

Proposal 148

Intensive Management

Impose conditions on the Commissioner’s ability to implement intensive management

Public Proposal

Recommendation: Opposed

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Proposal 148

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AS 16.05.255(e) ➡ instructs BOG to adopt regulations to provide for IM programs to restore the abundance or productivity of IM populations.
 > 5 AAC 92.108

AS 16.05.783 ➡ prohibits the take of free-ranging wolves and wolverine the same day a person has been airborne, unless as part of a permitted IM program.

5 AAC 92.110 ➡ provides sideboards and general provisions for the implementation of all wolf control programs.

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5 AAC 92.108. Identified big game prey populations and objectives.

5 AAC 92.111 – 92.127. Intensive management plans.

- > All plans have an expiration date, usually 6 years from the date of creation to coincide with board cycle.
- > Department submits proposals to renew the IM plans as they near their expiration date.
- > All plans instruct the commissioner to review, modify, or suspend the program for numerous reasons.

Feasibility Assessment – posted on adfg.alaska.gov

Operational Plan – adfg.alaska.gov

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5 AAC 92.110 (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: **but only**

- (i) if the commissioner finds that the conditions specified in AS 16.05.255(e) apply at that time; and**
- (ii) in the event the commissioner determines to authorize the use of aircraft and/or the taking of wolves from aircraft the same day airborne, the commissioner also finds that the conditions specified in AS 16.05.783(a) apply at that time. Before proceeding with implementation, prior public notice of the commissioner’s determination and findings must be given, and the public given the opportunity to comment as provided in the Administrative Procedure Act** and may, by regulation, amend the plan to apply additional restrictions in light of circumstances existing at the time of implementation.

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- Dept. will need to take additional steps before implementing IM.
- Creates conflicting regulations – removes the ability to follow existing IM plans that instruct the department to manage for the midpoint of the objectives.
- Require the department to publicly notice for comment when the department intends to implement aerial wolf control.
- The Administrative Procedures Act and the requirements for public notice and comment periods are only applicable to the development of regulations.

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