

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526



THE ALASKA BOARD OF GAME
Winter 2010 Meeting
Statewide Regulations, Cycle A

January 29 – February 1, 2010
Anchorage, AK

PLEASE READ CAREFULLY

REVIEWER LETTER

DEAR REVIEWER:

November, 2009

The Alaska Board of Game will consider the attached book of regulatory proposals at its Winter, 2010 meeting to be held January 29 – February 1, 2010 at the Egan Civic and Convention Center, in Anchorage, Alaska. The proposals generally concern changes to the Statewide regulations, Cycle “A” schedule. Members of the public, organizations, advisory committees, and department staff submitted these proposals, which are published essentially as they were received.

The proposals are presented as brief statements summarizing the intended regulatory changes. In cases where confusion might arise or where the regulation is complex, proposed changes are also indicated in legal format. In this format, bolded and underlined words are **additions** to the regulation text, and capitalized words or letters in square brackets [XXXX] are deletions from the regulation text.

The proposals are set forth in the Table of Contents, which is not the order they will be considered at the board meeting. Prior to the meeting, the board will generate and make available to the public the order of proposals to be deliberated by the board, also known as the “roadmap.” The roadmap may be changed up to and during the meeting.

Before taking action on these proposed changes to the regulations, the board would like your written comments and/or oral testimony on any effects the proposed changes would have on your activities.

After reviewing the proposals, please send written comments to:

**ATTN: Board of Game Comments
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
Fax: 907-465-6094**

Public comment, in combination with Advisory Committee comments and department staff presentations, provide the Board of Game with useful biological and socioeconomic data to form decisions. Comments may be submitted at any time until the public testimony period for that proposal and/or its subject matter is closed at the meeting and the board begins deliberations. As a practical matter, you are encouraged to mail or fax your written comments to the above Juneau address no later than 5:00 p.m. on Friday, January 15th, 2010 to ensure inclusion in the board workbook. All comments received after that time will be presented to board members at the time of the meeting. Written comments will also be accepted during the board meeting and public testimony during the public testimony portion of the meeting is always appreciated. Written comments become public documents.

When providing written comments on the proposals in this proposal book, please consider the following tips to help ensure board members and the public more fully understand recommendations to the board:

Timely Submission: Submit written comments by fax or mail at least two weeks prior to the meeting. Comments received at least two weeks prior to the meeting are printed and cross referenced with proposals and included in the board members' workbooks. Written comments received after the two-week period will be provided to board members at the meeting and will not be cross referenced. Materials received during the meeting also are not cross referenced. If you provide written comments during a board meeting, submit 20 copies to Board Support Section staff, who will distribute your written comments to board members. If including graphs or charts, please indicate the source.

List the Proposal Number: Written comments should indicate the proposal number(s) to which the comments apply. Written comments should specifically state "support" or "opposition" to the proposal(s). This will help ensure written comments are correctly noted for the board members. If the comments support a modification in the proposal, please indicate "support as amended" and provide a preferred amendment in writing.

Do Not Use Separate Pages When Commenting on Separate Proposals: If making comments on more than one proposal, please do not use separate pieces of paper. Simply begin the next set of written comments by listing the next proposal number.

Provide an Explanation: Please briefly explain why you are in support or opposition of the proposal. Board actions are based on a complete review of the facts involved in each proposal, not a mere calculation of comments for or against a proposal. Advisory committees and other groups also need to explain the rationale behind recommendations. Minority viewpoints from an advisory committee should be noted in advisory committee minutes along with the majority recommendation. The board benefits greatly from understanding the pro and cons of each issue. A brief description consisting of a couple of sentences is sufficient.

Write Clearly: Comments will be photocopied so please use 8 1/2" x 11" paper and leave reasonable margins on all sides, allowing for hole punches. Whether typed or handwritten, use dark ink and write legibly.

Use the Correct Address or Fax Number: Mail written comments to Board of Game Comments, ADF&G, P.O. Box 115526, Juneau, AK 99811-5526; fax them to 907-465-6094; or deliver them to a Regional Boards Support Office.

Advisory Committees: In addition to the above, please make sure the Advisory Committee meeting minutes reflect why the committee voted as it did. If the vote was split, include the minority opinion. A brief description consisting of a couple of sentences is sufficient. Detail the number in attendance (e.g., 12 of 15 members) and indicate represented interests such as subsistence, guides, trappers, hunters, wildlife viewers, etc.

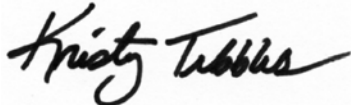
Pertinent policies and findings, proposals, written comment deadlines, meeting calendars and notices for the Board of Game meetings are posted on the Board Support website at <http://www.boards.adfg.state.ak.us/>.

A tentative agenda for the Winter, 2010 Board of Game meeting is shown on page xvi. A roadmap detailing the tentative order in which proposals will be made available in January, 2010 at <http://www.boards.adfg.state.ak.us/>.

Updated Status of the Meeting: After the board meeting begins, a recorded telephone message will provide current updates on the board's agenda and schedule. Dial (800) 764-8901 (in Juneau, call 465-8901).

A link to a live audio broadcast of the meeting will be available at: <http://boards.adfg.state.ak.us/gameinfo/index.php> on the day of the meeting. This link will not function when the board is not in session. Board actions will also be posted on the website shortly after the meeting.

Additional Accommodations: Persons with a disability needing special accommodations in order to comment on the proposed regulations should contact the Boards Support Section at (907) 465-4110 no later than January 15, 2010 to make any necessary arrangements.



Kristy Tibbles, Executive Director
Alaska Board of Game
Alaska Department of Fish and Game
(907) 465-4110

**ALASKA BOARD OF GAME
January, 2010 Proposal Book
Statewide Regulations, Cycle A**

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**ALASKA BOARD OF GAME
GUIDELINES
FOR
PUBLIC TESTIMONY
&
ADVISORY COMMITTEE TESTIMONY**

Persons planning to testify before Board of Game hearings must fill out a blue PUBLIC TESTIMONY SIGN-UP CARD and turn it in to the board's staff. Persons providing written material for the board members must provide at least **20 copies** to the staff; and **submit with your blue testimony card**. Do not wait until it is your turn to testify to submit written material, as it may not be distributed to the board in time for your testimony. **Provide a name and date on the first page of written material and identify the source of graphs or tables, if included in materials.**

When the chairman calls your name, please go to the microphone; state your name and whom you represent. At the front table, a green light will come on when you begin speaking. A yellow light will come on when you have one minute remaining. A red light will indicate that your time is up. When you are finished speaking, please stay seated and wait for any questions board members may have regarding your comments.

If you wish to give testimony for more than one group (i.e., yourself plus an organization, or advisory committee), you only need to turn in one sign-up card, listing each group you will be representing. When you begin your testimony, state for the record the group you are representing. Keep your comments separate for each group. For example: give comments for the first group you are representing, then after stating clearly that you are now testifying for the second group, give comments for that group.

Please be aware that when you testify you may not ask questions of board members or of department staff. This is your chance to make comments on proposals before the board. If board members and/or department staff need clarification, they will ask you questions. **A person using derogatory or threatening language to the board will not be allowed to continue speaking.**

Generally, the board allows five minutes for oral testimony, whether you testify for yourself or on behalf of an organization. The board chairman will announce the length of time for testimony at the beginning of the meeting.

Advisory Committee representatives are usually allowed 15 minutes to testify, and should restrict testimony to relating what occurred at the advisory committee meeting(s). Testimony should be a brief summary of the minutes of the meeting, and copies of the minutes should be available for the board members. An Advisory Committee representative's personal opinions should not be addressed during Advisory Committee testimony.

PLEASE NOTE: The time limit on testimony does NOT include questions the board members may have for you.

ALASKA BOARD OF GAME
Tentative Meeting Schedule
2009/2010 Cycle

Meeting Dates	Topic	Location
November 13-16, 2009 (4 days) Proposal Deadline: August 28, 2009 Written Comments: October 30, 2009	Arctic Region	Nome Mini Convention Center
January 29-February 1, 2010 (4 days) Proposal Deadline: November 6, 2009 Written Comments: January 15, 2010	Statewide Regulations Cycle A	Anchorage Egan Center
February 26-March 7, 2010 (10 days) Proposal Deadline: December 4, 2009 Written Comments: February 12, 2010	Interior Region	Fairbanks Westmark Fairbanks Hotel

For information about the Board of Game, contact:

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
Phone: (907) 465-4110
Fax: (907) 465-6094
<http://www.boards.adfg.state.ak.us/>

ALASKA BOARD OF GAME
Meeting Cycle

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. Each region will be discussed on a two-year cycle. When the regional area is before the board, the following regulations are open for consideration within that region:

- Trapping Seasons and Bag Limits -- All species
- General and Subsistence Hunting Seasons and Bag Limits -- All species
(Except antlerless moose hunts as noted below)
- Wolf Control Implementation Plans
- Bag Limit for Brown Bears
- Areas Closed To Hunting
- Closures and Restrictions in State Game Refuges
- Management Areas
- Controlled Use Areas
- Areas Closed To Trapping

Regulations specific to an area (e.g., Permits for Access to Round Island) will be taken up when the board is scheduled to consider regulations in that region. Proposals for changes to regulations pertaining to reauthorization of antlerless moose hunts, 5 AAC 85.045, and brown bear tag fee exemptions, 5 AAC 92.015, will be taken up annually, at spring meetings.

The Board of Game does not consider proposals to statewide regulations in every meeting cycle. Instead, the Board of Game reviews statewide regulations on a four-year cycle, distributed between fall meetings, every other year. The list of statewide regulations and the associated “Cycle A” and “Cycle B” meeting schedule is set forth on the next page of this publication.

<u>Regulations for:</u>	<u>Will be considered:</u>		
SOUTHEAST REGION	Fall 2010	Fall 2012	Fall 2014
Game Management Units: 1, 2, 3, 4, 5			
SOUTHCENTRAL & SOUTHWEST REGIONS	Spring 2011	Spring 2013	Spring 2015
Game Management Units: 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17			
All Units: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts			
ARCTIC AND WESTERN REGIONS	Fall 2011	Fall 2013	Fall 2015
Game Management Units: 18, 22, 23, 26A			
INTERIOR REGION	Spring 2010	Spring 2012	Spring 2014
Game Management Units: 12, 19, 20, 21, 24, 25, 26B, 26C			
All Units: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts			

ALASKA BOARD OF GAME
Statewide Regulations Schedule

CYCLE “A”: 2010, 2014, 2018, 2022

5 AAC Chapter 92 Statewide Provisions:

- .001 Application of this Chapter
- .002 Liability for Violations
- .003 Hunter Education and Orientation Requirements
- .004 Policy for Off-Road Vehicle Use for Hunting and Transporting Game
- .005 Policy for Changing Board Agenda
- .010 Harvest Tickets and Reports
- .011 Taking of Game by Proxy
- .012 Licenses and Tags
- .013 Migratory bird hunting guide services
- .018 Waterfowl Conservation Tag
- .019 Taking of Big Game for Certain Religious Ceremonies
- .020 Application of Permit Regulations and Permit Reports
- .025 Permit for Exporting a Raw Skin
- .028 Aviculture Permits
- .029 Permit for Possessing Live Game
- .030 Possession of Wolf Hybrid Prohibited
- .031 Permit for Selling Skins, Skulls, and Trophies
- .033 Permit for Science, Education, Propagative, or Public Safety Purposes
- .034 Permit to Take Game for Cultural Purposes
- .039 Permit for Taking Wolves Using Aircraft
- .042 Permit to Take Foxes for Protection of Migratory Birds
- .047 Permit for Using Radio Telemetry Equipment
- .104 Authorization for Methods and Means Disability Exemptions
- .106 Intensive Management of Identified Big Game Prey Populations
- .110 Control of Predation by Wolves
- .115 Control of Predation by Bears
- .116 Special Provisions in Predation Control Areas
- .141 Transport, Harboring, or Release of Live Muridae Rodents Prohibited
- .165 Sealing of Bear Skins and Skulls
- .170 Sealing of Marten, Lynx, Beaver, Otter, Wolf, and Wolverine
- .171 Sealing of Dall sheep horns
- .200 Purchase and Sale of Game
- .210 Game as Animal Food or Bait
- .220 Salvage of Game Meat, Furs, and Hides
- .230 Feeding of Game
- .250 Transfer of Musk oxen for Science and Education Purposes
- .450 Description of Game Management Units
- .990 Definitions

CYCLE “B”: 2012, 2016, 2020, 2022.

5 AAC Chapter 92 Statewide Provisions:

- .009 Obstruction or hindrance of lawful hunting or trapping
- .035 Permit for Temporary Commercial Use of Live Game
- .036 Permit for taking a child hunting
- .037 Permit for Falconry
- .040 Permit for Taking of Furbearers with Game Meat
- .041 Permit to Take Beavers to Control Damage to Property
- .043 Permit for Capturing Wild Furbearers for Fur Farming
- .044 Permit for hunting black bear with the use of bait or scent lures
- .049 Permits, Permit Procedures, and Permit Conditions
- .050 Required Permit Hunt Conditions and Procedures
- .051 Discretionary Trapping Permit Conditions & Procedures
- .052 Discretionary Permit Hunt Conditions and Procedures
- .057 Special Provisions for Dall Sheep Drawing Permit Hunts
- .062 Priority for Subsistence Hunting; Tier II Permits
- .068 Permit Conditions for Hunting Black Bear with Dogs
- .069 Special Provisions for Moose Drawing Permit Hunts
- .070 Tier II Subsistence Hunting Permit Point System
- .075 Lawful Methods of Taking Game
- .080 Unlawful Methods of Taking Game; Exceptions
- .085 Unlawful Methods of Taking Game; Exceptions
- .090 Unlawful Methods of Taking Fur Animals
- .095 Unlawful Methods of Taking Furbearers; Exceptions
- .100 Unlawful Methods of Hunting Waterfowl, Snipe, Crane
- .130 Restriction to Bag Limit
- .135 Transfer of Possession
- .140 Unlawful Possession or Transportation of Game
- .150 Evidence of Sex and Identity
- .160 Marked or Tagged Game
- .200 Purchase and Sale of Game
- .260 Taking Cub Bears & Female Bears with Cubs Prohibited
- .400 Emergency Taking of Game
- .410 Taking of Game in Defense of Life or Property
- .420 Taking Nuisance Wildlife

ALASKA BOARD OF GAME

Revised April, 2009

MEMBER'S NAME AND ADDRESS	TERM EXPIRES
Cliff Judkins, Chairman PO Box 874124 Wasilla, Alaska 99687	6/30/2012
Ted Spraker, Vice Chairman 49230 Victoria Ave. Soldotna, Alaska 99669	6/30/2011
Ben Grussendorf 1221 Halibut Point Rd. Sitka, AK 99835	3/1/2010
Bob Bell 801 West Fireweed Lane Anchorage, AK 99503	3/1/2010
Lewis Bradley 8200 E. Duchess Dr. Palmer, AK 99645	6/30/2011
Stosh Hoffman P.O. Box 2374 Bethel, AK 99559	6/30/2011
Teresa Sager Albaugh HC 72 Box 835 Tok, AK 99780	6/30/2012

Alaska Board of Game members may also be reached at:

ALASKA DEPARTMENT OF FISH AND GAME

Boards Support Section

P.O. Box 115526

Juneau, AK 99811-5526

PHONE: (907) 465-4110 FAX: (907) 465-6094

www.boards.adfg.state.ak.us

**BOARDS SUPPORT SECTION
Staff List**

Boards Support Section
Alaska Department of Fish and Game
1255 West 8th Street
PO Box 115526
Juneau, AK 99811-5526
Phone: (907) 465-4110
Fax: (907) 465-6094

HEADQUARTERS

Board of Fisheries

Jim Marcotte, Exec. Director II, 465-6095
Shannon Stone, Pub. Specialist II, 465-6097

Board of Game

Kristy Tibbles, Exec. Director I, 465-6098
Scott Crass, Pub. Specialist II, 465-4046

Mini Cherian, Administrative Officer I, 465-6096
Brendon Fuhs, Administrative Assistant I, 465-4110
Dani Cherian, College Intern III, 465-6424
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REGIONAL OFFICES

Arctic Region

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PO Box 689
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Interior Region

Nissa Pilcher
1300 College Road
Fairbanks, AK 99701-1599
Phone: 459-7263
Fax: 459-7258

Southwest Region

Andrew deValpine
PO Box 1030
Dillingham, AK 99576
Phone: 842-5142
Fax: 842-5514

Southeast Region (north of Frederick Sound)

Scott Crass
PO Box 115526
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Phone: 465-4046
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Southcentral Region

Sherry Wright
333 Raspberry Road
Anchorage, AK 99518-1599
Phone: 267-2354
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Southeast Region (south of Frederick Sound)

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PO Box 115526
Juneau, AK 99811-5526
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For updated information on the progress of an ongoing Board of Fisheries or Board of Game meeting, call: Juneau 465-8901; outside Juneau 1-800-764-8901

Website address: <http://www.boards.adfg.state.ak.us/>

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

BOARDS SUPPORT SECTION

**SEAN PARNELL,
GOVERNOR**

P.O. BOX 115526
JUNEAU, AK 99811-5526
PHONE: (907) 465-4110
FAX: (907) 465-6094

PROPOSED CHANGES TO THE ALASKA BOARD OF GAME PROPOSAL DEADLINE AND MEETING CYCLE

Dear Reviewer:

November, 2009

During the upcoming Alaska Board of Game meeting in January 2010, the board will consider recommendations to change the timing of proposal deadlines and to shift to a three-year meeting cycle. These recommendations were developed by the Department of Fish and Game to address a number of public process and workload concerns identified by the public, board, and department. In recent years the large number of proposals and the increased complexity of issues addressed by the board have highlighted the need to consider these changes.

The board is looking for comments from the public and from local fish and game advisory committees to further inform the board about these changes. You are encouraged to submit your written comments to:

Alaska Board of Game
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
Fax to (907) 465-6094

The board will review public comments and discuss the proposed changes during the Statewide meeting scheduled for January 29 - February 1, 2010 in Anchorage, Alaska. These changes are not presented as regulatory changes because the board schedule is a policy of the board and the proposal deadlines are selected by the board's executive director after soliciting input from the board.

What changes are being proposed?

- A.** The Board of Game will consider changing to an **annual proposal deadline**. Currently, the board uses a separate Call for Proposals and separate deadline for each meeting. The recommended date for the annual proposal deadline is May 10 each year. The Call for Proposals will be issued in the Fall and proposals will be accepted throughout the winter and up to the May 10 deadline. The proposal book will be distributed in July to insure an ample public review period prior to board action.
- B.** The Board of Game will consider changing to a **three-year cycle**. Currently, the board operates on a two-year cycle. Under a three-year cycle, the Southcentral/Southwest Region (Region II) and Interior Region (Region III) would each occur within their own annual cycle. In the third year, the Southeast Region (Region 1) and Arctic Region (Region V) plus the statewide regulations (Chapter 92) meetings will occur.

Why are these changes needed?

- The current process allows only a minimum length of time for the public, advisory committee members, and department staff to adequately review and provide comments to the Board of Game.
- By adopting an annual proposal deadline in the spring, proposals will be available to the public several months in advance of board meetings. The use of petitions, agenda change requests, and board generated proposals allow the board to respond quickly as needed when any biological or conservation concerns arise on short notice. The department maintains its authority to address conservation concerns.
- Proposal deadlines for the Southeast and Arctic regions now occur in August when advisory committees have difficulty arranging meetings to submit proposals.
- Demands of the current meeting schedules and cycles are impacting the ability of wildlife staff to address core research and management responsibilities for monitoring wildlife populations.
- Currently, up to three separate proposal books are published each year. Printing and mailing a single book will result in considerable time and budget savings.
- A three-year cycle provides the board the ability to split the large spring meetings into a couple smaller meetings within one year. There are number of benefits associated with this change including:
 - Allows the board more time to thoroughly address complex issues and the large number of proposals.
 - Advisory committee members are limited in the number of days in attendance at board meetings. Shortening the duration of meetings allows AC members the ability to attend the duration of the meeting and hear the deliberations.
 - Reduces the number of travel days for department staff, board members, and members of the public, making the process less burdensome.
 - Provides a cost savings in meeting space fees for shorter meetings.
- The three-year cycle better coordinates with the Board of Fisheries three-year cycle to eliminate a lot of the regional overlap that currently occurs between the two schedules. This allows advisory committees and other participants to engage more effectively with each board.
- Advisory committees that are off the road system are hindered in the process especially during years of regional overlap with both boards because they are limited in the number of meetings they can have to address issues.

Approval of these recommended board process changes early in 2010 would allow for an orderly implementation by May 2011. This implementation schedule also allows for the game cycle and fisheries cycle to synchronize in a pattern with the least conflict for advisory committees.

For additional information, visit the Board of Game website at www.boards.adfg.state.ak.us; or feel free to contact me at (907) 465-4110, or Suzan Bowen, Regulatory Program Coordinator, Division of Wildlife (907) 244-6475.

Kristy Tibbles, Executive Director
Alaska Board of Game

ALASKA BOARD OF GAME
Statewide, Cycle A
Proposal Index

HUNTER EDUCATION

1. Require hunter education for using crossbows.

HARVEST TICKETS AND REPORTS

2. Repeal the black bear harvest ticket requirement.
3. Clarify the inspection requirements for licenses, harvest tickets, and permits.
4. Require hunters to submit harvest reports for deer.
5. Issue big game harvest tickets to eight years olds and older.
6. Clarify the types of harvest reporting allowed.

PROXY HUNTING

7. Modify the proxy authorization process.
8. Expand proxy hunting to include immediate family members.

EXEMPTIONS FOR INDIVIDUALS WITH DISABILITIES

9. Provide special provisions for disabled veterans.
10. Provide a special permit to disabled individuals for taking brown bear with the use of bait.

PERMITS FOR TAKING GAME FOR CEREMONIAL HARVEST AND CULTURAL PURPOSES

11. Modify the permit requirements for taking game for certain religious ceremonies.
12. Modify the permit requirements for taking potlatch moose.
13. Modify the language that allows for the taking of big game for religious ceremonies.
14. Create a new regulation for an Ahtna Traditional Potlatch Religious Ceremony.

CLEAN LIST

15. Add domestic finches to the list of animals that may be possessed in Alaska.
16. Add Capuchin monkeys to the list of animals that may be possessed in Alaska.
17. Add primates/ Capuchin monkeys to the list of animals that may be possessed in Alaska.
18. Remove chimpanzees from the list of animals allowed in Alaska.
19. Add sloths, kinkajous, wallaroos, savannah cats, and surgically de-venomized (venomoid) reptiles to the list of animals that may be possessed in Alaska.
20. Modify the definition of *Felis Catus* to include hybrid cats.
21. Add Bengal and Savannah cats to the list of animals that may be possessed in Alaska.
22. Add Bengal, Savannah and Chausie cats to the list of animals that may be possessed in Alaska.

INTENSIVE MANAGEMENT

23. Disallow guides and assistant guides from obtaining aerial permits for taking wolves.
24. Modify the number of bait stations that a licensed guide-outfitter and his assistant guides may register in the Unit 16 Predation Control Area.
25. Prohibit the use of bait or scent lures near businesses, schools or other facilities.
26. Clarify the usage of cable snares in predator control areas.
27. Clarify the usage of cable snares in predator control areas.
28. Eliminate nonresident hunting in predation control areas.
29. Eliminate nonresident hunting in predation control areas.
30. Eliminate nonresident hunting in predation control areas.
31. Change the dates that helicopters and snaring may be used in Unit 16 Predation Control Area .
32. Establish a predation control plan for Units 9C and 9E.
33. Modify the population objectives for the Northern Alaska Peninsula Caribou Herd in Unit 9C and 9E.
34. Establish a new intensive management plan in Unit 15A, Northern Kenai.

SEALING REQUIREMENTS AND SALE OF GAME

35. Provide hunters the option for sealing hides.
36. Eliminate the sealing requirements for certain furbearers.
37. Modify the Dall sheep sealing requirement.
38. Allow the sale of black bear gall bladders by non-profit organizations.
39. Allow the sale or barter of tanned bear hides.
40. Allow the sale or barter of big game trophies.

SALVAGE REQUIREMENTS

41. Modify the definition of edible meat under the salvage requirement.
42. Modify the salvage requirement.
43. Modify the salvage requirement for big game.

GAME MANAGEMENT UNITS

44. Modify the boundaries for Units 18, 19 and 20.
45. Modifications to boundaries for Units 6, 11, 13, 14, 16 and 25.

DEFINITIONS

46. Create a regulatory definition for crossbow.
47. Remove snowy owl from the unclassified game definition.
48. Modify the definition of full curl ram.

MISCELLANEOUS

49. Add a permit condition when using radio-telemetry equipment.
50. Modify the agenda change request policy.
51. Extend all trapping season dates.
52. Modify the bag limit for sea ducks in Unit 15.

**ALASKA BOARD OF GAME
Statewide Regulations, Cycle A
January 29 – February 1, 2010
Egan Convention Center
555 West 5th Avenue
Anchorage, Alaska**

~TENTATIVE AGENDA~

NOTE: This Tentative Agenda is subject to change throughout the course of the meeting.

This Tentative Agenda is provided to give a general idea of the board's anticipated schedule. The board will attempt to hold to this schedule; however, the board is not constrained by this Tentative Agenda. Persons wishing to testify must sign-up by the deadline. Public testimony will continue until those present at the meeting are heard; the board will continue working through its agenda immediately upon conclusion of public testimony. The following time blocks are only an estimate. Updated agendas will be posted in the meeting room, or call 1-800-764-8901 for a recorded message on daily progression through the meeting.

Friday, January 29, 8:30 am

OPENING BUSINESS

Call to Order

Introductions of Board Members and Staff

Board Member Ethics Disclosures

STAFF AND OTHER REPORTS

PUBLIC AND ADVISORY COMMITTEE TESTIMONY (upon conclusion of staff reports)

THE DEADLINE TO SIGN-UP TO TESTIFY will be announced at the meeting.

Public testimony will continue until persons who have signed up before the deadline and who are present when called by the Chairman to testify, are heard.

Saturday, January 30, 8:30 am

PUBLIC AND ADVISORY COMMITTEE TESTIMONY

BOARD DELIBERATIONS (upon conclusion of public testimony)

Sunday, January 31 - Monday, February 1, 8:30 am

BOARD DELIBERATIONS

MISCELLANEOUS BUSINESS, including petitions, findings, resolutions, letters, other issues

ADJOURN

Special Notes

A. This agenda is TENTATIVE and subject to change during the meeting. A list of staff reports and a roadmap will be available at the meeting. Scheduled updates will be available on the board's recorded message phone. Phone Number: 1-800-764-8901; in Juneau call 465-8901.

B. Advisory Committee representatives may present their reports either at the beginning or end of the "Oral Public Testimony." The committee representative should notify the Board Support Staff whether they prefer to present their report at the beginning or end of the public testimony period.

C. The State of Alaska Department of Fish and Game complies with Title II of the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this hearing and public meeting should contact 465-4110 no later than January 15, 2010 to make any necessary arrangements.

PROPOSAL 1 - 5 AAC 92.003. Hunter education and orientation requirements. Require hunter education for using crossbows.

Require some specific crossbow training and/or documentation of proficiency before allowing hunting with a crossbow.

ISSUE: There is no requirement for any special education requirements for hunting big game with crossbows.

WHAT WILL HAPPEN IF NOTHING IS DONE? The possibility of inadequately trained hunters hunting big game with inadequate crossbow equipment could lead to increased wounding and loss of valuable big game animals. It may also cause poor public relations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Only to the extent of preventing wounding losses of game animals.

WHO IS LIKELY TO BENEFIT? The public perception of hunters. Crossbow hunters who, being better trained, would be more likely to be effective.

WHO IS LIKELY TO SUFFER? Hunters who do not want to put up with the nuisance of additional required training.

OTHER SOLUTIONS CONSIDERED? Prohibit hunting big game with crossbows. I have no desire to prevent people from hunting regardless of what weapon they choose to use. I only want to see adequate education for crossbow hunters so they can responsibly harvest our big game resources.

PROPOSED BY: John Frost (SC-10W-G-015)

PROPOSAL 2 - 5 AAC 92.010 Harvest tickets and reports. Repeal the black bear harvest ticket requirement as follows:

No black bear harvest tickets are required, especially in areas where intensive management objectives for ungulates remain below objectives.

ISSUE: The recently passed requirement to obtain a black bear harvest ticket prior to harvesting a black bear has eliminated incidental take of black bears by residents, fishermen, cabin owners, and hunters of other species. In areas where black bear harvests are to be maximized, this is counterproductive just to obtain hunter effort data.

WHAT WILL HAPPEN IF NOTHING IS DONE? Requiring a harvest ticket will reduce opportunity and harvest. Sealing data already gives all necessary biological information.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Black bear hunters and ungulate calves.

WHO IS LIKELY TO SUFFER? Bio-politicians who need hunter effort information to manage people.

OTHER SOLUTIONS CONSIDERED? Rename Unit 16B as 19E and place under the wildlife managers of Region III. Rejected.

PROPOSED BY: David McHoes (HQ-10W-G-009)

PROPOSAL 3 - 5AAC 92.010. Harvest tickets and reports. Housekeeping proposal to: 1) update reporting requirements, 2) clarify possession of moose, sheep, and black bear harvest reports while hunting and 3) uncouple the black bear harvest report/ticket requirement from black bear sealing.

5 AAC 92.010. Harvest tickets and reports

...
(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** [COMPLETE THE HARVEST REPORT AND MAIL IT] to the department.

...
(h) For moose and sheep, a person may not hunt moose or sheep, except in a permit hunt or 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); however, a person who is hunting Dall sheep in the Gates of the Arctic National Park must register with the department.

...
(l) For black bear, a person may not hunt black bear in **Units 1-7, 11-17, 19D, and 20** [A UNIT WITH BLACK BEAR SEALING REQUIREMENTS], 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).

ISSUE: This proposal clarifies and simplifies reporting options and possession of harvest reports while hunting for moose, sheep, and black bear. It also uncouples the new general season black bear harvest reports/tickets from black bear sealing requirements, allowing the department and the board flexibility in applying these requirements in another regulation (5AAC 92.165).

Wording of the reporting requirement would change so that it includes turning the reports over to department offices and the new method of reporting hunt activity online. It also clarifies that moose, sheep, and black bear harvest reports need to be obtained, not carried while hunting (as is the common practice). Changing this requirement for moose, sheep, and black bear will align

it with the intent of the regulation, and with the requirement for caribou harvest reports, which are not required to be carried while hunting. Usefulness of harvest reports rests in the data they contain after they successfully arrive at the department.

This proposal specifically lists units in which black bear harvest tickets are required instead of referencing that they are the same units where sealing is required. This will allow the department and the board to evaluate whether both sealing and harvest reports are needed in each unit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters who do not carry moose, sheep, and black bear harvest report cards while hunting will be subject to citations. Black bear hunters will be burdened with redundant reporting requirements in units where both sealing and harvest tickets are not necessary.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Hunters.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Department of Fish and Game (HQ-10W-G-027)

PROPOSAL 4 - 5 AAC 92.010. Harvest tickets and reporting. Require hunters to submit harvest reports for deer.

Require harvest report cards be submitted by all hunters who get deer harvest tickets. That data would be considered by managers in setting seasons bag limits, etc.

ISSUE: There is no requirement to send in harvest report cards for deer as is required for all other species which have harvest tickets. For some reason, the managers of the deer populations feel that small sample surveys are adequate for managing deer. However, apparently that is not the case for sheep, moose, caribou, black bear or any of the species for which drawing permits are given.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued lack of adequate data for scientific management of deer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Potentially would give a better picture of what is happening with the deer populations.

WHO IS LIKELY TO BENEFIT? The deer populations and deer hunters may benefit from better data which can lead to better management decisions.

WHO IS LIKELY TO SUFFER? The game biologists who don't wish the extra work of analysis of the report cards.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: John Frost (SC-10W-G-017)

PROPOSAL 5 - 5 AAC 92.010(d) Harvest tickets and reports. Lower the age for youth hunters to receive big game harvest tickets:

I would like to see the age lowered to eight years. If the child successfully passes an approved hunter education class, but not an Internet class as it could be open to abuse. Also, the child must obviously still have adult supervision.

ISSUE: A child under the age of ten must use an adult's harvest permit on his or her big game animal.

WHAT WILL HAPPEN IF NOTHING IS DONE?

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? I think it would help get children more involved if they had their own tag.

WHO IS LIKELY TO BENEFIT? Some youth hunters whose families are dedicated enough to work with the child and enroll the child in a class and ensure successful completion of a course.

WHO IS LIKELY TO SUFFER? No one that I'm aware of.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Glen Marquis (HQ-10W-G-017)

PROPOSAL 6 - 5 AAC 92.012. Licenses and tags. Housekeeping to clarify what must be presented for inspection upon request by a department employee or peace officer of the state, and update the regulation reference for tag fee exemptions.

5 AAC 92.012. Licenses and tags.

...

(b) Upon request from an employee of the department or a peace officer of the state, no person may refuse to present for inspection any license, harvest ticket, permit, or tag, any game, or any apparatus designed to be, and capable of being, used to take game.

(c) No resident may take a brown bear (except as provided in 5 AAC 92.015 [5 AAC 92.014]), or a musk ox, without possessing a numbered, nontransferable, appropriate tag, issued to that

person. The person taking game shall immediately affix the tag to the animal and the person shall keep the tag affixed until the animal is prepared for storage, consumed, or exported.

ISSUE: Existing language is based on outdated terminology and confusion concerning the definition of a “tag”. This will clarify that the permit, harvest ticket, license or tag that is required for a legal hunt is also required to be presented for inspection upon request.

WHAT WILL HAPPEN IF NOTHING IS DONE? There have been no problems, but clearer language will benefit everyone.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?
Yes, in field requirements will be clearer.

WHO IS LIKELY TO BENEFIT? Hunters will understand what is required to be presented in the field.

WHO IS LIKELY TO SUFFER? No one. There have been no issues to date, this just clarifies confusing terminology.

OTHER SOLUTIONS CONSIDERED? Status quo.

PROPOSED BY: The Alaska Department of Fish and Game (HQ-10W-G-025)

PROPOSAL 7 - 5 AAC 92.011 Taking of game by proxy. Modify the proxy authorization process as follows:

Permanent disability can be confirmed only once. After that, there should be no more need.

ISSUE: Proxy permittees who are eligible due to a permanent disability currently need to provide proof each year they apply for proxy permits. Since the disability is permanent, there should be no need for annual confirmation.

WHAT WILL HAPPEN IF NOTHING IS DONE? More administration for no additional benefit.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No; just better administration.

WHO IS LIKELY TO BENEFIT? Permittees and administrative staff. Consider the difficulties people with permanent disabilities have getting to the doctor for signatures, getting to the Department of Fish and Game for papers, etcetera. This redundancy is unnecessary.

WHO IS LIKELY TO SUFFER? No one, however, the Department of Fish and Game will have to come up with a tracking solution – once. After that, administration becomes easier.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Donne Fleagle

(HQ-10W-G-014)

PROPOSAL 8 - 5 AAC 92.011. Taking of game by proxy. Expand proxy hunting to include immediate family members.

Allow proxy to hunt for a beneficiary provided the beneficiary is within the immediate family and older than the proxy hunter.

ISSUE: Allow proxy to hunt for a beneficiary provided the beneficiary is within the immediate family and older than the proxy hunter.

WHAT WILL HAPPEN IF NOTHING IS DONE? Single women, widows, and others dependent on a male hunter within the family may not be provided with winter food.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A

WHO IS LIKELY TO BENEFIT? Single women, widows, and others dependent on a male hunter would benefit. It is consistent with rural subsistence and cultural values.

WHO IS LIKELY TO SUFFER? If this resulted in additional hunting pressure, opportunity might be limited. However, the Department of Fish and Game has other tools to deal with that.

OTHER SOLUTIONS CONSIDERED? Allow proxy within the family without the age criteria. Rejected to prevent abuse where an older member accumulates multiple permits.

PROPOSED BY: Donne Fleagle

(HQ-10W-G-015)

PROPOSAL 9 - 5 AAC 92.104. Authorization for methods and means disability exemptions; and 92.XXX. Special provisions for combat disabled veterans. Provide special provisions for disabled veterans as follows:

Provide special hunting provisions for combat disabled veterans that might include the following: Using motorized vehicles for access; allowing same day fly and shoot; shooting from a motorized vehicle, extended hunt periods, changing bag limits, providing special hunt areas; and removing antler requirements on moose.

Define disabled veterans, or add a new category of the combat disabled veteran for those with a rating of 70% or more or the use of the terms “loss of or loss of use of” extremities, etcetera.

ISSUE: Access by combat disabled veterans to hunting and possibly fishing as an activity. Many of the folks would need special accommodations and the help of family, friends and possibly organizations to accomplish a hunt or even a fishing trip.

WHAT WILL HAPPEN IF NOTHING IS DONE? An individual who would appreciate the opportunity and who has, in my view, earned the opportunity, will not be able to engage in a hunt due to his or her disability.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It would be allowing an individual who without special consideration might not be able to engage in an outdoor activity. Someone who has earned such consideration and right.

WHO IS LIKELY TO BENEFIT? A group of people whose life is now very limited in many cases. Limited in the sense of what and how they can engage in outdoor activities. Further, the citizens of Alaska by demonstrating their appreciation of the sacrifice these individuals have made.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Michael Coots (HQ-10W-G-023)

PROPOSAL 10 - 5 AAC 92.104. Authorization for methods and means disability exemptions. Provide a permit to disabled individuals for taking brown bear with the use of bait.

(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;
- (2) specifically identify the methods and means limitation at issue and the type of exemption requested;
- (3) include a statement by the person with a disability that explains the causal relationship between the disability and the requested accommodation, or how the regulation at issue prohibits meaningful access to a program, service or benefit; and
- (4) be submitted at least 30 days before the requested effective date of the exemption, unless the exemption is being requested as a result of an emergency order or emergency regulation.

(b) The department shall issue a special authorization in writing that grants the requested exemption or an alternate exemption, if it determines that the exemption would provide a person with a disability with meaningful access to the program, service, or benefit in question, and meets the standard set out in this section. In granting the exemption, the department may include any conditions it determines are reasonable to conform the exemption to existing conservation

and management objectives. In considering whether to grant the exemption, the department shall consider, among other factors, whether the exemption would

- (1) fundamentally alter a program, service or benefit of the department;
 - (2) place an undue administrative burden or expense on the department;
 - (3) have an unreasonable impact on the conservation, development, or utilization of game;
- or
- (4) constitute an unreasonable risk to public health or safety.

(c) The department may require a hunter or trapper who receives an exemption under this section to be accompanied by another hunter or trapper who has a valid hunting and trapping license and is capable of retrieving game.

(c) The department will not authorize an exemption under this section

- (1) if the regulation does not substantially prohibit the person from meaningful access to the program, service, or benefit;
- (2) that would allow exemption or modifications to seasons or bag limits; or
- (3) for any accommodation if the Board of Game has previously reviewed and acted on the same request.

(d) The department may issue a permit to take brown bears with the use of bait under this section provided applicant is wheel-chair bound or has other significant disability that would generally prohibit the applicant from having a reasonable opportunity to harvest a brown bear and above criteria have been met.

ISSUE: Disabled hunters have taken advantage of bear baiting to allow them the opportunity to take black bears in Alaska with great success. Much frustration has been raised by disabled black bear hunters that have brown bears visiting their bait stations. Most of these hunters will never have the opportunity to harvest a brown bear without this provision.

WHAT WILL HAPPEN IF NOTHING IS DONE? The disabled hunting community will continue to be greatly limited to the species they are practically able to hunt.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? Absolutely, the brown bear resource will be harvested by people that have previously never had the opportunity.

WHO IS LIKELY TO BENEFIT? Those with significant disabilities.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Anchorage Fish & Game Advisory Committee (SC-10W-G-007)

PROPOSAL 11 - 5 AAC 92.019. Taking of big game for certain religious ceremonies.

Remove the reference requiring game taken for certain religious ceremonies to be defined as customarily and traditionally taken or used for subsistence, and limit the take to moose, deer and

caribou. In non-subsistence areas, a letter of authorization must be obtained from the department.

(a) The hunting and taking of **caribou, deer or moose** [BIG GAME, CUSTOMARILY AND TRADITIONALLY TAKEN OR USED FOR SUBSISTENCE AS IDENTIFIED IN 5 AAC 99.025,] outside the seasons or bag limits established in 5 AAC 85 for use as food in customary and traditional Alaska Native funerary or mortuary religious ceremonies within 12 months preceding the ceremony is authorized if consistent with sustained yield principles.

(b) The department shall publicize a list of **caribou, deer or moose** [BIG GAME] populations and areas, if any, for which the taking of a **caribou, deer or moose** [BIG GAME ANIMAL] would be inconsistent with sustained yield principles.

(c) A written permit from the department is not required for taking **caribou, deer or moose** [BIG GAME] under this section except a letter of authorization must be obtained in person from a department area office for taking of moose, caribou, and deer in a non-subsistence area.

(d) Before a **caribou, deer or moose** [BIG GAME] is taken under this section;

(1) a tribal chief, village council president, or the chief's or president's designee, for the village in which the religious ceremony will be held, notify the nearest office of the department that a hunt for a **caribou, deer or moose** [BIG GAME ANIMAL] will take place; the notification must include the number of animals expected to be taken, and the location where the taking will occur; the tribal chief, village council president or designee must maintain records of the successful hunters and the decedents for the village or tribal ceremony, and make that information available to an authorized representative of the department upon request; the tribal chief, village council president, or designee must notify the department of the location of the kill, and the species, sex, and number of animals taken under this section as soon as practicable, but not more than 15 days after the taking of **caribou, deer or moose** [BIG GAME].

(2) a hunter outside of a village or tribal organized ceremony, must notify the nearest office of the department that a **caribou, deer or moose** [BIG GAME ANIMAL] will be harvested, the time frame when, and location where the harvest will occur, and the name of the decedent; the notification must include the hunter's name, address, and the species [OF BIG GAME ANIMAL] to be hunted; a successful hunter must notify the department of the location of the kill, and the species, sex, and number of animals taken under this section as soon as practicable, but not more than 15 days after the taking.

ISSUE: A new, spring 2009, interpretation of this regulation by the Department of Public Safety has prevented access to big game for use in ceremonial harvests, inadvertently restricting lawful religious practice without demonstrating a compelling state interest justifying curtailing a religiously based practice in areas with abundant big game populations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Alaskans religious freedoms will be restricted. Alaskans who were allowed to harvest big game in non-subsistence areas for religious ceremonies will likely continue their religious practices unlawfully.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No significant impact.

WHO IS LIKELY TO BENEFIT? Hunters, department staff, and law enforcement. Those who traditionally harvest big game for customary and traditional Alaska Native religious funeral and mortuary ceremonies. The letter of authorization for non-subsistence areas will protect those harvesting wildlife under this authorization and will save time for law enforcement officers investigating complaints.

WHO IS LIKELY TO SUFFER? No negative effects are anticipated.

OTHER SOLUTIONS CONSIDERED? Allow the take under an existing education permit. Do not allow ceremonial harvest in non-subsistence areas.

PROPOSED BY: The Alaska Department of Fish and Game (HQ-10W-G-024)

PROPOSAL 12 - 5 AAC 92.034. Permit to take game for cultural purposes. Modify the permit requirements for taking potlatch moose as follows:

Only allow cultural and traditional potlatch moose to be taken from those populations that have been identified as cultural and traditional subsistence animals.

ISSUE: A growing number of potlatch moose (a subsistence practice) being harvested from non-subsistence populations, in a time when fewer animals are available for the average hunter. Alaska Statute 16.05.258(c) reads: “The boards may not permit subsistence hunting or fishing in a non-subsistence area.”

WHAT WILL HAPPEN IF NOTHING IS DONE? Non-subsistence animal populations will be depleted by this subsistence activity. And most of the potlatch moose taken are cows that deplete populations the quickest. Potlatch harvest will reduce the numbers of harvestable animals by residents who don't qualify for or practice potlatch harvesting of animals, but who also rely on wild game for a basic food source.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The residents of Alaska in non-subsistence areas who would have a more equal standing with the residents who practice potlatch for the chance to harvest moose. The game managers who would have better control over harvest in non-subsistence populations since the potlatch moose taken in any one year is not predictable in either numbers or gender. Alaska Wildlife Troopers in non-subsistence areas who have had a difficult time identifying legitimate potlatch harvests, and who waste their limited time answering moose poaching calls that turn out to be legitimate potlatch harvests.

WHO IS LIKELY TO SUFFER? Residents who, in the past, have been allowed to harvest potlatch moose from non-subsistence populations.

OTHER SOLUTIONS CONSIDERED? 1. Only allow a predetermined number of potlatch moose from each subsistence moose population in the state, and have each local Fish and Game Advisory Committee vote on that number each year, since they are the groups that has already has statutory control over cow moose harvests. This was rejected because it would unnecessarily prevent the harvest of any cow moose in many Units. 2. Establish a hearing board that would have to determine the legitimacy of each potlatch request before issuing a permit. This was rejected as more (unwanted) bureaucracy to go through to manage fish and game resources. 3. Stop all potlatch harvest of any animals since it another unequal allotment of the state’s fish and game resources that “belong to all residents equally.” This was rejected because it would never be passed.

PROPOSED BY: Mat Valley Fish & Game Advisory Committee (SC-10W-G-014)

PROPOSAL 13 - 5 AAC 92.019. Taking of big game for certain religious ceremonies.
Modify the language concerning the taking of big game for religious ceremonies.

Removal of the term “customary and traditional” and any reference thereof, would allow the continuation of the practices.

ISSUE: Misunderstanding and lack of clarity in the full expression of the harvest of game resources for ceremonial purposes under the Indian Religious Freedom Act and the Religious Freedom Restoration Act.

WHAT WILL HAPPEN IF NOTHING IS DONE? The free expression of cultural and religious practices by Alaska Natives will continue to be unduly restricted.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A

WHO IS LIKELY TO BENEFIT? Those wishing to freely practice their cultural and religious practices.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Consolidation of all regulations into one comprehensive regulation, rejected due to complexity of crafting regulation.

PROPOSED BY: Mike Smith, Tanana Chiefs Conference (I-10W-G-008)

PROPOSAL 14 - 5 AAC 92.XXX Create a new regulation regarding traditional Potlatch.
Establish an Ahtna Traditional Potlatch Religious Ceremonies Use of Big Game as follows:

Ahtna Traditional Potlatch Ceremonies:

- (a) The taking of big game for food outside the seasons and bag limits for the Ahtna Traditional Potlatch Ceremonies is authorized if consistent with sustained yield principles, and must abide by Ahtna Traditional Tribal laws regarding potlatches.
- (b) This proposal pertains to Units 11, 12, 13 & 20A
- (c) A written permit from the department is not required for taking big game under this section.
- (d) Immediately after big game is taken under this section, a tribal chief, village council president, or designee, for the village in which the religious ceremonies will be held, must maintain a list of the designated hunters who successfully participated in the taking of the big game animals. The list must be made available, after the hunt is completed, to an authorized representative of the department upon request.
- (e) The tribal chief, village council president, or designee must notify the department as soon as practical, but not more than 15 days after the harvest, of the location of the kill and the species, sex, and number of the big game animals taken.
- (f) It is an affirmative defense to a prosecution for taking big game outside the seasons or bag limit restrictions established in 5 AAC 85 that
 1. The person is an Alaskan resident;
 2. The taking was authorized under this section and the meat was used in an Ahtna Traditional Religious Ceremony; and
 3. The requirements of (c) and (d) have been met.

ISSUE: Assist in deterring abuse of the potlatch moose (or big game) by establishing an Ahtna Traditional Potlatch Religious Ceremonies Use of Big Game. The proposal includes Unit 11, Unit 12, Unit 13 and Unit 20A and is based upon the customary and traditional practices of the Ahtna Athabascans regarding traditional religious potlatch ceremonies.

WHAT WILL HAPPEN IF NOTHING IS DONE? The taking of big game may be over harvested by people claiming to have a religious ceremony to take a moose or caribou within these four Units. Game Management Units 12, Unit 13 and Unit 20A are popular hunting places, and people from the urban areas, may take big game animals for a supposed religious ceremony and abuse may occur.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Not applicable

WHO IS LIKELY TO BENEFIT? Everyone will benefit from an Ahtna Traditional Potlatch Ceremonies proposal, if it were approved by the Alaska Board of Game. A regional Ahtna traditional potlatch ceremonies proposal will make the regulations more definable and the Department will have a better understanding of an Ahtna Potlatch to make better decisions. Doing so would eliminate the abuse of taking big game animals out of season.

WHO IS LIKELY TO SUFFER? No one will suffer if the Ahtna Traditional Potlatch proposal were adopted by the Board of Game. 5AAC 92.019 - Taking of Big Game for certain religious ceremonies would still be in place for the taking of big game animals.

OTHER SOLUTIONS CONSIDERED? Leave the regulations as it is now in place. It was rejected because current regulations are vague and allows for potential of abuse by people claiming to have a religious ceremony so they can take big game animals in Units 11, 12, 13 and Unit 20A.

PROPOSED BY: Eleanor Dementi, Ahtna Tene Nene’ Customary and Traditional Use Committee (SC-10W-G-011)

PROPOSAL 15 - 5 AAC 92.029 Permit for possessing live game. Add domestic finches to the list of animals that may be possessed in Alaska without a permit.

Add domestic finches to the clean list.

ISSUE: I would like to nominate domestic finches (family Estrildidae) to the Department of Fish and Game “clean list”.

WHAT WILL HAPPEN IF NOTHING IS DONE? People will not be able to own and enjoy domestic finch in their homes. And schools will not be able to have them in their classrooms.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? People who enjoy small birds in their homes and schools.

WHO IS LIKELY TO SUFFER? No one would be harmed by the small domestic finches.

OTHER SOLUTIONS CONSIDERED? No other solutions.

PROPOSED BY: Alan Armbruster (I-10W-G-005)

PROPOSAL 16 - 5 AAC 92.029. Permit for possessing live game. Add Capuchin monkeys to the list of animals that may be possessed in Alaska without a permit.

Add Capuchin monkeys to the Alaska Department of Fish and Game’s clean list.

ISSUE: The species that I am petitioning the state to consider is the Capuchin monkey, *cebus capucinus*. The Capuchin monkey weighs approximately three to nine pounds at adulthood. Their diets consists of fruits, nuts, insects, and small birds. In the wild they live in climates of 72 degrees Fahrenheit or higher. They are an extremely intelligent, docile creature with an exceptional aptitude that makes them easily trainable. For this reason Helping Hands Organization, a national non-profit organization, has been fostering Capuchin monkeys to quadriplegics or movement impaired persons all over the United States since 1979. The Helping Hands Organization trains Capuchin monkeys to complete normal, everyday tasks for disabled

persons who can no longer perform these tasks on their own. The monkeys are thoroughly trained to respond to word and laser light commands to assist persons with movement impairing disabilities such as spinal cord injuries, cerebral palsy, stroke, multiple sclerosis, polio, Lou Gehrig's disease and other mobility-limiting conditions. Some of the basic assistance a trained Capuchin offers is feeding, dialing a telephone, open and closing doors, turning on lights, picking up out of reach items or turning the pages of a book. Not only do capuchins offer help with simple day to day tasks but they are very affectionate and provide excellent companionship. It is my opinion that the Alaska Board of Game should add this species to the "clean list" as a "helper monkey" and as a family pet. If added they would provide an alternative to elderly or disabled persons having to live in assisted living homes which in turn can cut back on the state budget for assisted living programs. I believe that with certain restrictions, I have set forth below, that the allowance of the Capuchin monkey would be an excellent choice for our state.

Here are the guidelines in which to add a species and my evidence as follows:

1.) That the species is not capable of surviving in the wild in Alaska; This species feeds on fruits, nuts, insects, and small birds. It needs ample amounts of all these things in order to survive. Also our winter climates are far too cold here for them to survive in the wild, with our temperatures ranging from 20 degrees below zero to 40 degrees Fahrenheit.

2.) That the species is not capable of causing a genetic alteration of a species indigenous to Alaska; There are two common types of changes that prevent animals from interbreeding. Pre-zygotic reproductive isolating mechanisms are the first line of defense in genetic alteration. The species sperm cell is not equipped to navigate the reproductive tract of non-related species. If the animal still tries to mate, incompatible genitalia or sperm motility, the ability of sperm to move forward in the reproductive system, would prevent reproduction. If a monkey were indeed inclined and able to impregnate another species, post-zygotic mechanisms might result in a miscarriage or sterile offspring. The further apart two animals are in genetic terms; the less likely they are to produce viable offspring making it impossible for a hybrid animal fetus to grow into a reproductive adult. Upon my own research I have unsuccessfully found any indigenous species to Alaska that is similar enough in genetic terms to initiate reproduction of an altered species.

3) That the species is not capable of causing a significant reduction in the population of a species that is indigenous to Alaska; Capuchin monkeys are undemanding regarding their habitats and are not territorial. They are omnivores, eating not only fruits, nuts, seeds, and buds, but also insects, spiders, bird eggs, and small vertebrates. Capuchins living near the water will also eat crabs and shellfish by cracking their shells with stones. These habits mimic those of indigenous minks and martins. Therefore the presence of Capuchin monkeys, if they could survive in the wild, would not cause a significant reduction in any species population indigenous to Alaska.

4) That the species is not capable of transmitting a disease to a species indigenous to Alaska; Capuchin monkeys do not create any of their own diseases and do not harbor any diseases that are not already present in Alaska. I request that the regulation state that the species have a current health certificate and maintain current vaccinations when entering the state as required by animal protection just as you would do for any other family pet.

That the species does not otherwise present a threat to the health or population of a species indigenous to Alaska; all threats that could be presented to a species indigenous to Alaska have been addressed above.

I realize that the State of Alaska has concerns about being a remote state and allowing new species to be added to the “clean list”. British Columbia, Canada currently houses approximately 25 licensed breeders and has been successful in regulating the addition of Capuchin monkeys in residential homes. In addition we are connected to British Columbia and have had no influx of Capuchin monkeys into the State of Alaska, supporting the fact that Capuchin monkeys are a safe and non-threatening species to be added to the State of Alaska’s “clean list”. Please have an open mind when reviewing this request. This species is most human-like of all the non-human primates. I find that most persons are hesitant because of the scare of disease. With current and up to date vaccinations Capuchin monkeys are as healthy as any family pet. I request that the Board requires, within the regulation, that all Capuchin monkeys entering the state have current health certificates and current vaccinations. All Capuchins must be spade or neutered unless bred by a licensed breeder and that the breeder must have all monkeys spade or neutered prior to releasing to a non licensed resident. These regulations will ensure and encourage responsible ownership within the State of Alaska.

WHAT WILL HAPPEN IF NOTHING IS DONE? Status Quo

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Handicap persons and any person looking for a loving lifetime companion.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Laurie Sivertsen (HQ-10W-G-002)

PROPOSAL 17 - 5 AAC 92.029. Permit for possessing live game. Add primates to the list of animals that may be possessed in Alaska without a permit.

The regulation 5 AAC 92.029, would include primates on the list, or at least Black Capped capuchin monkeys as they are the ones there is an interest in working with due to their superior intelligence. This might add further regulations regarding the ability to own one (which only makes sense). Florida, for example, requires that 1000 hours be spent working with a monkey before you may own one. If you already have 1000 hours, the other option is that you may take a test to show your competency, or have two people who know you have owned or worked extensively with them, give you a recommendation stating your experience.

ISSUE: I am interested in seeing primates moved from the ‘unclean’ list to the clean list. I am interested in beginning business training Capuchins for the handicapped, and people with PTSD etc., but the first step is to get on the clean list so that they are permitted to live in Alaska.

There are five questions which should be addressed.

1. If a primate escaped would it/they survive in Alaska? The primates are from the tropical area around the equator. There are plenty of neo-tropical forests and the Capuchin, *Cebus Apella*, live in them all. There are dry and wet seasons and they are able to survive through both hot and wet seasons. However, Alaska gets colder than they can handle. Just like with children, if they are dressed for the cold they are fine, and can enjoy this kind of weather; however were a monkey to escape they would not be able to get into a warm enough of a place to make it through the winter.

Also winter would bring about a food scarcity for them. They are omnivores and there isn't enough fruit (they eat about 65% fruit) to allow them to get what they need nutritionally if they were wild in Alaska. They would be able to survive in the summer as there are enough berries, bugs, plants, ect. But I am not sure how adept they would be to surviving, though they are very intelligent, in the winter. (Croat, T.B. 1975) (Frankie, Baker and Opler 1974)

2. Is it capable of causing a genetic alteration of a species that is indigenous to Alaska? No. There are not monkeys in Alaska and they would not interbreed with another animal here. They will hardly cross their own subspecies. (Example: a *Cebus apella* normally will not interbreed with a *Cebus capucinus*.)

3. Is it capable of causing a significant reduction in the population of a species that is indigenous to Alaska? Hopefully it will in the mosquitoes of Alaska, however even that is doubtful. Seriously, if they were adept enough to learn to hunt, there would have to be a large group of them to endanger the population of a species. The fact that they would not make it through the winter makes it very improbable that they could endanger a species. The next summer that species would be able to populate again.

4. Is it capable of transmitting a disease to a species indigenous to Alaska? Following is a list of diseases that are zoonotic. These are diseases that they are able to transmit to people and that people can transmit to them; however, if a health certificate is required as a monkey is brought into Alaska, they are kept in a clean environment, they are kept healthy, and they are vaccinated when possible, there should basically be no problem with them transmitting any disease either to a person or another animal in Alaska. It is no different than with children, if they are vaccinated and kept in a clean and healthy environment that they can be healthy. However, they can get sick and if they are taken to a doctor when needed, they should be able to have a good life and grow up healthy. People cannot buy a monkey from outside of the United States now so there is no reason for problems along these lines.

5. Does it present a threat to the health or population of a species that is indigenous to Alaska? Again, no. Because they must be indoors to survive. So if they were to escape, they could live through the summer, however not being able to survive a winter they could not be a prolonged endangerment to any indigenous species health or population.

WHAT WILL HAPPEN IF NOTHING IS DONE? If left unresolved the outcome would be detrimental to the people of Alaska. There would be a lost opportunity for someone to have their lives enhanced both emotionally and physically. They would gain a level of independence not known before having a trained monkey that works with them to overcome their area of weakness. Also I plan on having a curriculum for schools; therefore there would also be a lack in the educational area regarding safety and knowledge of what monkeys are able to offer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Does not apply.

WHO IS LIKELY TO BENEFIT? Disabled, people with PTSD, and others that are disadvantaged in different ways wherein a placement with a monkey would help them function independently. Also the people that are employed with the company training, cleaning, teaching, and all the other many faceted positions that will be created.

WHO IS LIKELY TO SUFFER? I know that there will be additional oversight that will happen due to this; however I do not see this as a “suffering” situation. The benefits are so great that the scale is tipped in the positive due to the further regulations that will have to take place.

Monkeys won’t be on the suffering end, because there are trained people that know how to work with them. Also there are other businesses in the United States that work with monkeys to offer this kind of opportunity and they have been very successful.

OTHER SOLUTIONS CONSIDERED? One of the solutions was to move to a state that has monkeys legal. However, I was born in Alaska and would like to stay here. This could be a great program/business for Alaska. I want to be able to contribute to our fine community and state, and this is a way I would do it. Therefore, I rejected leaving the state and decided to stay and see if I could spearhead this to a reality. Step one is to try and get primates, or specifically capuchins, on the clean list. Helping hands in Boston, Massachusetts has made great strides in helping the disabled and there are other states that are beginning to see the benefit of exotic animals working with people. It is time for Alaska to join that list. I am ready to step from one business to another, and this seemed the most interesting, the most beneficial to others and it is in my area of interest, training, and education. I have an education degree and have owned and worked with capuchins throughout my life. I know that I will learn much if I get the opportunity to undertake this, but I am ready for the task.

PROPOSED BY: Christy Paquette (HQ-10W-G-038)

PROPOSAL 18 - 5 AAC 92.029. Permit for possessing live game. Remove chimpanzees from the list of animals allowed in Alaska without a permit.

...
(b) The following species, not including a hybrid ...

Common Name
[CHIMPANZEE]

Scientific Name
[PAN SPP]

ISSUE: Regulation 5 AAC 92.029 (b) also known as the “clean list” of mammals, birds, and reptiles that may be imported, possessed, and bought, sold or traded without a permit from the department currently includes chimpanzees (*Pan spp.*) which the department believes present a risk to human health and safety. Chimpanzees, non-human primates, are humans’ closest living relative and consequently, have the potential to transmit diseases directly to humans. Evidence indicates that a number of serious human diseases including: viruses (Herpes Virus B, , HIV/AIDS, Ebola virus, measles, influenza); parasites (giardia, malaria); bacteria (Shigella, Salmonella, E. coli, Vibrio) originated in chimps and subsequently mutated into forms infectious to humans. Chimpanzees are also very powerful and potentially dangerous animals that may attack with little recognizable warning. In addition to the well-publicized case of a chimp mutilating a woman in Connecticut in February 2009, there are numerous other reports of chimps kept as pets or in zoos and research institutions attacking and injuring humans. Finally, chimps are highly intelligent and social animals with complex needs. Without permitting authority the department cannot ensure owners would provide adequate care for chimps. The department recommends that chimpanzees be removed from the Clean List so the department will have permitting authority over this species.

WHAT WILL HAPPEN IF NOTHING IS DONE? Chimpanzees will remain on the clean list, and Alaskans will be able to legally import, possess, buy, sell, and trade chimpanzees without a permit from the department. Current human health and safety and animal welfare concerns would persist.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Public safety, human health, and animal welfare concerns will be addressed by removing chimpanzees from the Clean List.

WHO IS LIKELY TO BENEFIT? The public.

WHO IS LIKELY TO SUFFER? People who own or wish to own chimpanzees as pets.

OTHER SOLUTIONS CONSIDERED? None

PROPOSED BY: The Department of Fish and Game and the Department of Environmental Conservation

(HQ-10W-G-045)

PROPOSAL 19 - 5 AAC 92.029 Permit for possessing live game. Add the following animals to the list of animals that may be possessed in Alaska without a permit:

The following animals should be added to the clean list: sloths, kinkajous, wallaroos, savannah cats, and surgically de-venomized (venomoid) reptiles.

ISSUE: There are several animals that I would like to be able to own that are not on the clean list, but I feel meet all the requirements the above regulation sets out for an animal to be on the clean list.

WHAT WILL HAPPEN IF NOTHING IS DONE? Residents would be denied an opportunity to own/interact with these amazing animals and may willing break the law to obtain them.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A

WHO IS LIKELY TO BENEFIT? Residents who enjoy keeping exotic pets; it would allow owners to bring them to educational institutions in certain circumstances. Kids would be ecstatic to see these types of animals.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? I originally tried to get a permit but State of Alaska regulations do not allow a permit to be issued to an individual.

PROPOSED BY: Jody Westover (HQ-10W-G-004)

PROPOSAL 20 - 5 AAC 92.029. Permit for possessing live game. Add hybrid cats to the list of animals that may be possessed in Alaska without a permit:

In Section 5 AAC 92.029, (b), the new regulation should read: *Felis Catus*, **(and all hybrids thereof)**. This would cover the many new hybrid cat breeds. The addition of these four words to the regulation should provide the relief sought by owners of these exotic cats.

ISSUE: Current regulations regarding the possession of hybrid cats need to be reviewed and changed. These pets should be added to the list of approved species, as they are accepted by the International Cat Association as ‘Domestic Cats’ and present no threat to the public nor indigenous species of Alaska.

WHAT WILL HAPPEN IF NOTHING IS DONE? Hundreds of Alaskan families will either be forced to get rid of their beloved pets, or take legal action to keep them. This will represent an unnecessary waste of time and money, as well as financial and emotional loss to owners.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All of the owners and families who have cats as family pets would no longer fear their pets could be taken from them. Current owners who had no idea their pets were not in Alaska legally have expressed concerns over thinking these banned cats for regular veterinary care for fear of having them found and ordered deported or killed. This presents an unnecessary health issue.

WHO IS LIKELY TO SUFFER? No one is likely to suffer or be harmed by legalizing these cats. They present no greater danger than any other breed of cat that are legally allowed in Alaska, and due to their cost are far less likely to ever be outside compared to other cats to create any danger. They present no danger to any native species, and are unlikely to be able to survive in the wild.

OTHER SOLUTIONS CONSIDERED? No other solutions have been considered that would solve this matter adequately.

PROPOSED BY: Michelle Schwoch, Theresa Bauer, Linda Horn, Terri Levensgood, Joann and Holly Odd (HQ-10W-G-006)

PROPOSAL 21 - 5 AAC 92.029. Permit for possessing live game. Add Bengal and Savannah cats to the list of animals that may be possessed in Alaska without a permit.

Bengal and Savannah cats are legal but must be registered with animal control and micro chipped; if the cat is transferred to a new owner the old owner must report this to animal control within five days and must give the new owners information. The new owner must contact animal control within ten days to transfer the cat into their name and show proof of the micro chip being in their name. If the cat gets loose they must report it to animal control or they will get a fine and the cat will be confiscated.

ISSUE: Bengal and Savannah cats should be legal.

WHAT WILL HAPPEN IF NOTHING IS DONE? A lot of people would have to give up great cats because of this law and it is wrong. Bengal cats are no different than normal house cats. People should not have to put them down just because of this law there is no need for.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, people will be able to have the cats they love and not hide them from the city. It will also let the city know exactly how many cats there are and who owns them so if something happens they can track each animal with no problem. This will prevent the issue that happened with a savannah cat being loose for eight months and the owner not letting anyone know will not happen again.

WHO IS LIKELY TO BENEFIT? All current owners of Bengal and Savannah cats and people who really love the cats would be able to own one legally.

WHO IS LIKELY TO SUFFER? No one should suffer as long as rules are put in place.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Anna Johnson (HQ-10W-G-040)

PROPOSAL 22 - 5 AAC 92 .029 Permit for possessing live game. Add Bengal, Savannah and Chausie cats to the list of animals that may be possessed in Alaska without a permit.

We would like the State of Alaska to legalize ownership and possession of Bengal, Savannah and Chausie cats within the State of Alaska and recognize them as domestic cats, not hybrids.

ISSUE: The Bengal, Savanna, and Chausie cat breeds should be added to the “clean list.” These breeds are recognized by the experts as domestic cats, not hybrids. The International Cat Association has identified these breeds as domestic cats.

WHAT WILL HAPPEN IF NOTHING IS DONE? Thousands of Alaskans will continue to own domestic cats the State of Alaska has deemed illegal. More Alaskans will resort to out of state breeders to purchase their pets.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The residents of Alaska. The income generated from the sale of these cats will stay in Alaska and individuals who wish to purchase Bengals, Savannahs, and Chausies will have the option to purchase from a local breeder.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: David and Janet Birky, Sandra Smallwood, and Ashley Sullivan (SC-10W-G-008)

PROPOSAL 23 - 5 AAC 92.039 Permit for taking wolves using aircraft: Disallow guides and assistant guides from obtaining aerial permits for taking wolves.

(b) (1) A person may not obtain an aerial shooting permit from the department for wolves in an intensive management program, as defined in 5AAC 92.125 if the individual has a current commercial hunting guide or assistant guide license in Alaska.

ISSUE: The state currently allows residents with commercial guiding licenses to participate in the aerial gunning of wolves, including game management units where the commercially licensed guides are also allowed to guide for profit during the same year, or may guide in that game management unit once an identified game population recovers. In addition, anecdotal information provided by the commercial guides with aerial wolf hunting permits is subsequently used by the Board of Game and the Department of Fish & Game to estimate wolf populations and to justify continuing a particular predator control program.

The “profit based” incentive for biased reporting by a commercially licensed guide is significant. Harvest rates in the aerial predator control program may be underestimated since the goal of their

participation is motivated by their desire to promote their business by increasing moose or caribou hunting opportunity by killing the wolves in the area.

The department readily admits that intensive predator control programs have an associated risk to negatively affect the long term integrity of the ecosystems where they are being conducted. In addition, the program is a very contentious issue for the public as noted by three statewide votes. Promoting accurate data collection and transparency in the program is essential to allow the public to review the ongoing affects of these programs and to promote public support.

WHAT WILL HAPPEN IF NOTHING IS DONE? The potential for biased harvest reporting and anecdotal information by commercially licensed guides with aerial wolf hunting permits will remain a significant concern for Alaskans. The transparency of the aerial gunning program is very low. Currently the state does not even estimate wounding loss. The risk of being caught not reporting wolf kills or wounding loss is extremely low and the benefit to the commercial guiding industry of having a severely depressed wolf population is significant.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, aerial wolf hunting permits will be issued to Alaskans that are hunting wolves for fur quality and the legal sale of the wolf pelts as well as promoting the recovery of important subsistence game populations for resident subsistence harvest - not a for profit industry manipulating the game population for nonresident harvest potential.

WHO IS LIKELY TO BENEFIT? The Department of Fish and Game and the Board of Game will promote the highest quality wolf harvest data submission and increased transparency of the aerial wolf hunting programs. The Board of Game will address important concerns of resident Alaskans regarding the commercial guiding industries participation in aerial wolf hunting in Alaska for the benefit of nonresident hunting and a for profit industry instead of resident subsistence harvest.

WHO IS LIKELY TO SUFFER? The number of aerial wolf hunting applications may decrease but on average only a very small percentage of the overall permitted pilots and gunners conduct aerial hunting. There seems to be more permitted aerial wolf hunters than is needed at this time, so no negative effects are anticipated.

OTHER SOLUTIONS CONSIDERED? Restricting aerial gunning of wolves to trained wildlife biologists employed by the State of Alaska. Potential funding issues by the Alaska legislature which mandate game management policy but forget to pay for it. Restricting the ban on permits for licensed guides to just the Units where they guide big game hunting trips. Guides are allowed to be legally permitted in different Units each year, making this not an option.

PROPOSED BY: Wade Willis (SC-10W-G-021)

Note: The Board of Game added this proposal to the agenda for the Statewide, 2010 meeting through an agenda change request.

PROPOSAL 24 - 5 AAC 92.044. Permit for hunting black bear with the use of bait or scent lures. Change the number of bait stations that a licensed guide-outfitter and his assistant guides may register in the Unit 16 Predation Control Area as described in 5 AAC 92.125(d).

.....

(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:

(11) in the Unit 16 Predation Control Area described in 5 AAC 92.125(d), except for a licensed guide-outfitter, a person may not give or receive remuneration for the use of a bait station, including barter or exchange of goods; a licensed guide-outfitter [AND THE GUIDE-OUTFITTER'S CONTRACTED ASSISTANT GUIDES] may register for up to [AN AGGREGATE OF] 10 bait station sites [PER YEAR] **simultaneously, and the guide-outfitter's contracted assistant guides may register for up to two bait stations each simultaneously,** and a signed guide-client agreement is required for each hunter that uses any of the sites.

ISSUE: Opportunities to take black bears over guided bait stations are limited by the number of baits a licensed guide-outfitter is allowed to register. In predation control areas such as Unit 16, where the desire is to increase the take of black bears, the current regulation is more restrictive than what would be legally allowed in other Units if the licensed guide-outfitter has employed more than four contracted assistant guides.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be less opportunity to take additional black bears through guided black bear bait-hunting in Unit 16 with potentially fewer black bears harvested.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? N/A

WHO IS LIKELY TO BENEFIT? Licensed guides and people who want to have more black bears taken in Unit 16.

WHO IS LIKELY TO SUFFER? Those who are opposed to increasing guide opportunities and/or the taking of additional black bears in Unit 16.

OTHER SOLUTIONS CONSIDERED? N/A.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10W-G-035)

Note: The Board of Game added this proposal to the agenda for the Statewide, 2010 meeting through an agenda change request.

PROPOSAL 25 - 5 AAC 92.044(5)(b). Permit for hunting black bear with the use of bait or scent lures. Prohibit the use of bait or scent lures near businesses, schools or other facilities as described below.

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

(B) One mile of a house or other permanent dwellings, **businesses, schools or other developments associated with a city, town or village.**

ISSUE: Bear baiting regulations currently restrict using bait or scent lures within one mile of a house or other permanent dwelling. The regulation as written does not encompass all scenarios pertaining to the intent of the law. Locations such as schools and businesses should be included as restricted areas to set bait. A school or business is not considered a “house” or “other permanent dwelling” and falls through the legal cracks and the intent of the regulation. Public safety is the main reason these restrictions were implemented.

WHAT WILL HAPPEN IF NOTHING IS DONE? If this problem is not addressed, bear baiters could set up bait sites near schools and other frequently used facilities. Potential for bear/people encounters could be increased near these locations that are not included within the current regulation.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal does not address the quality of the resource harvested or products produced; it does however improve public safety by requiring black bear bait sites to be set up at least one mile from the listed structures.

WHO IS LIKELY TO BENEFIT? All members of the public.

WHO IS LIKELY TO SUFFER? Bear baiters who wish to set up bait sites close to schools and other structures.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Department Of Public Safety, Alaska Wildlife Troopers (HQ-10W-G-046)

PROPOSAL 26 - 5 AAC 92.115 Control of predation by bears. Clarify the usage of cable snares in predator control areas.

.....

1. The use of cable snares for bear capture will be limited to bucket snares that are placed above ground level to reduce the risk of catching moose, caribou or other non target species.

2. Cable bear snares targeting only black bears will be required to have a breakaway release suitable for allowing an adult brown bear to escape if caught in the snare.

ISSUE: The authorized methods for conducting bear snaring promotes unnecessary risk for the harvest of non target species. The experimental snaring program in Unit 16 in 2009 caught an excessive number of brown bears, several of which were killed.

WHAT WILL HAPPEN IF NOTHING IS DONE? Non-target species will continue to be caught in snares.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it ensures that the negative effects of the state’s experimental bear snaring operations minimize the non target species being caught, especially the very animals the bear snaring program is trying to benefit.

WHO IS LIKELY TO BENEFIT? The public will benefit by limiting the negative effects of the snaring program and the intensive management program will benefit from broader public support. This will enhance the recovery rate of depressed prey species. Public safety will increase by reducing the risk of brown bears being caught in snares.

WHO IS LIKELY TO SUFFER? Large boar black bears caught by the snare may be able to break free due to the breakaway release requirement for brown bears. But, large boars are the number one predator of smaller black bears. So, the effect of a large boar getting away may help reduce the overall black bear population better than snaring does.

OTHER SOLUTIONS CONSIDERED? Rejecting bear snaring by the public completely. Experimental bear snaring programs should be conducted by trained biologists but lack of legislative funding for the ADF&G has caused a chronic understaffing problem within the department.

PROPOSED BY: Wade Willis (SC-10W-G-023)

PROPOSAL 27 - 5 AAC 92.115 Control of predation by bears. Clarify the usage of cable snares in predator control areas.

....

1. The use of cable snares for bear capture will be authorized for only trained Department of Fish & Game employees.

ISSUE: The experimental bear snaring program should be conducted only by trained wildlife biologists. In 2009, the department allowed Sportsmen for Habitat to operate the only bear snaring camps in Unit 16.

WHAT WILL HAPPEN IF NOTHING IS DONE? The public will continue to be allowed to conduct an unproven, experimental bear snaring program.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it ensures that the negative effects of the state's experimental bear snaring operations are minimized and that development of snaring protocol is enhanced by professional employees of the department.

WHO IS LIKELY TO BENEFIT? The public will benefit by limiting the negative effects of the snaring program and the intensive management program will benefit from broader public support. This will enhance the recovery rate of depressed prey species. Transparency in bear snaring program will increase.

WHO IS LIKELY TO SUFFER? The Department of Fish and Game will have financial burden but the legislature will surely come to their aid.

OTHER SOLUTIONS CONSIDERED? Rejecting bear snaring completely. Experimental bear snaring programs should be conducted by trained biologists but lack of legislative funding for the Department of Fish and Game has caused a chronic understaffing problem within the department.

PROPOSED BY: Wade Willis (SC-10W-G-024)

PROPOSAL 28 - 5 AAC 92.116. Special provisions in predation control areas. Eliminate nonresident hunting for certain big game animals in predation control areas.

We propose that the Board of Game amend 5 AAC 92.116 to add a new subsection or adapt a new regulation in 5 AAC 92 which prohibits non-Alaskans from taking a moose or caribou in any area for which an intensive management program exists and a predator control implementation plan has been adopted in 5 AAC 92.125. Under the regulation, the prohibition for an area would remain in place until the board has made a finding that population and harvest objectives established in 5 AAC 92.108 for the area have been met for a reasonable period and the predator control implementation plan for the area is no longer operational.

Possible regulatory language: "Any person who is not a resident domiciled in Alaska may not take a moose or caribou in any area that is subject to a predator control implementation plan until the Board of Game adopts a regulation stating that (1) the plan is no longer operational and (2) the population and harvest objectives established in 5 AAC 92.108 for the area have been met for the preceding three years."

ISSUE: The taking by non-Alaskans (i.e., "resident[s not] domiciled in Alaska" --- see 5 AAC 99.030(a)) of moose and caribou in the areas for which the Board of Game has approved intensive management programs and predator control implementation plans. 5 AAC 92.125. The board has adopted population objectives and harvest objectives for the moose and caribou populations in these areas. 5 AAC 92.108. The board has found that these objectives have not been met. It also has found that the moose and caribou populations in these areas are important to Alaskans for subsistence. 5 AAC 99.025. The Alaska Department of Fish & Game (department) also has acknowledged the importance of these populations as a food source for Alaskans, stating:

“Harvesting wild game is extremely important to many Alaskan families. Participating in the hunt and sharing the bounty of economical, wild-grown meat are long-standing traditions.

The Alaska Legislature recognized the importance of wild game meat to Alaskans when it passed the Intensive Management Law in 1994. This law requires the Alaska Board of Game to identify moose and caribou populations that are especially important food sources for Alaskans, and to insure that these populations remain large enough to allow for adequate and sustained harvest.

Predator control programs are currently deployed in six specific areas in Alaska, covering approximately 10% of the state’s land mass. These programs are designed to reduce predation by wolves or bears and increase depressed moose or caribou populations that are a needed food source of Alaskans.”

The Division of Wildlife Conservation website, “Intensive Management in Alaska”, available at <http://wildlife.alaska.gov/index.cfm?adfg=control.main> (last visited Oct. 5, 2009). Despite these board and department findings, in nearly all of the areas in which intensive management programs and predator control implementation plans apply, non-Alaskans are now allowed to compete with Alaskans for moose and/or caribou. Alaskans should have the exclusive use of the moose and caribou populations in these areas unless and until there is adequate surplus for non-Alaskans. The Alaska Legislature has expressly given the board authority to restrict nonresident hunting so that maximum benefit and common use clauses of the Alaska Constitution are satisfied. (See AS 16.05.255(d) and 16.05.256.) If the board decides not to restrict nonresident hunting in predator control areas and in other areas where only a limited number of permits are granted to Alaskans to hunt, it must explain why it is making that decision so that the public can assess whether the Constitutional and statutory mandates have been met.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fewer moose and caribou will be available for Alaskans as long as nonresidents are allowed to take moose and caribou in these areas. This problem particularly impacts Alaskans who live in rural areas where subsistence is both a cultural and economic necessity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposal does not address the quality of the resource; it addresses the quantity of the resource available for Alaskans.

WHO IS LIKELY TO BENEFIT? Resident Alaskans, particularly those who live in rural areas.

WHO IS LIKELY TO SUFFER? Non-Alaskans who wish to take moose or caribou in Alaska but only wish to do so in the same areas the Board of Game has designated for intensive management under 5 AAC 92.125. The commercial guides these non-Alaskans may otherwise hire to guide them may also be adversely affected.

OTHER SOLUTIONS CONSIDERED? An alternative solution considered would be a requirement that non-Alaskan residents who take a moose or caribou in an area subject to a plan in 5 AAC 92.125 salvage the meat and deliver it in edible condition to a social service agency in a community nearby the harvest site for redistribution to needy local resident. This solution,

however, would be difficult for ADF&G to enforce and may lead to unnecessary waste of some of the meat.

PROPOSED BY: Alaska Center for the Environment (HQ-10W-G-021)

PROPOSAL 29 - 5 AAC 92.116 Special provisions in predator control areas as follows:
Eliminate nonresident hunting for certain big game animals in predation control areas.

5AAC 92.116(c) In this section, “active” means that predator control permits have been issued **or Department of Fish and Game personnel and/or state contractors are conducting predator control** for the referenced predation control area during the current **regulatory** year.

5 AAC 92.116(d) within a specific active predator control area, defined by an intensive management plan, nonresident sport hunting will not be authorized for moose, deer, elk or caribou populations with a positive customary & traditional use finding when:

- A. The most current population estimate for moose, deer, elk or caribou for the area is below the minimum population objective or bull/cow ratio for that species as defined in 5AAC 92.108 or the intensive management plan for that region.**

ISSUE: Nonresident sport or trophy hunting for moose and/or caribou in game populations with a positive customary and traditional use finding that are also identified in an intensive management plan as regions with a reduced moose and /or caribou population(s) requiring intensive management to rebuild the prey populations. Areas that have too few moose and or caribou for resident Alaskans.

Both moose and caribou game populations are mandated by law to be a priority subsistence resource for Alaska residents by *AS 16.05.255(13)d* which states “the taking of moose, deer, elk and caribou by residents for personal or family consumption has preference over taking by nonresidents”.

“...the resident preference serves the purpose of conserving scarce wildlife resources for Alaska residents; this unquestionably represents a legitimate state interest” *Shepherd v. State, Dep’t of Fish and Game, 897 P. 2d 33 (Alaska 1995)*

WHAT WILL HAPPEN IF NOTHING IS DONE? Nonresident hunters will continue to compete with resident Alaskans for limited subsistence resources in areas with a positive customary and traditional use finding for those subsistence resources.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, reducing non essential sport and trophy hunting will enhance the recovery rate of essential subsistence resources.

WHO IS LIKELY TO BENEFIT? Resident Alaskans that depend on subsistence resources in areas with depressed game populations, especially local residents living within intensive management areas trying to reduce prey harvest. The Alaska Department of Fish and Game will benefit by having the authority to limit non essential human harvest, an essential component of

an effective adaptive management plan that promotes the recovery of depressed subsistence resources.

WHO IS LIKELY TO SUFFER? In the short term, nonresident hunters will lose the opportunity to hunt in areas where resident subsistence need exceeds the amount of available game. In the long run, nonresident hunters will benefit from healthy game populations in the region, especially trophy hunters.

OTHER SOLUTIONS CONSIDERED? Changing the Alaska statute that requires moose, deer, elk and caribou to be prioritized for resident harvest, but that was unacceptable and contrary to the Alaska way of life. Restricting nonresident hunting to remote subunits or non-prime hunting dates. This is unacceptable due to the fact that moose and caribou are highly migratory. Allowing nonresident harvest in any location of an active predator control area will adversely affect resident harvest potential and will reduce the overall recovery rate of the prey species.

PROPOSED BY: Anchorage Fish & Game Advisory Committee (SC-10W-G-005)

PROPOSAL 30 - 5 AAC 92.116. Special provisions in predator control areas. Eliminate nonresident hunting for certain big game animals in predation control areas.

Suggest the following language to 5 AAC 92.116 but other language that promotes the intent of guaranteeing resident harvest when need is clearly evident is fine with me:

5 AAC 92.116 (c) In this section, “active” means **any predator control program as defined by an intensive management plan found in 5 AAC 92.125 that is conducting predator control during the current year.**

5AAC 92.116 **(d) within a specific active predator control area, defined by an intensive management plan, nonresident sport hunting will not be authorized for moose, deer, elk or caribou populations with a positive customary and traditional use finding when:**

A. The level of resident hunter demand for moose, deer, elk, or caribou as defined by: total resident hunter effort, the number of resident applications for permits, harvest rates or other indicators has demonstrated the number of resident hunters trying to harvest moose, deer, elk or caribou in a predator control area exceeds the number of animals available as defined by the most current upper harvestable surplus estimate for that species from the previous or current regulatory year.

ISSUE: Nonresident sport or trophy hunting in game populations with a positive customary and traditional use finding. The Board of Game and the Department has consistently stated that intensive management programs are designated to protect and benefit resident subsistence harvest yet the board allows nonresident harvest in areas where the in-state demand clearly shows there are not enough animals available to meet resident needs. This year in the Upper Yukon Tanana area the harvest goal was met in just one day for caribou. Harvest records for moose in 2005/2006

indicate that more nonresidents harvested a moose than rural local residents living in the region. Both moose and caribou have been identified as depressed populations in the area.

Both moose and caribou game populations are mandated by law to be a priority subsistence resource statewide for Alaska residents by AS 16.05.255(13)(d) which states “the taking of moose, deer, elk and caribou by residents for personal or family consumption has preference over taking by nonresidents”.

And when those resources were depleted the following court review clearly supports the statute above: “the resident preference serves the purpose of conserving scarce wildlife resources for Alaska residents; this unquestionably represents a legitimate state interest” *Shepherd v. State, Department of Fish & Game, 897 P. 2d 33 (Alaska 1995)*.

WHAT WILL HAPPEN IF NOTHING IS DONE? Nonresident hunters will compete with resident Alaskans for limited subsistence resources in areas with a positive customary and traditional use finding which denies essential subsistence resources to those that need it most and who by law should have a priority.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Enhancing the recovery rate of the prey population in intensive management programs and meeting the legal and statutory obligations of the board to prioritize limited subsistence resources to Alaska residents.

WHO IS LIKELY TO BENEFIT? Resident Alaskans that rely on subsistence harvest of moose and caribou. Those that rely on traditional harvest methods of personally hunting for their game. This promotes resident participation in traditional hunting methods.

WHO IS LIKELY TO SUFFER? Nonresident sport or trophy hunters and the guiding industry that harvests them.

OTHER SOLUTIONS CONSIDERED? Changing the Alaska statute that requires moose, deer, elk and caribou to be prioritized for resident harvest but that was unacceptable and contrary to the Alaska way of life. Requiring all nonresident hunters to donate all game meat to a resident Alaskan living in the Unit they harvested the game. Potentially illegal under current law and there is no way to mandate that the meat is properly cared for and delivered in an eatable condition.

PROPOSED BY: Wade Willis (SC-10W-G-020)

Note: The Board of Game added this proposal to the agenda for the Statewide, 2010 meeting through an agenda change request.

PROPOSAL 31 - 5 AAC 92.125. Predation Control Areas Implementation Plans. Amend to change the dates that helicopters and snaring may be used in Unit 16 black bear management.

(d) Unit 16 Predation Control Area

(4) the permissible methods and means used to take predators are as follows:

(D) the commissioner may reduce the black bear population within the Unit 16 Predation Control Area by means and direction included in the Board of Game Bear Conservation and Management Policy (2006-164-BOG), dated May 14, 2006, and incorporated by reference, including the following conditions, methods and means under a department developed control permit:

(iii) same-day-airborne taking of black bears if the permittee is at least 300 feet from the aircraft, including the use of any type of aircraft, including helicopters to access black bear baiting stations and associated camps from April 15 through October 15, **except that helicopters may not be used from August 5 through September 25;**

(vi) same-day-airborne taking of black bears if the permittee is at least 300 feet from the aircraft, such as a fixed-wing aircraft and helicopter, to access black bear foot-snaring camps from April 15 through August 5 [15] **and September 26 through October 15.** A helicopter may be used only to transport resident permittees, gear, and harvested bears and parts of bears directly to and from a foot-snaring camp; up to 10 helicopter permits may be issued at the discretion of the department and a permittee must attend a department-approved orientation course;

(vii) taking of black bears **by foot-snaring** by permit only **from April 15 through October 15;** if foot-snaring is based out of remote camps, no more than five foot-snaring camps may be in operation at any time, and at least two permittees must be present in each camp when foot-snares are in the field; foot snaring permits will be issued at the discretion of the department based on previous trapping experience, ability to help train other participants, and length of time available for participation in a snaring program; a selected foot-snaring permittee must successfully complete a department-approved training program, must be a resident 16 years of age or older, and report all animals taken by the permittee to the department within 48 hours of taking;

ISSUE: Helicopter use while moose, sheep, and caribou seasons are open during the Unit 16 black bear management effort may create law enforcement difficulties. Dates allowing for the use of foot-snares to take black bears under a control permit needs to be clarified.

WHAT WILL HAPPEN IF NOTHING IS DONE? Helicopters may be used throughout the black bear control period, possibly creating difficulties for law enforcement authorities. There may be confusion regarding dates to allow for helicopter use and the use of foot-snares to take black bears

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? N/A

WHO IS LIKELY TO BENEFIT? People who are concerned about abuses of helicopter use and foot-snaring during predator control operations.

WHO IS LIKELY TO SUFFER? Those who are opposed to helicopter use and foot-snaring as means or methods for use in predation control.

OTHER SOLUTIONS CONSIDERED? N/A

PROPOSED BY: The Alaska Department of Fish and Game (HQ-10W-G- 026)

This proposal was requested by the Board of Game during the March, 2009 meeting.

PROPOSAL 32 - 5 AAC 92.125. Predation Control Areas Implementation Plans.

Establish a predation control plan for Units 9C and 9E.

(l) **The Northern Alaska Peninsula Predation Management Area.** Notwithstanding any other provisions in this title, and based on the following information contained in this section, the commissioner or the commissioner's designee may conduct a wolf population reduction or wolf population regulation on the Alaska Peninsula in Units 9(C) and 9(E):

(A) The Northern Alaska Peninsula Wolf Management Area is established to stabilize the population decline and facilitate growth in the Northern Alaska Peninsula caribou herd (NAPCH) on the mainland portions of Units 9(C) and 9(E) to aid in achieving intensive management objectives; the control area includes all Alaska Peninsula drainages south of the south bank of the Naknek River and the southern boundary of Katmai National Park to a line from the southernmost head of Port Moller Bay to the head of American Bay, encompassing approximately 19,461 square miles;

(B) the discussion of wildlife populations and human use information is as follows:

(i) the NAPCH population information is as follows:

(a) the NAPCH was estimated at 20,000 caribou in the 1940s and again in the 1980s, but has declined to fewer than 3,000 caribou since the last peak population size; the most recent estimate of herd size was 2,000 to 2,500 caribou based on surveys conducted in October 2009;

(b) the initial decline in population size was attributed to nutritional limitations imposed by a depleted range following the peak in the 1980s; parasites and/or disease were also suspected to have had a negative influence on the herd's status;

(c) predator management was considered previously, but was not implemented because nutritional indices indicated that individuals of this herd were experiencing nutritional limitations that might be further aggravated by any attempts to increase herd size; indications of improved condition include increased pregnancy rates, increased neonate weights, and increased calf weights; these changes alone have been insufficient to alter herd status;

(d) pregnancy rates of cows that were 24 months of age or older increased from 57% in 2005 (n=315) to 84% in 2009 (n=104);

(e) birthmass of calves increased during the period of 2005 to 2007; birthmass of male calves increased from 7.7kg in 2005 (n=26) to 8.0kg in

2006 (n=19) and 8.6kg in 2007 (n=28); female calves born in 2005 weighed 7.8kg (n=15), 7.3kg in 2006 (n=30), and 8.0kg in 2007 (n=22);

(f) female calves captured at 10 months of age weighed 49.9kg in 2005 and 56.7kg in 2007; however the small sample size precludes statistical comparison;

(g) research into calf mortality documented survival rates during the first two months of life that averaged 14% during the period of 2005 through 2007 (n=143), which was significantly lower than survival rates observed in several other herds studied in the state; survival during the first two weeks of life has averaged 40% and survival from two weeks to two months averaged 34%; cause of death during the first two weeks of life was primarily attributed to wolves (43%) and brown bears (31%); cause of death could not be assessed after calves reached two weeks of life due to logistic limitations;

(h) calf ratios in October averaged 10.3 calves per 100 cows during the period of 2003 to 2009 (range 7 to 16);

(i) bull ratios declined to 19 bulls per 100 cows during the period of 2004 to 2009 despite hunting closures in 2005;

(j) harvestable surplus is estimated to be 0 caribou based on chronic poor calf recruitment and reduced bull ratio;

(k) high levels of consumptive use have been a priority for the Northern Alaska Peninsula Caribou Herd; from 1990 to 1998 an average of 724 people reported hunting caribou, harvesting an average of 716 caribou annually; harvest has been regulated under the Tier II permit system since 1999;

(l) state and federal caribou hunts were closed in 2005 due to the continued population decline and low calf recruitment; the closure remains in place as of 2010;

(ii) the predator population and human use information is as follows

(a) wolves are a major predator of caribou on the Alaska Peninsula;

(b) research into the causes of caribou calf mortality indicates that wolves are typically responsible for 43% of the calf deaths during the first 2 weeks of a life;

(c) wolf density in the Northern Alaska Peninsula Wolf Management Area is estimated at 7 wolves per 1000 square kilometers; anecdotal evidence obtained from biologists, pilots, trappers, and local residents indicates that wolves are abundant throughout the area;

(d) in 2008 the wolf population in the Northern Alaska Peninsula Wolf Management Area was thought to include 200 to 300 wolves and composed of 30 to 50 packs based on habitat type and prey base;

(e) an average of 24 wolves (range of 7 to 50 wolves) have been harvested annually in the Northern Alaska Peninsula Wolf Management Area;

(f) brown bears are considered to be an important predator of caribou on the Alaska Peninsula; while brown bears have been known to kill adult

caribou opportunistically, brown bears are regarded as an effective predator of calves during the first 10 days of life;

(g) research into the causes of caribou calf mortality indicates that brown bears are typically responsible for 31% of the calf deaths during the first 2 weeks of a life;

(h) brown bears are considered abundant throughout the Alaska Peninsula; densities range from 100 to 150 bears per 1000 square kilometers in the Northern Alaska Peninsula Wolf Management Area;

(i) brown bear harvests in the Northern Alaska Peninsula Wolf Management Area have averaged 179 brown bear annually from 2000 to 2007;

(C) predator and prey population levels and objectives and the basis for those objectives are as follows:

(i) intensive management population objectives established by the board for the NAPCH is 12,000 - 15,000 caribou; the intensive management harvest objective is 800 - 1,500 caribou annually; population and harvest objectives have not been met for 15 years;

(a) intensive management objectives were established by the board based on historic information regarding population numbers, habitat limitations, human use, and sustainable harvests;

(b) the estimated NAPCH population in October 2009 was 2,000 to 2,500 caribou;

(c) hunting seasons for the NAPCH were closed in July 2005; No legal harvest of caribou has occurred for the NAPCH since the 2004 regulatory year;

(ii) wolf population objectives for Unit 9 is to maintain a wolf population that can sustain a 3-year-annual harvest of 50 wolves; the wolf population objective for Unit 9 is currently being met;

(iii) brown bear population objectives for Unit 9 are to maintain a high density bear population with a sex and age structure that can sustain a harvest composed of 60% males, with 50 males 8 years of age or older during combined fall and spring seasons; the brown bear population objective for Unit 9 is currently being met;

(D) justification, objectives, and thresholds for the predator management implementation plan are as follows:

(i) justification for the Northern Alaska Peninsula Predator Management Area is based on the board decision to designate the NAPCH important for providing high levels of human consumptive use; the board established objectives for population size and annual sustained harvest of caribou in Units 9C and 9E consistent with multiple use and principles of sound conservation and management of habitat and all wildlife species in the area;

(ii) the objectives of the program is to halt the decline of the NAP and to achieve a sex and age structure that will sustain the population; the goal of this program is to reduce the number of wolves in specified control areas that

demonstrate a history of repeated use by caribou; the two control areas are as follows:

- (a) the northern control area is defined as all lands that drain into the Bering Sea between the southern bank of the Naknek River in Unit 9(C) and the northern bank Meshik River in Unit 9(E) and all lands in Unit 9(E) that drain into the Pacific Ocean between and including Alinchak Bay and Kujulik Bay;
- (b) the southern control area is defined as all lands in Unit 9(E) that drain into the Bering Sea between the southern bank of Fracture Creek and Port Moller Bay;

(iii) The commissioner may initiate the reduction of wolf numbers in the Northern Alaska Peninsula Predator Management Area according to the following thresholds:

- (a) the caribou population is below intensive management objectives established by the board and caribou harvest objectives are not being met;
- (b) nutrition is not considered to be the primary factor limiting caribou population growth;
- (c) calf recruitment is an important factor limiting population growth and calf survival during the first four weeks of life is less than 50%;

(iv) the commissioner may continue to reduce wolf numbers in the Northern Alaska Peninsula Predation Management area until the following thresholds can be met without the benefit of wolf control:

- (a) the bull-to-cow ratio can be sustained within management objectives and the fall calf-to-cow ratio can be sustained above 25 calves per hundred cows; or
- (b) the population can grow at a sustained rate of 5% annually; or
- (c) harvest objectives can be met;

(v) the commissioner will suspend the wolf reduction program if the following conditions are observed pending further review by the Alaska Board of Game to determine if the program can be modified to achieve the objectives of this program before reinstating the program; hunting and trapping by the public specified in other sections of this title may continue and are not subject to this clause;

- (a) caribou nutritional indices as evidenced by pregnancy rates, calf and adult body mass, or other condition indices exhibit a declining trend from current values; or
- (b) fall caribou calf ratios remain below 20 calves per hundred cows for 3 consecutive years following the initiation of the wolf reduction program; or
- (c) the caribou population sex ratio remains below the caribou population objectives and does not increase for 3 consecutive years following the initiation of the wolf reduction program;

(vi) the wolf population objective for the Northern Alaska Peninsula Management Area is to reduce wolf numbers in control areas within Units 9(C) and 9(E); Because wolves will not be removed from all lands within the management area and because logistic limitations prohibit public access to the

majority of lands within the management area, the majority of wolves in Unit 9(C) and 9(E) will not be affected by the management activities authorized by this plan;

(vii) reduction of predators by humans is necessary to stop the caribou population decline and promote recovery;

(viii) reduction of wolf numbers in prescribed control areas is expected to increase caribou calf survival and recruitment and increase the caribou population sex ratio to management objectives;

(ix) reduction of bear numbers remains problematic due to the high density of brown bears in Units 9(C) and 9(E), logistical limitations, and competing management priorities;

(E) the authorized methods and means used to take wolves are as follows:

(i) hunting and trapping of wolves by the public in treatment areas during the term of the management program may occur as provided in the hunting and trapping regulations set out elsewhere in this title, including the use of motorized vehicles as provided in 5 AAC 92.080;

(ii) the commissioner may issue public aerial shooting permits, public land and shoot permits, allow agents of the State to conduct aerial shooting, or allow Department employees to conduct aerial shooting as a method of wolf removal under AS 16.05.783, including the use of any type of aircraft;

(iii) the commissioner may authorize the use of state employees or state owned or charter equipment, including helicopters, as a method of wolf removal under AS 16.05.783;

(F) the anticipated time frame and schedule for update and reevaluation are as follows:

(i) for up to 10 years beginning July 1, 2010, the commissioner may reduce the wolf populations in the Northern Alaska Peninsula Predation Management Area;

(ii) annually the Department shall, to the extent practicable, provide to the board at the board's spring meeting a report of program activities conducted during the preceding 12 months, including implementation activities, the status of caribou and wolf populations, and recommendations for changes, if necessary to achieve the objectives of the plan;

(G) other specifications that the board considers necessary:

(i) the commissioner shall suspend wolf control activities

(a) when prey population management objectives are obtained;

(b) predation management objectives are met;

(c) upon expiration of the period during which the commissioner is authorized to reduce predator numbers in the predator control plan area;

(ii) the commissioner shall annually close wolf hunting and trapping seasons as appropriate to ensure that the minimum wolf population objectives are met.

ISSUE: The Northern Peninsula Caribou Herd in Game Management Units 9C and 9E has declined from a peak population size of 20,000 caribou in 1989. During the fall of 2009, the population size was estimated to be less than 2,500 caribou. The initial decline was attributed to

deteriorated range conditions associated with excessive population size in the 1980s. Nutrition is no longer a significant limiting factor based on several indices of condition including pregnancy rates, neonate calf weights, 10-month calf weights, and other indices of body condition, which have improved over the last 4 years.

The primary factor limiting population growth and harvest opportunity is the poor calf recruitment that has occurred over the past 7 years (11, 7, 7, 14, 7, 10, and 16 calves: 100 cows in the fall of 2003, 2004, 2005, 2006, 2007, 2008, and 2009 respectively). Calf recruitment has been insufficient to offset adult mortality, resulting in a decreased population size and the closure of state and federal caribou hunts since 2005. The low population size and skewed age structure will delay population growth and limit future hunting opportunity.

The Board has set intensive management objectives to maintain the population between 12,000 and 15,000 animals with a harvest between 800 and 1,500. The Department recommends the following management objectives for the Northern Alaska Peninsula Caribou Herd:

1. Sustain a population size of 6,000-15,000 animals
2. Maintain a minimum fall bull:cow ratio of 35:100
3. Regulate population size and predation rates to sustain a calf ratio of at least 25 calves per 100 cows and harvest objectives.
4. Temporarily limit population growth if the population is below objectives when a decreasing trend in nutritional indices is detected. Nutritional indices include pregnancy rates, calf and adult body mass, and other indices of condition. Allow the population growth to continue when nutritional indices return to normal values.

The provisions allowed for in this plan will increase calf recruitment and improve the population's sex and age structure. Hunting opportunity will be reinstated when the population can sustain a limited harvest based on fall sex and age composition surveys.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the population continues to decline, population recovery will be prolonged and future opportunity for caribou hunters in Unit 9C and 9E will be further compromised.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes

WHO IS LIKELY TO BENEFIT? In the near term we expect the herd to stabilize and with favorable conditions slowly increase. Hunters will benefit as the herd recovers.

WHO IS LIKELY TO SUFFER? The season was already closed by department action. No negative effects are anticipated. .

OTHER SOLUTIONS CONSIDERED? Continued hunting restrictions for caribou by the Department will be necessary. Without predator management the herd may stabilize below objectives or continue to decline.

Note: The Board of Game added this proposal to the agenda for the Statewide, 2010 meeting through an agenda change request.

PROPOSAL 33 - 5 AAC 92.108. Identified big game prey populations and objectives.

Modify the population objectives for the Northern Alaska Peninsula Caribou Herd (NAP) in Unit 9C and 9E.

Population	Findings	Population Objective	Harvest Objective
...			
Caribou Herds			
...			
Northern Alaska Peninsula	Positive	<u>6,000-15,000</u> [12,000-15,000]	800-1,500
...			

ISSUE: The Northern Alaska Peninsula Caribou Herd (NAP) in Unit 9C and 9E is a small- to medium-sized caribou herd that occupies a geographically restricted range, bounded by the Pacific Ocean and Bering Sea. Past attempts to maintain the herd at peak population size are believed to have contributed to the decline of this herd and the eventual loss of harvest opportunity.

Formerly the management objectives were to maintain a herd size of 15,000 to 20,000 caribou in the NAP. While these objectives were achieved in the 1980s, managers recognized that the population had exceeded the carrying capacity of the range and reduced the objective to 12,000 to 15,000 caribou. The Board adopted this population objective as the intensive management objective and set a harvest objective of 800 and 1,500 caribou annually.

Studies (2005-2007) of the herd’s health identified poor nutrition as one of several factors limiting the population’s growth potential 15 years after the initial decline was detected. While nutritional indices have improved, a review of management objectives is warranted to avoid herd increases that would lead to a deterioration of range conditions.

The Department recommends a review of population objectives for the Northern Alaska Peninsula Caribou Herd to accommodate changes in carrying capacity. Population size, while relevant to a discussion of harvest potential, does not fully incorporate all of the information necessary to arrive at a sustainable harvest estimate. Population growth rate, sex ratio, calf recruitment, age structure, and carrying capacity must also be taken into consideration when making management decisions to optimize the long-term use of this resource. Harvest objectives can be realized in a wider range of population size than is currently recognized by Intensive Management objectives.

WHAT WILL HAPPEN IF NOTHING IS DONE? Managers will be required to achieve NAP population size objectives that may, at times, exceed the carrying capacity of the range and are likely not sustainable over long periods of time. While this condition will produce a high harvest potential in some years, the opportunity for harvests will not be consistent through time.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes

WHO IS LIKELY TO BENEFIT? In the near term we expect the herd to stabilize and with favorable conditions slowly increase. Hunters will benefit as the herd recovers.

WHO IS LIKELY TO SUFFER? No negative effects are anticipated.

OTHER SOLUTIONS CONSIDERED? Modify the structure of 5AAC 92.108 to incorporate population objectives that play a role in producing an estimate of harvest potential such as the population's sex ratio, calf recruitment, nutrition indices, etc.

PROPOSED BY: The Alaska Department of Fish and Game (HQ-10W-G-032)

This proposal was requested by the Board of Game during the Spring 2009 meeting.

PROPOSAL 34 - 5 AAC 92.125. Predation Control Areas Implementation Plans.

Establish a new intensive management plan in Unit 15A.

(xx) **Unit 15A Northern Kenai Intensive Management Area.** Unit 15A encompasses 1314 square miles (840,960 acres) and includes that portion of Unit 15 which is north of the north bank of the Kenai River and the north shore of Skilak Lake. Approximately 80% of the land mass in GMU 15A is managed by the Kenai National Wildlife Refuge. Notwithstanding any other provisions in this title, and based on the following information contained in this section, the commissioner or the commissioner's designee may conduct an intensive management program on the Kenai Peninsula in Unit 15(A):

- (1) the discussion of wildlife population and human use information is as follows:
 - (A) the Northern Kenai Peninsula moose population information is as follows:
 - (i) the Northern Kenai Peninsula moose population information is as follows:
 - (a) the most recent moose population peak occurred in 1971; the near absence of wolves from 1913-1968, and the increased moose productivity following the 1947 wildfire (approx. 309,000 acres) were two events that led to increased moose numbers throughout the 1950's and 1960's, although harvest seasons were long and either-sex harvest was allowed, the moose population increased beyond carrying capacity and extensive over-browsing occurred by the late 1960's,
 - (b) a wildfire in 1969 (approx. 79,000 acres) that initially reduced moose habitat in GMU 15A, coupled with harsh winters in 1971-1974 caused the moose population in GMU 15A to decrease by 42% (from

5900 to 2500) by 1975; after the low number in 1975, new habitat created by the 1969 burn and more favorable winter condition, allowed the GMU 15A moose population to grow until the mid-1990's; the ADF&G conducted moose censuses in GMU 15A during February of 1991, 2001, and 2008 with respective point estimates of 2931, 1704, and 1670;

(c) since 1991 moose harvest followed a similar pattern with annual variation over this same time period; the peak reported harvest during this period (1991-2008) was 260 animals in 1996 and the 2008 reported harvest was 101 moose.

(d) 75% of the collared adult cows in GMU 15A were pregnant in March 2007, as identified from blood samples; this compares to pregnancy rates of 85-90% in the sub alpine portion of GMU 7 which is adjacent to GMU 15A; lower pregnancy rates in the lower elevations indicate habitat may be the limiting the growth of the population;

(e) the percent calves in the moose population for GMU 15A is about half of what it was during the 1990's (down from about 22% to 11% during our last full composition survey in 2005).

(f) over-all bull ratios have been consistent since the 1990's.

(g) the intensive management objectives for moose are as follows: Moose population objective of 3000—3500 moose; harvest objective of 180-350 moose.

(ii) the predator population and human use information is as follows

(a) wolves are a major predator of moose on the Kenai Peninsula;

(b) the wolf population in GMU 15A is believed to be stable, anecdotal evidence obtained from biologists, pilots, trappers, and local residents indicates that the wolf population is healthy throughout the area;

(c) an average of 8 wolves (range of 2 to 16 wolves) have been harvested annually in GMU 15A since 1991/92;

(d) brown bears are also considered to be a predator of moose on the Kenai Peninsula, but the extent of their predation has not been documented; while brown bears have been known to kill adult moose opportunistically, brown bears are regarded as an effective predator of calves during the first 6 weeks of life;

(e) anecdotal information combined with available data indicate the Northern Kenai Peninsula supports a healthy brown bear population.

(f) human caused brown bear mortalities in GMU 15A have averaged 7 (range, 1--15) brown bear annually from 2000 to 2008;

(h) black bears are also an important predator of moose calves during the first 6 weeks of life;

(i) black bears are considered abundant in GMU 15A with a 1991 population estimate of 205 black bears/1000km² in the area of the 1947 burn and 265 black bears/1000km² in the area of the 1969 burn, black bear harvests have averaged 44 bears annually during 1991/92 – 2007/08, this compares to an annual average of 27 bears from 1973/74-1977/78;

(B) moose habitat information is as follows:

(i) the history of fire on the Kenai Peninsula has generally involved human caused fires. Natural fires from lightning strikes are rare, but have increased in frequency in recent years.

(ii) the Kenai National Wildlife Refuge initiated a fire management program in 1985 in part from the objectives set in their moose habitat management plan.

(a) since 1970, wildfires have only burned about 4500 acres in GMU 15A.

(b) since 1995, controlled burns have encompassed 1795 acres in GMU 15A;

(iii) moose population objectives for Unit 15A are to maintain 3000-3500 moose, the moose population objective for Unit 15A is not currently being met;

(C) the commissioner may initiate a habitat enhancement program with the concurrence of the land owners to increase the moose population given the following thresholds:

(i) the bull-to-cow ratio can be sustained within management objectives and the fall calf-to-cow ratio can be sustained above 20 calves per hundred cows; or pregnancy rates above 80% for adult cows ;

(ii) the population can grow at a sustained rate of 2% annually until we are within our intensive management objectives

(D) the anticipated time frame and schedule for update and reevaluation are as follows:

(i) for up to 10 years beginning July 1, 2010,

(ii) annually the Department shall, to the extent practicable, provide to the board at the board's spring meeting a report of program activities conducted during the preceding 12 months, including implementation activities, the status of the moose population, and recommendations for changes, if necessary to achieve the objectives of the plan;

ISSUE: At the March 2009 meeting, the Board of Game (board) directed the Alaska Department of Fish and Game (department) to address the moose situation in Game Management Unit (Unit) 15A. Specifically, Unit 15A has been below the Intensive Management (IM) moose harvest objective (180-350) for 9 of the past 10 years (1999-2008), and the last census where the moose population estimate was within the IM population objective (3000-3500) occurred in February of 1991 (subsequent censuses in February 2001 and February 2008 produced results below the IM population objective). Given this information and because most of Unit 15A is within the Kenai National Wildlife Refuge (KNWR), the board directed the department to cooperate with the KNWR to draft and present a habitat based adaptive management plan at the January 2010 board meeting.

If this situation is not addressed it is our opinion that Unit 15A moose will remain below IM harvest and population objectives.

WHAT WILL HAPPEN IF NOTHING IS DONE? The moose population may continue to decline to a lower density and the Department's management objectives will not be achieved.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes

WHO IS LIKELY TO BENEFIT? Hunters and wildlife viewers will benefit as the herd recovers.

WHO IS LIKELY TO SUFFER? With large habitat enhancement efforts some wildlife may be displaced and some traditional hunting areas may be temporarily disrupted. Smoke from controlled burns may drift into populated areas.

OTHER SOLUTIONS CONSIDERED? Predator management may be considered however land status and timbered forests would make success of this program questionable.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10W-G-036)

PROPOSAL 35 - 5 AAC 92.165 Sealing of bear skins and skulls. Provide hunters the option for sealing hides.

Change current sealing regulations to allow the harvester at his option, to do the required steps or take the hide into a sealing agent.

ISSUE: Anyone can be taught to put a locking seal on a hide, pull a tooth, measure a skull, and collect tissue for DNA samples

WHAT WILL HAPPEN IF NOTHING IS DONE? It will continue to be the burden of the resident harvester to get the hides and skull the Department of Fish and Game (department) for sealing. Current sealing regulations are burdensome, particularly to those of us who live outside areas with infrastructure. Many have to fly to the nearest department office at a high cost. My flights to Anchorage cost \$500.00 each way so you can see I don't come to town much.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? I believe it would help the department get a more accurate harvest count by removing some of the financial burden from the resident harvester.

WHO IS LIKELY TO BENEFIT? Residents who live in areas in the bush without any infrastructure and the department by having better harvest data.

WHO IS LIKELY TO SUFFER? No one I can see

OTHER SOLUTIONS CONSIDERED? Remove the current sealing requirements. I don't think this would be a good idea because it would not give the department the data needed to have accurate harvest information.

PROPOSED BY: Chuck Lamb (SC-10W-G-003)

PROPOSAL 36 - 5 AAC 92.170 Sealing of marten, lynx, beaver, otter, wolf and wolverine
Eliminate the sealing requirements for certain furbearers.

Eliminate sealing requirements for marten, beaver, otter, wolf, and wolverine statewide except when specific biological data is needed by the Department of Fish and Game that cannot be collected by the trapper for the department.

ISSUE: Anyone who is able to harvest an animal is fully qualified to measure skulls, collect DNA samples, pull a tooth, and put them in the mail. Harvest population data that was previously collected by the sealing agent may be done through a report card similar to the type currently used for big game.

WHAT WILL HAPPEN IF NOTHING IS DONE? The burden will still remain with the trapper to take his skins and in some cases the skulls to a sealing agent.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It may help the Department of Fish and Game get a more accurate harvest count by removing some of the burden of sealing from the harvesters.

WHO IS LIKELY TO BENEFIT? Trappers in general and especially those who live in areas without an infrastructure and have to fly to a town to get furs sealed.

WHO IS LIKELY TO SUFFER? I do not think anyone will suffer

OTHER SOLUTIONS CONSIDERED? I originally considered eliminating sealing all furbearers however there were too many different agencies as well as state and federal laws involved with most other species (Department of Fish and Game and US Fish & Wildlife Service, etcetera.)

PROPOSED BY: John Lamb (SC-10W-G-002)

PROPOSAL 37 - 5 AAC 92.171 Sealing of Dall sheep horns. Modify the sheep sealing requirement as follows:

A person may not possess, transport, or export from the state the horns **and skull (naturally attached)** of a Dall sheep ram taken in any hunt where there is a horn configuration bag limit, **or the skull and horns of a Dall sheep ram taken in Units 6-11 and Units 13-17, unless the skull has been sealed** by a department representative within 30 days after the taking, or a lesser time if designated by the department.

- A. Horns must be naturally attached to skull;
- B. Head must be skinned out for sealing;
- C. Marker must stay attached until the start of taxidermy, as defined in AS 16.05.940(35).

ISSUE: 1) Inconsistency in the sealing of sheep horns and the definition of sealing. Currently the regulation clearly states that the horns of a Dall sheep must be sealed where required, but the Division of Wildlife Conservation and others who are authorized only plug one horn. 2) The definition of “sealing” (5 AAC 92.990(36)) does not say anything about sealing game in the horn or horns – just hides and skulls. 3) Removing the word permanently from the regulation. This would be consistent with all of our sealing regulations for all other game in this state, such as grizzly, black bears, wolf, lynx, otter, beaver, marten and wolverine, which all require sealing, either statewide or regionally, whereas all the seals can be removed at the start of tanning, taxidermy, or craft making.

WHAT WILL HAPPEN IF NOTHING IS DONE? Authorized sealers of sheep will continue to be in violation of current regulation. The definition of sealing is inconsistent with the regulation, or vice versa. Sheep sealing is not consistent with any other regulation on the sealing of game in the state.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Keep in mind, we hear a lot about “quality of the hunt,” and even make regulation on this concept. I represent many hunters who believe that using the current plugging of sheep horn ruins the quality of our sheep trophies. Applying a marker to the skull would eliminate the unnatural markers to our sheep horn.

WHO IS LIKELY TO BENEFIT? Hunters who like consistency in our laws and regulations, who wonder why sheep are always at a different standard than any other game in the state (i.e. the leniency given to moose hunters who harvest sub-legal bulls and others). Hunters who wish to display their trophies without an obnoxious nickel plug showing in the horn. Division of Wildlife Conservation would still collect needed data. Enforcement would still be able to track and identify raw sheep trophies. Artisans will not have to work around plugs in a horn or avoid using them at all. Sheep horn art is very popular among wildlife artists.

WHO IS LIKELY TO SUFFER? Enforcement. They will argue that they want to be able to track that sealed sheep when ever in the future. Again, why a different standard for sheep and not bear skins and skulls, or other game? Those who say all the other states that harvest sheep do this. All those states also allow the sales of bear hides, and skulls and big mounts. So if everybody else is doing it, let’s join on.

OTHER SOLUTIONS CONSIDERED? Seal both horns. Does not benefit anyone, and not one advantage.

PROPOSED BY: Allen Barrette (I-10W-G-006)

PROPOSAL 38 - 5 AAC 92.031 Permit for selling skins, skulls and trophies. Allow the sale of black bear gall bladders by non-profit organizations.

The Alaska Department of Fish and Game shall at its discretion issue permits to non-profit conservation organizations to sell black bear gall bladders that have been removed from legally harvested bears and donated to such organizations.

ISSUE: Existing regulations require the wanton waste of a marketable natural resource. Black bear gall bladders have world-wide value and are left to rot in the field. Wildlife conservation organizations are always in need of additional funds to promote sound wildlife conservation.

WHAT WILL HAPPEN IF NOTHING IS DONE? An economically valuable, renewable, natural resource will be wasted.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposal reduces waste and provides financial opportunity for conservation groups.

WHO IS LIKELY TO BENEFIT? Non-profit conservation groups and the wildlife they help manage.

WHO IS LIKELY TO SUFFER? Individuals in authority positions who do not like to be demonized by an ignorant press.

OTHER SOLUTIONS CONSIDERED? Allow individual hunters to profit from individual work and effort. This was rejected because of the false perception that somehow people will go through all the work and effort to legally harvest a limit of black bears for a highly overestimated value of the product.

PROPOSED BY: David McHoes (HQ-10W-G-008)

PROPOSAL 39 - 5 AAC 92.200(b)(1) Purchase and sale of game. Allow the sale or barter of tanned bear hides.

The sale of tanned bear hide can be bought, sold, traded, or bartered. Or the sale of tanned bear hides without face or claws attached can be bought, sold, traded, or bartered.

ISSUE: The sale of tanned bear hides, or the sale of tanned bear hides without claws or face.

WHAT WILL HAPPEN IF NOTHING IS DONE? Persons who are hand-crafters that work with bear hides. Or those who want to work with bear hides need a source if they don't hunt bears themselves, or are in areas where the harvest limit is only one bear per year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? More people would have access to more tanned goods for their crafting needs.

WHO IS LIKELY TO BENEFIT? Those who wish to use bear skins in their crafts. Also, bear products could become more popular. Alaskans have been drilled for decades about “no sale of bear hides or parts”. Most crafters are afraid to work with these goods, but over the last couple years some of these strict restrictions are being changed.

WHO IS LIKELY TO SUFFER? Anybody who believes that once an animal has been harvested, the only person to benefit from their success is the harvester.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (I-10W-G-003)

PROPOSAL 40 - 5 AAC 92.200(b)(2) and (3). Purchase and sale of game. Allow the sale or barter of big game trophies.

The prepared trophy of big game animals can be bought, sold, traded, and bartered.

ISSUE: The continuous restriction of the sale of legally harvested big trophies. The premise that being able to sell legally harvested big game trophies will increase illegal activities is false. In fact, all of the other states that allow the sale of big game trophies have had no increase in illegal activity. Also, the skins, skulls and bones of furbearers are allowed to be sold as raw or prepared and have shown no abnormal increase in illegal activity, even though some furbearers will fetch more money than their big game counterparts. Also, keep in mind there are less wolves and wolverines by population than any other big game populations that are hunted, so the question should be raised - when big game have been legally harvested and the trophy has been prepared, does this not become your personal property? (Note: besides alcohol, tobacco, and pharmaceuticals, all of your other personal property can be bought, sold, traded or bartered, but not prepared big game trophies.) Also, why should the owner of prepared trophies have to be dead in order for his estate to be sold? These are economic hard times. There are also a multitude of reasons why one might choose to sell one or all of one’s trophies – illness, accidents, smaller house or apartment, divorces, etc. Why can artists/carvers prepare some sort of scene in a shed antler or horns and its considered artwork, when taxidermists are not considered artists nor their work art?

WHAT WILL HAPPEN IF NOTHING IS DONE? We will continue to be over-regulated because of a few unethical hunters, which will never change, no matter what regulations are in place. Choosing to have a trophy prepared will continue to be a lifetime commitment. Those who choose to purchase legal capes, horns and antlers, then mount them to make some kind of financial gain or not are not able to.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the prepared trophy product could be sold before the owner’s death.

WHO IS LIKELY TO BENEFIT? Those choosing to sell their big game prepared trophy. Those who wish to prepare big game trophies and sell their work.

WHO IS LIKELY TO SUFFER? Those who continue to compare market hunting from 150 years ago, which was involved in the sale of meat, not the sale of taxidermy work or parts, which is what we are talking about today, especially with all the game laws, regulation, licensing, and enforcement that we have today.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (I-10W-G-004)

The Board of Game deferred this proposal from the November, 2009 meeting. It was previously listed as Proposal 34. This proposal originally applied to Units 23 and 26A, but was amended to apply statewide.

PROPOSAL 41 - 5 AAC 92.990 (17). Definitions. Modify the definition of edible meat under the salvage requirement as follows.

Modify salvage requirements of game meat by modifying the definition of edible meat so that it does not include meat that has been made inedible because of disease in the animal that has been harvested.

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 5AAC 92.990. In addition...

5 AAC 92.990. Definitions.

(17) “edible meat” means in the case of a big game animal, except a black bear, the meat of the ribs, neck, brisket, front quarters as far as the distal joint of the radius-ulna (knee), hindquarters as far back as the distal joint of the tibia-fibula (hock), and the meat along the backbone between the front and hindquarters; in the case of black bear, the meat of the front and hindquarters and meat along the backbone (back strap); in the case of wildfowl...however, “edible meat” of big game or wild fowl does not include meat of the head, meat that has been damaged and made inedible by the method of taking, **meat that is inedible because of disease in the harvested animal**, bones, sinew, incidental meat reasonable lost as a result of boning or a close trimming of the bones, or viscera;”

ISSUE: Under salvage requirements a hunter is currently required to salvage all edible meat under most circumstances. Under the definition of edible meat it is stated that "edible meat" of big game does not include meat that has been damaged and made inedible by the method of taking. However, it does not include meat that has been made inedible because of disease in the animal that was harvested. Therefore people are legally required to salvage meat that is in fact inedible and could present a health risk to a person that consumes it.

The definition of disease is "any deviation from health". Therefore disease includes such things as bacterial and viral infections, poisoning, fractures, cancer, parasite infestations, wounds and malnutrition. Notwithstanding the definition of disease, the above mentioned parts of an animal taken in a primary state of malnutrition are considered to be edible meat.

Hunters in northern and northwestern Alaska harvest thousands of animals each year. Most of these are healthy animals and are fully utilized. However, a small percentage of animals are diseased to the point where part or all of animal is unfit for human consumption. This can range from an animal that has an abscess on its leg, so that some of the meat around the wound must be cut away, to an animal that is so badly diseased that the entire carcass must be left. Under current regulations it would be illegal to leave meat in the field in either case. The prevalence of disease is not high among animals in northern Alaska but with over 10,000 animals being harvested each year it is inevitable that some will be diseased.

Local traditions and common sense dictate that a hunter does not bring meat home that may be detrimental to his family. Most wildlife is harvested on hunting trips where a hunter harvests a number of animals and loads them on his snow machine, sled, ATV, or boat. A hunter does not use valuable space to haul meat back to town that he would not feed his family, especially if there is a chance that meat from a diseased animal could contaminate the meat from a healthy animal.

It is important to note that traditional foods are often consumed raw, dried or fermented and are butchered without the use of protective gear, and in common areas. Infectious agents present in the region such as Brucella, Trichinella, Echinococcus, rabies, and tularemia have a much higher potential for transmission under these circumstances.

Although the number of animals with brucellosis is currently relatively low in northern Alaska, there have been times in the past when the percentage of animals in some populations of both caribou and moose has been high and it could be high again in the future. Hunters have been warned that this disease can be spread to humans and so they are understandably very cautious about handling animals with swollen joints or other symptoms of brucellosis. In other parts of the country thousands of pounds of meat are recalled and destroyed if there is a chance that it is contaminated with pathogens. In Alaska it is against the law to leave parts or all of an animal's meat in the field even if it is obviously diseased.

Hunters are advised by state officials that one way of avoiding shooting an animal that is diseased is to carefully observe an animal before shooting it to make sure it is healthy. Local tradition teaches the opposite. Many hunters in northern Alaska will shoot an animal if they see it limping badly or showing other signs of disease. This is done for two reasons: 1) if an animal is injured so badly that it will not recover, then the humane thing to do is to put it out of its misery. 2) If an animal is infected with brucellosis or some other disease, then it is best to take that animal out of circulation so it does not spread the disease to other animals. Some of these animals are so diseased so badly that a hunter would not eat them or feed them to other people. The hunter is doing the right thing, but under the current regulations, he is breaking the law.

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters will continue to be guilty of breaking a regulation that does not allow leaving meat in the field that is inedible due to disease. Those who consume diseased meat, or meat that has been in contact with it while it was transported from the field will be at a higher risk of ingesting infectious agents.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Hunters who are no longer forced to break the law

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Leave the regulations as they are, but this will force hunters to break the law if they follow their traditional practices and common sense.

PROPOSED BY: Arctic Advisory Committee (HQ-09F-G-017)

PROPOSAL 42 - 5 AAC 92.220 Salvage of game meat, furs, and hides. Modify the salvage requirement as follows:

You may not waste the edible meat of any unspoiled wildlife in Alaska, nor permit it to be wasted or spoiled nor permit it to be used in a manner not normally (or historically or culturally) associated with its beneficial use (for example, use of salmon fillets as fertilizer would be considered waste). Another form of waste explicitly prohibited would be to cause the death of any Alaskan wildlife without harvesting it, (i.e., retrieving it from the field). ‘Waste’ as defined herein can be caused by an *action* by anyone in the State of Alaska, and can additionally be defined to be possible as the result of an *inaction* of any person harvesting/taking wildlife or attempting to do so.”

A possible alternative is to not explicitly define “waste” herein and instead leave that up to local interpretation.

ISSUE: Currently it is legal in Alaska to waste animal resources after they have been harvested and retrieved from the field. It isn’t in Alaskan outdoorsmen’s best interests for this to be legal.

WHAT WILL HAPPEN IF NOTHING IS DONE? Many to most other states prohibit the wasting of harvested wildlife. It is well known that all citizens make our laws – including hunting/fishing/trapping laws – though the majority of citizens do not participate in hunting/fishing themselves. These are hunters/fishermen, non-hunters/fishermen, and anti-hunters/fishermen. It is well-known that the “nons” do become “antis” if they perceive participants to be acting irresponsibly. Waste is by definition irresponsible. Therefore, it is in the hunter’s/fishermen’s best interest – to best preserve our rights to continue our present activities – that we actively take anti-waste stand, and that the letter of the law be anti-waste oriented.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, waste is detrimental to quality, so eliminating the legal waste of wildlife improves the quality of wildlife that is both alive and that which has been taken.

WHO IS LIKELY TO BENEFIT? Everyone involved in any activity that involves the taking of wildlife. Anyone that hunts/fishes and wants those activities to continue.

WHO IS LIKELY TO SUFFER? Anyone that wastes wildlife in Alaska. If anyone suffers that is wasting wildlife in a manner that is not detrimental for us all somehow, then they should get an explicit waiver from this rule by making their own exception to it, in the regulations.

OTHER SOLUTIONS CONSIDERED? Doing nothing. But it's seen as preferable to the image of Alaskan outdoorsmen and to best preserve our present rights to actively take and anti-waste stand on this issue.

PROPOSED BY: Steve Rasmussen (HQ-10W-G-037)

PROPOSAL 43 - 5 AAC 5 AAC 92.220. Salvage of game meat, furs, and hides. Modify the salvage requirement for big game as follows:

Hunters must legally record all harvested big game animals; they can dispose of the meat according to their choosing.

ISSUE: Wanton waste regulations requiring the taking of all edible meat.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued harassment of hunters; less time for enforcement officers to enforce serious regulations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It stops harassment of resident and nonresident hunters; it provides more food for the scavengers who normally get 100% of the animal's death.

WHO IS LIKELY TO BENEFIT? Hunters, wildlife, and freedom for Americans from excessive governmental regulations.

WHO IS LIKELY TO SUFFER? It would provide for less business for our courts!

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: James Johnson (HQ-10W-G-019)

PROPOSAL 44 - 5 AAC 92.450. Description of Game Management Units. Modify the boundaries for Units 18, 19 and 20 as follows:

Create new boundary language for Unit 18 to read: That area draining into the Yukon River downstream from the ‘down river’ boundary of ; and that area draining into the Kuskokwim River downstream from the ‘down river’ boundary of Dick Nash’s fish camp, on the South bank of the river and the ‘down river’ boundary of Sam Savage’s fish camp on the North side of the river (both located five miles downriver of Lower Kalskag); and that area draining into Crooked Creek (also know as Johnson River) downstream from the northern terminus of the Mud Creek to Crooked Creek (also know as Johnson River) tramway (also known as Mud Creek to Johnson River Portage).

Create new boundary language for Unit 19 to read: That area draining into the Kuskokwim River upstream from the ‘down river boundary of Dick Nash’s fish camp, on the South bank of the river and the ‘down river’ boundary of Sam Savage’s fish camp, on the North bank of the river; and that area draining into Crooked Creek (also know as Johnson River) upstream from the northern terminus of the Mud Creek to Crooked Creek (also know as Johnson River) tramway (also know as Mud Creek to Johnson River Portage).

Create new boundary language for Unit 21 to read: That area draining into the Yukon River upstream from the “down river” boundary of .

(Note: All of the above-mentioned land marks are well known to all hunters in Units 18, 19, and 21. They are also very easy to locate on “up-to-date” maps. It would also make it easier for the “map makers” to draw in the affected drainages.)

ISSUE: The confusing boundary dividing Units 18, 19, and 21

WHAT WILL HAPPEN IF NOTHING IS DONE? Many hunters would still not know where the real boundary is. There is no definite language explaining where the “straight line” begins or ends. Does the line start as the “down river,” the “center of” or the “up river” boundary of or Lower Kalskag?

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The boundaries would be clear, definite and visible. There would be no more confusion about where the boundaries begin and end. Hunters would know exactly what Unit they are in. All these Units have different seasons and bag limits. This would clarify when, where and what may be hunted and harvested. (No more confusion means no more “citations.”)

WHO IS LIKELY TO BENEFIT? All hunters traveling upriver on the Kuskokwim and Yukon Rivers to Units 19 and 21. Hunters from Lower Kalskag and Kalskag would benefit the most, because they would be gaining additional hunting areas in Units 18, 19 and 21, which is their customary and traditional hunting area.

This would clarify the issue of the land north of Lower Kalskag and Kalskag and south of the High Portage Ridge. High Portage Ridge divides the Yukon and Kuskokwim drainages. All drainages north of the ridge flowing into the Yukon River would be in Unit 21, and all drainages

south of the ridge flowing into the Kuskokwim River would be in Unit 19, not in Unit 21 as shown in the current regulation map.

WHO IS LIKELY TO SUFFER? No one would suffer if this solution is adopted.

OTHER SOLUTIONS CONSIDERED? Starting the boundary at the mouth of Paimiut Slough, up the slough to the upper end of Twelve Mile Slough, following the slough to the mouth of Anvik Creek, following the creek to its head, crossing over to the head of Hooking Creek that drains into “Big Lake”, north of Kalskag, following it down to Big Lake, following the north shore of Big Lake to the head of Crooked Creek (also know as Johnson River), following it to the north terminus of the Mud Slough to Johnson River Portage, then south on the Portage to Mud Creek, down to its confluence with First Slough, following its north bank to its mouth, then to the “down river” boundary of Sam Savage’s fish camp on the north shore of the Kuskokwim River, then across the river to Dick Nash’s fish camp on the south bank of the river. This may vividly clarify the issue, but it was rejected because it is too wordy and cumbersome.

PROPOSED BY: Central Kuskokwim Fish and Game Advisory Committee (HQ-10W-G-016)

PROPOSAL 45 – 5 AAC 92.450 Game Management Units. Housekeeping modifications to game management unit and subunit boundaries in Units 6, 11, 13, 14, 16 and 25.

(6) Game Management Unit 6 consists of all Gulf of Alaska and Prince William Sound drainages from the center line of Icy Bay (excluding the Guyot Hills) to Cape Fairfield, including Kayak, Hinchinbrook, Montague, and adjacent islands, and Middleton Island, but excluding the Copper River drainage upstream from Miles Glacier **and those drainages on the north side of Miles Glacier**, and excluding the Nellie Juan and Kings River drainages;

(11) Game Management Unit 11 consists of that area draining into [THE HEADWATERS OF] the Copper River [SOUTH OF SUSLOTA CREEK AND THE AREA DRAINED BY ALL TRIBUTARIES INTO THE EAST BANK OF THE COPPER RIVER BETWEEN THE CONFLUENCE OF SUSLOTA CREEK WITH THE SLANA RIVER AND MILES GLACIER] **from the north side of Miles Glacier, and east of the eastern most bank of the Copper River from Miles Glacier north to the Slana River, then along the east bank of the Slana River to Suslota Creek, then south of the south bank of Suslota Creek to Noyes Mountain.**

(13) Game Management Unit 13 consists of that area westerly of the **eastern most** [EAST] bank of the Copper River and drained by all tributaries into the west bank of the Copper River from Miles Glacier **north to the confluence with the Slana River, then along the east bank of the Slana River to Suslota Creek, and that area of the Slana River drainage north of Suslota Creek** [AND INCLUDING THE SLANA RIVER DRAINAGES NORTH OF SUSLOTA CREEK]; the drainages into the Delta River...

(A) Unit 13(A) consists of that portion of Unit 13 bounded by a line beginning at the Chickaloon River bridge at Mile 77.7 on the Glenn Highway, then along the Glenn Highway to its junction

with the Richardson Highway, [THEN SOUTH ALONG THE RICHARDSON HIGHWAY TO THE FOOT OF SIMPSON HILL AT MILE 111.5,] then east to the east bank of the Copper River, then northerly along the east bank of the Copper to its junction with the Gulkana River, ...

(B) Unit 13(B) consists of that portion of Unit 13 bounded by a line beginning at the confluence of the Copper River and the Gulkana River, then up the east bank of the Copper River to the Gakona River, then up the **east bank of the** Gakona River and Gakona Glacier to the boundary of Unit 13, then westerly...

(C) Unit 13(C) consists of that portion of Unit 13 east of the **east bank of the** Gakona River and Gakona Glacier;

(14) (A) Unit 14(A) consists of drainages in Unit 14 bounded on the west [BY] **beginning at the Matanuska-Susitna Borough boundary along longitude line 150°30'00" to the mouth of the Susitna River, then north along** the east bank of the Susitna River, on the north by the north bank of Willow Creek and Peters Creek to its headwaters, then east along the hydrologic divide separating the Susitna River and Knik Arm drainages to the outlet creek at lake 4408, on the east by the eastern boundary of Unit 14, and on the south by Cook Inlet, Knik Arm, **and the Matanuska-Susitna Borough boundary to the Glenn Highway bridge, then to the south bank of Knik Arm, then to** the south bank of the Knik River from its mouth to its junction with Knik Glacier, across the face of Knik Glacier and along the north side of Knik Glacier to the Unit 6 boundary;

(16) Game Management Unit 16 consists of the drainages into Cook Inlet between Redoubt Creek and the Susitna River, including Redoubt Creek drainage, Kalgin Island, and the drainages on the west side of the Susitna River (including the Susitna River) upstream to its junction with the Chulitna River; the drainages into the west side of the Chulitna River (including the Chulitna River) upstream to the Tokositna River (**including the Tokositna River**),, and drainages into the south side of the Tokositna River upstream to the base of the Tokositna Glacier, including the drainage of the Kanitula Glacier;

(25) (B) Unit 25(B) consists of the Little Black River drainage upstream from but not including the Big Creek drainage, the Black River drainage upstream from and including the Salmon Fork drainage, the Porcupine River drainage upstream from the confluence of the Coleen and Porcupine Rivers, and drainages into the north bank of the Yukon River upstream from Circle, including the **Yukon River and** islands in the Yukon River **upstream from Circle**;

ISSUE: Internal GIS work and new mapping technology have identified minor areas where the regulatory language needs to be modified to ensure that all areas have been defined accurately and every area is included in a unit or subunit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Some areas could potentially be undefined or actually be included in the wrong subunit under different wildlife regulations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Clear management boundaries benefit everyone.

WHO IS LIKELY TO BENEFIT? Everyone will benefit from clear descriptions and boundaries.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: The Alaska Department of Fish and Game (HQ-10W-G-030)

PROPOSAL 46 - 5 AAC 92.990 Definitions. Create a regulatory definition for crossbow.

The board should develop a specific definition of what constitutes a crossbow and what are the minimum equipment requirements for crossbows used to hunt big game.

ISSUE: There is no definition of crossbows in the regulations. There are specific regulations for minimum bow weight and arrow and broadhead construction for archery seasons and areas, but no definitions of what is considered an adequate crossbow for hunting big game. The regulations say that crossbows may be used but do not define crossbows.

WHAT WILL HAPPEN IF NOTHING IS DONE? There is risk that someone could hunt big game in an open season with a very low powered or even a pistol crossbow.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal may reduce the wounding loss of big game due to inadequate equipment being used.

WHO IS LIKELY TO BENEFIT? Hunters who have never hunted with a crossbow will benefit from being certain that they are using adequate equipment.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: John Frost (SC-10W-G-016)

PROPOSAL 47 - 5 AAC 92.990(43). Definitions. Remove snowy owl from the unclassified game definition.

Remove the snowy owl from the unclassified game list will clear the snowy owl from Alaska’s hunting regulations.

ISSUE: Removal of snowy owl from the unclassified game list on page 126 of the 2009-2010 Alaska Hunting Regulations booklet (No. 50).

WHAT WILL HAPPEN IF NOTHING IS DONE? Owls are important contributors to the creation of fertile microhabitats in desert tundra with scarce turf and nitrogen-poor soil. These microhabitats benefit plants, lemmings and owls, as well as foxes, weasels and the humans who trap them (Parmelee 1992). People who hunt snowy owls may not realize the level of detrimental effect that this hunting has on their fragile human environment.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Alaska is the only breeding ground for the snowy owl in the entire United States. This will ensure the protection of this already-protected bird under the Federal Migratory Bird Species Act Title 50 of the Code of Federal Regulations, Parts 10.13 and 23.23 (revised as of October 1, 1995) see *Nyctea Scandiacca*, *Snowy Owl* in Appendix II. (Scientific name: *Bubo scandiacus*)

WHO IS LIKELY TO BENEFIT? Because of the snowy owl's crucial role in stabilizing and enriching the fragile tundra ecosystem, all life forms will benefit by keeping the snowy owl population healthy. Snowy owls are a vital link in the chain of a healthy ecosystem; they help sustain all life.

WHO IS LIKELY TO SUFFER? No one suffers, everyone benefits.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Michael A. Guglielmo (HQ-10W-G-001)

PROPOSAL 48 - 5 AAC 92.990 Definitions. Modify the definition of full curl ram as follows:

We would like to see a straight line method added to the definition of a full-curl ram. This would be an "alternative" for defining a legal sheep in areas with a full curl restriction. This "alternative" method would be in addition to the current full-curl definition. In other words, there would be two options to field judge a full-curl ram.

If judging from the front, you would use a straight line across the front base of the horn parallel with the top of the eyes or eye socket. The horn would have to come or extend above this line to be full-curl.

ISSUE: The difficulty in judging a full-curl ram in the field, using only the current definition of a full-curl ram. The current definition is unreasonable by itself for judging rams in the field. In addition, there are a lot of inconsistencies among Department of Fish and Game biologists and the Division of Wildlife Troopers when judging if a ram in hand is legal or not. Often biologists and/or troopers will disagree if a particular ram is legal or not. This needs to be fixed.

WHAT WILL HAPPEN IF NOTHING IS DONE? More sub-legal sheep will be killed. And inconsistencies among Department of Fish and Game and the Wildlife Troopers may result in rams being seized that are full-curl in some people's judgments, but not others'.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this proposal would provide hunters, Department of Fish and Game, and the Division of Wildlife Troopers with an alternative, more consistent and simplified method for judging a legal ram in the field, and in the hand, in addition to the current full-curl definition. This should decrease the number of non-legal sheep killed.

This proposal would give hunters the option to judge a full-curl ram with a consistent and simplified method in the field. This method would be judging from the front looking straight onto the ram. A full curl ram using this method would almost always be legal under the current definition of a full curl, so it shouldn't change the biology related to harvest. The additional option, however, should give hunters much-needed confidence in judging rams with different horn growth types or configurations. This method would specifically help hunters, the Department of Fish and Game and the Wildlife Troopers judge unusual ram horns, such as those that have tips and protrude forward instead of curling back.

This proposal is not intended to give hunters an easy out. If a ram does not obviously meet or exceed the definition of full curl, hunters should pass it up every time.

WHO IS LIKELY TO BENEFIT? People trying to field judge a sheep. This proposal would give the hunter in the field another option since the Department of Fish and Game definition of a full curl is not user-friendly in the field. This would also help Department of Fish and Game staff and the Wildlife Troopers that have inconsistent opinions of a legal ram under the current full-curl regulation. This method should be more consistent among people (Department of Fish and Game, and Troopers) who have to seal horns, some of whom have not had a chance to see very many rams.

WHO IS LIKELY TO SUFFER? We cannot think of anyone who would not benefit from this regulation change.

OTHER SOLUTIONS CONSIDERED? Viewing from the side was also considered, but it has been argued that a side view would be too subjective because the stick would only pass through a single point, rather than the two points (the base of each horn) that the stick must pass through with the front view method. However, it could still be used by hunters in the field to increase confidence while field judging. When looking from the side, straight on with the horn base line, the tip would have to be level or above this base line to be full curl.

PROPOSED BY: Upper Tanana Fortymile Fish and Game Advisory Committee (I-10W-G-007)

PROPOSAL 49 - 5 AAC 92.047 Permit for using radio telemetry equipment. Add the following condition to the permit:

Permittee shall report to the Division of Wildlife Conservation if the wolves/wolf they come into contact have signs of dog lice or are infected with dog lice. 1.) Use the Division of Wildlife

Conservation's recommended method of treatment and treat wolf or wolves as prescribed in the division's policy.

ISSUE: Agencies that manage or study wolves on federal land, parks or refuges and do not need to report wolf or wolves that are infected with the parasite Trichodecte Canis (dog lice) or show signs of to the Division of Wildlife Conservation.

Trichodecte Canis which is a communicable parasite, was introduced into the state from imported domestic canines. First documentation of this was in 1981 by an area manager for the state. Since then, the parasite has spread statewide and more wolves are contracting this parasite yearly.

Other agency managers believe that this dog lice was native to Alaska and could not try to cure infected wolves or stop the spread of the parasite due to their wildlife management policies. On the other hand, the state has tried many different solutions without fail, but today the use of Ivermectin has been very successful. This is the last year of a three-year study with the treatments of Ivermectin. The results are extremely promising to be the treatment of infected wolves and curtail the spread of the parasite.

WHAT WILL HAPPEN IF NOTHING IS DONE? A.) Currently when a permittee puts on radio collars, tracking and studying wolves, they don't have to report to the permitter (Division of Wildlife Conservation) if any of the wolves they have come into contact with have signs of or have dog lice. B.) Continue spread of this non-native parasite. C.) Wolves in subsistence areas are subsistence wolves and are harvested for their desirable fur. As much so in non-subsistence areas. Dog lice damages a wolf's pelt beyond the use for which the wolf is being harvested. D.) There is no cooperation between the federal government and the state to stop the spread of this parasite on federal land.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, most definitely; Trichodecte canis in its prime state damages the pelt of its host literally beyond use. With that being said, wolves harvested by trappers and hunters are exclusively harvested for fur.

WHO IS LIKELY TO BENEFIT? Wolves, harvesters of their fur, users of wolf fur, those who do not want to have a non-native parasite spreading throughout the state's wolf population.

WHO IS LIKELY TO SUFFER? Permittees who will have to spend some more money to treat infected wolves.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (I-10W-G-002)

PROPOSAL 50 - 5 AAC 92.005. Policy for changing board agenda. Modify the agenda change request policy as follows:

Change the language in 5 AAC 92.005 that will allow the submittal and consideration of any Tier II or subsistence issue at any regular Board of Game meeting.

ISSUE: Issues that are not an emergency, but may have long-term effects cannot be addressed in a timely manner.

WHAT WILL HAPPEN IF NOTHING IS DONE? Currently these proposals are only accepted every four years.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It will allow the board to address minor short term issues before they become a larger problem in the long term.

WHO IS LIKELY TO BENEFIT? Those who depend on a particular population to meet their subsistence needs by keeping that population at healthy harvestable levels.

WHO IS LIKELY TO SUFFER? I don't see anyone suffering.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: John Lamb (SC-10W-G-001)

Proposal 51 - 5 AAC 84.270. Furbearer trapping. Extend all trapping season dates ending on February 28 to incorporate leap year, February. 29.

Species and Units	Open Season	Bag Limit
...		
(2) Coyote		
...		
Unit 14(C)	Nov. 10 – <u>Feb. 29</u> [FEB. 28]	No limit.
...		
(3) Fox, arctic, white, or blue		
Units 9 and 10	Nov. 10 - <u>Feb. 29</u> [FEB. 28]	No limit.
...		
Units 24 and 25	Nov. 1 - <u>Feb. 29</u>	No limit.

[FEB. 28]

(4) Fox, red (including the cross, black, or silver color phases)

...

Units 6, 9 - 11, 13, 14, excluding Chugach State Park, and 16

Nov. 10 - **Feb. 29**
[FEB. 28]

No limit.

Units 7, 14(C) within Chugach State Park, and 15

Nov. 10 - **Feb. 29**
[FEB. 28]

One per season.

Unit 8

Nov. 10 - Mar. 31

No limit.

Units 20, except 20(E), 21, 24, and 25

Nov. 1 - **Feb. 29**
[FEB. 28]

No limit.

...

(5) Lynx

Units 7, 11, and 13 - 16

Nov. 10 - **Feb. 29**
[FEB. 28]

No limit;
season may be closed by emergency order.

Units 8 and 10

No open season.

Units 6 and 9

Nov. 10 - **Feb. 29**
[FEB. 28]

No limit.

...

Units 20(A), 20(B), 20(C) east of the Teklanika River, 20(D), and 25(C)

Nov. 1 – Nov. 30
Dec. 1 - **Feb. 29**
[FEB. 28]

2 lynx
No limit

Unit 20(F) and remainder of Unit 20(C)

Nov. 1 – **Feb. 29**
[FEB. 28]

No limit.

...

Unit 19

Nov. 1 - **Feb. 29**
[FEB. 28]

No limit.

Unit 21

Nov. 1 - **Feb. 29**

No limit.

Units 22, 23, and 26	[FEB. 28] Nov. 1 - Apr. 15	No limit.
Unit 24	Nov. 1 - <u>Feb. 29</u> [FEB. 28]	No limit.
Remainder of Unit 25	Nov. 1 - <u>Feb. 29</u> [FEB. 28]	No limit.
(6) Marten		
...		
Units 6, 9, 11, 13, and 17	Nov. 10 - <u>Feb. 29</u> [FEB. 28]	No limit.
Units 12, 19 - 21, 24, and 25	Nov. 1 - <u>Feb. 29</u> [FEB. 28]	No limit.
...		
(7) Mink and weasel		
...		
Units 6, 9, 10, 11, 13 and 17	Nov. 10 - <u>Feb. 29</u> [FEB. 28]	No limit.
Unit 18	Nov. 10 - Mar. 31	No limit.
Units 12, 19 - 21, 24, and 25	Nov. 1 - <u>Feb. 29</u> [FEB. 28]	No limit.
...		
(9) Otter, land		
...		
Units 7 and 14(C)	Nov. 10 - <u>Feb. 29</u> [FEB. 28]	No limit.
...		
Unit 15	Nov. 10 - <u>Feb. 29</u> [FEB. 28]	No limit.
(13) Wolf		
...		
Unit 14(C)	Nov. 10 - <u>Feb. 29</u> [FEB. 28]	No limit.

...

(14) Wolverine

...

Units 6 - 10, 15, and 16(B)	Nov. 10 - Feb. 29 [FEB. 28]	No limit.
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...

Units 20, except 20(E), and 25(C)	Nov. 1 - Feb. 29 [FEB. 28]	No limit.
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...

ISSUE: Every four years, trapping season ends one day before the end of the month.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trappers will continue to lose one day of trapping every four years.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Trappers will have one more day in the season on leap years.

WHO IS LIKELY TO SUFFER? People who do not track leap year.

OTHER SOLUTIONS CONSIDERED? No change. Continue to end seasons on February 28.

PROPOSED BY: The Alaska Department of Fish and Game at the request of the Board of Game (HQ-10W-G-033)

The Board of Game amended this proposal at the March, 2009 board meeting. It was previously listed as Proposal 117. The board took action at a subsequent meeting to delay implementation of the amended proposal and deferred it to the January, 2010 meeting to allow more time for public review and comment.

PROPOSAL 52 - 5 AAC 85.045. Hunting seasons and bag limits for small game. Modify the bag limit for sea ducks in Unit 15 as follows:

Board amendment:

The resident and nonresident bag limit for sea ducks in Unit 15C, Kachemak Bay area, is two per day and four in possession.

Original language:

Exploitation rates and thresholds of abundance need to be maintained within easily accessible areas like Kachemak Bay.

ISSUE: Localized depletion of sea duck species from guided hunting.

WHAT WILL HAPPEN IF NOTHING IS DONE? Depleted areas cannot recover. Most of these ducks are not eaten or utilized.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Nancy Hillstrand

(SC-09S-G-089)

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