are met.

5 AAC 92.010. Harvest tickets and reports

(a) The number of each harvest ticket issued to a hunter must be entered on the hunter's license. A harvest ticket issued the previous calendar year and still valid must also be entered on the hunting license.

(b) After killing an animal for which a harvest ticket is required, if using a harvest ticket in paper form, the hunter shall remove immediately, before leaving the kill site, the day and month of the kill from the harvest ticket without removing any other day or month, and shall keep the validated harvest ticket in possession until the animal has been delivered to the location where it will be processed for human consumption; if using a harvest ticket in electronic form, the hunter shall immediately, before leaving the kill site, validate the harvest ticket by electronic means as directed by the department for the day and month of the kill, and shall keep the validated harvest ticket in possession until the animal has been delivered to the location where it will be processed for human consumption.

(c) Within 15 days after taking the bag limit for a species or, if the hunter does not take the bag limit, within 15 days after the close of the season, the hunter shall submit a completed harvest report to the department. A person may not falsify any fact on a harvest report submitted to the department under this subsection.

(d) A hunter who is younger than 10 years of age may not be issued a big game harvest ticket.

(e) For a permit hunt, the permit takes the place of a harvest ticket and report.

(f) For deer, a person may not hunt deer, except in a permit hunt, unless the person has in possession a deer harvest ticket, and in Units 1 - 6, and 8 has obtained a harvest report (issued with the harvest ticket). In Units 1 - 6 and Unit 8, a person must

(1) have in possession that person's unused deer harvest tickets while hunting deer; and

(2) validate the deer harvest tickets in sequential order, beginning with harvest ticket number one.

(g) For caribou, a person may not hunt caribou, except in a permit hunt, unless the person has in possession a harvest ticket and has obtained a harvest report (issued with the harvest ticket).

(h) For moose and sheep, a person may not hunt moose or sheep, except in a permit hunt or for moose in the Gates of the Arctic National Park, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket).

(i) For elk, a person who takes an elk in Units 1 - 5 where a drawing or registration permit is not required shall report the sex and location of the kill to the department's division of wildlife conservation office in Petersburg within five days of harvest.

(j) Repealed 7/1/2019.

(k) Repealed 7/1/2010.

(l) For black bear, a person may not hunt black bear in Units 1 - 7, 11 - 16, 19(D), and 20, except when a permit is required, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will require all hunters to count wounded big game towards their bag limit, and validate the harvest ticket or permit for the applicable species and hunt. The proposal could result in fewer big game animals being taken because a wounded animal counts towards the bag limit, but it is difficult to quantify this impact.

As required in AS 16.05.407, nonresident hunters pursuing Dall sheep, mountain goat, and brown bear are required to enlist the services of a registered big game guide or an assistant guide employed by a registered guide; or an Alaska resident within the 2nd degree of kindred. While not specific to guides, adoption of this proposal would place an additional burden on guides; wounded game would be required to be reported, and failure to do so would result in a violation of hunting regulations.

BACKGROUND: As noted above, bears and elk are species where wounded game must be counted in a hunter's bag limit if an animal is wounded. Staff report hunters reporting wounded bears and elk; this should not be confused with the total number of hunters and the unknown quantity of wounded game not reported. It can be extremely difficult to determine if an animal is wounded. Some species do not bleed excessively, and others naturally move away from hunters regardless of if they are wounded.

The department provides extensive educational materials to promote quick and humane kills for all game through brochures, short videos, hunter education and animal identification (e.g., male vs. female). These efforts are intended to help with hunter judgement and to give them

confidence when the opportunity to take big game is presented. The department is conscious of the fact that factors beyond control can affect successfully taking big game.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal seeks to address hunter ethics. The proposal will have little impact for hunts and species where a multiple animal bag limit exists. The department will continue to manage big game populations for sustained yield through management activities (Survey & Inventory), and statute and regulatory requirements.

COST ANALYSIS: Adoption of this proposal is not expected to increase costs to the department.

PROPOSAL 164– 5 AAC 92.130 Restrictions to bag limit. Count wounded game towards nonresident bag limit except for sheep and brown bear one every four years bag limit.

5AAC.92.010 Harvest tickets and reports. Hunters must validate harvest ticket or permit for wounded game.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal will require wounded big game taken by nonresidents to count towards a hunter's bag limit, and the nonresident hunter is obligated to validate the harvest ticket or permit for the applicable species and hunt. Sheep and brown bear hunts would be exempted from the one every four year bag limit condition.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.130. Restrictions to bag limit

(a) Unless otherwise provided in 5 AAC 84 - 5 AAC 92, no person may take a species of game in any unit or portion of a unit if that person's total statewide take of that species already equals or exceeds the bag limit for that species in that unit or portion of a unit, except as provided in (d) of this section.

(b) The bag limit specified for a subsistence season for a species and the bag limit set for a general season for the same species are not separate and distinct. This means that a person who has taken the bag limit for a particular species under a subsistence season may not after that take any additional animals of that species under the bag limit specified for a general season.

(c) A bag limit applies to a regulatory year unless another time period is specified in the bag limit.

(d) The bag limit specified for a trapping season for a species and the bag limit set for a hunting season for the same species are separate and distinct. This means that a person who has taken a bag limit for a particular species under a trapping season may take additional animals under the bag limit specified for a hunting season, or vice versa.

(e) A hunter who is under 10 years of age may take big game only under the direct, immediate supervision of a licensed hunter who is at least 18 years of age. The supervising hunter is responsible for ensuring that all legal requirements are met. The big game animal taken will count against the supervising hunter's bag limit. This section does not relieve an individual from complying with big game tag requirements, but does require a supervising hunter to validate the hunter's harvest ticket, or permit, in accordance with 5 AAC 92.010, immediately following the taking of big game under this section.

(f) In Units 1 - 5 and Unit 8, a black or brown bear wounded by a person counts against that person's bag limit for the regulatory year in which the bear is taken. However, in Units 1 - 5 and Unit 8, a brown bear wounded by a person does not count against that person's one bear every four regulatory years bag limit established in 5 AAC 92.132.

(g) In Unit 8, an elk wounded by a person counts against that person's bag limit for the regulatory year in which the elk is taken.

(h) In this section, "wounded" means there is sign of blood or other sign that the animal has been hit by a hunting projectile.

(i) A big game animal, except deer in an area where the bag limit is one, taken under a youth hunt, will count as the bag limit of both the child and the supervising hunter who accompanies the child; only the child may shoot the big game animal, except that the accompanying adult may shoot the animal only to prevent the animal from escaping after having been wounded by the child. The supervising hunter is responsible for ensuring that all legal requirements are met.

5 AAC 92.010. Harvest tickets and reports

(a) The number of each harvest ticket issued to a hunter must be entered on the hunter's license. A harvest ticket issued the previous calendar year and still valid must also be entered on the hunting license.

(b) After killing an animal for which a harvest ticket is required, if using a harvest ticket in paper form, the hunter shall remove immediately, before leaving the kill site, the day and month of the kill from the harvest ticket without removing any other day or month, and shall keep the validated harvest ticket in possession until the animal has been delivered to the location where it will be processed for human consumption; if using a harvest ticket in electronic form, the hunter shall immediately, before leaving the kill site, validate the harvest ticket by electronic means as directed by the department for the day and month of the kill, and shall keep the validated harvest ticket in possession until the animal has been delivered to the location where it will be processed for human consumption.

(c) Within 15 days after taking the bag limit for a species or, if the hunter does not take the bag limit, within 15 days after the close of the season, the hunter shall submit a completed harvest report to the department. A person may not falsify any fact on a harvest report submitted to the department under this subsection.

(d) A hunter who is younger than 10 years of age may not be issued a big game harvest ticket.

(e) For a permit hunt, the permit takes the place of a harvest ticket and report.

(f) For deer, a person may not hunt deer, except in a permit hunt, unless the person has in possession a deer harvest ticket, and in Units 1 - 6, and 8 has obtained a harvest report (issued with the harvest ticket). In Units 1 - 6 and Unit 8, a person must

(1) have in possession that person's unused deer harvest tickets while hunting deer; and

(2) validate the deer harvest tickets in sequential order, beginning with harvest ticket number one.

(g) For caribou, a person may not hunt caribou, except in a permit hunt, unless the person has in possession a harvest ticket and has obtained a harvest report (issued with the harvest ticket).

(h) For moose and sheep, a person may not hunt moose or sheep, except in a permit hunt or for moose in the Gates of the Arctic National Park, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket).

(i) For elk, a person who takes an elk in Units 1 - 5 where a drawing or registration permit is not required shall report the sex and location of the kill to the department's division of wildlife conservation office in Petersburg within five days of harvest.

(j) Repealed 7/1/2019.

(k) Repealed 7/1/2010.

(l) For black bear, a person may not hunt black bear in Units 1 - 7, 11 - 16, 19(D), and 20, except when a permit is required, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will require nonresident hunters to count wounded big game towards their bag limit, and validate the harvest ticket or permit for the applicable species and hunt. The proposal could result in fewer big game animals being taken because a wounded animal counts towards the bag limit, but it is difficult to quantify this impact.

As required in AS 16.05.407, nonresident hunters pursuing Dall sheep, mountain goat, and brown bear are required to enlist the services of a registered big game guide or an assistant guide employed by a registered guide; or an Alaska resident within the 2nd degree of kindred. Adoption of this proposal would place an additional burden on guide,; wounded game would be required to be reported, and failure to do so would result in a violation of hunting regulations.

BACKGROUND: Unlike proposal 163, proposal 164 applies only to nonresident hunters. As noted above, bears and elk are species where wounded game must be counted in a hunter's bag limit is an animal is wounded. Staff report hunters reporting wounded bears and elk; this should not be confused with the total number of hunters and the unknown quantity of wounded game

not reported. It can be extremely difficult to determine if an animal is wounded. Some species do not bleed excessively, and others naturally move away from hunters regardless of if they are wounded.

The department provides extensive educational materials to promote quick and humane kills for all game through brochures, short videos, hunter education and animal identification (e.g., male vs. female). These efforts are intended to help with hunter judgement and to give them confidence when the opportunity to take big game is presented. The department is conscious of factors beyond control can affect successfully taking big game.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal seeks to address hunter ethics. The proposal will have little impact for hunts and species where a multiple animal bag limit exists. The department will continue to manage big game populations for sustained yield through management activities (Survey & Inventory), and statute and regulatory requirements.

COST ANALYSIS: Adoption of this proposal is not expected to increase costs to the department.

PROPOSAL 165 – 5 AAC 92.050. Required permit hunt conditions and procedures.

Apply auction permit holder's harvest to bag limit only for the year the animal is taken.

PROPOSED BY: Matanuska Valley Fish & Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? Apply an auction/raffle permitholder's individual bag limit under the Big Game Auction/Raffle Program only to that regulatory year's bag limit under (AS 16.05.343).

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 92.050 (a)(3) the commissioner shall void all applications by one person for more than six hunts for the same species, or three hunts for bull moose as described in (2)(A) of this subsection, and all applications by one person for more than one moose hunt for a nonresident in Unit 23; ... (5) except as provided in (6) of this subsection, a permit is nontransferable; however, the department may reissue an invalidated Tier II subsistence hunting permit to the highest-ranked applicant remaining in the original pool of eligible applicants; (6) the commissioner may reissue or transfer a permit as follows: (A) a permit may be transferred for scientific purposes; (B) a person that is on active duty in a branch of the military under United States Department of Defense deployment orders to a combat zone designated by executive order issued by the President of the United States and that has been issued a (i) drawing permit, and is prevented from using the drawing permit due to being out of the state on active duty, may be reissued the same drawing permit when the person returns to this state from active duty under this subparagraph, under

procedures set out in the applicable permit hunt supplement; (ii) Tier II permit may transfer that Tier II permit only during the same regulatory year to a substitute resident hunter while the person is out of the state on active duty under this subparagraph, under procedures set out in the applicable permit hunt supplement; (7) immediately after killing a big game animal for which a permit is required, the permittee, or his or her proxy under 5 AAC 92.011, shall cancel the permit by removing the permit day and month on which the kill was made, without obliterating or destroying any other day and month printed on the permit; (8) a person who has been issued a permit, or that person's proxy under 5 AAC 92.011, shall return the permit harvest report to the department within the time period stated on the permit; in addition to other penalties provided by law for failure to report harvest, and except as provided in this paragraph and (c) of this section, if a permittee or a permittee's proxy fails to provide the required report for a drawing permit, registration permit, targeted permit, Tier I subsistence permit, or Tier II subsistence permit, the permittee will be ineligible to be issued a drawing, registration, targeted, Tier I subsistence, or Tier II subsistence permit during the following regulatory year; notwithstanding the provisions of this paragraph, the department may determine that, for specific hunts, it is administratively impracticable, to apply the penalty for failure to report; (b): The department may issue annually one bull bison permit for Unit 20(D) through a raffle or lottery conducted by a "qualified organization" as defined in AS 16.05.343. In addition to (a)(3) and (a)(5) – (a)(8) of this section, the following applies to the permittee: (1) the permittee is not eligible for another bison drawing permit in the same regulatory year; (2) if the permittee is a nonresident, the fee for the nonresident bison locking tag is to be paid from the proceeds of the raffle or lottery; (3) a bison taken under a permit issued under this subsection does not count against the regular bag limit of one bison every 10 years; however, no person may take more than one bison, statewide, per regulatory year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Individuals who win a permit through AS 16.05.343 would not be subject to the normal bag limit regulations, animals harvested under permits issued under AS 16.05.343 would not count toward the 1 every 4 years bag limit for sheep or brown bear, the 1 every 10 years bag limit for bison for residents, or the 1 per lifetime bag limit for nonresidents for bison. This means that a hunter could bid on the same hunt in the following years or hunt for the same species in following years where specific bag limits may have prevented that.

BACKGROUND: The original statute (AS 16.05.343) for the governor's big game program authorized the auction or raffle of a single Delta bison tag in 1989. In 1990, the BOG adopted 5 AAC 92.050(b) through 92.050(b)(2) to address this Governor's bison tag; in 1991, the Board adopted (b)(3) to exempt the Delta bison tag from the existing bison bag limit. In 1996, the legislature amended the statute to authorize the donation of additional four Etolin elk tags, three Dall sheep tags, two bison tags, and four tags for musk ox, brown or grizzly bear, black bear, moose, caribou, goat, elk, and wolf.

In 2008, the resident bag limit for bison was changed from one bison every five years to one bison every ten years. 5 AAC 92.050(b)(3) was modified to adopt this bag limit change in 2014.

Other states who offer a big game auction/raffle program vary widely in the regulations surrounding the hunting permits. Winners in some states are subject to the regular bag limits (as is currently the case for most auction permits in Alaska). In other states, winners can be exempt from bag limits or they can be exempt from losing preference points for an auction permit. Benefits for winners of auction permits in other states can include some or all the following: extended season, a year-round season, expanded hunt areas, and free licenses and tags/permits. Benefits to the state include a potential increase in the revenue generated through auctions and the ability to hunt the same species in consecutive years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, and there is no conservation concern associated with this proposal.

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

PROPOSAL 166 – 5 AAC 92.012. Licenses and tags. Require hunting license, and permit if required, for the take of game by domestic dog and cat.

PROPOSED BY: Rick Sinnott

WHAT WOULD THE PROPOSAL DO? If adopted 5 AAC 92.012 would be modified as follows:

5 AAC 92.012. Licenses and tags

- (a) No hunting or trapping license is required of a resident under the age of 18. An appropriate license and big game tag are required of nonresidents, regardless of age, for hunting and trapping. No person may take waterfowl unless that person has a current, validated, federal migratory bird hunting stamp or "duck stamp" in possession as required under federal regulations. **No person may take game (except deleterious wildlife) with a dog or cat, unless the dog or cat is used to find, tree, or retrieve game taken in season and in an area open to hunting in association with a hunting license or permit.**

...

WHAT ARE THE CURRENT REGULATIONS? There are no regulations addressing the take of game by domestic animals. The use of dogs for hunting black bear (5 AAC 92.068) and coyote (5 AAC 92.090) in some units is permitted. Dogs may be used to track wounded game.

5 AAC 92.012. Licenses and tags

(a) No hunting or trapping license is required of a resident under the age of 18. An appropriate license and big game tag are required of nonresidents, regardless of age, for hunting and trapping. No person may take waterfowl unless that person has a current, validated, federal migratory bird hunting stamp or "duck stamp" in possession as required under federal regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will attempt to hold domestic animal owners responsible for game taken by domestics and require domestic cat and dog owners to purchase a hunting license and obtain any applicable permits. As written, the proposed language would allow domestic dogs and cats to find, tree, or retrieve game. These activities are regulated through methods and means and have specific hunt and species provided for, rather than simply game as written.

BACKGROUND: As described in 5 AAC 92.012, required licenses and tags are required to hunt all defined game in Alaska. This regulation is predicated on individuals who intend to hunt and take game rather than a happenstance moment the results in game being taken. 5 AAC 92.012(f)... *(f) In any hunt where a nontransferable locking tag is required under AS 16.05.340 the hunter cannot attempt to take game without previously purchasing the tag. The big game tag record must also be completed prior to the attempt to take game and be in the hunter's actual possession in the field while hunting, pursuing, or attempting to take game...*, while this section is specific to tags it speaks to the preemptive nature of purchasing a license and getting appropriate permits prior to attempting to take game. Generally, game taken by domestic dogs and cats is not intended to be taken by domestic animal owners. A comparison can be made with Alaskans taking an animal in a wildlife/vehicle collision. The animal is property of the state, but vehicle drivers are not required to have a hunting license just in case they take an animal.

The department does receive reports of game taken by domestic animals, mainly by cats and dogs. The department does not record, store, or analyze the take of game by domestic animals. Domestic animals are defined specifically for the department and include muskox, elk, and bison but does not include species such as cat or dog. It is unclear if there is legal authority to require licenses and permits for those not intending to take game; enforcement of these proposed regulatory changes would be extremely difficult.

In addition, legal authority to require salvage of game taken by domestic animals is unclear, and enforcement of regulations resulting from this proposal would be difficult.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not manage domestic dogs and cats and does not collect or use data from the take of game by domestic animals. The department supports efforts to control domestic dogs and cats in terms of killing and harassing game and recognizes this may occur without the owner's knowledge. The board may wish to consider whether all domestic animal owners will need to purchase

hunting licenses if the proposal passes, and how to apply this statewide. As it stands now, only those that intend to take game are required to purchase a license. The board should also determine if adoption of the proposal will be in addition to existing regulation or if it is intended to remove existing regulations that allow for the use of dogs beyond what is included in the proposal.

COST ANALYSIS: If adopted this proposal is not expected to result in additional cost to the department.

PROPOSAL 167 – 5 AAC 92.230 Feeding of game. Prohibit the negligent feeding of wild birds, cats, and dogs statewide.

PROPOSED BY: Rick Sinnott

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal will add wild birds, cats, and dogs to the existing regulation prohibiting the negligent feeding of moose, deer, elk, sheep, bear, wolf, coyote, fox, and wolverine; and will add a specific date when wild birds may not be fed.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.230. Feeding of game

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

(1) negligently feed a moose, deer, elk, sheep, bear, wolf, coyote, fox, wolverine, or deleterious exotic wildlife, or negligently leave human food, animal food, mineral supplements, or garbage in a manner that attracts these animals;

(2) intentionally feed a moose, deer, elk, sheep, bear, wolf, coyote, fox, wolverine, or deleterious exotic wildlife, or intentionally leave human food, animal food, mineral supplements, or garbage in a manner that attracts these animals.

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

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would add cats and dogs, and wildlife birds to a list of species where negligently feeding is prohibited. In addition, specific dates would apply to prohibiting the feeding of wild

birds. The addition of cats and dogs would be the first-time domestic animals have been included in the regulation, and the first statewide prohibition on feeding wild birds.

BACKGROUND: 5 AAC 92.230 establishes regulations prohibiting the negligent feeding of specific Alaska wildlife species. This regulation is intended to reduce human/wildlife conflicts which have both a public and wildlife safety component.

It is widely known that feeding, negligently or otherwise, can lead to food conditioned and habituated wildlife behavior. These behaviors can lead to human injury and/or animals being destroyed. The existing regulation has been effective in providing enforcement action with negligent feeding is discovered, and it serves as deterrent. In addition to the statewide regulation, many communities have promulgated ordinances addressing household trash, putrescible waste, and other attractants. Municipal ordinances are tools to address wildlife attractants and negligent feeding on a local level. Should wildlife feeding and attractant issues continue or escalate, 5 AAC 92.230 can be used to address the concern. Domestic pet (dogs and cats) feeding should be addressed at the local level, and some have by including pet food as an example of an item than can be considered an attractant. The status of ordinances statewide that prohibit the feeding wild birds is unknown. However, wild bird food (e.g., seed, corn, suet) can be wildlife attractants and can be addressed by local ordinance, or 5 AAC 92.230 if necessary.

Negligent feeding of wildlife and wildlife attractants have long been a focus of the department. In addition to all the regulations available for addressing these concerns, the department expends tremendous time and resources on education and outreach in efforts to reduce conflicts. Dedicated staff produce education material to hand out; go door to door answering wildlife questions and providing suggestions; attend community events to provide wildlife information and suggestions; and have taken advantage of virtual presentation options to reach a wide audience. Education and outreach efforts are effective and regulatory options are available if needed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because existing regulations are in place to address the feeding of wild birds in the event the activity becomes an attractant and is determined to be negligent. The board does not have the authority to regulate domestic animals, including when and where they are fed.

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

PROPOSAL 168 – 5 AAC 92.XXX. New regulation. Create a new regulation that says the Board of Game will not require guides for nonresidents hunting moose, caribou, or black bear.

PROPOSED BY: Resident Hunters of Alaska

WHAT WOULD THE PROPOSAL DO? The proposal would create a regulation that prevents the board from creating any new must-be-guided moose, caribou, or black bear hunts for nonresident U.S. citizens.

WHAT ARE THE CURRENT REGULATIONS?

Sec. 16.05.407. Nonresident hunting big game animals must be accompanied.

(a) It is unlawful for a nonresident to hunt, pursue, or take brown bear, grizzly bear, mountain goat, or sheep in this state, unless personally accompanied by

(1) a person who is licensed as

(A) a registered guide-outfitter or a master guide-outfitter under AS 08.54 and who is providing big game hunting services to the nonresident under a contract with the nonresident; or

(B) a class-A assistant guide or an assistant guide under AS 08.54 and who is employed by a registered guide-outfitter or a master guide-outfitter who has a contract to provide big game hunting services to the nonresident; or

(2) a resident over 19 years of age who is

(A) the spouse of the nonresident; or

(B) related to the nonresident, within and including the second degree of kindred, by marriage or blood.

The board has allocated hunting opportunities in various locations for moose, caribou, and black bear hunters by guide-type, in addition to the statutory requirements for brown/grizzly bear, goats, and sheep noted in AS 16.05.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted the board would create a regulation that prevents establishing new hunts that require nonresident U.S. citizens to be guided. The effects are unknown, because future boards may decide to remove the regulation the board promulgates here.

BACKGROUND: To allocate opportunity between guided nonresidents and nonguided nonresidents the board has established separate hunts for both in a few locations for these species that nonresidents are not statutorily required to have a guide for. It is important to note that actions taken by the board are allocations of hunting opportunity, and not requiring a guide for a species on-whole, which is outside the authority of the Board.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative issue.

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

PROPOSAL 169 – 5 AAC 92.XXX. New Regulation. Prohibit the take of white-colored wildlife.

PROPOSED BY: Ed Sarten

WHAT WOULD THE PROPOSAL DO?

If adopted this proposal would make it illegal to harvest any game species with white pelage.

WHAT ARE THE CURRENT REGULATIONS? There are currently no restrictions on the take of white-colored game in Alaska. In Southeast Alaska persons are limited to taking one blue or glacier bear per year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Hunters could not harvest any white-colored game. If adopted this proposal will create extensive confusion centered around determining the definition of white-colored. Additional communication with the author clarified that he did not intend to include animals with naturally white pelage (Dall sheep, mountain goats, snowy owls, and those with seasonally white pelage and feathers).

BACKGROUND: Alaskan wildlife species occur in a variety of colors, including white. Reports include white bears, white Sitka black-tailed deer, and white moose. Several species, including hares and ptarmigan, turn white seasonally as a camouflage survival mechanism. Color variations may be the result of genetic expression (or lack thereof), or seasonal change. Often these reports are accompanied by requests to protect an individual animal which is contrary to

species management at the GMU or subunit level, as is the department's current practice. Cultural values are sometimes expressed in these discussions because white, or other color phased animals, play a significant traditional role in many cultures.

A significant challenge in these discussions is defining a color; specifically, what is white? For example, some black bears appear mostly white (e.g., glacier bears) but often have black, brown, and gray coloring in addition to white. The same is true with deer and moose that have been reported: is this a white animal? Attempts to apply a percentage of white that would protect an animal creates more confusion and judgement calls, and can result in difficult enforcement situations. Biologically, the department treats color phased animals the same as the rest of the species by Unit.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it has not identified any biological concerns with harvesting game with white pelage. It is extremely difficult or impossible to protect an individual animal. The department manages game on a population level: white-colored game is still classified as their species and are managed as such.

Identifying and offering protection to an individual animal or a specifically-colored cohort of a population is an allocation decision.

COST ANALYSIS: Adoption of this proposal is not expected to increase costs to the department.

PROPOSAL 170 – 5 AAC: 92.450 (4) Description of Game Management Units. Modify the Unit 1C and Unit 4 boundaries.

PROPOSED BY: Alaska Department of Fish & Game

WHAT WOULD THE PROPOSAL DO? This proposal would shift the boundary of Game Management Units (GMU) 1C and 4 so that Pleasant and Porpoise islands would move from GMU 4 to be included in GMU 1C.

WHAT ARE THE CURRENT REGULATIONS? Game Management Unit 4 consists of all islands south and west of Unit 1C and north of Unit 3, including Admiralty, Baranof, Chichagof, Yakobi, Inian, Lemesurier, and Pleasant islands, and all seaward waters and lands within 3 miles of these coastlines.

Table 170-1. Customary and traditional use findings and amounts reasonably necessary for subsistence, species that occur in Units 4 and 1C only:

Species	C&T finding and ANS			
	Unit 4 outside the Juneau Nonsubsistence Area		Unit 1C outside the Juneau Nonsubsistence Area	
Black bear	No finding	N/A	Positive	50-70
Brown bear	Positive	5-10	Positive	1
Deer	Positive	5,200-6,000	Positive	30-40
Moose	No finding	N/A	Negative	N/A
Wolves	No finding	N/A	Positive	90% of harvestable surplus

Furbearers	Positive	90% of harvestable surplus	Positive	90% of harvestable surplus

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Pleasant and Porpoise islands would be included in Unit 1C. Big game hunting and trapping regulations for Unit 1C would apply, rather than the regulations for Unit 4.

Deer hunting bag limits on Pleasant Island would change from six (6) deer to two (2) bucks. The spring brown bear season would fall under RB072 (currently RB089) which would shift the season dates from March 15– May 20 to March 15–May 31. The fall season dates would remain the same but would fall under a different registration permit (RB072 instead of RB077). Hunters would be able to hunt black bears on Pleasant Island from September 30– June 30 (Unit 4 currently has no black bear season). Moose occasionally swim to Pleasant Island which would be included in the RM049 moose hunt September 15– October 15.

For trapping, Pleasant and Porpoise islands could be included in the Gustavus area (that portion of 1C west of Excursion Inlet, north of Icy Passage) which has additional restrictions:

- Trappers are prohibited from using a snare with a cable diameter of 1/32 inch or larger that is set out of the water except under the terms of a registration permit.

All traps/snares must be checked within 3 days of setting them and within each 3 days thereafter.

BACKGROUND: Pleasant and Porpoise Islands are much more closely related ecologically and geographically with the Gustavus forelands (Unit 1C) than with Chichagof Island (Unit 4) to the south. The distance between Pleasant Island and the mainland is approximately 0.65 mile (~1 km) at low tide. For management purposes, current big game and trapping regulations for the remainder of Unit 1C are more appropriate for Pleasant and Porpoise islands than Unit 4 regulations.

Pleasant Island is an important source of deer for the community of Gustavus, and other wildlife can move freely between Pleasant Island and the Gustavus Forelands. In addition, black bears are occasionally observed on Pleasant Island. Not much wildlife occurs on the Porpoise Islands. During the five-year period between RY2009 and RY2013, 152 deer (range 8-56) were harvested on Pleasant Island, or about 16 per year. 74% of the deer harvest is by residents of Gustavus; 21% by Juneau residents; and approximately 5% by Alaska residents residing out of the area. Nonresident hunters took less than 1% of the harvest.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Deer are commonly harvested on Pleasant Island at a rate of about 16 per year. The board may wish to consider increasing the Unit 1C ANS for deer by 16 animals to account for harvests on the island. Black bears are occasionally found on Pleasant Island, but their occurrence and harvest rates are so low, an adjustment to ANS is not likely needed. None of the other species for which there are C&T findings (brown bears, goats, moose, and wolves), occur with any frequency on Pleasant and Porpoise islands, so no adjustments are likely needed to the ANSs for these species. The C&T and ANS findings for furbearers are the same in both units, so no adjustments are necessary to these findings.

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

PROPOSAL 171 – 5 AAC 92.450. Description of game management units. Divide Unit 19A into two subunits.

PROPOSED BY: Stony Holitna Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would divide Unit 19A into two smaller subunits named Unit 19A and Unit 19E.

WHAT ARE THE CURRENT REGULATIONS? Unit 19A is currently defined as that portion of Unit 19 in the Kuskokwim River drainage downstream from and including the Moose Creek drainage on the north bank and downstream from and including the Stony River drainage on the south bank, excluding Unit 19(B);

All trapping and hunting seasons and bag limits are the same throughout Unit 19A with the exception of moose.

There are currently two Tier II moose hunts and one registration permit hunt in Unit 19A.

- TM680 is within the Kuskokwim River drainage downstream of and including the George River and downstream of and excluding Downey Creek, one antlered bull, September 1–20.
- TM684 is within the Lime Village Management Area (LMVA), two bulls, August 10–September 25 and November 20–March 31.
- RM682 is within 19A remainder, one antlered bull, September 1–5. A limited number of permits are available and must be obtained in Stony River or Sleetmute. Hunters may not possess RM682 if they have received a permit for any other moose hunt in the Kuskokwim drainage.

There is a positive C&T finding for moose in Unit 19 outside the Lime Village Management Area, with an ANS of 400–700 moose, including 175–225 in Unit 19A and 20–24 in Unit 19B.

There is a positive C&T finding for moose in Unit 19 in the Lime Village Management Area, with an ANS of 30–40 moose.

The intensive management (IM) population objective for moose in Units 19A and 19B is 13,500–16,500 moose and the IM harvest objective is 750–950 moose.

Unit 19A has an ongoing Intensive Management (IM) program with wolf control authorized upstream of and including the Holitna River drainage. The board also authorized wolf control in western Unit 19A at the March 2020 region III meeting.

There is one controlled use area, the Holitna–Hoholitna Controlled Use Area, which limits big game hunters to a 40 hp motor during August 1–November 1. There is also a nonresident closed area encompassing the main drainages within Unit 19A. These drainages are closed within 2 miles on either side to the take of moose or caribou by nonresidents.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal is adopted, Unit 19A would be divided into two smaller subunits. The TM680 hunt area would remain in Unit 19A and the portion of Unit 19A that is upstream of the TM680 hunt area would become Unit 19E.

Unless the ANS is also addressed, adoption of this proposal will create an administrative error regarding the ANS because Unit 19A will be a new geographic area, but the ANS of 400–700 moose, including 175–225 in Unit 19A will have come from the old geographic boundary.

BACKGROUND: Prior to Regulatory Year 2000 (RY00) moose hunting in Unit 19A (outside the LVMA) had a bag limit of 1 bull during September 1–20 or November 20–30. There was an additional winter hunt during February 1–10 below and including the Kolmakof and Holokuk rivers with a bag limit of any bull. Upstream of those rivers, the bag limit was any moose. However, due to growing concern over declining moose numbers, the February season was closed by emergency order in RY00 in all of Unit 19A. The season was again closed by emergency order in RY01 in that portion upriver of the Kolmakof and Holokuk rivers.

In 2002 the Board of Game made several regulatory changes, including shortening the winter hunt upstream of the Kolmakof and Holokuk rivers by 5 days to February 1–5 and changing the bag limit from 1 moose to 1 bull. Additionally, a nonresident closed area was created through a 2-mile buffer area on either side of the major drainages in Unit 19A and in portions of Unit 19B. Furthermore, the board requested that the department initiate a planning process to address concerns about declining moose numbers in Units 19A and 19B.

As requested, a planning process began in October 2002. The Central Kuskokwim Moose Management Planning Committee (CKMC) was created with members representing Fish and Game Advisory Committees (ACs), guides, transporters, Native organizations, and conservation groups. This committee was not able to reach a consensus on all recommended regulatory actions. However, when the board met in 2004 they endorsed the committee's Central Kuskokwim Moose Management Plan (https://www.adfg.alaska.gov/static/research/plans/pdfs/final_ckmmp.pdf) and adopted the majority's recommendations with minor revisions. These changes included closing all of Unit 19A to nonresidents, eliminating the November and February seasons and creating a Tier I

registration hunt for residents. The board also adopted findings to authorize wolf control in all of Unit 19A; aerial shooting of wolves began in RY04.

The registration hunt implemented by the board lasted only 2 years with just over 1,000 permits issued each season and an average of 147 moose harvested. Continuing concern over the level of harvest led to further disagreement within the Central Kuskokwim Advisory Committee. Representatives from the western villages (Lower Kalskag, Kalskag, Aniak, Chuathbaluk and Crooked Creek) in Unit 19A generally favored maintaining hunting opportunity, while representatives from the eastern villages (Red Devil, Sleetmute, Stony River, Lime Village) wanted to close the season entirely and allow the moose population to grow.

Multiple proposals were submitted for the March 2006 Board of Game meeting that addressed seasons and bag limits in Unit 19A, including Proposal 70 submitted by the department. That proposal recommended creating a Tier II hunt in the western portion of Unit 19A (downstream of and including the George River and downstream of and excluding Downey Creek) and closing eastern Unit 19A outside the LVMA (Unit 19A remainder). This proposal was based on moose survey data from 2005 that indicated the harvestable surplus was being exceeded using the registration permit. The department determined there was no harvestable surplus in Unit 19A remainder and a harvestable surplus of only 60 moose in western Unit 19A.

After considerable deliberation, the board modified the Unit 19 ANS from 400-700 moose with 30-40 in the LVMA to the current ANS of 400-700 moose with 30-40 in the LVMA, 175-225 in the remainder of Unit 19A, and 20-24 in Unit 19B. Proposal 70 was adopted and the board changed the western Unit 19A season to a Tier II hunt downstream of and including the George River and downstream of and excluding Downey Creek. The LVMA remained Tier II and the remainder of Unit 19A was closed to all moose hunting.

After continuing disagreement over moose management in Unit 19A, the Central Kuskokwim AC submitted a proposal to split the AC. At a Joint Board of Fisheries and Game meeting in October 2007, Proposal 17 passed, creating the new Central Kuskokwim AC which represents the villages of Lower Kalskag, Kalskag, Aniak, Chuathbaluk, and Crooked Creek, and the Stony-Holitna AC (SHAC) which represents Red Devil, Sleetmute, Stony River and Lime Village. This split has allowed each AC to take a more independent role in moose management in their respective areas. This proposal to split Unit 19A closely mirrors this AC split and the current moose seasons and creates Unit 19E from the eastern portion of Unit 19A.

In 2009 the board reauthorized wolf predation control for another 5-year period. Land status combined with inadequate weather had severely limited wolf take in western Unit 19A and the new plan only authorized wolf control upstream of and including the Holitna River drainage. This area is upstream of Sleetmute along the Kuskokwim River and includes the Holitna and Stony River drainages. A moose survey of that area in 2011 did not show an improvement in moose numbers when compared to 2005 data and the board modified the predation control plan in 2012 to include a bear control area encompassing 534 square miles (mi²).

Bear control was conducted by the department in May of 2013 and 2014. In 2013 the department removed 84 black bears (89% removal) and 5 grizzly bears. In 2014 the department removed 54 black bears and 10 grizzly bears. The board reauthorized the IM plan upstream of and including

the Holitna River in March 2020 for a 6-year period and wolf control continues to date. The board also authorized wolf control in western Unit 19A at the March 2020 meeting and the department is currently drafting an IM plan for this area which will be presented to the board at the next regular region III meeting.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. All trapping and hunting seasons and bag limits are the same throughout Unit 19A except for moose. Similar to management strategies elsewhere, moose populations are managed separately in the eastern and western portions of Unit 19A. The department has no biological concerns. If adopted, the Board should consider if the Unit 19E nested ANS is still appropriate.

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

PROPOSAL 172 – 5 AAC 92.530. Revise the Dalton Highway Corridor Management Area. Revise the Dalton Highway Corridor Management Area regulation.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal is seeking to reduce or eliminate confusion created by existing regulations regarding the stretch of land within five miles of either side of the James Dalton Highway between the Yukon River and the Arctic Ocean,

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.530. Management areas.

...

(7) the Dalton Highway Corridor Management Area:

(A) the area consists of those portions of Units 20 and 24–26 extending five miles from each side of the Dalton Highway, including the drivable surface of the Dalton Highway, from the Yukon River to the Arctic Ocean, and including the Prudhoe Bay Closed Area;

(B) the area within the Prudhoe Bay Closed Area is closed to the taking of big game; the remainder of the Dalton Highway Corridor Management Area is closed to hunting; however, big game, small game, and fur animals may be taken in the area by bow and arrow only, and small game may be taken by falconry;

(C) no motorized vehicle may be used to transport hunters, hunting gear, or parts of game, within the Dalton Highway Corridor Management Area, except that

(i) licensed highway vehicles may be used on the following designated roads:

(1) Dalton Highway,

(2) Bettles Winter Trail during periods when the Bureau of Land Management and the City of Bettles announce that the trail is open for winter travel,

(3) Galbraith Lake Road from the Dalton Highway to the BLM campground at Galbraith Lake, including the gravel pit access road when the gate is open,

(4) Toolik Lake Road, excluding the driveway to the Toolik Lake Research Facility,

(5) the Sagavanirktok River access road two miles north of Pump Station 2, and

(6) any constructed roadway or gravel pit within one-quarter mile of the Dalton Highway;

(ii) aircraft and boats may be used;

(iii) a snowmachine may be used to cross the management area from land outside the management area to access land on the other side of the management area;

(iv) game may be transported by motorized vehicle unless prohibited by statute;

(D) any hunter traveling on the Dalton Highway must stop at any check station operated by the department within the Dalton Highway Corridor Management Area;

...

AS 16.05.789. Prohibition on hunting adjacent to highway between Yukon River and Arctic Ocean.

(a) Hunting with firearms is prohibited north of the Yukon River in the area within five miles on either side of the highway between the Yukon River and the Arctic Ocean.

(b) A person who violates this section is guilty of a class A misdemeanor.

AS 19.40.210. Prohibition of off-road vehicles.

(a) Off-road vehicles are prohibited on land within the highway corridor. However, this prohibition does not apply to

(1) off-road vehicles necessary for oil and gas exploration, development, production, or transportation:

(2) a person who holds a mining claim in the vicinity of the highway and who must use land in the highway corridor to gain access to the mining claim:

(3) the use of a snow machine to travel across the highway corridor from land outside the corridor to access land outside the other side of the corridor: this paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway; or

(4) a person who must use land in the highway corridor to gain access to private property that

(A) is located outside the corridor: and

(B) has an established history of use as a homestead.

(b) Nothing in this section authorizes a person to access the land of another person unlawfully.

(c) In this section, “highway corridor” or “corridor” means land within five miles of the right-of-way of the highway.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Inconsistencies regarding access and motor vehicle use within the corridor may be resolved.

BACKGROUND: The Department has no biological concerns for game populations that are a result of hunting, trapping, and transportation methods used by hunters and trappers within the DHCMA. Hunting and trapping are managed effectively by seasons and bag limits within the DHCMA and in adjacent game management units.

There is public confusion and frustration with inconsistent agency interpretation of the multi-tiered legal framework. Redundant state and federal laws defining use of the DHCMA are complex and not always clearly in alignment with one another. For nearly 40 years significant improvement and expansion of the corridor’s road system occurred, which has broadened the public’s expectations of which uses within the corridor should be allowed under the law. For example, members of the public expect to be able to drive vehicles to Nuiqsut, Bettles, Coldfoot, Wiseman, or Anaktuvuk Pass, and subsequently hunt (a violation of the DHCMA regulation), similar to the ability to drive to Galbraith Lake and hunt. Consequently, the public experiences confusion and frustration with the complexity of the management regime, resulting in frequent and inadvertent violations within the DHCMA.

The DHCMA in Units 20, 24, 25, and 26 extends 5 miles from each side of the Dalton Highway, from the Yukon River to the Arctic Ocean, and includes the Prudhoe Bay Closed Area. The initial reference to the DHCMA occurred in 1974 when the department issued an Emergency Order defining the corridor and the accompanying restrictions that closed the area to big game hunting. Emergency regulations were adopted in 1978. In 1980, the Alaska State Legislature promulgated the DHCMA in Alaska statutes AS 19.40.210 and AS 16.05.789, and in 1983 the board adopted the DHCMA hunting regulations in 5 AAC 92.530(7). Since 1983, the Legislature and the board have enacted multiple changes to these statutes and regulations.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to reduce confusion and clarify legal uses by hunters and trappers in the DHCMA, however given recent changes to regulations adopted under Department of Transportation statute AS 28 the department respectfully requests to **WITHDRAW** this proposal. The recent changes further complicate an already complex issue that cannot be solved by the board. There does exist a need to revise statutes to use consistent language to reduce the number of inadvertent violations that result from confusion with current Alaska statutes. Repeal of the DHCMA would eliminate one layer of redundancy in the laws. Neither revision nor repeal of the regulation would result in increased use by hunters and trappers, because statutes and land management regulations are redundant. Land management agencies are better suited than the board or the department to regulate land access. This would allow the board and the department to change seasons and bag limits, if needed, to manage wildlife populations in the DHCMA.

If the regulation is not repealed or substantially revised, enforcement is likely to become more controversial as the extent of violations becomes more apparent to the public (e.g., hunters driving to the Coldfoot airstrip to originate a hunt, or people driving home to Nuiqsut and subsequently hunting).

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

PROPOSAL 173 – 5 AAC 92.530. Management areas. Repeal the Dalton Highway Corridor Management Area regulation.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would repeal the Dalton Highway Corridor Management Area in 5 AAC 92.530(7).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.530. Management areas.

...

(7) the Dalton Highway Corridor Management Area:

(A) the area consists of those portions of Units 20 and 24–26 extending five miles from each side of the Dalton Highway, including the drivable surface of the Dalton Highway, from the Yukon River to the Arctic Ocean, and including the Prudhoe Bay Closed Area;

(B) the area within the Prudhoe Bay Closed Area is closed to the taking of big game; the remainder of the Dalton Highway Corridor Management Area is closed to hunting; however, big game, small game, and fur animals may be taken in the area by bow and arrow only, and small game may be taken by falconry;

(C) no motorized vehicle may be used to transport hunters, hunting gear, or parts of game, within the Dalton Highway Corridor Management Area, except that

(i) licensed highway vehicles may be used on the following designated roads:

(1) Dalton Highway,

(2) Bettles Winter Trail during periods when the Bureau of Land Management and the City of Bettles announce that the trail is open for winter travel,

(3) Galbraith Lake Road from the Dalton Highway to the BLM campground at Galbraith Lake, including the gravel pit access road when the gate is open,

(4) Toolik Lake Road, excluding the driveway to the Toolik Lake Research Facility,

(5) the Sagavanirktok River access road two miles north of Pump Station 2, and

(6) any constructed roadway or gravel pit within one-quarter mile of the Dalton Highway;

(ii) aircraft and boats may be used;

(iii) a snowmachine may be used to cross the management area from land outside the management area to access land on the other side of the management area;

(iv) game may be transported by motorized vehicle unless prohibited by statute;

(D) any hunter traveling on the Dalton Highway must stop at any check station operated by the department within the Dalton Highway Corridor Management Area;

...

AS 16.05.789. Prohibition on hunting adjacent to highway between Yukon River and Arctic Ocean.

(c) Hunting with firearms is prohibited north of the Yukon River in the area within five miles on either side of the highway between the Yukon River and the Arctic Ocean.

(d) A person who violates this section is guilty of a class A misdemeanor.

AS 19.40.210. Prohibition of off-road vehicles.

- (d) Off-road vehicles are prohibited on land within the highway corridor. However, this prohibition does not apply to
 - (5) off-road vehicles necessary for oil and gas exploration, development, production, or transportation:
 - (6) a person who holds a mining claim in the vicinity of the highway and who must use land in the highway corridor to gain access to the mining claim:
 - (7) the use of a snow machine to travel across the highway corridor from land outside the corridor to access land outside the other side of the corridor: this paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway; or
 - (8) a person who must use land in the highway corridor to gain access to private property that
 - (C) is located outside the corridor: and
 - (D) has an established history of use as a homestead.
- (e) Nothing in this section authorizes a person to access the land of another person unlawfully.
- (f) In this section, “highway corridor” or “corridor” means land within five miles of the right-of-way of the highway.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Repeal of the Dalton Highway Corridor Management Area (DHCMA) regulation will reduce the number of inadvertent violations that are occurring. It will also reduce confusion for hunters and trappers who do not understand what actions are specifically allowed and not allowed in the DHCMA. Because the regulation is largely redundant with Alaska Statute, use will continue relatively unchanged.

BACKGROUND: The department has no biological concerns for game populations that are a result of hunting, trapping, and transportation methods used by hunters and trappers within the DHCMA. Hunting and trapping are managed effectively by seasons and bag limits within the DHCMA and in adjacent game management units.

There is public confusion and frustration with inconsistent agency interpretation of the multi-tiered legal framework. Redundant state and federal laws defining use of the DHCMA are complex and not always clearly in alignment with one another. For nearly 40 years significant improvement and expansion of the corridor’s road system occurred, which has broadened the public’s expectations of which uses within the corridor should be allowed under the law. For example, members of the public expect to be able to drive vehicles to Nuiqsut, Utqiagvik,

Bettles, Coldfoot, Wiseman, or Anaktuvuk Pass, and subsequently hunt (a violation of the DHCMA regulation), similar to the ability to drive to Galbraith Lake and hunt. Consequently, the public experiences confusion and frustration with the complexity of the management regime, resulting in frequent and inadvertent violations within the DHCMA.

The DHCMA in Units 20, 24, 25, and 26 extends 5 miles from each side of the Dalton Highway, from the Yukon River to the Arctic Ocean, and includes the Prudhoe Bay Closed area. The initial reference to the DHCMA occurred in 1974 when the department issued an Emergency Order defining the corridor and the accompanying restrictions that closed the area to big game hunting. Emergency regulations were adopted in 1978. In 1980, the Alaska State Legislature promulgated the DHCMA in Alaska statutes AS 19.40.210 and AS 16.05.789, and in 1983 the board adopted the DHCMA hunting regulations in 5 AAC 92.530(7). Since 1983, the Legislature and the board have enacted multiple changes to these statutes and regulations.

DEPARTMENT COMMENTS: The department has **NO RECOMMENDATION** on this proposal. Recent changes to regulations adopted under Department of Transportation statute AS 28 further complicate an already complex issue that cannot be solved by the board. If the regulation is not repealed or regulations and statutes substantially revised, enforcement is likely to become more controversial as the extent of violations becomes more apparent to the public (e.g., hunters driving to the Coldfoot airstrip to originate a hunt, or people driving home to Nuiqsut and subsequently hunting). There are no biological concerns for wildlife; however, the complexity of regulations associated with the corridor results in confusion by various user groups. Two options could reduce confusion and clarify legal uses by hunters and trappers in the DHCMA. Repeal of the DHCMA would eliminate one layer of redundancy in the laws. A second option would be to revise the DHCMA regulation so that it uses exactly the same terms as statutes. This could reduce the number of inadvertent violations that result from confusion with current Alaska statutes and would not change existing uses. Neither repeal nor revision of the regulation would result in increased use by hunters and trappers, because statutes and land management regulations are redundant. Land management agencies are better suited than the board or the department to regulate land access. This would allow the board and the department to change seasons and bag limits, if needed, to manage wildlife population in the DHCMA.

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

Proposals 174-192

Proposal 193-5 AAC 85.050 (a)(3) Hunting Season and bag limits for musk ox. Create a season for musk ox in the western portion of Unit 26A.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would create a season for musk ox for the western side of GMU 26A with a quota of up to six muskoxen, allowing for the harvest of up to two cows.

WHAT ARE THE CURRENT REGULATIONS? The current resident regulation 5 AAC 85.050 (a)(3) allows for harvesting muskoxen in the eastern portion of Unit 26A and western 26B, combined. Until recently, the population in this area has been below the threshold for a hunt and the hunt is currently closed.

There is no hunt that directly addresses a resident season for Cape Thompson muskoxen that reside in the **western** side of Unit 26A.

There is a hunt by emergency order for the incidental take of muskoxen (5 AAC 92.046).

There is a positive C&T finding for muskoxen in Units 26A and that portion of 26B that is west of the Dalton Highway, combined, with an ANS of 20.

There is also a positive C&T finding for muskoxen in Unit 23 north and west of the Kobuk River drainage with an ANS of 18-22 muskoxen. It is this population that has expanded its range into Unit 26A. However, there is no C&T finding and no ANS that specifically pertains to muskoxen in the **western** portion of GMU 26A, although the animals here are from the same population that does have a positive C&T finding.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow resident hunters with permits to harvest up to six muskoxen, with provisions for up to two cows to be taken in the western portion of Unit 26A with the season dates August 1-March 15.

BACKGROUND: There is no population management goal established for the Cape Thompson herd in Unit 26A. Management objectives in other GMUs range from 250-300 musk ox, and these objectives have been used as a baseline for opening Tier II hunts in neighboring Units 23 and 26B.

Recent Survey Data:

In 2020, the total Cape Thompson population was estimated at 911 muskoxen with a 95% confidence interval (743-1,193). The proportion of the population residing in Unit 26A was estimated at 253 (95 CI: 182-368) in 2016 and 455 (95% CI: 350-631) in 2020. There was no composition survey conducted in 2020. The 2016 composition data on the Cape Thompson population showed 55 bulls per 100 cows and 42 mature bulls per 100 cows. There were 20 yearlings per 100 cows during the same survey. Region V experience with muskoxen management on the Seward Peninsula suggests that not more than 10% of mature bulls or 2% of the point estimate should be harvested. Using 2016 composition data and 2020 population estimates there should be approximately 102 mature bulls in the population: 10% of that is 10 mature bulls. Two percent of the total population in 26A would be approximately nine muskoxen.

After having discussions with North Slope residents, muskox managers, and the previous area biologist of 26A it is prudent to allow some harvest of cows. Muskox harvest history suggests that hunters tend to select mature bulls for higher amounts of meat, qiviut, ease of selection, and larger horns. However, while there may be a perception that mature bulls have a lower impact on the fecundity of the herd, behaviorally they may play significant roles that are not well understood. Mature bulls are easier to distinguish from cows and often are located further away from the herd, which makes them easier for selection. To reduce hunter anxiety about potentially harvesting a young bull from muskox groups it is prudent to allow flexibility of harvest of up to two cows, especially since immature bulls and cows can be easily confused. Allowing for this flexibility of cow harvest for hunters requires considerations be made for the quota allowed. Even though historical muskox management allows that 2% of the total or 10% of mature bulls could be harvested, it is recommended that a conservative approach be taken to allow a harvest of up to six muskoxen annually to allow for the cow harvest.

Summary of Historical Muskox Harvest in the Western Portion of 26A

Under 5 AAC 92.046, permits have been issued for six EO registration permit hunts:

1. 1998, Chipp River (5 muskoxen) and Point Lay (4 muskoxen)
2. 2001, Point Lay (1 bull)
3. 2002, Point Lay (4 bulls). Two groups of about 50 muskoxen were near town.
4. 2003, Point Lay (2 bulls) and Anaktuvuk Pass (2 bulls)
5. 2019, Point Lay (1 bull) and Atqasuk (1 bull) (Zero muskoxen harvested)
6. 2020, Point Lay (1 bull) and Atqasuk (1 bull) (One muskox harvested)

Note: Only 0 or 1 muskoxen were harvested during each of these hunts.

Land status in the hunt area

Most of the lands in Unit 26A are federal BLM lands with some portions of state-owned and Native-corporation owned lands surrounding the villages of Point Lay, Atqasuk, Wainwright, and Utqiagvik. The proposed regulations would be consistent across BLM- and state-managed lands. A similar proposal has been submitted to the Federal Subsistence Board for review.

Department Comments: The department submitted and **SUPPORTS** this proposal since the population of muskoxen is large enough to support a harvest of up to six muskoxen. The board will need to decide what type of hunt to provide and will need to discuss customary and traditional uses of the population; specifically, does the positive C&T use finding in Unit 23 “carry over” the GMU boundary: these are the same animals, just in a different GMU. It is also recommended that the eastern boundary of the hunt area be the Topogruk River and the bluffs called the Immaruk Hills that run north/south near the 155° W line of longitude. The Unit 23 and 24 borders would be established as the southern borders.

Cost Analysis: Adoption of this proposal would not result in additional cost for the department.

Proposals 194-195

PROPOSAL 196 – 5 AAC 84.025(15) and (20). Seasons and bag limits for caribou. Allow a targeted hunt for Fortymile Caribou.

PROPOSED BY: Sarah Behr

WHAT WOULD THE PROPOSAL DO? A targeted hunt would allow ADF&G to allocate a limited number of permits to designated sub-zones for limited time periods of the Fortymile caribou hunt during the fall and winter hunt if it is determined numbers of hunters and caribou are high enough that exceeding the harvest quota is likely. A targeted hunt could also be used to address allocation and safety issues related to hunter crowding and other user conflicts, at the direction of the board.

WHAT ARE THE CURRENT REGULATIONS?

- The fall (RC860) season is open to residents and nonresidents during August 10–September 30, with a bag limit of up to 3 caribou for residents and 1 bull for nonresidents. In RY2020, the department set the resident bag limit at 2 caribou.
- The winter (RC867) season is open to residents only during October 21–March 31, with a bag limit of up to 3 caribou. In RY2020, the bag limit was set at 2 caribou.
- Season openings and bag limits for the Fortymile herd registration hunts are managed by discretionary permit authority, and hunt closures are frequently implemented by Emergency Order due to unpredictable caribou and hunter distribution.
- A youth drawing permit hunt takes place in a portion of the hunt area during August 1–21, with a bag limit of 1 caribou under this permit per lifetime of the hunter. Up to 30 permits may be issued.
- A targeted hunt to help control harvest within management objectives is authorized in a portion of the hunt area during December 1–March 31. A targeted hunt is not authorized during the fall hunt or the opening of the winter hunt.

Other regulations relevant to this proposal include the following:

- The board has identified the Fortymile caribou herd as being important for providing high levels of harvest for human consumptive use and established Intensive Management (IM) objectives of 50,000–100,000 caribou and an annual harvest of 1,000–15,000.
- The Fortymile caribou herd has a positive customary and traditional use finding with an amount reasonably necessary for subsistence uses (ANS) of 350–400 caribou.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would allow the department to implement a targeted hunt during additional season dates. Targeted hunts and/or other measures such as drawing permits or access and

methods restrictions in small portions of the hunt area during certain times could allow ADF&G to better control harvest a) so it remains within the quota when caribou congregate near roads and large numbers of hunters respond to these aggregations, making it difficult to contain harvest within the harvest quota; or b) when large numbers of hunters are likely to cause social issues, including user conflicts and safety concerns. If these conditions do not exist (such as when caribou are not congregated along the Steese or Taylor highways), a targeted hunt would not need to be used.

BACKGROUND: The board adopted a targeted hunt during December 1–March 31 at their spring 2012 meeting. The intent was to allow some hunting opportunity in portions of the hunt area when the herd congregated on the Steese or Taylor highways. At that time, opening a registration hunt was not always feasible because the small harvest quotas would likely be quickly exceeded before the department could close the hunt. Currently, a targeted hunt is not authorized during the fall hunt or the October–November portion of the winter hunt, when most hunter participation occurs, and overharvest is most likely. Hunter participation and caribou harvest along the Steese and Taylor highways and associated trails can be high, but is dependent on caribou location and weather, which are difficult to predict.

The current ANS of 350–400 for Fortymile caribou is easily met each year. Most of the hunt area is outside the Fairbanks nonsubsistence area (NSA), but some popular hunt areas fall within the Fairbanks NSA, including Chena Hot Springs Road, Nome and Quartz creeks, and the Steese Highway before Mile 86.

Based on more than 30 years of monitoring vital rate data and population size, we have concluded that the Fortymile Caribou Herd has likely begun to decline due to compromised nutrition caused by overgrazing of its range. The herd started to show signs of declining nutrition as it approached and exceeded 50,000 caribou in the early 2000s.

Therefore, the department’s goal for Regulatory Year 2020 was to reduce the herd size by approximately 10,000 animals through harvest (5,000 caribou with a 2-caribou bag limit during both the fall and winter hunts) and continue monitoring key nutritional indices. Our intent is to slow harvest once herd nutrition shows signs of improvement toward levels exhibited when the herd was below 50,000, indicating the range is capable of supporting the herd again. Nutritional indices are expected to begin to improve as the herd’s nutritional condition improves.

During fall 2020, the department held a fall hunt (RC860) during August 10–September 30, with a bag limit of 2 caribou (either sex) and a harvest objective of 5,000. The preliminary reported harvest of 5,385 caribou was within the $\pm 15\%$ range (4,250–5,750) that the department uses to assess whether harvest objectives are met for the Fortymile caribou herd.

This was a success from the standpoint that hunters were able to harvest large numbers of caribou during longer-than-normal seasons and the fall harvest quota of 5,000 caribou was met. However, ADF&G received complaints from some hunters, viewers, travelers, and hikers about hunt quality, safety, trail restriction violations, and ATV damage to the well-known nonmotorized Pinnell Mountain trail and other trails in the area.

The winter hunt (RC867) is on-going during October 27–March 31, with a bag limit of 2 caribou (either sex) and a harvest objective of up to 5,000 animals. Hunter crowding during the first 6

weeks has been mitigated by winter storms and scattered caribou, but harvest and hunter interest have been steady.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on allocative aspects of this proposal and **SUPPORTS** concepts that may provide the department with flexibility to manage Fortymile hunts when caribou congregate near roads and large numbers of hunters respond to these aggregations. If the board intends the department to use targeted hunts or other measures to allocate between hunter groups to mitigate issues related to crowding and safety, the department will need direction on when, where, and how to apply these measures while still achieving the harvest objective.

This proposal would allow the department to selectively use a targeted hunt in small portions of the Fortymile hunt area to better control harvest so it remains within hunt quotas. However, drawing hunts, or implementing motorized restrictions in small portions of the hunt area during portions of the hunting season, or other options, may also address the proponent's concerns. Additional management options will likely become necessary once harvest objectives are lower, especially when the herd congregates near roads.

COST ANALYSIS: Approval of this proposal is expected to result in an additional cost to the department to implement and administer this hunt. Targeted hunts are very labor intensive and the department conservatively expects upwards of 5,000 people to apply for it should the department accept applications for the hunt.

Proposals 197-229

PROPOSAL 230 – 5 AAC 92.990. Definitions. Modify the definition of full-curl horn.

PROPOSED BY: Philip Nuechterlein

WHAT WOULD THE PROPOSAL DO? The proposal would change the definition of “full-curl horn” of a male (ram) Dall sheep to be at least seven years of age instead of eight.

WHAT ARE THE CURRENT REGULATIONS?

Under 5 AAC 92.990(a)(30) "full-curl horn" of a male (ram) Dall sheep means that

(A) the tip of at least one horn has grown through 360 degrees of a circle described by the outer surface of the horn, as viewed from the side, or

(B) both horn tips are broken; means the lamb tip is completely absent; horn tips that are chipped or cracked are not broken if any portion of the lamb tip is present; characteristics of the lamb tip include:

(i) a length of less than four inches,

(ii) the inside surface of the lamb tip is distinctly concave when compared to the remainder of the horn, and

(iii) the lamb tip is the section of a horn that is grown during the first six months of a sheep's life and is the section of horn distal of the first annulus, which is the swelling of the horn that forms during the first winter of life, or

(C) the sheep is at least eight years of age as determined by horn growth annuli;

There are various positive and negative C&T findings for sheep, and various ANS amounts. See *A Summary of Dall Sheep Harvests in 14 Game Management Units in Alaska*, posted at http://www.adfg.alaska.gov/specialpubs/SP2_SP2015-001.pdf

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted seven year old rams would be considered “full-curl” and legal to be harvested in hunts limited to full-curl ram. Additional sheep harvest would occur which may help achieve amounts reasonably necessary for subsistence in some populations, but which will also negatively impact other sheep populations.

BACKGROUND: Hunting management and regulation are needed to prevent harvest from exceeding the recruitment of new animals into a population. When areas have heavy hunting pressure and face increased limitations, one way to keep opportunity open for more people is for managers to limit the sex or age class of the animals available for harvest. For example, the spike/fork-50 inch regulation for moose hunting has allowed more people to hunt moose for a longer season, while keeping harvest at sustainable levels.

Full-curl management is a similar approach to preserve sheep hunting opportunity while conserving sheep. Limiting harvest to older, full-curl rams ensures that the population's productivity is not affected by harvest. Compared to the harvest of other ungulates, the harvest rates of sheep in Alaska are low and expected effects of human take on sheep populations is accordingly, negligible.

Western management of Dall's sheep in Alaska started with the passage of the 1902 Alaska Game Act by the U.S. Congress. This act established territorial bag limits and seasons for Dall's sheep in Alaska, made the killing of ewes or yearlings illegal, established an annual limit of four rams, and established a season. Sheep populations were thought to be high in the early 1900s and slowly declined until about 1940 and reached a low point in about 1945. The 1940s were years of dramatic changes in season lengths and total territory-wide closures to sheep hunting. For three years, 1942, 1944 and 1949, sheep hunting was completely closed. The 1940s were a major challenge for game managers. Sheep survey counts in Denali Park and on the Kenai Peninsula, started in the mid-1940s, indicated sheep populations were increasing. These counts, when considered with counts conducted in other parts of the territory in 1948 and 1949, also suggested sheep populations were increasing. Permittees in the Talkeetna and Chugach mountains were

restricted to harvesting 3/4-curl or greater rams. This was the first use of curl size under territorial government to regulate sheep harvest in Alaska. In 1951 the 3/4 curl requirement was expanded from the Chugach and Talkeetna mountains to include all open sheep hunting areas in the territory. The first three seasons of the 3/4-curl requirement demonstrated: 1. Hunting pressure could be focused on a specific segment of the sheep population; 2. Hunters were capable of complying with a minimum curl requirement; and 3. Ewes could be better protected from incidental harvest. From the early 1950s until the late 1970s a minimum of 3/4 curl was the standard for most Dall's sheep hunts. In the late 1960s concerns were expressed that removal of all, or a large percentage of older mature rams might negatively affect the survival of younger rams and the reproductive dynamics of ewes. These concerns along with strong support for harvesting full-curl sheep by sheep hunters, eventually resulted in the statewide full-curl regulation for most hunts.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The vast majority of rams do not reach 360 degrees of curl (full-curl) until they are 8 years of age or older. Furthermore, generalized mortality curves show that natural mortality for Dall's sheep is accelerated after 8 years of age. If the legal age were reduced to 7, it is likely that harvest would extend down into younger age classes. The current strategy that focuses on full-curl, primarily 8 year old sheep is a very conservative approach that focuses on a segment of the population that is near the end of their life span. This tends to have a very negligible impact on overall abundance, and may also have the positive effect of maintaining social dominance hierarchies by leaving 6-8 year old sheep in the standing population.

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

PROPOSAL 231 – 5 AAC 92.990. Definitions. Modify the definition of edible meat for cranes, geese, and swans.

PROPOSED BY: Alaska Waterfowl Association

WHAT WOULD THE PROPOSAL DO? This proposal will change the definition of edible meat to be salvaged for cranes, geese, and swans to exclude meat of the back and lower wings (radius and ulna).

WHAT ARE THE CURRENT REGULATIONS? The current definition of edible meat for cranes, geese and swans is as follows:

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

game birds does not include meat of the head, meat that has been damaged and made inedible by the method of taking, bones, sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the meat of the back and lower wings from cranes, geese and swans would not require salvage because it would no longer meet the definition of “edible meat”. People who harvest cranes, geese, and swans would be subject to less stringent salvage requirements.

BACKGROUND: While not a regulatory requirement, the department encourages the use of all meat that is edible beyond what is required to be salvaged. The use of different parts of small game birds can vary considerably among persons. 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 swans (5 AAC 92.990(a)(26)) required to be salvaged to include the meat of the back and wings, excluding the metacarpals – this was more aligned with the federal migratory bird subsistence harvest regulatory definition of “edible meat” that includes meat from the breast, back, thighs, legs, wings, gizzard, and heart. Federal regulations to confront wanton waste (CFR 50 §20.25 Wanton waste of migratory game birds) do not specifically address salvage of “edible meat”.

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 cost to the department.

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.

PROPOSAL 233 – 5 AAC 92.085. Unlawful methods of taking big game; exceptions.
Eliminate the peak draw weight of bows or establish new peak draw weights by species.

PROPOSED BY: Tyler Riberio

WHAT WOULD THE PROPOSAL DO? Eliminate the requirement for peak draw weight of bows or establish peak draw weight for taking species as follows:

- (3) with a longbow, recurve bow, or compound bow, unless the
 - (a) bow is not less than
 - (i) 35 [40] pounds peak draw weight when hunting black-tailed deer, wolf, wolverine;[BLACK BEAR, DALL SHEEP, AND CARIBOU]
 - (ii) 45 [50] pounds peak draw weight when hunting black bear, Dall sheep, mountain goat, and caribou; [MOOSE, ELK, BROWN/GRIZZLY BEAR, MUSKOX, AND BISON,]
 - (iii) 55 pounds peak draw weight when hunting moose, elk, brown/grizzly bear, musk ox, and bison.

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 of bows will be eliminated or will become:

- (i) 35 [40] pounds peak draw weight when hunting black-tailed deer, wolf, wolverine;[BLACK BEAR, DALL SHEEP, AND CARIBOU]
- (ii) 45 [50] pounds peak draw weight when hunting black bear, Dall sheep, mountain goat, and caribou; [MOOSE, ELK, BROWN/GRIZZLY BEAR, MUSK OX, AND BISON,]
- (iii) 55 pounds peak draw weight when hunting 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 also play a role 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.

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

PROPOSAL 234 – 5 AAC 92.080. Unlawful methods of taking game, exceptions. Allow the use of game cameras that transmit photos wirelessly.

PROPOSED BY: Tyler Freel

WHAT WOULD THE PROPOSAL DO? The proposal offers two changes. The first would allow the use of game cameras that can transmit photos wirelessly as long as those cameras are placed within 100 feet of a bear bait station. This option essentially legalizes their use for bear baiting. Option two allows their use for all hunting, and aligns their use with existing same-day-airborne regulations that allow a person to take a specific animal only after 3:00 a.m. the day after their use.

WHAT ARE THE CURRENT REGULATIONS?

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

...

(7) with the aid of

(G) any device that has been airborne, controlled remotely, or communicates wirelessly, and is used to spot or locate game with the use of a camera or video device;

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

(I) wireless communication to take a specific animal by a person until 3:00 a.m. following the day after the use of the device, except that

(i) in a unit 20(D) bison hunt, the use of ground-based radio communications, including cellular or satellite telephones, to locate bison is allowed;

(ii) in targeted moose hunts in 5 AAC 85.045, the use of ground-based wireless communication to locate individual animals is allowed;

...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the first option were adopted hunters would be able to use game cameras that can transmit messages, photos, or videos through wireless communication provided the camera was placed within 100 feet of a bear bait station. If the second option were adopted hunters would be able to use game cameras that can transmit messages, photos, or videos through wireless communication, however they would only be able to take a specific game animal after 3:00 a.m. the day after the hunter received the wireless communication from the camera.

BACKGROUND: Game cameras have long been used by hunters to learn the movements of animals. Their use varies and the information they provide can be quite valuable. Technology has improved to the point where cameras that transmit information wirelessly are readily

available to hunters for minimal costs. At the Statewide Board of Game meeting in November 2017 the board adopted regulations that prohibited the use of cameras and other sensory devices that can send messages through wireless communication.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the proposal because it is a methods and means issue and does not create or cause a conservation concern. It is possible more animals would be harvested if this were allowed though it would be difficult to pinpoint the exact increase in harvest if any.

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

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.

PROPOSAL 236 – 5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures. Require ADF&G to notify bear bait station registrants of other bait stations within certain distances of the desired bait station location.

PROPOSED BY: Adam Harris

WHAT WOULD THE PROPOSAL DO? The proposal would require the department to notify registrants, at the time of registration, of other bait stations within one quarter, one half, and one mile of the location of the bait station the person is registering. The proponent notes the specific distance is up for discussion.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.044(b)(14)

...

(14) before a person establishes a bear baiting station and places bait at the baiting station that person shall, at the time of registration, provide to the department the specific location of the baiting station on a form provided by the department;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted those registering bait stations would be notified by the department of other bait sites that were within one quarter, one half, and one mile of the location of the bait the person is registering, or other distance as established by the board.

BACKGROUND: Bear bait station locations are protected information (AS 16.05.815) and as such the department does not disclose their locations to the public. Baiters are encouraged to scout the area prior to registering a bait station. There is no maximum number of bait stations that is allowed in a certain area, and currently there is no way to inform potential baiters of other sites in their area.

GPS locations were required in Units 1-5; however, the board removed that requirement in 2016. In all locations, those registering bait stations are required to provide the department with the specific location of the bait site. Some choose to provide GPS coordinates and others do not.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the proposal because it is a methods and means issue and does not create or cause a conservation concern. In order to implement the regulation the board will need to require GPS locations for all bait stations. If the board adopts the proposal, the department will need a delayed implementation to July 1, 2025 in order to build the systems necessary and to get word out to hunters that GPS coordinates will be required.

The proponent states the department has all of the information needed from previous years to implement the change; however, only successful bear harvest from locations is coded to the UCU (Uniform Coding Unit) level: the searchable locations of bait stations are only recorded at the subunit level. The average bear baiter can register two bait stations; however, the department does not know if that baiter actually placed bait in the field. Many baiters register two bait sites and only place bait at one, depending on bear activity (or lack of) in the area. Adoption of the proposal would also alleviate crowding and conflict if the person registering the site chose to stay out of a heavily baited area.

COST ANALYSIS: Adoption of this proposal is expected to result in significant additional costs to the department to develop a geospatial database of brown and black bear bait stations, as well as to update it on a daily basis.

PROPOSAL 237 – 5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures. Prevent the department from allowing a person to register a bear bait station within one of the areas already prohibited in regulation.

PROPOSED BY: Kirk Schwalm

WHAT WOULD THE PROPOSAL DO? The proposal prevents the department from issuing a permit to use bait or scent lures within:

- (A) one-quarter mile of a publicly maintained road, trail, or the Alaska Railroad;
- (B) one mile of a
 - (i) house or other permanent dwelling, except that bait may be used within one mile of a cabin if the cabin is on the opposite side of a major river system, as identified by the department in the permit, from the bear baiting station;
 - (ii) business; or
 - (iii) school; or
- (C) one mile of a developed campground or developed recreational facility;

WHAT ARE THE CURRENT REGULATIONS?

- (a) A person may not establish a bear bait station to hunt bear with the use of bait or scent lures without first obtaining a permit from the department under this section.

(b) In addition to any condition that the department may require under 5 AAC 92.052, a permit issued under this section is subject to the following provisions:

(1) a person may establish a black bear bait station, or a black and brown bear bait station in Units 7, 11, 12, 13, 14(A), 14(B), that portion of the remainder of 14(C), excluding Glacier Creek drainage outside of Chugach State Park, 15, 16, 18, 19(A), 19(D), 20(A), 20(B), 20(C), that portion of 20(D) north of the Tanana River, 20(E), 20(F), 21(C), 21(D), 23, 24(C), 24(D), 25(C), and 25(D), only if that person obtains a permit under this section;

(2) a person must complete a bear hunter clinic given by the department before that person may obtain a permit from the department under this section;

(3) a person must be at least 18 years of age to be issued a permit;

(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 08.45.750, 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;

(5) a person may not use bait or scent lures within

(A) one-quarter mile of a publicly maintained road, trail, or the Alaska Railroad;

(B) one mile of a

(i) house or other permanent dwelling, except that bait may be used within one mile of a cabin if the cabin is on the opposite side of a major river system, as identified by the department in the permit, from the bear baiting station;

(ii) business; or

(iii) school; or

(C) one mile of a developed campground or developed recreational facility;

(6) a person may not give or receive remuneration for the use of a bait station, including barter or exchange of goods; however, this paragraph does not apply to remuneration from a client to a registered guide-outfitter, master guide-outfitter, or employee of the contracting guide for providing big game hunting services;

(7) a person using bait or scent lures shall clearly identify the site with a sign reading "bear bait station" that also displays the person's hunting license number, and the permit number;

(8) only biodegradable materials may be used as bait; if fish or big game is used as bait, only the head, bones, viscera, or skin of legally harvested fish and game may be used, except that in Units 7 and 15, fish or fish parts may not be used as bait;

(9) repealed 4/8/2012;

(10) a permittee must remove bait, litter, and equipment from the bait station site when hunting is completed;

(11) repealed 4/8/2012;

(12) repealed 7/1/2016;

(13) in Units 7, 9, 11, 12, 13, 14(A), 14(B), 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26(B), and 26(C), a hunter who has been airborne may take or assist in taking a black bear at a bait station with the use of bait or scent lures under a permit issued by the department, and if the hunter is at least 300 feet from the airplane at the time of taking; in Units 7, 11, 12, 13, 14(A), 14(B), 15, 16, 18, 19(A), 19(D), 20(A), 20(B), 20(C), that portion of 20(D) north of the Tanana River, 20(E), 20(F), 21(C), 21(D), 23, 24(C), 24(D), and 25(D), a hunter who has been airborne may take or assist in taking a brown bear at a bait station with the use of bait or scent lures under a permit issued by the department, and if the hunter is at least 300 feet from the airplane at the time of taking;

(14) before a person establishes a bear baiting station and places bait at the baiting station that person shall, at the time of registration, provide to the department the specific location of the baiting station on a form provided by the department;

(15) the department may accept registration up to 15 days prior to opening the baiting season in Unit 18.

(c) Except as otherwise limited in this section, a person may bait and hunt another persons's bait station site if the person has written permission from the person who registered the site.

(d) In this section, "operate" means to establish, register, bait, maintain, or hunt a bait station site.

(e) In this section, "equipment" means barrels, tree stands, game camera, and other items associated with a bear bait station. Tree stands may be left in the field year-round with permission of the landowner or such other person authorized to give permission.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted the department will be required to check desired bait station locations prior to issuing a permit.

BACKGROUND: It is the responsibility of the hunter to know where they are hunting. Baiters are encouraged to scout the area prior to registering a bait station. The department does not have access to a geographically comparable database of all publicly maintained roads, trails, railroads, houses, dwellings, businesses, schools, campgrounds, or developed recreational facilities.

GPS locations of bait sites were required in Units 1-5; however, the board removed that requirement in 2016. In all locations, those registering bait stations are required to provide the department with the specific location of the bait site. Some choose to provide GPS coordinates and others do not.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the proposal because it is a methods and means issue and does not create or cause a conservation concern. In order to implement the regulation the board will need to require GPS locations for all bait stations. If the board adopts the proposal, the department will need a delayed implementation to July 1, 2025 in order to build the systems necessary and to get word out to hunters that GPS coordinates will be required. The process bear baiters go through to register will also need to change so that the department will have the time to verify each desired location is not within one of the prohibited

areas. This will mean baiters will be required to submit an application to register a bait station well in advance of the baiting season. It is unknown if a searchable database exists of the exact locations of each prohibited area, and as a result the department may not be able to comply with the regulation if adopted.

COST ANALYSIS: Adoption of this proposal is expected to result in significant additional costs to the department to develop a geospatial database of brown and black bear bait stations, as well as to update it on a daily basis.

PROPOSAL 238– 5 AAC 92.029 Permit for possessing of live game. Allow the possession of Czechoslovak Vlcak dogs without a permit.

PROPOSED BY: James Majetich

WHAT WOULD THE PROPOSAL DO? The proposal would require the board to classify the specific dog breed Czechoslovak Vlcak as not being a wolf-hybrid.

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:

Common Name	Scientific Name
Dog	<i>Canis familiaris</i>
....	

5 AAC 92.030. Possession of wolf and wild cat hybrids prohibited

(a) It is unlawful, without a permit issued by the department, for a person to possess, transport, sell, advertise or otherwise offer for sale, purchase, or offer to purchase a live wolf or wolf hybrid.

...

(e) For purposes of this section,

...

(3) "wolf hybrid" includes

(A) the offspring from a mating of a wolf or wolf hybrid with a dog or another wolf hybrid; and

(B) an animal represented to be a wolf or part wolf by any name or description.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted this would be the first time the board has classified a specific breed of dog as able to be possessed, rather than just referring to all dogs. If adopted this will be the first exception to the existing regulations that prohibit the possession of wolf hybrids.

BACKGROUND: The Czechoslovak Vlcak is a dog breed that began as an experiment conducted in Czechoslovakia in 1955. After initially breeding working line German Shepherds with Carpathian grey wolves, a plan was worked out to create a breed that would have the temperament, pack mentality, and trainability of the German Shepherd and the strength, physical build, and stamina of the Carpathian wolf. The breed was originally used as Border patrol dogs but were later also used in search and rescue, Schutzhund sport, tracking, herding, agility, obedience, hunting and drafting in Europe and the United States (https://en.wikipedia.org/wiki/Czechoslovakian_Wolfdog). As noted by the author, this breed is legal in several states.

5AAC 92.030 is clear that any wolf or wolf hybrid in possession is prohibited. The regulation goes on to specifically identify activities that are prohibited in relation to wolves and hybrids. 5 AAC 92.030 regulation was adopted (2002) after numerous wolf hybrid issues and complaints. The department and Alaska Wildlife Troopers were largely unable to address these concerns without an applicable regulation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. 5AAC 92.030 is clear that any wolf or wolf hybrid in possession is prohibited. The regulation goes on to specifically identify activities that are prohibited in relation to wolves and hybrids. If adopted, this proposal would identify one breed of hybrid wolf legal to possess. The department would anticipate additional requests for other hybrid breeds. If the board is interested in changing the existing regulations it has the ability to determine the acceptable generational period or blood quantum for hybrids to be legally possessed without a permit from the department, similar to what it has done with wild cat hybrids as found in 5 AAC 92.030(d).

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

PROPOSAL 239 – 5 AAC 92.050. Required permit hunt conditions and procedures.

Require all resident registration permit hunts to be available online.

PROPOSED BY: Resident Hunters of Alaska

WHAT WOULD THE PROPOSAL DO? The proposal would require all registration hunts open to residents to be available online.

WHAT ARE THE CURRENT REGULATIONS? With few exceptions, the department has the discretionary authority to make registration permits available any time before the hunt starts, and in any location, by way of any means (online or in person). In some instances, the board has directed the department to make registration permits available in certain locations such as communities within or near the hunt area. Typically this is used when there are a limited number of registration permits available and is in hunts where there is a quota or relatively small amount of allowable harvest, and the public has expressed concerns regarding competition and difficulty in harvesting animals for subsistence uses. For example, at its March 2020 Interior Region meeting in Fairbanks, the board instructed the department to issue registration permits for the moose hunt in February in Unit 19D in the hunt area only, and during the months of January and February only. At its January 2015 Southeast Region meeting in Juneau the board instructed the department to issue registration permits for the youth goat hunt in Unit 1D in Haines and Skagway only.

5 AAC 92.052. Discretionary permit hunt conditions and procedures.

...

(23) except as otherwise provided, if a drawing permit hunt is undersubscribed, surplus permits may be made available at the division of wildlife conservation office responsible for management of the applicable hunt. Surplus permits are not subject to the limitations in 5 AAC 92.050(2) and (4)(F);

Perhaps the most notable and complicated allocative guidance from the board is in 5 AAC 92.008, where the board goes into great detail about how to allocate permits among online users, villages within and near the hunt area, and nonresidents.

5 AAC 92.008. Harvest guideline levels.

(4) musk oxen on Nelson Island in Unit 18: the harvest of musk oxen on Nelson Island in Unit 18 shall be managed by registration permit hunts based on the harvestable portion of the population, as follows:

(A) if 150 permits are available, 65 of the available permits will be issued on a first-come, first-served basis in the five villages of Nightmute, Tununak, Newtok, Chefornek, and

Toksook Bay on an annual rotating basis; remaining permits after issuance will be issued as follows:

(i) 20 of the available permits will be issued in Bethel;

(ii) 65 of the available permits will be issued online, with up to five issued to nonresidents;

(B) if more or less than 150 permits are available, 44 percent of the available permits will be issued on a first-come, first-served basis in the five villages of Nightmute, Tununak, Newtok, Chefomak, and Toksook Bay on an annual rotating basis; remaining permits after issuance will be issued as follows:

(i) 12 percent of the available permits will be issued in Bethel; and

(ii) 44 percent of the available permits will be issued online, with up to eight percent allocated to nonresidents;

(iii) in order to achieve the desired number of permits, distribution will be adjusted proportionately until the permits available at Nightmute, Tununak, Newtok, Cheforak, and Toksook Bay reaches no less than 40 permits; the permits available online and at Bethel will then continue to be reduced proportionately.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted the board will lose a tool to protect populations from being overharvested and in some cases may result in a need to review how each of those hunts is currently administered, especially if the harvestable surplus is below ANS.

BACKGROUND: As technology has improved the department has and continues to make permits available online when it will not prove an administrative or conservation issue. Over the last decade the department has moved heavily to issuing permits, harvest tickets, stamps, etc. online. Recognizing online issuance is very convenient to most, the department also must recognize limitations to internet connections in rural communities.

The department also follows board guidance for allocative issues which may be easily addressed by making permits available in specific locations, such as within the hunt area or prior to the hunt opening. In addition, the department still travels to some communities (e.g., Seldovia for mountain goat permits, and Nushagak River communities for moose). This is done when harvestable surplus and numbers of permits are limited.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative issue. Limiting when and where permits are available is a tool for managing hunters and populations to

prevent overharvest, and there may be unknown implications to removing the board's ability to instruct the department to make permits available in specific locations and during specific times.

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

PROPOSAL 240 – 5 AAC 92.031. Permit for selling skins, skulls, and trophies. Allow the sale of trophies from a revokable trust.

PROPOSED BY: Cheryl Beckley

WHAT WOULD THE PROPOSAL DO? The proposal would allow the sale of big game trophies from a revokable trust with a permit from the department.

WHAT ARE THE CURRENT REGULATIONS?

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

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

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

(c) Repealed 7/1/2008.

(d) Repealed 7/1/2008.

(e) Repealed 7/1/2008.

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

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

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted any person would be able to sell a legally harvested, fully prepared big game trophy after first obtaining a permit from the department, if the item was owned by a revokable trust.

BACKGROUND: Since 2016 the department has issued 55 permits to sell trophies as a result of an estate sale; 10 permits to sell trophies as a result of a divorce; none as the result of a bankruptcy; and 16 permits to taxidermists to sell unclaimed items. The department has issued 32 permits since 2018 when the board created a regulation requiring permits to sell brown bears taken in two bear bag limit areas.

Currently the department uses discrete applications for each of the applicable regulatory sections (5 AAC 92.031) to authorize the sale of big game trophies. These applications and required documentation (e.g., death certificate, probate court order) serve to identify the owner of the trophy, or taxidermist of unclaimed trophy, and serves as a stop gap for simply anyone selling a trophy.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Current regulations result in relatively few permits to sell trophies in extenuating circumstances. Should the sale of trophies be authorized for any items in a revokable trust, it is unclear how many additional requests the department might get, how the department will determine the owner of a trophy; and if additional increase in harvest may occur because trophy sales are legal and a market exists.

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

PROPOSAL 241 - 5 AAC 92.057 Special provisions for Dall sheep and mountain goat drawing permit hunts; 92.061 Special provisions for brown bear drawing permit hunts; and 92.069 Special provisions for moose drawing hunts. Remove allocations between guided and nonguided nonresident hunters.

PROPOSED BY: Resident Hunters of Alaska

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would remove board allocations between guided nonresidents and nonguided nonresidents hunting with a relative within the 2nd degree of kindred.

WHAT ARE THE CURRENT REGULATIONS?

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

(a) In a sheep drawing permit hunt specified in this section, a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a nonresident drawing, each complete application from a nonresident who will be accompanied by a guide or relative; until June 30,

2017 for Units 13B, 13(D), and 14(A) and until June 30, 2015, for all other Units, the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a

(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a); or

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, for the applicable guide use area during the season the drawing permit is valid.

(b) The department shall issue Dall sheep permits as follows:

(1) Units 12, 13(C), and 20(D), Tok Management Area: the department shall issue 10 percent of the drawing permits to nonresidents and 90 percent of the drawing permits to residents; in the event an odd number of permits is available, the percentage of permits awarded to nonresidents will be rounded down to allow for residents to receive the resulting additional permit; a maximum of 50 percent of the nonresident permits may be issued to nonresidents accompanied by a resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a);

(2) Unit 13(D): the department shall issue a maximum of 20 percent of the drawing permits to nonresidents and a minimum of 80 percent of the drawing permits to residents;

(3) Unit 14(A): the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents;

(4) Unit 14(C): the department shall issue a maximum of five percent of the archery drawing permits to nonresidents and a maximum of 13 percent of the remaining drawing permits to nonresidents;

(5) Units 13(B), 20(A) and 20(D), those portions within the Delta Controlled Use Area: the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents; in the Delta Controlled Use Area a nonresident does not have to meet the requirements in (a) of the section.

(c) In a goat drawing permit hunt in Unit 13(D), Unit 14(A), and Unit 14(C), a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this subsection only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a nonresident drawing, each complete application from a nonresident who will be accompanied by a guide or relative; until June 30, 2017 for Units 13(D) and 14(A) and until June 30, 2015 for Unit 14(C), the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a

(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a); or

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, for the applicable guide use area during the season the drawing permit is valid.

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

(a) In the Unit 8 general brown bear drawing permit hunt, the department shall issue permits, and a hunter may apply for a permit, as follows:

(1) the department shall issue a maximum of 40 percent of the drawing permits to nonresidents and a minimum of 60 percent to residents; each guide may submit the same number of nonresident applications for a hunt as the number of permits available for that hunt;

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

(3) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, as required under AS 16.05.407 or 16.05.408;

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

(A) an applicant for a guided nonresident drawing permit may apply for one such permit for fall hunts and one such permit for spring hunts;

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

(C) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(D) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the permit becomes available, by registration at the Kodiak ADF&G office, to the first applicant furnishing proof that the applicant will be accompanied by a guide;

(5) repealed 7/1/2007.

(b) In the Unit 10 brown bear drawing permit hunt, a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) repealed 7/1/2013;

(3) the department shall enter, in a nonresident drawing, each complete application from a nonresident who will be accompanied by a guide or relative; until June 30, 2015, the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a

(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a); or

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.320, for the applicable guide use area during the season the drawing permit is valid.

5 AAC 92.069. Special provisions for moose and caribou drawing permit hunts

(a) In a moose drawing permit hunt specified in this section, a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a guided nonresident drawing, each complete application from a nonresident who will be accompanied by a guide; until June 30, 2015, the department may enter an application for the applicable hunt only to a nonresident applicant who presents proof at the time of application that the applicant will be accompanied by a guide, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, for the applicable guide use area during the season the drawing permit is valid;

(3) the department shall enter in a non-guided nonresident drawing all other complete applications from nonresidents.

(b) The department shall issue moose drawing permits as follows:

(1) in Units 21(D) and 24, the Koyukuk Controlled Use Area,

(A) the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(B) an applicant for a guided nonresident drawing permit may apply for only one permit per application period;

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

(D) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(E) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the department shall issue permits by registration at the Fairbanks division of wildlife conservation office, to the next succeeding non-guided nonresident, awarded in the order in which the names were drawn, until the alternate list is exhausted;

(2) in Unit 21(D), outside the Koyukuk Controlled Use Area, if the drawing permit hunt is allocated between residents and nonresidents, the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(3) in Unit 21(B), that portion within the Nowitna River drainage upstream from the Little Mud River drainage and within the corridor extending two miles on either side of and including the Nowitna River, the drawing permit hunt is allocated 50 percent to residents and 50 percent to nonresidents; the department shall issue a maximum of 75 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 25 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of nonresidents applying for permits for either nonresident hunt is insufficient to award the required percentage, the department may award the remaining available nonresident drawing permits to the other nonresident hunt;

(4) in Unit 23, that portion south of the north bank of the Kobuk River and Melvin Channel downstream of the Kobuk Valley National Park boundary below the Kallarichuk River mouth, the Selawik River drainage, the Kauk River drainage, and the Baldwin Peninsula; the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; and

(5) in Unit 21(E), a maximum of 30 percent of the nonresident drawing permits will be issued to hunters using a registered guide, and a minimum of 70 percent of the nonresident drawing permits to hunters not using a registered guide;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED: If adopted, this proposal would combine all nonresident hunters into a single pool of applicants for drawing permits. It is difficult to predict changes in hunting opportunities for the various nonresident hunter groups. The current drawing process relies on random chance for the applicant to be selected.

BACKGROUND: Finding of the Alaska Board of Game 2017-222-BOG, Alaska Board of Game Nonresident Hunter Allocation Policy guides the allocation between guided nonresident hunters and nonresident hunters hunting with a relative within the 2nd degree of kindred. Page 5 of the findings provides the following concerning nonresident permit allocation:

Recent data and testimony indicate that the trend of nonresident hunters accompanied by second degree kindred resident relatives for Dall sheep, brown bear, and mountain goat appear to be increasing. The board recognizes the high value of continued opportunity for Alaskans to share unique hunting opportunities with nonresident family members. The board has heard complaints that, in portions of the state, strictly limited permit opportunities for nonresident guide-required hunts have at times been taken to a large degree by second degree kindred hunters accompanied by resident relatives, an effect unanticipated when allocations were established. The board desires to address these issues in a manner that both protects the careful allocation frameworks that the board has already anticipated and determined as appropriate, and provide continued or expanded opportunity for Alaskans to maintain family centered hunting traditions with nonresident relatives where possible.

As provided in the Current Regulations section above, allocation of permits between groups of nonresident hunters is not consistent, nor was it intended to be as addressed by the board findings. When considering nonresident hunter opportunity, the board used historical hunting and harvest data to inform permit allocations.

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

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

PROPOSAL 242 – 5 AAC 92.050 Required permit hunt conditions and procedures. Allow drawing permits to be reissued for military personnel under any official military deployment.

PROPOSED BY: Brian Rethage

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would provide servicemembers the opportunity to apply for a drawing permit transfer in cases where the member is deployed and unable to hunt.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.050. Required permit hunt conditions and procedures

...

(6) the commissioner may reissue or transfer a permit as follows:

- A. a permit may be transferred for scientific purposes;
- B. a person that is on active duty in a branch of the military under United States Department of Defense deployment orders to a combat zone designated by executive order issued by the President of the United States and that has been issued a
 - i. drawing permit, and is prevented from using the drawing permit due to being out of the state on active duty, may be reissued the same drawing permit when the person returns to this state from active duty under this subparagraph, under procedures set out in the applicable permit hunt supplement;
 - ii. Tier II permit may transfer that Tier II permit only during the same regulatory year to a substitute resident hunter while the person is out of the state on active duty under this subparagraph, under procedures set out in the applicable permit hunt supplement;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide more servicemembers the opportunity to request to transfer permits due to deployments that are not considered combat zones.

BACKGROUND:

Beginning in 2009 servicemembers who are, or will be, deployed to a combat zone may request a transfer of drawing permits to a hunting season they will be able to use it. Below (Table 242-1) is a list the number of requests, approvals, and denials issued by the department. The department determines eligibility by reviewing IRS documents identifying locations where servicemembers are exempt for paying federal taxes because they are deployed to a combat zone as identified by executive order of the President of the United States. Additional review, and follow up questions to the servicemember is sometimes necessary when locations are not listed in IRS documents

Table 242-1. Drawing permit transfer requests by
by year (2009-2021).

Issued RY	Approved	Denied	Total
2021	2	1	3
*2020	12	1	13
2019	14	0	14
2018	12	7	19
2017	21	0	21

2016	8	0	8
2015	5	0	5
2014	7	1	8
2013	8	1	9
2012	13	4	17
2011	26	1	27
2010	4	1	5
2009	16	2	18

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because of its allocative nature.

COST ANALYSIS: Adoption of this proposal is expected to result in an increase in the cost to the department through the administration and review of transfer requests. It is difficult to know the scope of increased transfer requests. However, military deployments are common for various missions, and may result in a significant number.

PROPOSAL 243 – 5 AAC 92.050 Required permit hunt conditions and procedures. Update existing regulations to recognize changes made by the Alaska Legislature, through SB 125, regarding the transfer of drawing permit hunts.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? The proposal would bring existing Board of Game regulations into alignment with recently changed statutes by adding a subsection to 5 AAC 92.050(a)(6).

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

...

(5)

except as provided in (6) of this subsection, a permit is nontransferable; however, the department may reissue an invalidated Tier II subsistence hunting permit to the highest-ranked applicant remaining in the original pool of eligible applicants;

(6) the commissioner may reissue or transfer a permit as follows:

...

(D) upon request, a drawing hunt permit may be transferred to a qualified substitute in the event of the original permit holder's death, as provided for in AS 16.05.404 and AS 16.05.420(c).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 92.050 allows the transfer of permits in very few situations. The existing regulation does not include a provision that allows the transfer of drawing permits per SB 125.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted the regulations in 5 AAC 92.050 would be brought into alignment with AS 16.05.404 and AS 16.05.420(c).

BACKGROUND: In May 2021 the Alaska Legislature adopted SB125 that allows the transfer of a draw hunt permit to an eligible substitute. An eligible substitute is defined as an immediate family member (e.g., parent, sibling, or child related by blood, marriage, or adoption). The transfer must be applied for before the end of the hunting season for which the permit is valid; can only be reissued for the same hunt; and the substitute must meet all qualifications that the original permittee. The qualifications include, but are not limited to, holding a valid hunting license, and being eligible to receive the permit. The original permit holder must be an Alaska resident, and the qualified substitute must also be an Alaska resident. Changes need to be made to 5 AAC 92.050 because 5 AAC 92.050(a)(6) lists the specific instances under which the commissioner may reissue or transfer a permit, and new statutory language provides for additional permit transfer opportunity.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to update regulations as a result of changes to statute AS 16.05.404 and AS 16.05.420(C). Since submitting this proposal the department has identified another regulation the board may want to update as well; 5 AAC 92.050(a)(4)(F). The board should determine if the receiving person can have legally possessed the same permit the year before, and if the receiving person is eligible to receive the permit as a regularly awarded drawing permit the following year.

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

PROPOSAL 244 – 5AAC 92.072 Community subsistence harvest hunt areas and permit conditions. Eliminate all community subsistence hunts statewide.

PROPOSED BY: Tony Gillham

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the Copper Basin Community Subsistence Harvest (CSH) hunt; the Chalkyitsik Community Harvest Area for moose; and the Yukon Flats Community Subsistence Harvest Area for black bears.

WHAT ARE THE CURRENT REGULATIONS? Existing community subsistence hunts and hunt areas are fully described in 5 AAC 92.072 and 5 AAC 92.074.

The current moose and caribou hunting regulations can be found in 5 AAC 85.045 and 85.0025, respectively, as well as in the *2021–2022 Alaska Hunting Regulations*.

The CSH hunt structure has not been used since the mid 2000s for the Chalkyitsik Community Harvest Area for moose, or the Yukon Flats Community Harvest Area for black bears though the pattern of use for both still exists.

Chalkyitsik Community Harvest Hunt for moose

The community hunt area for this hunt includes portions of Units 25B and 25D. There is a positive C&T finding for moose in Unit 25B with an ANS of 15-37. There is a positive Unit 25D west and an ANS of 50-70. There is also a positive C&T finding for moose in Unit 25D east and an ANS of 150-250.

Remainder of 25(D)
1 bull per regulatory
year, only as follows:

RESIDENT HUNTERS:

1 bull; or

Sept. 10 - Sept. 20
Feb. 18 - Feb. 28

1 bull per community
harvest report by
community harvest
permit in an established
community harvest
area

Sept. 10 - Sept. 20
(Subsistence hunt
only)
Feb. 18 - Feb. 28
(Subsistence hunt
only)

Yukon Flats Community Harvest Hunt for black bears

The hunt area for this hunt is all of Unit 25D. There is a positive C&T finding for black bears in Unit 25 with an ANS of 150-250.

5 AAC 85.015

Unit 25(D)
5 bears; or

RESIDENT HUNTERS:
No closed season

5 bears per community

No closed season.

harvest report by
community harvest
permit in an established
community harvest
area

(Subsistence hunt
only)

Copper Basin Community Subsistence Harvest Hunt Moose

The Copper Basin hunt area includes all of Unit 13 and portions of Units 11 and 12. The Board of Game has made a positive customary and traditional use finding for moose in Unit 13 with an amount necessary for subsistence (ANS) of 300–600 moose. Hunters who wish to hunt moose in Unit 13 may do so under the following seasons and bag limits:

- **CM300** - Copper Basin Community Subsistence Harvest (CSH) Hunt:
 - The board has established an allocation of 100 bull moose that do not meet general season antler restrictions (any-bulls) to the Copper Basin CSH. CSH participants have a bag limit of 1 bull from August 20–September 20 if they are in possession of an any-bull locking tag.
 - CM300 permitholders not in possession of an any-bull locking tag have a bag limit of 1 moose with spike-fork antlers or 50-inch antlers or antlers with 4 or more brow tines on at least 1 side, with the same season dates.
 - Once the 100 any-bull allocation has been met, the bag limit is changed for all CSH participants by emergency order to 1 bull with spike-fork antlers or 50-inch antlers or antlers with 4 or more brow tines.
 - 350 CSH participants receive any-bull locking tags based on existing scoring criteria. Each community group must have 25 qualified individuals to successfully apply for any CSH program, and Copper Basin CSH groups are locked-in for a two-year commitment upon successful application.
 - Any eligible hunter within a group may act as a designated hunter for other members of the group.
 - Hunters must salvage the head, heart, liver, kidneys, stomach, and hide, as well as all edible meat from the front quarters, hindquarters, ribs, neck, and backbone.
 - Meat of the forequarters, hindquarters, ribs, brisket, neck, and back bone must remain naturally attached to the bones until delivered to the place where it is processed for human consumption.
 - The group coordinator must submit an annual Coordinator Community Harvest Report. If the coordinator fails to do so, all group participants will be placed on the Failure to Report list and will not be eligible to participate in the CSH hunt during the following regulatory year.

- No member of a Copper Basin CSH moose hunt household may hold state or federal moose permits outside of the Copper Basin Community Hunt area (Unit 11, 13, and that portion of Unit 13 south of the Little Tok River) or hold general season moose harvest tickets.
- After the CSH hunt has ended, unsuccessful individual household members may then acquire state or federal moose harvest tickets or permits for other areas if the bag limit is greater than one moose per person.
- ***Federal Community Hunt*** - Federally qualified subsistence users can obtain community hunt permits for moose valid for Units 11 and 13 from the Ahtna Intertribal Resources Commission in Glennallen. Seasons and bag limits correspond with those of existing federal subsistence hunting opportunities in those areas.

Caribou

The Board of Game has made a positive customary and traditional use finding for Nelchina caribou in Unit 13 with an ANS of 600–1,000 caribou.

The current caribou hunting regulations can be found in 5 AAC 85.025 and the *2021–2022 Alaska Hunting Regulations*. Hunters who wish to hunt Nelchina caribou in Unit 13 may do so under the following seasons and bag limits:

- ***CC001*** - Copper Basin Community Subsistence Harvest (CSH) Hunt:
 - One permit for Nelchina caribou harvest is issued annually to each household in an eligible Copper Basin CSH group. Each community group must have 25 qualified individuals to successfully apply for any CSH program, and Copper Basin CSH groups are locked-in for a two-year commitment upon successful application.
 - Up to 400 caribou may be taken by CSH hunters. Bag limits are determined annually based on harvestable surplus, but may be changed by Emergency Order, and may include up to 2 caribou. Season dates are Aug. 10–Sept. 20 and Oct. 21–Mar. 31.
 - Any eligible hunter within a group may act as a designated hunter for other members of the group.
 - Hunters must salvage the heart, liver, kidneys, and fat, as well as all edible meat from the forequarters, hindquarters, ribs, neck, and backbone.
 - Meat of the forequarters, hindquarters, ribs, brisket, neck, and back bone must remain naturally attached to the bones until delivered to the place where it is processed for human consumption.
 - The group coordinator must submit an annual Coordinator Community Harvest Report. If the coordinator fails to do so, all group participants will be placed on the Failure to Report list and will not be eligible to participate in the CSH hunt during the following regulatory year.

- No member of a Copper Basin CSH caribou hunt household may hold state or federal moose or caribou permits outside of the Copper Basin Community Hunt area (Unit 11, 13, and that portion of Unit 13 south of the Little Tok River) or hold general season caribou harvest tickets.
- After the CSH hunt has ended, unsuccessful household members may then acquire state or federal caribou harvest tickets or permits for other areas if the bag limit is greater than one caribou per household.
- ***Federal Community Hunt*** - Federally qualified subsistence users can obtain community hunt permits for caribou valid for Unit 13 from the Ahtna Intertribal Resources Commission in Glennallen. Seasons and bag limits correspond with those of existing federal subsistence hunting opportunities in those areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The Copper Basin CSH hunts for moose and caribou would be eliminated, as would the community hunts for Unit 25D moose and Unit 25 black bears. Elimination of the Copper Basin community hunt could simplify the hunt structure but would not provide a reasonable opportunity for the subsistence communal pattern of use that was adopted into regulation, and community subsistence hunts in the Copper Basin community hunt area would not be available. No alternative to provide for the community pattern of use has been suggested. Assuming all other moose and caribou regulations were unchanged in the Copper Basin, elimination of the Copper Basin community hunt for moose could reduce the take of any-bulls in Unit 13. This proposal would simplify the hunt structure for moose and caribou in Unit 13 but would also eliminate the designated hunter aspect of the CSH hunts. Moose, caribou, and black bear subsistence hunting opportunities would only be provided through individual pattern of use through harvest ticket or registration hunts.

BACKGROUND: For the Copper Basin hunts, in 2006-170-BOG and 2011-184-BOG, the board recognized there are two basic use patterns within a range of subsistence uses for moose and caribou in Unit 13: 1) a pattern for individuals, families, and other social groups (both within and outside the local area; 2011-184-BOG); and 2) “the community-based pattern established by the Ahtna” (2006-170-BOG). The board recognized that the community-based pattern has been “adopted and modified by other local settlers and, to a more limited degree, by other Alaska residents.” To address these patterns of use the BOG created the CSH moose and caribou hunts to provide a reasonable opportunity for the community-based pattern in addition to other regulatory options to provide reasonable opportunities by individual hunters and families who chose not to organize as a community. The Copper Basin CSH hunt was first implemented in 2009 and has since undergone several iterations through BOG action to develop manageable hunt strategies that opportunity to participate in the communal pattern of use as described by the BOG. The use of a designated hunter in the CSH that allows any hunter within a hunt community to harvest on another community member’s permit provides part of the support for the communal pattern of use, in addition to other elements, that has been acknowledged by the BOG.

In March 2000, the board adopted regulations establishing the first ever community harvest program around the Yukon Flats community of Chalkyitsik. This regulation resulted from a 1998 proposal from the Yukon Flats Fish and Game Advisory Committee which allowed the pooling of individual harvest limits so that one hunter may harvest more than one moose each year for use by the community or group. The hunt was not intended to increase harvest but rather to better accommodate traditional subsistence hunting and sharing practices and improve harvest reporting. Within the context of the formation of the Yukon Flats Cooperative Moose Management Plan (2002), the board also established a community harvest permit program for black bears in Unit 25 in March 2002. The board has not made findings regarding the Unit 25 moose and black bear community hunts.

Copper Basin Moose

In 2010 the Copper Basin CSH hunt was not offered due to litigation, but it was reinstated in 2011. During that regulatory year, the CSH moose hunt had a quota of 70 any-bulls. The hunt became increasingly popular annually (Table 244-1). From 2012 to 2013 the number of hunting communities participating jumped from 19 to 45, and the any-bull quota was raised to 100 in 2013, but the rapid harvest early in the season resulted in any-bull closures 4–6 days after the season opened for all subunits. A five-day reporting requirement complicated hunt administration with high levels of participation in 2013, so in 2014 a 24-hour reporting requirement and locking tag system was implemented. One locking tag was issued for every 3 households in each group. The overall quota was lowered to 90 any-bulls in 2014, and returned to 100 in 2015, which has been the overall quota since. Effective in RY2016, the CSH moose season start date in Unit 13 was moved from August 10 to August 20, but harvest remained high.

Table 244-1. Copper Basin CSH moose hunt participation and harvest, RY2009–2020.

Regulatory Year	Number of Groups	Number of Permits	Hunters Reported Hunting	Number of Locking Tags	Total CSH Moose Harvest	CSH Any-Bull Harvest ¹
2009	1	378	293	-	100	70
2010 ²	-	-	-	-	-	-
2011	9	753	312	-	86	64
2012	19	961	358	-	98	76
2013	45	2,066	842	-	156	85
2014	43	1,771	607	281	150	76
2015	43	1,984	621	344	171	92
2016	73	3,023	941	485	201	114
2017	83	3,136	879	521	188	102
2018	57	2,331	664	354	154	92
2019	61	2,143	589	350	160	94
2020	49	1,703	654	352	138	80

¹ Federally qualified subsistence users and DM324 permit holders harvest additional “any-bulls” in Unit 13.

² The CSH hunt was not offered in 2010 due to litigation.

The locking tag system slowed harvest and allowed for a manageable hunt. In 2014, 2015, 2016, and 2017 there were Unit 13 subunits each year that did not reach quotas and Unit 11 did not reach its quota. Unit 13 subunits that did reach quotas did so far later in the season. Participation, however, continued to increase. To limit the number of locking tags issued for the 100 any-bulls, the BOG determined that, starting in 2018, 350 locking tags would be issued to CSH participants based on pre-established scoring criteria. Also beginning in 2018, groups that successfully applied to participate in the CSH hunt did so for a two-year commitment.

Following these changes, 13B was the only subunit in 2018 that closed to any-bull harvest prior to the end of the regular season and in 2019, 13A East and 13E were the only subunits to close to any-bull harvest prior to the end of the regular season. In 2020, Unit 13E East closed just prior to the end of the regular season, and Unit 13E closed at the end of August. The only season in which all subunits closed prior to September 20 was in 2012 because the overall any-bull quota for the hunt had been reached, which was 70 any-bulls that season.

Bull-to-cow ratios in Units 13A, 13B, 13C, and 13E have been declining. Any-bull quotas are reevaluated annually based on bull-to-cow ratios, to prevent ratios from dropping below the objective of 25 bulls per 100 cows. Units 13D and 11 maintain high bull-to-cow ratios and additional harvest is available in these areas, but in the past two seasons the current harvest quotas have not been met prior to the end of the regularly scheduled season.

Over the past five years, an average of 62% of CSH moose harvest in Unit 13 occurs in August and any-bulls from the CSH hunt account for 10% of Unit 13 harvest annually.

In 2018, 29% of CSH moose were harvested by designated hunters, 24% in 2019, and in 2020, 29% of CSH moose were harvested by designated hunters.

Nelchina Caribou

The Nelchina CSH caribou hunt has gone through similar iterations, but without the complexity of the locking tags for any-bull moose. In March of 2017 (RY16), the CC001 bag limit was increased to 2 caribou. Effective RY2018, CC001 caribou groups were locked-in to a 2-year commitment upon successful application into the CSH caribou hunt, and the bag limit in regulation became “up to 2 caribou.” Also beginning in RY2018, the RC566 hunt was split into two separate periods, which are now represented by RC561 (Aug. 10–Aug. 31 fall season) and RC562 (Sept. 1–Sept. 20 fall season). This change resulted in CC001 having a substantially longer fall season than any other caribou hunt option in Unit 13. Interest in the CSH caribou hunt has since increased (Table 244-2).

Table 244-2. Copper Basin CSH caribou hunt participation and harvest, RY2009, 2011–2021.

R/Y	Groups	Permits	Hunted	Harvest
2009	1	477	288	127
2010 ¹	-	-	-	-
2011	6	322	176	87
2012	17	402	238	150
2013	28	689	308	114
2014	25	569	266	144
2015	26	659	330	191
2016	45	1,006	558	334
2016 ²	-	208	78	36
2017	51	1,004	484	262
2018	38	838	382	168
2019	44	811	406	256
2020	40	818	476	294
2021	47	908	TBD	TBD

¹ The CSH hunt was not offered in 2010 due to litigation.

² The bag limit was increased to 2 caribou in March of 2017 (R/Y2016); households were given the option to obtain an additional permit, which was issued as hunt number CC002. 208 households chose to receive the additional permit, of which 78 hunted and 36 harvested.

The ANS for moose and caribou are being met or exceeded in Unit 13 with state and federal subsistence harvest opportunities outside of the CSH hunt structure. ANS is not a quota and harvests can exceed the ANS, as outlined in the subsistence statute at AS 16.05.258(b): if the harvestable surplus is sufficient to provide for all consumptive uses, then the board shall adopt regulations that give subsistence uses a priority and shall adopt regulations that provide for other uses of the population, *subject to preferences among beneficial uses*, and may adopt regulations to *differentiate among uses* (emphasis added).

Meeting the ANS could be interpreted by the board that the current regulations provide a reasonable opportunity for success in harvesting moose or caribou for subsistence uses. The ANS is also not a factor in providing for the differential, beneficial communal pattern of use that the board has found occurs in this area.

The proposal states there are no checks or limits to the number of people who can obtain the community permits; however, a community or group must have a minimum of 25 people. In addition, due to the Alaska Supreme Court's McDowell decision, the board cannot limit participation in community hunts to people who live in certain areas; thus, it is appropriate that people living in Anchorage or other nonsubsistence areas can participate in community subsistence hunts. Subsistence hunting is more than hunting for survival: it is to perpetuate subsistence uses, which are defined in statute at AS 16.05.940 (34) as the noncommercial, customary and traditional uses of wild resources for things such as food, shelter, fuel, clothing, tools, transportation, handicrafts, and customary trade and barter. "Customary and traditional" has been described by

the Eight Criteria of the Joint Board's Subsistence Procedures at 5 AAC 99.010 as a pattern of use that is a way of life, which is broader than survival. The Copper Basin community hunts have been ruled constitutional by the Alaska Supreme Court.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of moose, caribou, and bear harvest in Community Subsistence hunts. There are no conservation concerns for these populations. If adopted, the board should consider whether reasonable opportunity for success in harvesting a moose, caribou, or black bear for the communal pattern of use still exists, as well as overall reasonable opportunity for subsistence uses of moose, caribou, and black bears in Units 11, 12, 13, and 25. At its Central and Southwestern Region Meeting in January 2022 the board heard similar proposals to eliminate the Copper Basin CSH hunts and voted unanimously to postpone indefinitely their actions on those proposals. If adopted, the department requests the board delay implementation for two years to allow recently announced permit holders the opportunity to complete their hunts.

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

PROPOSAL 245 – 5 AAC 92.220 Salvage of game meat, furs, and hides. Repeal the requirement to salvage rib meat on the bone for moose, bison, and caribou.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal will remove the requirement to salvage rib meat on the bone for moose, bison, and caribou, statewide.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.220. Salvage of game meat, furs, and hides

...

(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. In addition,

...

(3) for moose taken before October 1 in Units 13, 19, 21, 23, 24, and 25, for caribou taken before October 1 in Units 13, 19, 21(A), 21(E), 23, 24, and 25(A), and for bison taken before October 1 in Units 19, 21(A), and 21(E), the edible meat of the front quarters, hindquarters, and ribs must remain naturally attached to the bone until the meat has been transported from the field or is processed for human consumption;

...

(6) for moose and caribou taken under a community subsistence harvest permit in the area described in 5 AAC 92.074(d), the edible meat of the front quarters, hindquarters, ribs, brisket, neck and back bone must remain naturally attached to the bone until the meat has been transported from the field or is processed for human consumption.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would impact only certain game management units and subunits where rib meat is required to be salvaged on the bone. In effect, this proposal would apply the same rib meat salvage requirement for moose, bison, and caribou in all hunts except for the community subsistence harvest hunts in described in 5 AAC 92.074(d).

BACKGROUND: The following Units require rib meat to be salvaged on the bone for moose, bison, and caribou (not all units have the same requirement for each species): 13, 19, 21A, 21BCD, 21E, 23, 24, and 25ABCD. Salvage requirements have changed throughout the years as proponents have brought concerns to the board. As noted by the author, these requirements attempt to address two issues; avoid spoilage and promote full use of the game animal. To some degree this is a hunter experience and ethics regulation. Loss of meat to spoilage or incomplete field dressing can be attributed to hunters who haven't had to work with large game, and others, that do not feel rib meat is important to keep for consumption.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is not addressing or creating a biological concern. While adoption of this proposal would make it more convenient for hunters to remove rib meat from the field, there may still be spoilage and wanton waste concerns.

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

PROPOSAL 246 – 5 AAC 92.171. Sealing of horns and antlers. Change the method of sealing sheep by allowing for temporary sealing.

PROPOSED BY: Tyler Freel

WHAT WOULD THE PROPOSAL DO? The proposal would remove the word “permanent” from regulation.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.171. Sealing of horns and antlers

(a) A person may not alter, possess, transport, or export from the state, the horns of a Dall sheep ram taken in any hunt where there is a horn configuration bag limit, the horns of a Dall sheep ram taken in Units 6 - 11 and Units 13 - 17, or the horns of a Dall sheep taken under a

registration permit in Unit 19(C), unless the horns have been permanently sealed by a department representative within 30 days after the taking, or a lesser time if designated by the department; except the horns of a 3/4-curl or less sheep taken in the registration hunt in Units 25(A) and 26(C) do not need to be sealed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted sheep horns would not be permanently sealed.

BACKGROUND: In 2004 the board required the sealing of all sheep horns from rams taken in areas where there was a horn configuration requirement. In 2006 the department submitted a proposal to modify the sealing requirements to make it easier for enforcement to know if a sheep had been sealed or not. As a result the board clarified all sheep to be sealed must be permanently sealed. In 2009 the board required the sealing of all rams taken in Units 6-11, and 13-17, including those less than full-curl. In 2011 the board prohibited the alteration of ram horns prior to sealing. In 2014 when the board created a winter subsistence sheep hunt in Unit 19C it also required sealing of those sheep, even though the legal animal in that hunt is sheep smaller than full-curl. In 2020 the board exempted sheep taken in registration hunts in Units 25A and 26C from the sealing requirement.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because it allows the department to permanently identify harvested rams. Permanent marking is advantageous for multiple reasons. In recent years, the department has recorded increased harvest of sublegal sheep which means that there are less animals available for harvest in future years. The knowledge that horns will be rigorously checked and permanently marked gives hunters strong incentive to ensure they harvest a legal animal. This is especially important given declining sheep populations in much of the state. As horns are removed from the skull plate during taxidermy, a locking tag through a hole in the skull as described in the proposal would effectively eliminate the sealing requirements.

During the sealing process, the department collects data including horn morphometrics and biological samples including those for genetics, disease status, and population health which gives critically needed insight into populations across the state. Removing the permanent sealing requirement would make it easier for hunters to abuse the system by failing to have their sheep sealed.

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

PROPOSAL 247 – 5 AAC 92.110 Control of predation by wolves. Discontinue lethal taking of wolves under predation control implementation programs.

PROPOSED BY: Lydia Furman

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would prohibit lethal removal of wolves in Intensive Management (IM) programs.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 92.110. Control of predation by wolves

(a) Notwithstanding any other provision in this title, the commissioner or the commissioner's designee may, in accordance with this section, and consistent with any applicable predation control implementation plan adopted by the board, conduct a wolf population reduction or wolf population regulation program. The commissioner or the commissioner's designee, including contracted agents of other governmental agencies, may reduce wolf populations in an efficient manner, by any means, but as safely and humanely as practical, including the use of a helicopter.

(b) Repealed 3/10/2006.

(c) Repealed 10/1/93.

(d) Repealed 3/10/2006.

(e) After the board has adopted a predation control implementation plan, the commissioner may, at any time during the period for which the plan is in effect, determine whether to implement the plan and may, by regulation, amend the plan to apply additional restrictions in light of circumstances existing at the time of implementation.

(f) If the board authorizes issuance of public aerial shooting permits or public land and shoot permits as a method of wolf removal, the commissioner may, at any time while the plan is in effect, implement land and shoot or aerial shooting by order of the department. A permit may be issued under 5 AAC 92.039. The department may monitor programs involving the use of aircraft from the air.

(g) To the extent practicable, a person taking wolf under a wolf population reduction or wolf population regulation program must retrieve the wolf so that maximum economic and scientific value may be realized from each wolf.

(h) Poison may not be used to take a wolf, except that carbon monoxide cartridges may be used to humanely euthanize wolf young in the den in areas under a predation control implementation plan.

(i) The killing of wolf young in the den, commonly known as "denning", is prohibited, unless the commissioner authorizes the killing of wolf young in the den in areas under a predation control implementation plan.

(j) Repealed 5/16/2010.

(k) The commissioner shall stop the taking of wolves under the implementation plan and, if necessary, stop other taking in the affected area for the remainder of the regulatory year, when plan objectives adopted by the board for that area have been reached for that year.

(l) This section applies only to a specific program designed to reduce or regulate wolf populations for the purpose of managing wild prey populations. This section does not apply to other responsibilities of the commissioner, such as activities relating to

- (1) animal propagation;
- (2) scientific studies;
- (3) stocking conducted under AS 16.05.050;
- (4) issuance of permits for collection of animals under AS 16.05.340(b);
- (5) the isolated taking of animals necessary for immediate protection of wildlife populations or the general public or property under AS 16.05.020; or
- (6) issuance of any other department permits authorized by state or federal law.

(m) A wolf population reduction or wolf population regulation program established under this section is independent of, and does not apply to, hunting and trapping authorized in 5 AAC 84 - 5 AAC 85.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The merits of predator control are regularly debated and are subject to both empirical data and value judgements. If adopted, this proposal will impact all IM programs involving lethal wolf removal, which in turn will hinder the department from meeting statute-mandated and board-adopted IM objectives for both predators and prey.

BACKGROUND:

In 1994 the Alaska Legislature passed Alaska Statute 16.05.255 (e)-(g) and (k) for caribou, deer, and moose (game or prey species) that required the Alaska Board of Game to:

- set lower and upper prey population and harvest objectives in areas important to hunting,
- consider active management of predation and habitat when prey abundance and harvest are below IM objectives and harvest restrictions are proposed, and
- consider feasibility based on science, land ownership, and subsistence uses (e.g., effect of increased number of hunters or more hunting opportunity on local users) before authorizing programs.

Board of Game approved Intensive Management projects that include lethal removal of wolves follow the department's *Intensive Management Protocol* (Div. of Wildlife Conservation, 2011). An integral part of this protocol is for the agency to establish baseline population data for predators and objectives for the number of predators to remain in a defined area that ensures sustainability of predator populations. Both predator and prey objectives serve as thresholds to indicate when IM work should continue or be suspended.

Eleven (7 moose and 4 caribou) intensive management (IM) programs involving lethal predator control (wolves and bears) have been implemented in portions of some Game Management Units since spring 2004. Statewide kill of predators (all methods of take) and the number of hunters and trappers sealing predator hides have declined since about 2000 for wolves and since about 2010 for bears, despite greater harvest opportunity in non-coastal areas and periods of active predator control in IM areas. Wolf control averaged 24% of wolf kill in 11 IM program areas, with 19% done by permitted members of the public and 5% done by agency staff. Wolf control was 12% of total wolf kill statewide.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Without the ability to lethally remove wolves in Intensive Management areas the department will be significantly hindered in meeting board-approved IM objectives and place the Department and Board in a position where it will not be able to implement Alaska Statute 16.05.255 (e)-(g) and (k).

COST ANALYSIS: Adoption of this proposal could result increased costs to the department to continue IM work because of the need to use alternative methods to control wolf populations, which may be more expensive or less effective.

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.

PROPOSAL 249– 5 AAC 85.045 (5). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Units 7 and 14(C).

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal reauthorizes the antlerless moose season in the Twentymile/Portage/Placer hunt area in Units 7 and 14(C).

WHAT ARE THE CURRENT REGULATIONS? The current regulations are:

	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Units and Bag Limits		
(5)		
...		
Unit 7, the Placer River drainages, and that portion of the Placer Creek (Bear Valley) drainage outside the Portage Glacier Closed Area, and that portion of Unit 14(C) within the Twentymile River drainage		

RESIDENT HUNTERS:

1 moose by drawing permit only; up to 60 permits for bulls will be issued in combination with nonresident hunts, and up to 70 permits for antlerless moose will be issued

Aug. 20—Oct. 10
(General hunt only)

NONRESIDENT HUNTERS:

1 bull by drawing permit only; up to 60 permits for bulls will be issued in combination with resident hunts

Aug. 20—Oct. 10

...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Antlerless moose seasons must be reauthorized annually. The harvest of antlerless moose provides the department with a management tool to maintain the number of moose in the Twentymile/Portage/Placer area at a population level low enough to reduce over-browsing of winter habitat, moose-vehicle collisions, and starvation during severe winters. The moose population will be healthier and more productive due to decreased stress levels associated with winter food shortages.

BACKGROUND: The moose population in the Twentymile/Portage/Placer area has a history of rapid increase following mild winters, and sharp reductions during severe winters. The number of permits issued (Table 249-1) depends on the current population estimate and bull:cow ratios, as well as estimated winter mortality. A December 2021 aerial composition count of moose in the Twentymile, Portage, and Placer River drainages found 185 moose with a bull:cow ratio of 36 bulls per 100 cows and a calf:cow ratio of 19 calves per 100 cows. This is an increase when compared to the December 2020 count, which found 153 moose with a bull:cow ratio of 30 bulls per 100 cows and a calf:cow ratio of 14 calves per 100 cows, and the December 2016 count which found 153 moose with a bull:cow ratio of 30 bulls per 100 cows and a calf:cow ratio of 18 calves per 100 cows. This may indicate an upward trend for this population, making it even more vital to maintain antlerless hunts. Since 2016, harvest and roadkill numbers have also remained relatively steady.

Table 249-1. Moose harvest in the Twentymile/Portage/Placer hunt area in Units 7 and 14(C), regulatory years 2018-2021.

Regulatory Year	Bull Permits	Antlerless Permits	Bulls Harvested	Cows Harvested
2018	31	30	13	6

2019	30	30	13	10
2020	30	30	15	11
2021	30	30	14	9

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to maintain antlerless hunts in Units 7 and 14(C). These hunts have been successful in creating additional moose hunting opportunities with little or no controversy. In addition, the harvest of antlerless moose has helped achieve the Department's goal of maintaining moose numbers at a level to avoid die-offs during harsh winters.

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

PROPOSAL 250 – 5 AAC 85.045 (12). Hunting seasons and bag limits for moose.

Reauthorize the antlerless moose seasons in Unit 14(C).

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Reauthorize the antlerless moose seasons in Unit 14(C).

WHAT ARE THE CURRENT REGULATIONS? The current regulations are:

Resident

Units and Bag Limits

Open Season
(Subsistence and
General Hunts)

Nonresident
Open Season

(12)

...

Unit 14(C), Joint Base
Elmendorf-Richardson
(JBER) Management
Area

Sept 1—Mar 31
(General hunt only)

Sept 1—Mar 31

1 moose by regulatory year by
drawing permit, and by muzzleloading
blackpowder rifle or bow and arrow

only; up to 185 permits may be issued

Unit 14(C), that portion
known as the Birchwood
Management Area

Sept. 1—Sept. 30
(General hunt only)

Sept. 1—Sept. 30

1 moose by drawing permit, by
bow and arrow only; up to 25
permits may be issued

Unit 14(C), that portion
known as the Anchorage
Management Area

Sept. 1—Nov. 30
(General hunt only)

No open season

1 antlerless moose by drawing permit
only, and by bow and arrow, shotgun,
or muzzleloader only; up to 50 permits
may be issued

Unit 14(C), that portion
of the Ship Creek drainage
upstream of the Joint Base
Elmendorf-Richardson (JBER)
Management Area

1 moose by drawing permit
only; up to 50 permits may
be issued; or

Sept. 1—Sept. 30
(General hunt only)

Sept. 1—Sept. 30

1 bull by registration permit
only

Oct. 1—Nov. 30
(General hunt only)

Oct. 1—Nov. 30

...

Remainder of Unit 14(C)

1 moose per regulatory year,
only as follows:

1 bull with spike-fork
antlers or 50-inch
antlers or antlers with
3 or more brow tines on one
side; or

Sept. 1—Sept. 30
(General hunt only)

Sept. 1—Sept. 30

1 antlerless moose by
drawing permit only; up

Sept. 1—Sept. 30

No open season

to 60 permits may be issued; or

(General hunt only)

1 bull by drawing permit only,
by bow and arrow only; up to
10 permits may be issued

Oct. 20—Nov. 15

No open season

...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Adoption of this proposal is necessary for antlerless hunts in Unit 14(C) to continue. The harvest of antlerless moose provides the department with a management tool to maintain the number of moose in Unit 14(C) at a population level low enough to reduce conflicts with residents, over-browsing of winter habitat, moose-vehicle collisions, and starvation during severe winters. At this level, the moose population will be healthier due to decreased stress levels associated with winter food shortages.

BACKGROUND: A combined 2021 aerial composition count of the JBER Management Area and the Ship Creek drainage (the area that provides the most hunting opportunity in Unit 14(C)) found 301 moose with a bull:cow ratio of 44 bulls per 100 cows and a calf:cow ratio of 20 calves per 100 cows. In 2020, a survey of the same area found a total of 242 moose with bull:cow and calf:cow ratios of 30:100 and 25:100, respectively. Compared to the 2013 survey, which found 225 moose with a bull:cow ratio of 39 bulls per 100 cows and a calf:cow ratio of 20 calves per 100 cows, little change has occurred. If anything, there may be an upward trend, making it even more vital to maintain antlerless hunts. In addition, harvest numbers have remained relatively steady, indicating that population level has likely not changed dramatically. At this population level, we have received fewer reports of human-moose conflicts, moose-vehicle collisions, and winter mortalities.

Antlerless moose hunts must be reauthorized annually. The number of antlerless permits issued depends on the current population estimate and bull:cow ratios, as well as estimated winter mortality.

Table 250-1. Cow moose harvest in Unit 14(C), regulatory years 2018–2021.

Regulatory Year	Either Sex Permits	Antlerless Permits	Cows Harvested
2018	50	26	22
2019	50	26	19

2020	50	26	24
2021	50	26	24

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to reauthorize antlerless hunts in Unit 14(C). These hunts have been successful in providing additional moose hunting opportunities in the state’s human population center with little controversy. In addition, the harvest of antlerless moose has helped achieve the department’s goal of maintaining moose numbers at a level that minimizes conflicts, moose-vehicle collisions, and winter die-offs, while still maintaining hunting opportunity.

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

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:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(13)		
...		
Unit 15(B), Kalgin Island 1 moose per regulatory year, by registration permit only	Aug. 20–Sept. 20	Aug. 20–Sept. 20

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.

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:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(13)		
...		
Unit 15(C), that portion south of the south fork of the Anchor River and northwest of Kachemak Bay		
RESIDENT HUNTERS:		
1 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; up to 100 permits may be issued in combination with the nonresident drawing hunt: or	Oct. 20–Nov. 20	
1 moose by targeted permit only,	Oct. 15–Mar. 31	
NONRESIDENT HUNTERS:		
1 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;		Oct. 20–Nov. 20

up to 100 permits may be issued in combination with the resident drawing hunt

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 $3,204 \pm 650$, 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.

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.

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:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
----------------------	---	----------------------------

(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.

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/mi² 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.

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/mi²). 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/mi²) in the MFMA. The 2019 estimate now indicates densities are at approximately 2.0 moose/mi². 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.

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.

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.

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
----------------------	---	----------------------------

(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	Sept. 5–Sept. 25
---	------------------

combination with Unit 21(D)
remainder; or

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

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers or antlers Sept. 5–Sept. 25
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

...

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 mi² (21%) of the 12,093.6 mi² 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.

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:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
----------------------	---	----------------------------

(19)

Unit 21(E)

RESIDENT HUNTERS:

...

1 moose, by registration permit
only, a person may not take a cow
accompanied by a calf

Feb 15 – Mar 15

...

WHAT 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 mi²), the overall moose density increased from 1.0 moose/mi² in 2000 to 2.1 moose/mi² 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.

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.

PROPOSAL 261 – 5 AAC 92.015(a)(4). Brown bear tag fee exemptions. Reauthorize resident grizzly/brown bear tag fee exemptions throughout Interior and Eastern Arctic Alaska.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would reauthorize the current resident tag fee exemptions for brown bears in Units 12, 19, 20, 21, 24, 25, 26B, and 26C.

WHAT ARE THE CURRENT REGULATIONS? Brown bear tag fees and locking tags are not required for residents in Units 12, 19, 20, 21, 24, 25, 26B, and 26C. See below for regulations regarding the customary and traditional use findings and the amounts reasonably necessary for subsistence harvests of brown bears.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The \$25 resident tag fee exemption would be continued for brown bear hunts in Units 12, 19, 20, 21, 24, 25, 26B, and 26C.

BACKGROUND: The Board of Game must annually reauthorize all resident tag fee exemptions. Resident brown bear tag fees were put in place statewide during the mid-1970s to discourage incidental harvest, elevate the status of brown bears to trophies, and to provide revenue. Today, Region III populations are abundant, and brown bears continue to be highly

regarded as trophies. Across the region, season dates and bag limits effectively regulate harvest in areas where interest is high.

Eliminating all resident brown bear tag fees throughout Region III simplifies regulations, increases resident hunter opportunity, and is not likely to cause declines in these brown bear populations. This reauthorization would assist with our objective of managing Region III brown bear populations for hunter opportunity and would continue to allow hunters to take brown bears opportunistically. Reauthorizing these tag fee exemptions would allow residents who are unable to purchase the \$25 tag before hunting, due to lack of vendors or economic reasons, to legally harvest brown bears. During regulatory years 2006–2015 approximately 22% of brown bears harvested by resident hunters in Region III were taken incidentally to other activities, compared with 9% statewide.

Human-caused mortality in most areas of Region III is quite low and is assumed to be less than 6% of the population, which is a rate that is sustainable under most ecological circumstances. Where harvests are elevated (i.e., Units 20A, 20B, 20D, and portions of 26B), brown bear populations are managed through changes in seasons and bag limits. The presence or absence of tag fees does not appear to have a significant influence on harvest in these areas.

As part of this request to reauthorize exemption of resident brown bear tag fees throughout Region III, we recommend that the board, at a minimum, continue to reauthorize the tag fee exemptions for subsistence registration permit hunts in Units 19A and 19B (downstream of and including the Aniak River drainage), 21D, and 24. The customary and traditional use findings and amounts reasonably necessary for subsistence are presented below:

Customary and traditional use findings, and amounts reasonably necessary, brown bear populations, Region III:

Unit	Finding	Amount reasonably necessary for subsistence
Unit 12	Negative	---
Units 19A and 19B upstream of and excluding the Aniak River drainage, and Unit 19D	Positive	10–15
Units 19A and 19B downstream of and including the Aniak River drainage	Positive	5
Unit 19C	Negative	N/A
Unit 19D	Positive	2–6

Unit	Finding	Amount reasonably necessary for subsistence
Units 20A and 20B outside the boundaries of the Fairbanks Nonsubsistence Use Area and Unit 20C	Positive	1–3
Unit 20D, outside the boundaries of the Fairbanks Nonsubsistence Area	Positive	1–2
Unit 20E	Negative	N/A
Units 21 and 22	Positive	20–25
Units 23, 24, and 26	Positive	25–35
Unit 25A, 25B, 25C	Negative	N/A
Unit 25D	Positive	None made

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Brown bear numbers appear to be stable in the Interior and Eastern Arctic Units. The presence or absence of resident tag fees appears to have no influence on regional harvest. Therefore, this proposal does not present a biological concern.

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

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:

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

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.

Proposals 263-264 are outside of the Board of Game's authority.

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?

	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Units and Bag Limits		
(20)		
...		
Unit 22(E)		
RESIDENT HUNTERS:		
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 8th, 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 on July 7th, 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.

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.

PROPOSAL 267 – 5 AAC 85.055. Hunting seasons and bag limits for Dall sheep. Limit nonresident sheep hunting in Unit 19C.

PROPOSED BY: Resident Hunters of Alaska

WHAT WOULD THE PROPOSAL DO? The proposal asks to limit or restrict nonresident sheep hunting in Unit 19C. The proponent's preferred option would be to change nonresident hunting for sheep in Unit 19C from a general season harvest ticket to a drawing permit with up to 30 permits issued annually.

WHAT ARE THE CURRENT REGULATIONS?

	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
Units and Bag Limits		
Unit 19(C)		

RESIDENT HUNTERS:

1 ram with full-curl horn or larger, by youth hunt only; or

Aug. 1 - Aug. 5

1 ram with full-curl horn or larger; or

Aug. 10 - Sept. 20

1 sheep with 3/4-curl horn or less; the take of rams with both horns broken, lambs, or ewes with lambs, is prohibited; by registration permit only

Oct. 1 - April 30
(Subsistence hunt only)

NONRESIDENT HUNTERS:

1 ram with full-curl horn or larger, every 4 regulatory years, by youth hunt only; or

Aug. 1 - Aug. 5

1 ram with full-curl horn or larger, every 4 regulatory years

Aug. 10 - Sept. 20

There is a positive customary and traditional use finding in all of Unit 19 with an amount reasonably necessary for subsistence of 1-5 sheep.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, nonresident sheep hunting opportunity would be restricted. If the board adopts the proponent's preferred option then nonresidents would be required to obtain a drawing permit and the number of nonresidents that could hunt each year would be 30 or less.

BACKGROUND: There is a youth hunt from August 1-5 and a general season harvest ticket hunt in the fall with no limit on total hunters for both residents and nonresidents from August 10 – September 20. There is also a winter registration permit hunt (RS380) for residents only with a bag limit of one sheep with ¾ curl horn or smaller, excluding rams with both tips broken, lambs, and ewes with lambs during October 1 – April 30. While the regular sheep season can provide for subsistence opportunity, the winter registration hunt was structured specifically to provide subsistence opportunity according to the pattern of customary and traditional uses. Nonresident hunting for sheep in Unit 19C is currently managed through the use of harvest tickets. Issues of crowding, hunt quality, and competition for limited access are frequently reported. Over the last 10 years 51% of sheep hunters in Unit 19C have been guided nonresidents with an average of 87 nonresident hunters per year between RY12 – RY21. Residents represent 49% of all sheep hunters in 19C with an average of 85 hunters per year. Over the same 10-year time frame an average of 91 sheep were harvested per year with nonresidents taking 69% of all sheep compared to 31% for

residents. Sheep harvest peaked in RY18 at 118 sheep and reached a 40 year low of 39 sheep in RY21. During the recent RY21 hunting season nonresidents took 85% of the harvest.

Sheep survey data in 2019 indicate there was a large decline in total sheep numbers after the winter of 2018/2019. The department was not able to conduct surveys in 2020 or 2021 due to poor weather. However, reports from guides and hunters in the field, the low harvest in RY 21, and surveys conducted in other portions of the Alaska Range suggest that sheep have undergone a large decline in unit 19C, consistent with many other areas of the state. Due to biological concerns the RY20 winter hunt (RS380) was closed by emergency order and in RY21 the RS380 bag limit was restricted to rams only.

Board policy (2017-222-BOG) states when a draw hunt is deemed necessary, allocation will be determined on a case by case basis and will be based upon the historical data of nonresident and resident permit, harvest or participation allocation over the past ten or more years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative. While it is clear sheep have declined in 19C, the decline was weather related and not hunting related. If this proposal is adopted, it would address the proponent's concerns over allocation and unrestricted nonresident sheep hunting opportunity. However, it would not improve sheep numbers in 19C. Changing the nonresident component to a drawing hunt only and limiting the number of permits available is one of many ways to restrict nonresident opportunity.

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

PROPOSAL 268 – 5 AAC 92.029 Possession of live game. Prohibit the possession of any swine other than domestics.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would limit swine species that can be legally possessed in Alaska without a permit in Alaska.

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:

Common Name	Scientific Name
-------------	-----------------

...	
-----	--

Swine

Sus scrofa Var.

...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, domestic swine (*Sus scrofa domesticus*) may be possessed without a permit from the department. While the department is unable to find written intent concerning the existing regulation for swine it is largely believed that domesticated swine, as commonly found in thousands of farms, was the species 5 AAC 92.029. 5 AAC 92.029 allows the possession of numerous domesticated and farmed species; identifying the domestic species of swine is consistent with the regulation.

BACKGROUND: The existing language in 5 AAC 92.029 allows for all types of swine (*Sus scrofa* Var.) to be possessed in Alaska and causes concern for both the Department of Environmental Conservation and the Department of Fish and Game. Boars are known to severely impact habitats for which they are not native and are particularly adept at escaping confinement. Boars can also reproduce rapidly and produce multiple young per litter; and can thrive in high latitude environments such as Alaska. Other states have been experienced exponential population growth with boars and removal, once established, has proved difficult to impossible. Boars also carry the disease Pseudorabies which lynx, and many other mammals, are susceptible to.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Eurasian wild boars are threatening invasive species that poses significant ecological concerns should the species become established in Alaska. Domestic swine pose fewer concerns, and this species should be included in 5 AAC 92.029 for continued human use. **COST ANALYSIS:** Adoption of this proposal will not result in increased costs to the department.

PROPOSAL 269 – 5 AAC 85.025. **Hunting seasons and bag limits for caribou.** Increase the bag limit for the Unimak Island caribou herd (UCH) in Unit 10.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Adaptively increase the general season bag limit for the UCH in Unit 10 in a stepwise progression as the population increases. This proposal will increase the bag limit to maintain the population at or near 1,000 caribou as follows:

- 1) If the harvestable portion is greater than 25: 1 bull
- 2) If the harvestable portion is greater than 100: 3 caribou.
- 3) If the harvestable portion is greater than 200: 4 caribou.

Seasons would be Aug. 1—Sept. 30 and Nov. 15—Mar. 31 for residents and Aug. 1—Sept. 30 and Nov. 15—Dec. 31 for nonresidents, if the harvestable surplus allows for a nonresident opportunity. The late season for nonresidents would allow post-rut caribou hunting opportunity during the bear hunting season on Unimak Island.

WHAT ARE THE CURRENT REGULATIONS? There is no open state season for caribou on Unimak Island and a limited federal season for residents of False Pass. The federal season is Aug. 1 – Sept. 30 and the bag limit is one bull by registration permit.

There is a positive customary and traditional use finding for the UCH; however, due to lack of harvest data, the board did not determine the amount reasonably necessary for subsistence.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow the department the regulatory discretion to open a hunt and adaptively manage the growing caribou population by increasing harvest through individual bag limits as the population grows.

BACKGROUND: The growing UCH population is in excess of 450 caribou, has high bull:cow and calf:cow ratios (78 and 34 per 100 cows, respectively), and has been increasing by about 10% annually since RY13. The Department's recommended management objectives in the our 2018 Species Management Report and Plan (SMRP) http://www.adfg.alaska.gov/static/research/wildlife/speciesmanagementreports/pdfs/caribou_2012_2022_unimak_unit_10.pdf are: 1) Sustain a total population with a minimum of 800 caribou and a maximum of 1,000 caribou, and 2) Maintain a minimum fall bull:cow ratio of 35:100.

The UCH has remained closed to hunting since 2009 except for federally qualified subsistence hunters (residents of Akutan, False Pass, King Cove, and Sand Point) on federal lands. Historically, the remoteness of the herd and small human population has not provided the harvest necessary to contain the herd within carrying capacity, which has ultimately led to declines in population and habitat quality. The highest reported harvest was 21 caribou in 2001. Beginning in RY22 the population could support a harvest of 20–25 bulls per year. Caribou primarily occur far to the southwest of the village of False Pass. Access to the caribou is primarily by airplane, or by boat in open seas with limited safe anchorages. Limited harvest data prior to the 2009 closure indicated that False Pass residents preferred to hunt the SAP, a short boat trip across Isanotski Strait.

Establishing a registration hunt will allow the department the discretion to proactively manage the rapidly growing population by increasing harvest commensurate with population levels to maintain it at or near the upper end of the objective of 1,000 caribou. A registration hunt is recommended for hunters willing and able to access caribou on the island. There is a limited harvestable surplus now that will allow opportunity for hunters to utilize this herd and not negatively affect the growth and progress to objectives.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Harvest on the UCH should be increased commensurate with herd growth with adaptive bag limits. Based on previous hunt history, the department expects low hunter participation accessing Unimak Island. In addition, in order to stay within the recommended management objectives for this herd, the department recommends this proposal be adopted. The board should ensure that the regulations provide a reasonable opportunity for success in harvesting a Unimak caribou for subsistence uses.

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

PROPOSAL 270 – 5 AAC 85.045(a)(18). Hunting seasons and bag limits for moose. Open an antlerless moose hunt in a portion of Unit 20E.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Establish antlerless moose hunting seasons, including a youth and regular draw hunt, within a portion of southern Unit 20E.

WHAT ARE THE CURRENT REGULATIONS? There are currently no antlerless moose hunting seasons in Unit 20E. Bull-only hunts for residents include an Aug. 24–28 and Sept. 8–17 fall season and a Nov. 1–Dec. 10 winter draw permit hunt, while the nonresident season is antler-restricted and is open during Sept. 8–17.

The Board of Game (board) has identified the moose population in Unit 20E as important for providing high levels of harvest for human consumptive use. The board established intensive management (IM) harvest and population objectives of 250–450 and 8,000–10,000 moose, respectively.

The board made a positive customary and traditional use finding for moose in Unit 20E, with an amount reasonably necessary for subsistence uses of 50–75 moose.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department will have the authority to offer antlerless moose hunting opportunity in Unit 20E. This antlerless harvest authority would provide the department management flexibility to rapidly respond to changes in nutrition and ultimately would provide a tool to the department to help manage moose population growth. Furthermore, antlerless moose harvest would help achieve IM harvest objectives as well as help meet ANS.

BACKGROUND: The primary goals of the proposed antlerless moose seasons are to provide additional sustainable hunting opportunity, slow the growth of the moose population, and to make progress towards achieving subsistence and IM harvest objectives.

The moose population within a portion of southern Unit 20E has shown consistent growth since 2005 and has approximately doubled since then, with the cow component of the population growing at a significantly faster rate than the bull component of the population. Estimated moose densities within a 1,821 mi² area along the Taylor Highway in southern Unit 20E increased from 0.68 moose/mi² (90% confidence interval [CI] \pm 0.10 moose/mi²) in 2005 to 1.36 moose/mi² (90% CI \pm 0.24 moose/mi²) in 2020, with an estimated annual growth rate of 4.9% (90% CI \pm 1.0%). The cow segment of the population grew at an estimated 5.8% (90% CI \pm 1.0%) compared to 2.9% (90% CI \pm 1.3%) for the bull component of the population, which is limited by higher natural mortality and harvest. The 2021 estimated moose density was 1.11 moose/mi² (90% CI \pm 0.17 moose/mi²), which suggests that the abundance has stabilized. However, additional years of data collection will be necessary to assess recent growth rates. Even with the

long-term growth of the moose population within this portion of the unit, the unitwide moose population likely remains close to or under the IM population objective. The current unitwide population estimate is 7,620 moose with a plausible range of 6,580–8,650 moose.

Nutrition does not appear to be a current limiting factor for this population, and one of the goals of this proposal is to use antlerless harvest to retain high nutritional status within the population. Twinning rates in southern Unit 20E averaged 31% during 2005–2021, while the 2019–2021 3-year weighted average twinning rate was 39% (90% CI \pm 7%). Twinning rates greater than 20% generally indicate healthy nutritional status within the population. Large portions of southern Unit 20E burned during 2004, which may have improved habitat quality, and thus carrying capacity, at a large scale. This is a potential explanation why twinning rates have remained stable despite a doubling of the moose population.

Along with the increase in the southern Unit 20E moose population, harvest also increased, although it remains below the IM harvest objective. The unitwide reported annual average harvest increased from 155 during RY05–RY09 to 208 during RY17–RY21. The unitwide estimated harvest rate (bull harvest only) during RY16–RY20 was 2.9% (plausible range = 2.5–3.3%), although much of the harvest is concentrated within the road-accessible portions of the unit. The midpoint bull-to-cow ratio in the heavily hunted area in southern Unit 20E along the Taylor Highway averaged 29 bulls:100 cows (range 26–34 bulls:100 cows) during 2017–2021, which is slightly above the objective of 25 bulls:100 cows.

DEPARTMENT COMMENTS: The department submitted this proposal and **SUPPORTS** establishing antlerless moose hunts within the proposed area. The department is **NEUTRAL** on the allocative portions of the proposal. The proposed hunt structure was provided by the Upper Tanana/Fortymile Fish and Game Advisory Committee. Instituting an antlerless hunt at the current density and nutritional indices allows for a proactive approach to stabilizing growth. The primary objectives would be to prevent long-term damage to habitat and help to ensure a sustainable long-term high yield from the population. If current population growth rates continue, the ability to stabilize or reduce the population in the future might be inhibited by social and logistical issues. Although portions of the area are road accessible, large portions are more remote; therefore, it may take some time to develop the capacity to effectively harvest cow moose within the area. This proposal would allow for incremental change that could potentially preempt more rapid and severe management action. Furthermore, the proposed antlerless hunts would allow for additional sustainable hunting opportunity and would help to meet IM harvest objectives.

The department will take a conservative approach to determining harvest quotas and permit numbers, unless nutritional indices decline. However, the up-to language of permit numbers included in the proposal will allow the department to rapidly respond to declines in nutritional condition, if such declines occur.

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

Proposal 271
