

PROPOSAL 50 JANUARY 2012

- The Board requested a review of all discretionary permit conditions the department is allowed to apply to permit hunts throughout the state. The following is the department presentation and explanation that will be presented at the January 2012 Statewide meeting in Anchorage. The department is submitting this presentation to allow for public review and comment.

5 AAC 92.052 DISCRETIONARY PERMIT HUNT CONDITIONS AND PROCEDURES.

Board requested review of the department's discretionary authority in permit hunts.

HISTORY

The department has authority to apply any of 24 different conditions to any permit hunt. These cannot be applied to general season hunts.

- ◉ Different permit conditions are used across the state depending on hunt management.
- ◉ Some of the authorities have been in place since permit hunts were created; others have been added through the years in response to specific hunts.
- ◉ Some of the conditions have been adopted into other regulations resulting in redundancy.

5 AAC 92.052(1) FIRST CLAUSE

- (1) a permittee shall register at a designated station before entering, and upon leaving, the field; ...
- ◉ Used in some drawing permits (Kodiak bear, Koyukuk moose, JBER hunts) and most registration permits statewide.
 - ◉ Allows hunt managers to closely monitor number of hunters actively in the field. In hunts on military lands, allows land owners to direct hunters to specific areas.
 - ◉ Used in registration permit hunts when the division would like to have the opportunity to explain hunt conditions, requirements, and additional information to hunters one-on-one prior to the hunt.
 - ◉ Requiring hunters to check in after completing the hunt allows hunt managers opportunity to obtain additional information concerning the hunt and collect biological information for harvested animals.

5 AAC 92.052(1) SECOND CLAUSE

(1) ... except as authorized under AS 16.05.405 (proxy hunting), a person may not hold more than one permit for the same species in a hunt area at one time;

- ◉ Limiting the number of permits allowed per hunter provides opportunity for other hunters.
- ◉ In closely managed hunts, allows the hunt manager to closely track harvest and number of hunters still in the field for each permit hunt available in the area.

5 AAC 92.052(2)

(2) a permittee shall demonstrate

(A) the ability to identify the species hunted;

(B) the ability to identify the permit hunt area;

(C) a knowledge of weapon safety and use;

- ◉ Generally used in conjunction with (3) orientation requirements.
- ◉ One of the reasons registration is often limited to specific offices for some hunts-local office able to provide information concerning specific animal identification (i.e. billies vs. nannies), maps, land ownership, in addition to verification that hunter understands the hunt area, legal animal and other issues for the specific hunt.

5 AAC 92.052(3)

(3) a permittee shall attend an orientation course;

⦿ Required for several hunts where:

- 1) Animal identification is difficult (Delta bison)
- 2) Special requirements are implemented by land owners (military installations such as JBER)
- 3) Social conflicts are present (Mendenhall wetlands)

5 AAC 92.052(4)

- (4) a permittee shall carry an operative radio while in the field;
- ⦿ Not currently required in any permit hunt
 - ⦿ No plans to implement in future
 - ⦿ With advent of cell and satellite phones, may no longer be necessary.

5 AAC 92.052(5) FIRST CLAUSE

(5) a permittee who takes an animal under a permit shall deliver specified biological specimens to a check station or to the nearest department office within a time set by the department

- Used by the department in many hunts to collect biological specimens for data on animal sex, age, horn/antler size, DNA, etc.

5 AAC 92.052(5) SECOND CLAUSE

(5) ... the trophy value of an animal taken under a subsistence permit may be nullified by the department

- ◉ Used to discourage trophy hunting in subsistence hunts
- ◉ Currently used in:
 1. Moose hunts in the Koyukuk
 2. Muskox hunts on the Seward Peninsula
 3. Brown bear subsistence hunts in portions of Units 9, 17-19, 21-24 and 26.
- ◉ The moose and muskox hunts have been reviewed by the Board in recent meetings.

5 AAC 92.052(6)

- (6) a permittee must be accompanied by a department representative;
- Used in the past for hunts where circumstances existed that could be addressed by requiring department personnel to accompany hunters, such as
 1. Close proximity to residences
 2. Local resistance to hunt
 3. Difficulty identifying legal animal
 4. Attempting to take specific, identified animal(s)
 - Most recent example was the antlerless moose hunt in Homer
 - Has not been used for many years
 - New “hot-spot” hunt in 14A considered reinstating this requirement, but did not for this first season.

5 AAC 92.052(7)

- (7) only a specified number of permittees may hunt during the same time period, and a permittee may hunt only in a specified subdivision within the permit hunt area;
- ◉ First part is used to allocate number of permits to a specific time frame; second part used to subdivide hunt area.
 - ◉ Used extensively in permit hunts throughout the state to split seasons and areas to separate hunters in time and space and disperse harvest.
 - ◉ Notable examples are: Chugach sheep hunts, 15B moose hunts, 20A moose hunts.
 - ◉ 5 AAC 92.052(21) further clarifies the department's authority to subdivide the hunt area.

5 AAC 92.052(8)

- (8) a permittee may not use specified mechanized vehicles for hunting big game or for transporting meat from the hunting area;
- ◉ Most mechanized restrictions are done under Board regulations for controlled use areas; rarely used by the dept. under discretionary authority, and only after consultation with the Board.
 - ◉ Some subsistence permit hunts restrict the use of aircraft based on traditional hunting patterns.

5 AAC 92.052(9)

- (9) a permittee who cancels his or her plan to hunt shall notify the department at an office, and within a time limit, specified by the department;
- ◉ In closely managed hunts, allows the hunt manager to closely track harvest and number of hunters still in the field for each permit hunt available in the area.
 - ◉ Used to implement alternate lists and provide maximum opportunity in some hunts

5 AAC 92.052(10)

- (10) a permittee may use only weapons and ammunition specified by the department;
- ◉ Most weapon restrictions are done under Board regulations, in seasons or management area regulations.
 - ◉ Rarely used by the department under discretionary authority, and only after consultation with the Board.
 - ◉ Long-term-Used in bison drawing hunt to require specific size bullet and firepower to guarantee lethal shot and prevent wounding.

5 AAC 92.052(10) CON'T.

- ◉ Short-term-currently, registration permit holders in new “hot-spot” hunt in Palmer area are limited to shotgun only.
- ◉ Implemented for consistency purposes, since large part of the hunt area was already restricted to shotguns under regulations governing the Palmer-Wasilla Management area.

5 AAC 92.052(11)

(11) before receiving a permit, the permittee shall acknowledge in writing that he or she has read, understands, and will abide by, the conditions specified for the hunt;

- ◉ Standard permit condition on all permit hunts.
- ◉ Should be removed from discretionary conditions and moved to 5 AAC 92.050, required permit conditions.

5 AAC 92.052(12)

(12) a permittee may hunt only during specified time periods;

- ⦿ Used in many hunts, to split season dates into shorter time frames and separate hunters in time
- ⦿ Used to limit start time for Delta bison winners depending on order drawn.
- ⦿ Used to require permit winners to select specific time slot (Kodiak bear) when picking up permit.
- ⦿ One hunt (14C moose draw in Chugach Park) restricts hunting periods to Monday - Friday only, and one new permit hunt is limited by hours of hunting opportunity during the day (14C, Mirror Lake and Edmonds Park-8 am-6 pm)-these are conditions negotiated with the parks to allow these hunts on park lands.

5 AAC 92.052(13)

(13) a permit applicant must be at least 10 years old;

- ◉ In 2002, the Board of Game adopted age 10 as the minimum age that a hunter could have their own bag limit, meaning that harvest tickets or permits could no longer be obtained by anyone less than 10 years old.
- ◉ This discretionary authority is no longer necessary.

5 AAC 92.052(14)

(14) a permittee shall submit, on a form supplied by the department, information requested by the department about the hunt; the permittee shall submit this form to the department within the time limit set by the department;

- Requires hunters to provide information requested on the permit report form, within the time set by the department; applies to all permit hunts.
- Should be removed from discretionary conditions and moved to 5 AAC 92.050, required permit conditions.

5 AAC 92.052(15)

(15) the permit applicant must hold a valid Alaska hunting license; however, this does not apply to a resident under the age of 16; an applicant's hunting license number must be entered on the permit application; a resident under the age of 16 shall enter his or her age instead of a license number;

- ◉ Used for registration permit hunts.
- ◉ Not discretionary for drawing hunts as drawing applicants must enter a hunting license number on the drawing application as required under 5 AAC 92.050.

5 AAC 92.052(16)

- (16) a hunter participating in a permit hunt that allows only the use of a bow and arrow must have completed a department - approved bowhunter education course;
- ◉ Regulations adopted under 5 AAC 92.085 require ALL big game hunters in hunts restricted to archery to successfully completed a department-approved bowhunter education course .
 - ◉ This includes all archery-only hunts, whether general season or permit.
 - ◉ Since the requirement for an education course has been expanded to all big game hunts that are limited to archery only, this discretionary authority is no longer necessary.

5 AAC 92.052(16) CONT'D

- Regulation requiring successful completion of a department-approved bowhunter education course in all big game hunts.

5 AAC 92.085(3) prohibits the taking of big game with a longbow, recurve bow, or compound bow, unless the

... (D) hunter has successfully completed a department-approved bowhunter education course for any restricted weapons hunt that authorizes taking by bow and arrow

5 AAC 92.052(17)

(17) a permittee may take only an animal of a sex specified by the department;

- Used in existing permit hunts, limiting legal animals to bulls only or cows only, for herd management depending on population status.
- May be used for in-season closures on one sex or the other (Nelchina caribou).
- Also used to create separate permit hunts for each sex (Delta bison).

5 AAC 92.052(18)

(18) a person with physical disabilities, as defined in AS 16.05.940 , with a special permit to hunt with a motorized vehicle, must be accompanied by another hunter who has a valid hunting license and is capable of assisting the permittee in retrieving game taken by the permittee.

- Currently used on special permits allowing handicapped hunters to use motorized vehicles, such as shooting from a boat in SE Alaska and PWS.

5 AAC 92.052(19)

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

- ◉ Provides more opportunity for individual hunters by limiting combination hunts.
- ◉ Used by hunt managers to track number of hunters still in the field for specific hunts.
- ◉ First used in 20E to require hunters to choose to hunt either caribou and moose, not both at the same time.
- ◉ Also used in Unit 22 to require hunters to choose to hunt either a muskox or a moose, not both at the same time.

5 AAC 92.052(20)

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

- ◉ In popular hunts with limited permit availability, this provides more opportunity.
- ◉ Adopted in response to multiple permits given to same family in limited permit hunts
- ◉ Currently used in Unit 20A antlerless hunts and Seward Peninsula moose hunts.

5 AAC 92.052(21)

(21) the permit hunt area authorized by the Board of Game may be subdivided into smaller permit hunt areas.

- ◉ Added as additional clarification to 5 AAC 92.052(7).
- ◉ Clarifies that the permit hunt area authorized by the Board may be split into several smaller areas under the department's discretion.
- ◉ Allows the department to disperse hunter effort and harvest into less accessible areas.

5 AAC 92.052(22)

(22) a permittee may transfer the permittee's Unit 13 subsistence permit to a resident member of the permittee's family, within the second degree of kinship; a person may not receive remuneration for the transfer of a permit under this paragraph;

- ◉ Added at the request of Unit 13 hunters to address traditional hunting practices allowing other family members to take the animal under a subsistence permit.
- ◉ Requirements for proxy hunting are governed by statute and are much stricter, so did not allow this opportunity.

5 AAC 92.052(22) CONT'D

- ◉ The transfer to second degree kindred was adopted prior to the current hunt regime, which includes Tier I permits and Community harvest permits.
- ◉ Under Tier I permits, all members of the household are eligible to harvest the animal.
- ◉ Under Community harvest permits, permit holders can choose a designated hunter.
- ◉ The Board may wish to repeal this discretionary authority, since other transfer options are now available under other regulations.

5 AAC 92.052(23)

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

- ⦿ An undersubscribed hunt has fewer applications than permits available. In the past, these permits went unused.

5 AAC 92.052(23) CONT'D

- ◉ Added by the Board to allow the division to provide additional hunting opportunities by issuing “leftover” permits on a first-come, first-served basis.
- ◉ In the 2011-12 regulatory year, brown bear hunts in Unit 23, brown bear and moose hunts in Unit 22A, and moose hunts in Units 20A, 20B, 21 and 24 were offered.

5 AAC 92.052(24)

- (24) a permittee must dispose of parts of game not required to be salvaged as directed by the department in the permit.
- ⦿ Requires hunters to move inedible parts of animals away from trails, campgrounds, etc. in some urban area hunts.
 - ⦿ Recently added to provide opportunity in the city and state park areas near Anchorage.
 - ⦿ Necessary to comply with city and state park requests concerning disposal of harvested animals in areas frequented by other user groups.
 - ⦿ Also a requirement in the new “hot-spot” hunt in the valley due to housing density, roads, etc.