

**PRELIMINARY
RECOMMENDATIONS
BOARD OF GAME PROPOSALS**

January 2012-Statewide

Alaska Department of Fish & Game

Division of Wildlife Conservation and Division of Subsistence

The Department's recommendations are based on analysis of the proposals with available information. These recommendations may change after further analysis based on public comment or additional information.

DRAFT FALCONRY ANALYSIS AND RECOMMENDATIONS

Readers of the three falconry proposals are reminded that most of the details are contained in the Alaska Falconry Manual. The manual is currently adopted into regulation by reference.

PROPOSAL 38

EFFECT OF THE PROPOSAL: Modify falconry regulations to comply with the US Fish and Wildlife Service’s federal framework leading to federal certification by 1 January 2014. Eliminate joint state-federal permit for a state only permit. Eliminate the capture permit system for taking peregrine falcons in some locations. Require a valid, current Alaska hunting license to obtain a falconry permit.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: Based on the actions taken on Proposal 39. The only differences are 1) the species list that would be allowed for falconry, and 2) certain import and export requirements. The list of species allowed for falconry in this proposal is largely that list allowed for under the federal framework. As such, the list includes a number of species that are 1) not found in Alaska (e.g., alpomado falcon), 2) species that are virtually never used by falconers to pursue small game quarry (e.g., northern pygmy owl, osprey, turkey vulture), 3) are only accidental to Alaska, typically in the Aleutians (e.g., sea eagles, Eurasian kestrel), or 4) have other legal constraints on their acquisition (bald eagle).

PROPOSAL 39

EFFECT OF THE PROPOSAL: Modify falconry regulations to comply with the US Fish and Wildlife Service’s federal framework leading to federal certification by 1 January 2014. Eliminate joint state-federal permit for a state only permit. Eliminate the capture permit system for taking peregrine falcons in some locations. Require a valid, current Alaska hunting license to obtain a falconry permit.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal, see proposal book.

PROPOSAL 40

EFFECT OF THE PROPOSAL: This proposal would allow a nonresident harvest of birds used from falconry from Alaska.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue among resident and nonresident falconers. Currently, take of falconry birds by nonresidents is not permitted under Alaska Falconry regulations.

Alaska currently has about 45 licensed falconers and about 25 are currently active and have birds that they possess and fly in pursuit of quarry. Annually 20 or fewer birds are taken from the wild by Alaska falconers. Gyrfalcons, peregrine falcons and northern goshawks are the most commonly taken birds.

The proposal requests that 3 gyrfalcons, 3 Peale's peregrines, 2 *anatum* peregrines, 2 tundra peregrines, 3 merlins, 3 goshawks, 3 red-tailed hawks, and 3 three sharp-shinned hawks be allowed for capture by nonresident falconers. The proponents request some additional requirements, including having some areas closed to nonresident take.

The department concurs with the proponents that this harvest level would not jeopardize the sustained yield of these raptor species in Alaska. For example, the department estimates that there are 400 – 700 pairs of gyrfalcons occupying territories in Alaska. Nestling harvest by nonresidents in addition to resident harvest does not have a measureable impact on the population. Similarly, Alaska has well over 1,000 pairs of nesting peregrine falcons and a small harvest of nestlings would not be measureable at the population level. In fact, Alaska-born peregrine falcons can be harvested under other state programs as they migrate during the fall to Central and South America.

Gyrfalcons would likely be the raptor species under the highest demand for falconry take. As the largest falcon in the world, they are highly sought for falconry and captive breeding. Falconers and especially raptor breeders in the United States, Europe and some Middle Eastern countries may find the ability to take wild gyrfalcons highly desirable. In fact, recently a gyrfalcon banded on the Yukon Kuskokwim Delta was trapped in the Russian Federation and trafficked across Asia to the United Arab Emirates.

The Department could design a nonresident falconry take and we would use the big game drawing hunt system to manage the activity based on quotas set by the Board. If implemented, the Board may wish to establish areas closed to nonresident take. The State of Alaska has no fee system in place for nonresident falconry tags to offset the cost of managing the harvest program.

PROPOSAL 41

EFFECT OF THE PROPOSAL: Review the intended scope of this permit and amend as needed.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 42

EFFECT OF THE PROPOSAL: Modify the current department authority for issuing public safety permits.

DEPARTMENT RECOMMENDATION: **Amend and Adopt**

RATIONALE: Department proposal; see issue statement. The proposal will need to be amended to include a list of problem areas where these permits will be issued.

PROPOSAL 43

EFFECT OF THE PROPOSAL: Review and modify nuisance beaver permits to allow beaver flow devices.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The department agrees that beaver flow devices can be effective in addressing problems with beavers flooding property, however, the recommended use of these devices is already taking place under the present regulation. Department biologists routinely work with the Department of Transportation, the US Forest Service, other agencies , and private individuals toward addressing beaver flooding problems by looking into all options of alleviating the concern, including the use of beaver flow devices. This is especially true in those situations where culverts are plugged continuously and removal of beavers has not proven to be a successful solution. In some of these cases department staff have recommended these devices as a long term solution, and in some cases they have proven successful. However, in many cases, the quick removal of a few beavers through trapping takes care of the concern. In these cases the cost and effort of installing a flow device is far beyond the scope of the problem.

In the website referenced in the proposal, the monetary cost of programs needed to trap problem beavers is discussed in detail and is shown to be quite substantial. In Alaska however, this program has little cost associated with it. Trappers are generally excited to have an opportunity to trap beavers through this program, which they do at no charge to the department. The end result is that a few trappers gain trapping opportunity and the problem is alleviated in a quick and efficient manner.

PROPOSAL 44

EFFECT OF THE PROPOSAL: Add a new discretionary authority that would allow the department to define specific seasons and methods and means of hunting for recipients of Governor's tags.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 45

EFFECT OF THE PROPOSAL: Align state regulations on subsistence bartering with statutory authority.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 46

EFFECT OF THE PROPOSAL: Allow the sale of big game trophies.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: In regulation, a "trophy" means a mount of a big game animal, including the skin of the head (cape) or the entire skin, in a lifelike representation of the animal, including a lifelike representation made from any part of a big game animal; "trophy" also includes a "European mount" in which the horns or antlers and the skull or a portion of the skull are mounted for display.

Sale of big game trophies, as currently defined, and with subsistence trophy nullification authority remaining with the department, would not create a conservation concern through the harvest of specific animals. The Board may wish to consider restricting sales to prevent large-scale commercialization or negatively affecting reasonable opportunity if trophy nullification in subsistence hunts is not delegated to the department. This might include allowing a one-time sale by the original hunter. Alaska contains more species of trophy big game and a greater opportunity to harvest large animals than all other states in the USA. A qualitative survey of selected Western states' fish and game agencies suggest that most states allow the sale of trophies harvested under non-subsistence regulations. Yet, Alaska is in a different 'league' than many of these states with regard to trophy-sized native big game and the protection of subsistence hunting under Alaska state law. The Board should consider attendant effects of allowing the sale of trophies, including continuing to provide for reasonable opportunity for subsistence and the possibility for invoking the federal commerce clause, since discriminating between residents and nonresidents might restrict access to a potential source of income.

PROPOSAL 47

EFFECT OF THE PROPOSAL: Allow the sale of trophies acquired through legal action such as divorces.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for Proposal 46.

PROPOSAL 48

EFFECT OF THE PROPOSAL: Prohibit the sale of bear parts harvested on National Park Service lands.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: The proposal specifically asks for a the prohibition on the sale of black bear meat, if the black bear was harvested on National Park Service managed lands.

During the Board of Game meeting in January 2010, the Board adopted a dual classification for black bears. They are now classified as big game, subject to taking with a hunting license, and a furbearer, subject to taking under a trapping license. Different regulations apply to each classification, including different seasons and bag limits.

At this time, the Board has not adopted any black bear trapping regulations, so no black bear trapping is currently allowed in the state. The use of snares is allowed under specific control permits, but that is not general trapping.

The sale of big game meat is currently prohibited, so the sale of the meat of a black bear taken under hunting regulations with a hunting license is not allowed.

The sale of furbearer meat is not prohibited, so the meat of a black bear taken under trapping regulations with a trapping license would be allowed. Because there are no seasons at this time, no black bears can be taken under trapping and no black bear meat is allowed to be sold.

PROPOSAL 49

EFFECT OF THE PROPOSAL: Provide authority to the Alaska Wildlife Troopers (AWT) to inspect taxidermy businesses.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Illegal harvest and transport of game poses conservation concerns, inside and outside of Alaska. An additional tool allowing AWT to inspect taxidermists would help prevent such violations.

PROPOSAL 50

EFFECT OF THE PROPOSAL: Review and potentially repeal discretionary hunt conditions and procedures applied to permit hunts across the state.

DEPARTMENT RECOMMENDATION: **Amend and Adopt**

RATIONALE: The board has requested a review of the discretionary authorities the department can apply to permit hunts. These discretionary authorities have developed over many years, and

in some cases, the board has adopted regulations to require the same things on a statewide basis, such as a minimum age. The Board should consider amending and adopting to repeal the redundant regulations.

PROPOSAL 51

EFFECT OF THE PROPOSAL: Allow the Department of Fish and Game to require the latitude and longitude of kill locations on a harvest report for drawing and registration hunts.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 52

EFFECT OF THE PROPOSAL: Clarifies department discretionary authority to require antler locking tags for certain permit hunts.

DEPARTMENT RECOMMENDATION: **Amend and Adopt**

RATIONALE: Department proposal; see issue statement. In addition to the original proposal which added discretionary authority for requiring permittees to attach a locking tag to an antler at the kill site, the department recommends amending this proposal to add discretionary authority in permit hunts to require that antlers remain visible during transport from the field, thereby incorporating intent of proposal 209, as follows:

92.052. Discretionary permit hunt conditions and procedures.

...

(25) a permittee shall attach a locking tag to an antler at the kill site;

(26) antlers must remain visible during transport from the field;

...

The recommendation to amend proposal 52 is in response to proposal 209 submitted for Unit 20A by the Middle Nenana River Advisory Committee for consideration during the spring 2012 Board meeting. If passed, this proposal would not only add discretionary authority in permit hunts to require attaching an antler locking tag at the kill site, but it would also require keeping the antlers visible during transport from the field. The department supports proposal 209 and recommends the provision for antlers remaining visible be considered in deliberation of proposal 52. Resident antler tags would assist in the enforcement of the current management strategy in Unit 20A. Antler tags would be issued to resident hunters that are awarded “any bull” drawing permits in this unit. They would be required to attach the tags to their antlers, which differentiate those antlers from the antlers of moose harvested under a general harvest ticket (i.e., spike-

fork/50-inch restriction). This regulation should reduce the illegal take of sublegal bulls during the concurrent general season SF/50 hunt by making it easier for other hunters to identify and report illegally taken bulls. This regulation also may increase support for the current management strategy in Unit 20A that includes a combination of antler restricted, drawing and registration hunts.

PROPOSAL 53

EFFECT OF THE PROPOSAL: Establish statewide standards for crossbow equipment used to take big game.

DEPARTMENT RECOMMENDATION: **Amend and Adopt**

RATIONALE: Department proposal; see issue statement.

The department recommends an amendment to the proposal to clarify a legal scope and other devices that may be attached to the crossbow.

(E) Scopes on a crossbow shall not provide any magnification or project light.

(i) No electronic devices may be attached to the crossbow, except a lighted reticule scope or a non illuminated camera.

Most modern crossbows are now sold with attached hunting sights. Crossbows are still considered a short range method of take, similar to archery, and crossbow users should not attempt long shots with magnified scopes.

We are basing this recommendation on the premise that crossbows will not be considered archery equipment or allowed in archery only hunts.

PROPOSAL 54

EFFECT OF THE PROPOSAL: Expand the definition of bow to include crossbows.

DEPARTMENT RECOMMENDATION: **Do not Adopt**

RATIONALE: The majority of the concerns raised by this proposal attempt to address the needs of handicapped individuals, Wounded Warriors, and elderly hunters. However, to reclassify crossbows as archery equipment is too controversial and is not needed to address that issue. The “Methods and Means Exemption” form currently available through the Department and allowed under

5 AAC 92.104, provides crossbow opportunities for any individual that meets one of the qualifying disabilities listed. One of the most common exemptions listed on the form is “to use a crossbow or draw-lock in an archery-only hunt.”

PROPOSAL 55

EFFECT OF THE PROPOSAL: Develop a specific definition of what constitutes a crossbow and the minimum equipment requirements for crossbows used to hunt big game.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See proposal 53.

PROPOSAL 56

EFFECT OF THE PROPOSAL: Adopt crossbow standards and allow disabled hunters to use crossbows in archery hunts

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See proposal 53 for crossbow standards. In addition, the department currently issues methods and means exemption permits to disabled hunters under 5 AAC 92.104. These permits allow the use of crossbows in areas restricted to archery hunting. Hunters who receive this exemption must still complete the State’s IBEP course, using the “Today’s Crossbow Hunter” manual published by the National Bowhunters Education Foundation, (NBEF). The required shooting proficiency is shot with the hunter’s crossbow.

PROPOSAL 57

EFFECT OF THE PROPOSAL: Allow archers to use mechanical/retractable broadheads for all big game.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: The current regulation permits use of arrows with mechanical, expanding broadheads for deer, caribou, black bear, wolf, wolverine, and Dall sheep. Rigid, fixed broadheads are required on all other big game animals. Arrows must be 20 inches in length to prohibit the use of short “bolts,” which may not have sufficient penetration on big game, and which extends the range of bows. Broadhead and arrow combined must weigh 300 grains. Lighter weight arrows and broadheads increase bow range and provide less penetration on large game. The heavier weight of pull bows for larger species of big game to helps insure adequate penetration of arrows into and through the vital organs.

Modern technology has provided today’s bowhunter with many choices. A number of Lower 48 states allow mechanical, expanding broadheads for big game comparable to ours, e.g., elk and bison. If the Board chooses to amend the existing regulation to allow the use of mechanical expanding broadheads for all big game, they might want to consider establishing minimum standards to prevent the use of inferior products.

PROPOSAL 58

EFFECT OF THE PROPOSAL: Allow archers to use mechanical/retractable broadheads for all big game.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See proposal 57.

PROPOSAL 59

EFFECT OF THE PROPOSAL: Require the use of a lighted nock on the arrow for moose and bear hunting.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The lighted nock is currently a legal piece of equipment for bowhunters and does provide the shooter a good visual on shot placement, especially during low light conditions. But to require it for all bowhunters under all conditions is not reasonable and would be expensive. Each nock can cost \$20, and if required, would force the bowhunter to have every arrow in his possession fitted with a lighted nock. That could be an additional \$100 for every archer. The current regulation allows each bowhunter to choose and not be burdened with another costly regulation.

PROPOSAL 60

EFFECT OF THE PROPOSAL: Clarify legal type of compound bow.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The current definition of a bow in regulation does apply to the latest and most advanced bows on the market. The bows on the market today do have more angle and preload built into the limbs respective to bows from the past, and the angle and preload does reduce the amount of bend, but all bows use limbs to store energy. The wheels and cams compound the energy that is stored by the bow' limbs.

PROPOSAL 61

EFFECT OF THE PROPOSAL: Revert to past definition of legal compound bow. Bow must shoot 1oz arrows with a distance of 175 yards.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 60.

PROPOSAL 62

EFFECT OF THE PROPOSAL: Increase the number of moose drawing permits a resident may apply for.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 63.

PROPOSAL 63

EFFECT OF THE PROPOSAL: Increase the number of drawing permits for each species that a person may apply for.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 64

EFFECT OF THE PROPOSAL: Limit drawing permit winners to only two permits per year.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue. The department sets the number of permits available based on available harvest. The use of a random drawing process for each hunt allows some hunters to win multiple permits. The proposal suggests that hunters that win multiple permits may not be able to utilize all of them, due to time or economic constraints. Establishing a limit on the number of permits each individual is awarded could potentially allow additional hunters to win a permit.

If this system is adopted, the drawing application will require hunters to prioritize their requested permit hunts.

PROPOSAL 65

EFFECT OF THE PROPOSAL: Limit drawing permit winners to only two permits per year.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See proposal 64.

PROPOSAL 66

EFFECT OF THE PROPOSAL: Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue. This proposal that would significantly change nonresident big game hunting opportunities in Alaska and would have serious implications for the big game guiding industry. This would require the Department to establish nonresident harvest allocations with the Board. In addition, AS 16.05.255(d) states that only moose, deer, elk and caribou are species for which the Board is required to provide a preference for residents over nonresidents, so that residents can harvest these species for personal or family consumption.

PROPOSAL 67

EFFECT OF THE PROPOSAL: Limit drawing permits to 10 percent for nonresidents, no nonresident permits if fewer than 10 permits available.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See proposal 66.

PROPOSAL 68

EFFECT OF THE PROPOSAL: Allow a maximum of 10 percent of Alaska drawing permits to be awarded to nonresident hunters

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 66.

PROPOSAL 69

EFFECT OF THE PROPOSAL: Establish a bonus/preference point system for drawing hunts.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue, although the administrative cost to the department to develop and maintain a bonus/preference system would be significant. The Board has considered proposals for various systems since 2006. In March 2011 the Board voted not to issue drawing permits using bonus/preference systems. The general tradeoff in implementing these types of systems is that they provide some level of advantage for those that are persistent in applying for permits, but serve as a disincentive for youth and new hunters.

PROPOSAL 70

EFFECT OF THE PROPOSAL: Allow nonresident deployed military personnel to defer drawing permits.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: The current regulation allows resident military personnel that are prevented from using a drawing permit to be issued a “transferred” permit the following year. The regulation was adopted at the November 2006 Board meeting. The board considered including nonresident military personnel and chose to restrict the regulation to resident military personnel.

Note: Proposals 71 – 76 request changes to 5 AAC Chapter 85, Seasons and bag limits. Considerations of seasons and bag limits are the primary focus of regional Board of Game meetings and not a statewide regulations meeting. In order to evaluate the merits of these proposals on specific hunts, the Department recommends the Board **Take No Action** on these proposals and refer them to appropriate regional meetings. Similar or duplicate proposals are also included in the Region III agenda. The Department has provided some general evaluation of these proposals in the event the Board chooses to consider the proposals at this meeting.

PROPOSAL 71

EFFECT OF THE PROPOSAL: Open resident big game seasons one week before nonresident seasons in all intensive management areas.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue between residents and nonresidents. Intensive management areas have been adopted for caribou, deer and moose across most of the state, as listed in 5 AAC 92.108.

AS16.05.255(d) states that “regulations adopted... must provide that, consistent with the provisions of AS 16.05.258, the taking of moose, deer, elk, and caribou by residents for personal or family consumption has preference over taking by nonresidents.”

The proposal asks that all big game seasons start one week earlier for residents in all the areas currently listed with positive intensive management findings for moose, deer or caribou. All big game species would include black and brown bear, bison, elk, mountain goat, muskox, sheep, wolf and wolverine, not just the current species included under intensive management findings.

PROPOSAL 72

EFFECT OF THE PROPOSAL: Open big game general seasons seven days earlier for residents, five days earlier in drawing hunts.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 71.

PROPOSAL 73

EFFECT OF THE PROPOSAL: Open all big game seasons one week earlier for residents than nonresidents.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 71.

PROPOSAL 74

EFFECT OF THE PROPOSAL: Open all big game seasons one week earlier for residents than nonresidents.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 71.

PROPOSAL 75

EFFECT OF THE PROPOSAL: Open early youth hunt for all big game, ten days before other seasons; require hunter education.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This proposal asks that youth hunters with hunter education be allowed to hunt big game statewide 10 days before other hunters, followed by an opening for all Alaska residents 10 days earlier than the nonresident season. In addition, the proposal asks for a preference point system for Alaska residents in permit hunts.

Early seasons for youth hunters and Alaska residents is an allocation issue, so the department has no recommendation. This is a broad proposal affecting all big game seasons statewide, and would expand the hunter education requirement to all Units, not just the current Units 7, 13, 14, 15, and 20, for all youth that wished to participate in the early season. Unless the department were able to significantly expand hunter education programs, youth living in communities off the road system would be precluded from participating in these early hunts, which would also take place prior to seasons established to provide for customary and traditional subsistence uses.

Allowing youth hunts to take place in addition to and in advance of hunting of populations with Tier II hunts would likely be in violation of AS 16.05.258(b) (the state subsistence statute).

See proposal 71 for comments on an early season for Alaska residents, and proposal 69 for comments on preference points.

PROPOSAL 76

EFFECT OF THE PROPOSAL: Open early youth hunt (10-17 years) for all big game statewide and require accompanying adult to forfeit bag limit.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 75. In several existing youth hunts, the bag limit counts against both the youth hunter and the accompanying adult hunter.

PROPOSAL 77

EFFECT OF THE PROPOSAL: Require hunters to use only one type of method; either firearm or bow; require a tag.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue based on preferred hunting methods. The proposal seems to request that hunters must choose between one type of hunt or the other, and would not be allowed to hunt in both.

The proposal requests that a tag be required, and that the tag indicate hunt method. This would be a departure from our current general season harvest tickets, which allow all types of hunting, so some type of tag requirement would have to be developed.

.....

Note: Proposals 78 – 91 request changes to 5 AAC Chapter 85, Seasons and bag limits. Considerations of seasons and bag limits are the primary focus of regional Board of Game meetings and not a statewide regulations meeting. In order to evaluate the merits of these proposals on specific hunts, the Department recommends the Board **Take No Action** on these proposals and refer them to appropriate regional meetings. Similar or duplicate proposals are also included in the Region III agenda. The Department has provided some general evaluation of these proposals in the event the Board chooses to consider the proposals at this meeting.

PROPOSAL 78

EFFECT OF THE PROPOSAL: Open resident sheep seasons seven days earlier than nonresident seasons.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue. This proposal appears to address only general season hunts with season dates of August 10–September 20. Providing a longer resident general season is used to separate resident and nonresident hunters in many areas, and this proposal might alleviate some conflicts between users. It is not clear whether this proposal is meant to also apply to drawing hunts. Nevertheless, it is less likely to be needed in drawing hunts where the number of hunters is controlled by the number of permits.

Subsistence sheep hunts typically have more liberal seasons and bag limits than those proposed, which suggests the proponent is concerned specifically with general sheep hunting seasons. If the proposed season was adopted for subsistence hunts, the board would need to determine whether the reduced season would still provide a reasonable opportunity for subsistence uses.

Generally, the Board deliberates seasons and bag limits on a regional basis, where area staff can provide detailed information for deliberation. The Board may wish to consider deferring this proposal to each regional meeting in the future to allow detailed analysis in each area.

PROPOSAL 79

EFFECT OF THE PROPOSAL: Open resident sheep seasons seven days earlier than nonresident seasons.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78.

PROPOSAL 80

EFFECT OF THE PROPOSAL: Change the nonresident sheep season and amount of permits available.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78 and proposal 87.

PROPOSAL 81

EFFECT OF THE PROPOSAL: Open resident seasons one week before nonresident seasons for Dall sheep hunting.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78.

PROPOSAL 82

EFFECT OF THE PROPOSAL: Open resident seasons one week before nonresident seasons for Dall sheep hunting.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78.

PROPOSAL 83

EFFECT OF THE PROPOSAL: Begin the resident sheep seasons ten days earlier than nonresident seasons.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78.

PROPOSAL 84

EFFECT OF THE PROPOSAL: Open resident sheep seasons five days earlier than nonresident seasons.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78.

PROPOSAL 85

EFFECT OF THE PROPOSAL: Open resident sheep seasons five days earlier than nonresident seasons.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 78.

PROPOSAL 86

EFFECT OF THE PROPOSAL: Begin the youth hunting season for Dall sheep five days earlier than residents.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 75.

PROPOSAL 87

EFFECT OF THE PROPOSAL: Create nonresident drawing hunts for all sheep hunts and allocate a percentage of the harvest to nonresidents.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is a broadly prescriptive proposal that would fundamentally change nonresident sheep hunting in Alaska. This is biologically unnecessary in some areas and would have serious implications for the big game guiding industry. This would require the board to establish nonresident harvest allocations and then establish a drawing hunt in all sheep hunting areas currently open under general season.

The board has adopted policy 2007-173-BOG, which establishes guidelines for nonresident drawing permit allocations. It states that allocations will be determined on a case by case basis and will be based on the historical data of nonresident and resident permit allocation over the past 10 years.

Also, AS 16.05.255(d) states that only moose, deer, elk and caribou are species for which the Board is required to provide a preference for residents over nonresidents, so that residents can harvest these species for personal or family consumption.

Several sheep hunts in the state have a positive customary and traditional use finding, so subsistence use by residents must be considered prior to establishing a nonresident hunt.

PROPOSAL 88

EFFECT OF THE PROPOSAL: Convert all nonresident sheep seasons to drawing permits and limit to 10 percent of total permits.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 87.

PROPOSAL 89

EFFECT OF THE PROPOSAL: Convert all sheep hunts to drawing only, 90% for residents.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 87.

PROPOSAL 90

EFFECT OF THE PROPOSAL: Allocate two percent of all sheep drawing permits to nonresidents, close nonresident season if harvestable surplus is less than 50.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 87. The board has adopted policy 2007-173-BOG, which establishes guidelines for nonresident drawing permit allocations. It states that allocations will be determined on a case by case basis and will be based on the historical data of nonresident and resident permit allocation over the past 10 years. The established policy would have to be modified if this proposal were adopted. In addition, the only sheep drawing hunts with over 50 permits available are the Tok Management Area, the Delta Controlled Use Area, and Unit 14C, West. If this proposal were adopted, all other sheep drawing hunts would be limited to residents only.

PROPOSAL 91

EFFECT OF THE PROPOSAL: Nonresident next of kin sheep permits would come out of the resident pool of permits in Units where there are a limited number of nonresident sheep permits.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: Board policy 2007-173-BOG was adopted to address all nonresident hunting, not just the percentage of guided nonresidents. This proposal asks to further split the nonresident pool into 1) guided and 2) hunting with a resident relative. This would require allocations to each pool of nonresident hunters.

In addition, adoption of the proposal would further confuse the drawing permit application process by requiring nonresidents who are hunting with a resident relative to apply for a resident drawing hunt.

PROPOSAL 92

EFFECT OF THE PROPOSAL: Allow only the use of traps and snares for taking wolf and wolverine and prohibit the use of firearms except for dispatching trapped animals.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: This proposal would prohibit the use of firearms for taking wolves and wolverines under a trapping license, except to dispatch animals already caught in a trap or snare. Firearms are a legal method of taking for all fur animals and furbearers, except for beaver in some cases, and fox in Unit 15. This prohibition would prevent some opportunistic harvest by trappers using a firearm.

The department manages populations based on available harvest, and restricts method of take when necessary on a case-by-case basis. Separate methods of take on a statewide basis are not required for management to be effective.

PROPOSAL 93

EFFECT OF THE PROPOSAL: Allow only the use of traps and snares for taking wolf and wolverine on National Park Service lands and prohibit the use of firearms, except for dispatching trapped animals.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rationale for proposal 92.

PROPOSAL 94

EFFECT OF THE PROPOSAL: Prohibit the taking of wolf, fox, wolverine, or coyote during May, June and July on National Park Service (NPS) lands.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: There are currently no open trapping seasons anywhere in the state during the months of May, June and July for fox, coyote and wolverine. Units 9 and 10 are the only areas open for trapping of wolves during the months of May and June. Of the two areas, only Unit 9 has NPS lands.

Based on extrapolated wolf population estimates from radio-collar studies in Unit 9, approximately 300 to 500 wolves inhabit Unit 9. From this population, an average of 81 wolves (16 - 27% of the population) have been harvested annually in Unit 9 during the past 10 years. Wolf harvest on NPS lands is small, with an average of 2 wolves taken annually during the same period (average of 1 wolf taken annually in Lake Clark National Preserve, Unit 9B; 0.6 wolves annually in Katmai National Preserve, Unit 9C; and 0.4 wolves annually in Aniakchak National Preserve, Unit 9E). To date no wolves have been harvested in Unit 9 with traps during the months of April through October. Wolf harvests in Unit 9 and on National Park lands within Unit 9 are sustainable and consistent with scientific wildlife management principles that ensure the long term sustainability of the wolf populations.

PROPOSAL 95

EFFECT OF THE PROPOSAL: Open several management areas to the taking of small game by the use of falconry.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue to a specific user group, and the department has no recommendation. Many of these management areas were created to allow continued hunting opportunity by short range methods of take such as archery, due to the proximity of residences, and highways, or heavy industrial use. Allowing falconry in these areas would not violate this intent.

The **Eagle River Management Area** allows the taking of small game by archery, shotgun, or muzzleloader with a permit, and already allows the taking of deleterious exotic wildlife by falconry.

The **Skilak Loop Wildlife Management Area** allows the taking of small game by archery only from October 1- March 1.

The **Dalton Highway Corridor Management Area** is open to the taking of small game by archery only.

The **Birchwood Management Area** is open to small game hunting with air rifle with rifled barrel, shotgun and archery in the area north and west of the Alaska Railroad.

The **Healy-Lignite Management Area** is open to the taking of small game by archery only.

The **Petersburg Management Area** is open to the taking of small game by archery only.

PROPOSAL 96

EFFECT OF THE PROPOSAL: Open areas to archery hunting, if shotguns are allowed.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: This is an allocation issue to a specific user group, and the department has no recommendation. The only area where hunting is limited to shotguns only, without allowing the use of bow and arrow, is the Portage Glacier Closed Area.

If the Board chooses to adopt this proposal, the amended language would read:

5 AAC 92.510(8)(A) the Portage Glacier Closed Area in Unit 7, which consists of Portage Creek drainages between the Anchorage - Seward Railroad and Placer Creek in Bear Valley, Portage Lake, the mouth of Byron Creek, Glacier Creek and Byron Glacier, is closed to hunting; however, migratory birds and small game may be hunted with shotguns and **bow and arrow** from September 1 through April 30;

PROPOSAL 97

EFFECT OF THE PROPOSAL: Prohibit the use of artificial light for taking game on all lands managed by the National Park Service.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Currently, most uses of artificial light to take game are prohibited. The exceptions where the use of artificial light is allowed are as follows:

(C) artificial light may be used

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

- (ii) by a tracking dog handler with one leashed dog to aid in tracking and dispatching a wounded big game animal;
- (iii) to aid in tracking, recovering, and dispatching a wounded game animal without the use of a motorized vehicle;
- (iv) by a resident hunter taking black bear under customary and traditional use activities at a den site from October 15 through April 30 in Unit 19(A), that portion of the Kuskokwim River drainage within Unit 19(D) upstream from the Selatna River drainage and the Black River drainage, and in Units 21(B), 21(C), 21(D), 24, and 25(D);

Each of these exceptions was adopted by the Board in response to proposals asking that: trappers be allowed to use lights during the winter months, hunters be allowed to use them for tracking wounded animals, and subsistence hunters be allowed to use them at a black bear den site while taking black bear for customary and traditional uses.

None of the proposals adopted asked for the change in order to increase the harvest of targeted species or for overall harvest of predator populations. In general, the regulations were adopted to increase safety for hunters and trappers during very cold and dark winter months, and to allow hunters to find and dispatch a wounded animal. See rationale in proposal 108 for additional information about the use of artificial light at black bear dens.

PROPOSAL 98

EFFECT OF THE PROPOSAL: Prohibit the use of hand held electronics in taking game.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The proposal is unclear as to specific types of hand held electronics that should be prohibited. The use of many hand held electronics, including laser sights, electronically enhanced night vision scopes, radio communications, and cellular or satellite telephones is already prohibited for taking game. The only hand held electronic device that is specifically allowed in regulation while hunting is a rangefinder.

Adopting this proposal would prohibit the use of rangefinders, which helps hunters to determine distance to an animal and aids in making an informed decision concerning ability to make a lethal shot.

PROPOSAL 99

EFFECT OF THE PROPOSAL: This proposal would make it illegal for hunters to take game the same day they were transported to the field by commercial transporters.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: The Board considered this proposal for Regions II and IV during the meetings in March 2011 and failed it. This is already illegal for airplane based transporters.

“ 5 AAC 92.085 (8) a person who has been airborne may not take or assist in taking a big game animal until after 3:00am following the day in which the flying occurred;...”

However the proposal goes beyond that to include other methods of transportation with the largest group being boat based transporters. This will eliminate the operators who provide “day trips” into the field through boat, four wheeler, snow machine or even street vehicle. Functionally it is unclear how this would work for boat based hunting if the hunters live on board.

Since this proposal would effectively alter the allocation of resources to different users the Department has no recommendation.

PROPOSAL 100

EFFECT OF THE PROPOSAL: Allow the use of laser sight, electronically-enhanced night vision scopes, or artificial light for taking coyotes from October 1 through June 30.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The proposal asks to remove the prohibition on several methods for taking coyotes on a statewide basis. It is unclear whether the proposers also wanted to extend seasons for coyotes, as the longest trapping season in the state is Oct. 1 – April 30, and the longest hunting season in the state is August 10 – May 25. There is currently no open season in June.

The use of artificial light is already allowed under a trapping license November 1 – March 31 in Units 7 and 9 – 26. Allowing the use of laser sights (which project a red dot on the target) and electronically-enhanced night vision scopes, for coyotes only could make enforcement difficult. Seasons for many other species are open at the same time as coyote seasons. The restrictions on the use of this equipment are intended to address ethical issues of fair chase and to control the potential for over harvest.

PROPOSAL 101

EFFECT OF THE PROPOSAL: Allow same day airborne taking of coyotes statewide.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: Taking coyote the same day you have been airborne is currently allowed if you are 300 feet from the aircraft. The distance requirement is to ensure compliance with the Federal Airborne Hunting Act.

PROPOSAL 102

EFFECT OF THE PROPOSAL: Prohibit the use of pack animals, other than horses, while hunting sheep or goat.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: RATIONALE: As noted in the proposal, substantial die off events have occurred in several “Lower 48” wild sheep populations. Fortunately, we have not yet documented such an event here in Alaska.

The department supports this broad scale approach to reduce the risk of transmission of infectious diseases and parasites to our wild sheep and goat populations.

Extensive wildlife disease research has indeed demonstrated that contact between domestic sheep or domestic goats and wild sheep results in transmission of pneumonia to wild sheep, with consistent lethality to the wild population. The risk of disease transmission is not limited to domestic sheep or goats, as the naturally occurring pathogens including bacteria in the respiratory and GI tracts of cattle, yaks, llamas, and other ruminants used as pack animals can be pathogenic to wild ungulates. Further, domestic species can often appear outwardly healthy, yet carry microorganisms and parasites that are pathogenic to wild ungulates. It is important to understand that horses are hindgut fermenters, and have substantially different gut morphology than cattle, sheep, goats, or llamas. Therefore, they are not generally regarded as carriers of pathogens for susceptible ruminants, and should be exempt from this regulation.

PROPOSAL 103

WHAT WOULD THE PROPOSAL DO? Prohibit hunters from using felt-soled wading footwear in freshwaters of Alaska. This proposal would align regulations implemented by the Alaska Board of Fisheries for sport anglers.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations describing the type of footwear that may be used while hunting.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Hunters who have used felt-soled wading shoes in freshwater would be required to replace them with non-felt-soled footwear. It is possible that this proposed action could reduce the introduction of harmful invasive organisms into Alaska waters.

BACKGROUND: The use of felt-soled wading footwear by anglers has been identified as a vector for introducing invasive species such as Didymo (*Didymosphenia geminata*), New Zealand mudsnails (*Potamopyrgus antipodarum*), and whirling disease pathogens (*Myxobolus cerebralis*) to freshwater systems. Banning felt-soled wading footwear could reduce the spread of invasive species, especially by hunters who have visited infested waters within the last two weeks.

Didymo, also known as “rock snot,” is a type of single-celled algae. Didymo clings to streambeds and rocks by creating a fibrous stalk. When the density of these stalks becomes excessive, Didymo can form dense mats that hinder invertebrate production and aquatic plant growth. Studies have shown that Didymo can tolerate a wide range of hydraulic regimes, alter invertebrate communities, and their cells can be found suspended in free flowing water.

The status of Didymo as an invasive species in Alaska has yet to be confirmed, as it is native in parts of the state. There are confirmed reports of Didymo in Southeast waters, including Sitka, the greater Juneau-area, and Haines; as well as Rapid Creek, Eyak Lake and other locations in Southcentral.

New Zealand mudsnails (NZMS) are another invasive organism that can easily be transported on wading shoes, including those with felt soles. The closest observation of NZMS to Southeast Alaska was in the Columbia River estuary, and it has been documented in the diet of Columbia River king salmon. New infestations of NZMS continue to be observed in the State of Washington

Whirling disease is primarily spread by infected fish and fish parts, but it can also be transported by moist fishing gear, including in saturated felt-soled wading footwear.

The New Zealand government has banned the use of felt-sole footwear in its waters to fight the spread of invasive organisms. Other government agencies have taken the following measures: Maryland and Vermont have also banned felt soled footwear. Vermont’s regulation makes it illegal for anyone to use felt-soled wading footwear in waters of Vermont. Maryland’s regulation bans felt-soles “within five feet of state waters.” It does not make a distinction for freshwater or marine waters.

Although, felt-soled footwear regulations do not ensure that Alaska waters will be free of risk from invasive species introduced in/on recreational gear; thus, decontamination protocols are recommended after hunting or fishing, as means to reduce the potential of moving organisms between systems. Recommended protocols for treating gear are: cleaning and removing organic material from waders, boots, clothing, and equipment before you leave the site; eliminating water from boats, live wells, coolers, and other gear; thoroughly cleaning all gear that comes in contact with freshwater either with hot water (>120°), bleach, or detergent solution; and drying gear completely before bringing it to a different waterway.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it addresses a social issue; conversely, the Alaska Board of Fisheries did take a position when they passed a regulation banning the use of waders with soles comprised of absorbent material by anglers in freshwater. Recreational field gear is recognized as a potential pathway for transmitting invasive species; however, felt-soles are not the only means of transmission and decontamination protocols are necessary. The Department **SUPPORTS** educating anglers, hunters, and anyone who spends time in aquatic environments about the risk of spreading invasive organisms and effective disinfection procedures.

COST ANALYSIS: This proposal would require many wading hunters to purchase replacement wading footwear without absorbent soles.

PROPOSAL 104

EFFECT OF THE PROPOSAL: Prohibit the use of deer or elk urine for use in taking game.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 105

EFFECT OF THE PROPOSAL: Clarify the definition of wounded as it applies to the restrictions to bag limits.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: In November of 2002, the Board adopted the current regulation for wounded bears in Southeast Alaska, requiring a wounded bear to count against the hunter’s bag limit for that regulatory year. Since then, the same regulation has been adopted for bears and elk on Kodiak Island.

The definition of take and bag limit has been discussed by the Board in recent meetings, along with the difficulty of regulating hunter ethics and determining whether the wounded animal is mortally wounded. This proposal asks to further define and clarify the extent of wounding that is required before the bag limit is considered filled.

The department agrees that a reduction in wounding loss is a laudable goal and that this is a serious issue for hunters and managers alike. Often, either because of poor visibility and/or animal behavior, a hunter may not be able to tell if an animal is wounded or not. Because of this it can be difficult for hunters to know when to stop hunting and impossible for enforcement staff to prove a hunter is continuing to hunt when a wounded animal has filled the bag limit. A more positive way to approach the problem is to inform hunters of the current rules and encourage them to use self-restraint when they believe an animal has been wounded and not recovered. The department has worked on addressing the issue through better hunter education and by guides and hunters voluntarily pursuing hunter ethics.

PROPOSAL 106

EFFECT OF THE PROPOSAL: Count wounded muskox, bison, sheep and goat that are not recovered as the bag limit.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: See rationale in proposal 105. This proposal request expansion of the species covered under the wounding loss regulation to include muskox, bison, sheep, and goats.

PROPOSAL 107

EFFECT OF THE PROPOSAL: Eliminate the statewide bag limit for black bear.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Currently, a person is restricted to the highest bag limit for that species in any unit in the state. The statewide and unit specific bag limits are related, in that a hunter may continue to hunt in other units, as long as his total harvest across the state for that species is not higher than the unit bag limit. In other words, he may take one bear in a unit with a bag limit of one, then take one additional bear in a unit where the bag limit is two, then take two more bears in a unit where the bag limit is four. Under this proposal’s scenario, the same hunter could visit those same units and take seven bears total, as each previous bear would not count in the next unit’s bag limit.

Unit-specific bag limits are based on the wildlife population size, its sustained yield, and the anticipated hunter effort in the area. Lower bag limits are adopted in specific areas to limit overall harvest. More liberal bag limits are established in areas with higher populations, fewer hunters, and less access. Areas with more liberal bag limits are also designed to attract hunters to an area with more game available for harvest.

Many times a low bag limit indicates that there are too many hunters using the area, probably due to proximity to large human populations. If the statewide bag limit no longer applies, an overharvest would most likely occur in those areas.

PROPOSAL 108

EFFECT OF THE PROPOSAL: Prohibit the harvest of cubs and sows accompanied by cubs on National Park Service (NPS) lands:

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: : Congressional recognition of the authority of the States to manage fish and wildlife on Federally administered lands, including those by the National park Service, is very evident through legislation in ANILCA Sections 203, 1313 and 1314 and CFR part 24, Department of the Interior Fish and Wildlife Policy: State and Federal Relationships. The Statute and Policy are implemented through the Master Memorandum of Understanding between the Alaska Department of Fish and Game and the US National Park Service (MMOU). The MMOU notes that:

“The taking of fish and wildlife by hunting, fishing and trapping on certain Service lands in Alaska is authorized in accordance with applicable State and Federal law unless State

regulations are found to be incompatible with documented Park or Preserve goals, objectives or management plans.”

The implementation of management practices, adopted under state management plans that assure sustainability of populations, are not incompatible with documented Park or Preserve goals, objectives or management plans.

This proposal would invalidate recent legal recognition of the long-standing cultural practices by resident hunters to harvest black bears in dens (including sows with cubs) and to use artificial light as part of this practice. These methods are part of a pattern of customary and traditional use by local residents in these areas, which was recognized by the board in November 2008 and documented in the customary and traditional use worksheet found in Division of Subsistence Special Publication No. BOG 2008-07. Testimony is also on record from the March 2008 board meeting from subsistence users requesting recognition of each of these practices as customary and traditional means to harvest black bears

Although the proposer assumes these regulations were promulgated for predation control, the board was clear that they were enacted specifically to legalize long-standing customary and traditional methods used by residents of these units to obtain black bear meat during winter. Furthermore, black bears are likely abundant (2000–4000) and are lightly harvested (50–180 estimated annual take) in these units.

The Federal Western Interior Regional Advisory Council (RAC) endorsed the traditional and customary taking of sows with cubs and cubs in dens, including the use of artificial light, for Federal lands in all of Units 19, 21, and 24. The Eastern Interior RAC also endorsed these customary and traditional practices for Federal lands in Units 21 and 24, emphasizing the need for artificial light as a safety measure.

PROPOSAL 109

EFFECT OF THE PROPOSAL: Clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: The proposal seeks to modify season dates and bag limits in all areas of the state except Southeast Alaska. The proposal requires Board action, because the Board establishes seasons and bag limits in each regional meeting. The department does not have discretionary authority for seasons and bag limits, except in permit hunts.

The only black bear permit hunts in the state where the department uses its discretionary conditions to establish seasons, bag limits and hunt areas are the registration hunts in the Eagle River Management area. The biologist for this area has worked with Chugach State Park and homeowners in the area to carefully craft the dates and areas to provide maximum hunting opportunity for black bears in an area utilized by many user groups.

PROPOSAL 110

EFFECT OF THE PROPOSAL: Require the hunter to keep sex attached to the meat if it (the skull) needs to be sealed.

DEPARTMENT RECOMMENDATION: **Amend and adopt**

RATIONALE: At this time, the only area of the state where sealing is required and the hunter has the option of retaining either the hide or the meat is Unit 20B from June 1 – Dec. 31. This proposal would clarify that if only the meat is salvaged, proof of sex should remain attached to the meat until the skull has been sealed. The department has suggested amended language that further clarifies the intent of the proposer, and amends related language in 5 AAC 92.165.

PROPOSAL 111

EFFECT OF THE PROPOSAL: Clarify the sex organs, or portions of, that must remain attached for proof of sex.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The current regulation for all big game, except bear, requires only portions of any external sex organ, to remain attached. Delineating exactly what is, or is not, required does not seem to be necessary. The proposer may have been trying to address the requirements for bear, since the regulation very clearly states that the penis sheath or vaginal orifice must remain attached as proof of sex.

PROPOSAL 112

EFFECT OF THE PROPOSAL: Repeal the requirement to leave evidence of sex attached to the meat of the animal in big game hunts limited to one sex.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Currently, hunters taking an ungulate in areas restricting the take to one sex must leave sufficient portions of the external sex organs naturally attached to the meat to clearly indicate the sex of the animal. Although this regulation does represent a minor inconvenience to hunters, it is necessary from an enforcement standpoint. Without this regulatory tool, a hunter can take a female and mask it as a male with a legal set of antlers. Females represent the reproductive component of the population, and it is essential they be afforded protection where appropriate.

In the past, people have obtained the antlers/horns or external sex organs from legally taken big game animals and used them to disguise the sex of a big game animal taken illegally. For example, a set of spike or forked moose antlers and an unattached testicle easily can be carried around by a hunter. Without the existing regulation, those parts could be used to mask the sex of

an illegally taken cow moose. Division of Alaska Wildlife Troopers officers cannot be expected to return to the field with the hunter to investigate the kill site of every big game animal where the sex of the animal cannot be determined conclusively. Leaving evidence of sex naturally attached to the meat is not a burdensome or complicated requirement and it eliminates the potential abuse of sex-restricted bag limits. The use of DNA, as suggested by the proposal, is extremely expensive, and processing is delayed.

PROPOSAL 113

EFFECT OF THE PROPOSAL: Remove the reference to federal fish and wildlife agents in the transfer and possession regulation.

DEPARTMENT RECOMMENDATION: **Under Consideration**

RATIONALE: The Department is working with the Department of Public Safety to evaluate the ramifications of this change.

PROPOSAL 114

EFFECT OF THE PROPOSAL: Allow same day airborne hunting at a registered bear bait station as long as hunter is at least 300 feet from aircraft.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The Department does not support same day airborne (SDA) hunting over a registered bait station on a statewide basis. This type of liberalization is allowed in Units 7, 9, 11, 13, 14A, 14B, 15, 16, 17 and in areas designated as predator control areas; it is not allowed statewide under general hunting seasons. The Board of Game allowed SDA hunting in units outside of predator control areas during the March 2011 board meetings after careful consideration and exclusion of high harvest areas and areas with hunter conflicts, such as Prince William Sound and the Anchorage Area in GMU 14C.

This proposal would create another exception to the general prohibition on same day airborne hunting. Where SDA exceptions have been granted for hunting, creating additional exceptions will ultimately lead to wider use of aircraft in a way that some consider unethical and increasing problems with enforcing prohibitions that remain in place. If passed, it would be difficult or impossible to distinguish between SDA black bear baiting, versus other types of hunting that would not be allowed in the same place at the same time (e.g., moose, other black bear and all brown bear hunting). The Department supports the Board of Game's actions during the March 2011 board meetings, which considered this activity on a unit-specific basis rather than allowing SDA hunting over registered bait on a statewide basis.

Proposal 144 for the March 2012 meeting addresses this same issue for Interior Alaska, and will allow the Board to deliberate on Units 12, 19-21, 24-25 26B and 26C with area biologists from those areas. The Department recommends discussing this on a regional basis and not at a statewide level to allow a more thorough evaluation with the board about areas where SDA

should be permitted.

PROPOSAL 115

EFFECT OF THE PROPOSAL: Eliminate the personally accompany requirement for guides using bait stations and require a guide-client agreement.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rational for proposal 118. The department is recommending the elimination of this requirement, along with other changes to bear baiting, in amendments to Proposal 118.

PROPOSAL 116

EFFECT OF THE PROPOSAL: In addition to the 10 bait sites in total, guides and assistant guides may also have two personal sites each; guides and assistant guides may hunt all sites for personal use without guide client agreements.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rational for proposal 118. The department is recommending aligning the number of bait sites all hunters can establish, including guides, along with other changes to bear baiting in amendments to 118.

PROPOSAL 117

EFFECT OF THE PROPOSAL: Remove the requirement for guides to personally accompany resident clients at black bear bait stations.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rational for proposal 118.

PROPOSAL 118

EFFECT OF THE PROPOSAL: Clarify and modify the permit for hunting black bear with the use of bait and scent lures.

DEPARTMENT RECOMMENDATION: **Amend and Adopt**

RATIONALE: The Department took the opportunity to review existing bear baiting regulations, both under general season hunting and control permits, and is proposing to update them based on the documented history of user groups and baiting activities. The amended proposal addresses the concerns brought forward by different user groups and does away with regulations that seem to be more restrictive than necessary, based on current use patterns.

The amended language:

- Increases and aligns the number of bait sites allowed by all hunters, including guides and their assistants. Allow personal or guided use at all sites. This still allows a guide with 2 assistants to work and hunt over 3X whatever the limit is (i.e. if the number is 3 for everyone, the guide with 2 assistants can use 9 sites). Many other states, as well as Canada, have no limit to the number of sites a hunter can establish. Baiting is a labor-intensive activity, and as such, is somewhat self-limiting. Over the last few years, the Board has been increasing the number of sites that can be established in control areas, and by guides. Data indicate that very few hunters chose to establish more than one or two sites, due to the work involved. Clean up of all sites is still a requirement, providing an additional limiting factor.
- Allows bait sites to be established less than one mile from a cabin, if the cabin is located on the opposite side of a major river system. This distance setback has been in place for the Unit 16 control area for several years now, with no reported issues.
- Removes the requirement for guides to personally accompany their clients at a bait site as long as a signed guide-client agreement has been completed.
- Require the bear baiting clinic for all hunters requesting a bait site permit. Currently a one-time clinic is required for bear baiters in Units 6D, 7,14A, 14B, 16A and 20B. The clinic can be taken online; there is no in person attendance requirement. The bear baiter is only required to take the clinic once, so most long time bear baiters are already qualified. Requiring the clinic statewide simplifies and aligns the bear baiting requirements.
- Eliminates the department's ability to require a lower bag limit than exists for hunting in the area. This authority has never been utilized by the department, so is not necessary.
- Repeals the special Unit 16 control area requirements, since they would now be consistent with general bear baiting.
- Requires all first time registrants to successfully complete the Department's bear bait clinic. We have records of all those who have taken the clinic and they will be grandfathered in. The new requirement will affect those who have previously registered sites in units where the clinic has not been required; those individuals will be required to successfully complete the bear bait clinic prior to registering a bait station.

PROPOSAL 119

EFFECT OF THE PROPOSAL: Establish a section in regulation for black bear bait station permits and establish seasons for all of Alaska.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Black bear baiting seasons used to be in 5 AAC 92.085 and were removed by the board when the new section 5 AAC 92.044, dealing specifically with bear baiting permits, was created. By allowing the department the discretionary authority to adjust the seasons and areas as needed on a biological basis, additional opportunity can be provided in many areas that were previously an issue. By putting established seasons and areas in a specific regulation, changes would have to go through the Board process and could not be implemented as quickly.

PROPOSAL 120

EFFECT OF THE PROPOSAL: Eliminate black bear baiting as a method requiring a predator control permit in predator control areas.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: The department is currently in the process of implementing this change internally and board action is not required. The department will provide more details at the meeting, but the current plan is to issue one baiting permit good for use in all general and predator control areas. Conditions on the permit would explain additional requirements needed for more liberal seasons and bag limits if baiting in a control area.

PROPOSAL 121

EFFECT OF THE PROPOSAL: Prohibit black bear baiting on all National Park Service lands.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Congressional recognition of the authority of the States to manage fish and wildlife on Federally administered lands, including those by the National park Service, is very evident through legislation in ANILCA Sections 203, 1313 and 1314 and CFR part 24, Department of the Interior Fish and Wildlife Policy: State and Federal Relationships. The Statute and Policy are implemented through the Master Memorandum of Understanding between the Alaska Department of Fish and Game and the US National Park Service (MMOU). The MMOU notes that:

“The taking of fish and wildlife by hunting, fishing and trapping on certain Service lands in Alaska is authorized in accordance with applicable State and Federal law unless State regulations are found to be incompatible with documented Park or Preserve goals, objectives or management plans.”

The implementation of management practices, adopted under state management plans that assure sustainability of populations, are not incompatible with documented Park or Preserve goals, objectives or management plans.

PROPOSAL 122

EFFECT OF THE PROPOSAL: Allow the use of scent lures for black bear baiting while floating.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Currently, the use of scent lures to attract black bears constitutes baiting, and therefore requires a permit from the department. This proposal seeks to allow use of scent lures

from boats to attract black bears without a black bear baiting permit. Bait sites have strict requirements for safe distances and signage that could not be met by baiting from a moving boat. For example, bears would potentially be attracted to shorelines and people in the area would not be warned that baiting was occurring.

PROPOSAL 123

EFFECT OF THE PROPOSAL: Allow the use of scent lures for black bear baiting while floating.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: See rational for proposal 122.

PROPOSAL 124

EFFECT OF THE PROPOSAL: Require trap identification for all Units on lands managed by the National Park Service.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Past proposals requesting a permanent identification on all traps and snares have passed in some areas of the state where trapping occurs near roads, trails and other public access points, and where conflicts with other user groups have occurred. Requiring traps and snares to be marked makes enforcement easier, but also could potentially cause problems for otherwise legal trappers.

Such a regulation is unnecessary in most of the state, and is only necessary in specific areas with documented issues.

PROPOSAL 125

EFFECT OF THE PROPOSAL: Require a 72 hour trap check for all traps and snares set on National Park Service lands.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: Past proposals to require a specific trap-check time frame have not been adopted by the Board. Due to inclement weather, remote locations, and long distances, such mandatory times may be impossible to enforce. The trapper code of ethics already requires trappers to check traps regularly and promote trapping methods that reduce the possibility of catching non-target animals. The only area in the state where such a time check exists is a small area near Gustavus, which the Board established in response to a number of moose being caught in snares.

PROPOSAL 126

EFFECT OF THE PROPOSAL: Prohibit the trapping of black bears in all National Park Service managed lands.

DEPARTMENT RECOMMENDATION: **Take No Action**

RATIONALE: Trapping of black bear is currently prohibited on a statewide basis. The Board has not currently established any trapping seasons for black bear. Proposal 141 in the March 2012 meeting is the deferred proposal to consider the establishment of black bear trapping seasons, bag limits, and methods and means in some areas of the state.

PROPOSAL 127

EFFECT OF THE PROPOSAL: Prohibit the taking of a black bear by trap or snare.

DEPARTMENT RECOMMENDATION: **Do Not Adopt**

RATIONALE: The use of traps and snares to take black bear is only allowed under Intensive Management Plans adopted by the Board in two areas of the state-a portion of Unit 16(B) and a portion of Unit 19(D), and only under the terms of a permit issued by the department. A person participating in this activity in these areas must:

- successfully complete a department approved training program
- be at least 16 years of age
- report all animals taken within 48 hours
- check snares on a daily basis
- immediately notify the department if any incidental bears are snared

PROPOSAL 128

EFFECT OF THE PROPOSAL: Establish a tag and fee to allow trappers to retain incidental catch.

DEPARTMENT RECOMMENDATION: **No Recommendation**

RATIONALE: Allowing trappers to retain an incidentally taken animal would require changes to 5 AAC 92.220(h) "A game animal taken in violation of AS 16 or a regulation adopted under AS 16 is the property of the state." Since animals trapped out of season are taken in violation of chapter 84, *Trapping Seasons*, they are the property of the state. In addition, 5 AAC 92.220 and 5 AAC 92.140(d) require such animals to be salvaged and turned into the department. Rather than requiring a tag, the board could develop regulations allowing the department to document and seal (if required) the animal when the trapper turns the animal in and then return the animal to the trapper.

The Board does not have the authority to establish fees.

PROPOSAL 129

EFFECT OF THE PROPOSAL: Clarifies responsibilities of Department of Fish and Game commissioner.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 130

EFFECT OF THE PROPOSAL: Authorizes a predator control program in Unit 26B.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement. Additional information is available at www.boardofgame.adfg.alaska.gov.

PROPOSAL 131

EFFECT OF THE PROPOSAL: Add bear population reduction to the Unit 19A predation control program.

DEPARTMENT RECOMMENDATION: **Adopt**

RATIONALE: Department proposal; see issue statement.

PROPOSAL 132

EFFECT OF THE PROPOSAL: Modify the Agenda Change Request policy by changing the deadline and applying certain criteria..

DEPARTMENT RECOMMENDATION: **Support**

RATIONALE: Department proposal; see issue statement.
