

This proposal was considered by the Board of Game at the November, 2011 meeting. It was amended to apply statewide and deferred to the Statewide Regulations meeting scheduled for January, 2012.

PROPOSAL 14 - 5 AAC 84.270 Furbearer trapping. Close nonresident trapping seasons for certain species within the Arctic Region Units.

For species defined in 5 AAC 99.025(13)(a) – (m) amend 5 AAC 84.270 as follows:

Units 18, 22, 23, & 26A

Nonresidents: No open season

ISSUE: Nonresident harvest opportunity under a trapping license for furbearers and fur animals with a positive customary and traditional use finding and a 100 percent harvestable surplus amount needed for subsistence (ANS) finding statewide [5AAC 99.025 (13) (a) – (m)].

WHAT WILL HAPPEN IF NOTHING IS DONE? The Board of Game will continue to illegally authorize nonresident trapping harvest opportunity for furbearers and fur animals with a positive C&T and an ANS finding of 100 percent of the harvestable surplus.

The amount needed for subsistence findings must consider historical harvest rates of all resident Alaskans. The Alaska Constitution guarantees fair and equal access to Alaska's wildlife resources for all Alaskans.

Alaska Constitution, Article 8, Section 3 "Common Use": "Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use".

Traditional harvest of wolves in these Units therefore must include the traditional use levels of all Alaskans that have harvested wolves in these Units if the amount needed for subsistence is to reflect the needs of all Alaskans, the intent of AS 16.05.258, the findings of the Alaska Superior Court, and the Alaska Constitution.

"A requirement that one must reside in a rural area in order to participate in subsistence hunting and fishing, violates the Alaska Constitution, art. VIII, sec. 3, 15 & 17 - McDowell vs. State, 785 P. 2D 1 (Alaska 1989).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, protecting the sustained yield for the subsistence take of furbearers and fur animals by residents of Alaska is the highest priority for the management of Alaska's resources, for upholding Alaska's constitution, and the legislative intent for establishing the Board of Game to make recommendations to the ADF&G regarding the management of Alaska's wildlife resources.

WHO IS LIKELY TO BENEFIT? Residents that support the management of fur bearers and fur animals based on the sustained yield principle that prioritizes harvest for residents. Alaskan's have a long history of relying on furbearer and fur animal pelts to support their subsistence lifestyle.

WHO IS LIKELY TO SUFFER? Those that would prefer to allocate furbearer and fur animal harvest opportunity under a trapping license to nonresidents when the Board of Game has determined 100 percent of the harvestable surplus is the amount residents need to meet their subsistence needs.

OTHER SOLUTIONS CONSIDERED: The Alaska Constitution requires it. No other option exists.

PROPOSED BY: Science Now Project!

LOG NUMBER: EG052611506

The Board of Game deferred Proposal 18 as amended from the November 2011 the Arctic/Western Region meeting. The following information includes the original proposal, the amendment adopted by the board, and the additional regulations affected by the proposal that the board intends to consider at the January 2012 Statewide Regulations meeting.

PROPOSAL 18 - 5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.

Clarify when a violation has occurred concerning incidental take by trappers.

Original Language Proposal in 18:

Continuing to take, or attempting to take, furbearers at a site where a moose, caribou, or deer has been taken incidentally is a violation. Any moose, caribou or deer that dies as a result of being caught in a trap or snare, whether found dead or euthanized, becomes the property of the regional management agency. The trapper should salvage edible meat and surrender it to the appropriate agency. **A person who salvages and surrenders the edible meat in accordance with this regulation will not be subject to citation.** If such an incidental take occurs, the trapper must move all active traps and snares at least 300 feet from the site for the remainder of the regulatory year **(July 1 through June 30), and after the ending of the July 1 – June 30 regulatory year, may reset again in the same place or area during subsequent trapping seasons.**

Board action from the November 2011 meeting in Barrow:

The Board amended one portion of 5 AAC 92.095 to read:

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions. (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

(12) by placing or leaving an active trap or snare set on land **or ice** that is within 300 feet of the site at which a moose, caribou, or deer was taken using a trap or snare; this prohibition applies for the duration of the regulatory year in which the moose, caribou, or deer was taken using the trap or snare.

Other Regulations for Consideration: The original language in the proposal is a paraphrase of the existing regulations and does not make apparent the changes for those regulations. Several regulations are involved concerning incidental trapping of moose, caribou and deer, the subsequent reporting and salvage requirements, and property rights to the harvested animal. The following is an explanation of the relationship between existing regulations.

1. Under existing regulations, if a trapper takes a moose, caribou or deer with a trap or snare, the traps and snares must be moved 300 feet away from the site. This is in effect until the following June 30 (end of regulatory year).

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions. (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

...

(12) by placing or leaving an active trap or snare set on land that is within 300 feet of the site at which a moose, caribou, or deer was taken using a trap or snare; this prohibition applies for the duration of the regulatory year in which the moose, caribou, or deer was taken using the trap or snare.

2. The trapper already has an affirmative defense for possession and transportation if he salvages and surrenders that animal or animals to the Department of Fish and Game or the Alaska Wildlife Troopers.

5 AAC 92.140. Unlawful possession or transportation of game. (a) A person may not possess, transport, give, receive, or barter game or parts of game that the person knows or should know were taken in violation of AS 11.61.210, AS 16 or a regulation adopted under AS 16.

...

(d) Notwithstanding (a) of this section; it is an affirmative defense to the crime of unlawful possession or transportation of game, if the person who possesses and transports game or parts of game taken in violation of AS 16 or a regulation adopted under AS 16 is doing so for the sole purpose of salvaging that game or parts of game as required by 5 AAC 92.220, immediately salvaging that game or parts of game from the field and immediately surrendering that game or parts of game to a representative of the state located at the nearest office of the Department of Fish and Game (ADF&G) or Department of Public Safety (DPS).

3. When moose, deer or caribou are taken with a trap or snare, which is not a legal method or means for these animals, the animals are considered to be taken illegally and are property of the state.

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

...

(h) A game animal taken in violation of Alaska Statute 16 or a regulation adopted under AS 16 is the property of the state.

4. In addition to the language already amended, the Board indicated a desire to clarify salvage requirements in these cases, citing concerns about frozen, unusable animals and hardships to trappers required to transport animals long distances, in addition to moving traps and snares.

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

(d) A person taking game... shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990.

5 AAC 92.990 (24).Definitions.

...

(24) "edible meat" means, in the case of a big game animal, ..the meat of the ribs, neck, brisket, front quarters as far as the distal joint of the radius - ulna (knee), hindquarters as far as the distal joint of the tibia - fibula (hock), and the meat along the backbone between the front and hindquarters; "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, bones,

sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

ISSUE: Clarifying language is needed so that trappers will not be cited for an incidental catch of non-target species the following year if it occurs in the same area as the previous year.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current language is unclear to some individuals (both enforcement officers and trappers) regarding the difference between the regulatory year and the calendar year, and unnecessary citations (subsequently dismissed after court time and legal fee expenditures) have been issued as a result. Also, trappers should be made clear that trappers will not be subjected to further hardship in their good faith efforts to comply with the law.

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

WHO IS LIKELY TO BENEFIT? Trappers would gain more buy-in and faith in fairness of the management system. Enforcement should not feel compelled to issue questionable or unnecessary citations from misapplication or misinterpretation in this current “grey area”.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED:

PROPOSED BY: Lower Kuskokwim Advisory Committee and Orutsararmiut Native Council

LOG NUMBER: EG050211428

This proposal was considered by the Board of Game at the November, 2011 meeting. It was amended to apply statewide and deferred to the Statewide Regulations meeting scheduled for January, 2012.

PROPOSAL 19 - 5 AAC 85.060 Hunting seasons and bag limits for fur animals. Close nonresident fur animal hunting seasons for certain species in Arctic Region Units.

For species defined in 5 AAC 99.025 (13)(a) – (m) amend 5 AAC 85.060 Hunting seasons and bag limits for fur animals as follows:

Units 18, 22, 23, & 26A

Nonresidents: No open season

ISSUE: Nonresident hunting opportunity under a hunting license for fur animals with a positive and customary traditional use finding and a 100 percent harvestable surplus amount needed for subsistence (ANS) finding statewide [(5AAC 99.025 (13) (a) – (m)].

WHAT WILL HAPPEN IF NOTHING IS DONE? The Board of Game will continue to illegally authorize nonresident hunting harvest opportunity for fur animals with a positive C & T and an ANS finding of 100 percent of the harvestable surplus.

The amount needed for subsistence findings must consider historical harvest rates of all resident Alaskans. The Alaskan constitution guarantees fair and equal access to Alaska's wildlife resources for all Alaskans.

Alaska Constitution, Article 8, Section 3 "Common Use"

"Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use."

Traditional harvest of furbearers in these Unit's therefore must include the traditional use levels of all Alaskans that have harvested wolves in these Unit's if the amount needed for subsistence is to reflect the needs of all Alaskans, the intent of AS 16.05.258, the findings of the Alaska Superior court, and the Alaska Constitution.

"A requirement that one must reside in a rural area in order to participate in subsistence hunting and fishing, violates the Alaska Constitution, art. VIII, secs. 3, 15, & 17 – McDowell v. State, 785 P. 2d1 (Alaska 1989)

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, protecting the sustained yield for the subsistence take of fur animals by residents of Alaska is the highest priority for the management of Alaska's resources, for upholding Alaska's constitution, and the legislative intent for establishing the Board of Game to make recommendations to the ADF&G regarding the management of Alaska's wildlife resources.

WHO IS LIKELY TO BENEFIT? Residents that support the management of fur animals based on the sustained yield principle that prioritizes harvest for residents. Alaskan's have long history of relying on fur animal pelts to support their subsistence lifestyle.

WHO IS LIKELY TO SUFFER? Those that would prefer to allocate fur animal harvest opportunity under a hunting license to nonresidents when the Board of Game has determined 100 percent of the harvestable surplus is the amount residents need to meet their subsistence needs.

OTHER SOLUTIONS CONSIDERED: The Alaska Constitution requires it. No other option exists.

PROPOSED BY: Science Now Project!

LOG NUMBER: EG052611507

This proposal was considered by the Board at the November, 2011 meeting and was deferred to the Statewide Regulations meeting scheduled for January, 2012. This proposal includes the updated language provided by the Department of Fish and Game prior to the November, 2011 meeting. The ADF&G feasibility study for Unit 15A is also available on Board of Game homepage at www.BoardOfGame.ADFG.Alaska.gov.

PROPOSAL 35 - 5 AAC 92.125. Intensive management implementation plan. Approve an intensive management plan for moose in Unit 15A.

(x) **Unit 15A Wolf Predation Control 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 program in Unit 15(A):

- 1) the Unit 15A Predation Control Area is established and consists of all lands within Unit 15(A);
- 2) the Intensive Management population and harvest objectives for moose in Unit 15(A) are 3000–3500 and 180–350, respectively; the sustained yield of moose is currently below objectives; the goal is to reduce calf mortality to reverse the long term decline of the bull:cow ratio and increase calf survival; a March 2010 survey estimated 41–45 wolves in Unit 15(A); annual productivity will likely raise the wolf population the fall of 2011 to 55–60 wolves; wolf control objectives are to remove 25–40 wolves from the population through trapping, hunting, and wolf control activities and retain at least 15 wolves; wolf surveys will be conducted to determine the current wolf population size and the level of take that will ensure the minimum population objective is met;
- 3) the discussion of wildlife populations and human use information is as follows:
 - a) the moose population and harvest information in Unit 15(A) is as follows:
 - i) the moose population size was estimated in 2008 at 2088 moose (95% confidence interval=264); while this estimate is not statistically different from estimates calculated in 1995 or 2001, it does show a 40% statistically significant decline from the 1990 estimate (3432 moose [95% confidence interval=511]);
 - ii) the average yearly harvest during the past decade (2001–2010) has been 140 moose; this is a lower harvest compared to the previous decade (1991–2000) where the average yearly harvest was 194 moose and lower than the harvest during the decade from 1981–1991 where the average yearly harvest was 240 moose; the entire area is a non-subsistence use area so there is no Amount Necessary for Subsistence for 15A;
 - b) declining habitat quality is the main limiting factor affecting low moose densities in Unit 15(A); there has not been a fire of significant size in the unit for over 40 years; studies from 1987–1992 showed 96% of cows aged 2–15 were pregnant whereas 73% of cows in the same age group were pregnant in 2006; twinning rates calculated in 1983 in an area that burned in 1969 showed a 72% twinning rate whereas twinning rates calculated in the unit for 2011 were at 16%; the moose population was thought to be at or above carrying capacity in the early 1990s and declined at a rate of 9% per year during the 1990s; research on calf mortality from predators in the late 1970s in the unit showed 49% of

calves dying from predation, 6% was caused by wolves, 6% was caused by brown bears, 34% was caused by black bears, and 2% undetermined predation from wolves or bears; each wolf pack over 2 wolves in size took on average 1 moose every 4.7 days in the winter; while habitat is limiting, wolf predation has been shown to limit calf and adult moose survival in the unit; predation rates by these three primary predators may have changed due to changes in prey availability however, all three predator species are still relatively abundant in the unit;

- c) with limited habitat, reducing predation will allow for possible reallocation of moose from predators to harvest; the program will initially focus on wolves due to potential effectiveness of aerial wolf control; additional black bear take will be considered if improvements in calf survival and recruitment are not sufficient to meet objectives; due to the potential effectiveness of aerial wolf control and the logistical constraints for black bear control activities given the land ownership patterns;
 - d) the wolf harvest over the past decade in Unit 15(A) has ranged between 4–16 wolves taken each year with a mean of 11 wolves; the post-winter wolf population was estimated at 41–45 wolves in March 2010; the harvest has been inadequate to reduce wolf numbers considering yearly growth; additional active management methods are necessary to further reduce the wolf population; assuming a pre-winter population of 55-60 wolves, the wolf harvest would likely need to be over 25 wolves per year from all methods (trapping, hunting, and wolf control) to reduce the annual wolf population growth and result in a reduction in predation rates on moose; the hunting season and bag limit for wolves has remained unchanged since 1989 but the bag limit on the Kenai National Wildlife Refuge, which was limited to 2 wolves per year on the refuge, was liberalized to 5 wolves per year in 2011; the trapping season and bag limits have been the same since 1997.
 - e) roughly 79% of Unit 15(A) is Federal land, 18% is private land, and 3% is state/borough land; wolf control will be initiated pending authorization by land managers/owners; and
 - f) with current harvest levels well below Intensive Management objectives, any increase in sustainable harvest will benefit Alaska residents;
- 4) the authorized methods and means used to take wolves include: hunting and trapping of wolves by the public in Unit 15(A) during the term of the management program as provided in the hunting and trapping regulations; the commissioner may issue public aerial shooting permits, public land and shoot permits, or allow agents of the state, or department employees to conduct aerial, land and shoot, or ground-based shooting as a method of wolf removal under AS 16.05.783, including the use of any type of aircraft; prey harvest may include bull-only harvests with variable combinations of antler restrictions, any-bull hunts, and/or antlerless harvest;
- a) Factors described in Section 3 and other considerations unique to the situation indicate that aerial shooting of wolves by members of the public under permit is the most feasible option to reduce predation in the management area described in Section 1 to a level sufficient to improve survival of moose and the potential for population growth.
 - b) Based on measured response of biological parameters indicating less than sufficient improvement in survival of moose, methods to improve moose survival will include same day airborne shooting of wolves by members of the public under permit, and airborne shooting of wolves by the Department;

- 5) the anticipated time frame, schedule for update and reevaluation and conditions for termination of the plan are as follows:
 - a) this plan is for 5 years (January 2012–January 2017) unless renewed;
 - b) annually the department shall, to the extent practicable, provide to the board a report of program activities conducted during the preceding 12 months, including implementation activities, the status of the moose and wolf populations, and recommendations for changes, if necessary to achieve the objectives of the plan;
 - c) Predator control activities shall be terminated;
 - i) when the intensive management objectives for the moose population size and harvest are obtained; or
 - ii) upon expiration of the period during which the commissioner is authorized to reduce predator numbers in the predator control plan area;
- 6) the program will be reviewed and suspended if one of the following conditions are met:
 - a) if there is no detectable difference in calf:cow ratios (e.g., at least 2 standard deviations above the 20-year mean, pre-wolf control) after 3 years of the program, indicating that there is no significant improvement in calf survival;
 - b) when one or more measure of nutritional stress (e.g., pregnancy rates, rump fat, age at first reproduction, short yearling weights, or twinning rates) shows a decline in 3 consecutive years;
 - c) if after 3 years, any measure consistent with significant levels of nutritional stress [e.g., twinning rates less than 20%, adult female (greater than 2 years old) pregnancy rates less than 80%] fails to improve to levels no longer showing significant levels of nutritional stress [e.g., twinning rates greater than or equal to 20%, adult female (greater than 2 years old) pregnancy rates greater than or equal to 80%];
 - d) if the wolf population falls below 15 wolves at any time during the program estimated from one or more of the following techniques: population survey, population census, modeling, harvest, or pilot and trapper interviews;
- 7) Supporting and implementing documentation for this IM Plan are found in the Operational Plan for Intensive Management of Moose in Game Management Unit 15A, 2012-2017; October 2011, and the Feasibility Assessment for Moose in Game Management Unit 15A, 2012-2017; October 2011.

ISSUE: In January 2010, the Board of Game (board) approved a habitat based intensive management plan for moose in Unit 15A. Due to slight errors in several of the statistics provided in the proposal and also due to an administrative oversight, the plan did not go into codified regulation. At the March 2011 meeting, the board did not take action on the revised intensive management plan proposed by the department, but rather asked the department to draft a different plan that also considered aerial wolf control for consideration at the November, 2011 meeting. Because the time constraints between the March 2011 meeting and the proposal deadline for the statewide meeting did not allow for completion of a revised plan, the department provides this proposal as a placeholder. Department staff will present a feasibility assessment and a revised intensive management plan at the November 2011 regional meeting in Barrow.

The full plan will be posted on the department web site: www.BoardOfGame.ADFG.Alaska.gov prior to the November, 2011 meeting.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is mandated to address intensive management, as well as conditions that would preclude it, outlined in AS 16.05.255 (f)(1).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A successful intensive management plan will improve the moose population, which would in turn increase the harvestable surplus benefitting hunters that rely on this population. A feasibility assessment will be presented that will describe the effectiveness of an intensive management program towards meeting intensive management objectives.

WHO IS LIKELY TO BENEFIT? Hunters who rely on moose from Unit 15A for food.

WHO IS LIKELY TO SUFFER? Individuals who do not approve of intensive management of wildlife populations.

OTHER SOLUTIONS CONSIDERED? The department is working with major land owners in GMU 15A to accomplish habitat enhancement projects.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG042811K

This proposal was considered by the Board at the November, 2011 meeting and was deferred to the Statewide Regulations meeting scheduled for January, 2012. This proposal includes the updated language provided by the Department of Fish and Game prior to the November, 2011 meeting. The ADF&G feasibility study for Unit 15C is also available on Board of Game homepage at www.BoardOfGame.ADFG.Alaska.gov.

PROPOSAL 36A - 5 AAC 92.125. Intensive management implementation plan. Approve an intensive management plan for moose in Unit 15C.

(x) **Unit 15C Wolf Predation Control 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 program in Unit 15(C):

- 1) the Unit 15C Predation Control Area is established and consists of all lands within Unit 15(C) north of Kachemak Bay including the Fox River Flats (1171 square miles);
- 2) the Intensive Management population and harvest objectives for moose in Unit 15(C) are 2500–3500 and 200–350, respectively; while the past harvest has been within intensive management objectives, the goal is to reduce calf mortality to reverse the long-term decline of the bull:cow ratio; with improved calf survival, the sustained yield would be within harvest objectives; three major predators, brown bears, black bears and wolves occur in the unit; reducing wolves will be the initial focus; with the wolf population likely numbering between 40-75 wolves, wolf control objectives will be to remove 25-60 wolves from the population through trapping, hunting, and wolf control activities but retain at least 15 wolves; wolf surveys will be conducted to determine the current wolf population size and the level of take that will ensure the minimum population objective is met;
- 3) the discussion of wildlife populations and human use information is as follows:
 - a) the moose population and harvest information in Unit 15(C) is as follows:
 - i) the moose population size was estimated in 2010 at 2919 moose (95% confidence interval=277) and at 2079 moose (95% confidence interval=439) in 1992; this shows a 40% increase in the moose population between 1992 and 2010; the moose population is currently within intensive management objectives for population size;
 - ii) as a result of conservation concerns the board reduced the moose bag limit for moose and the preliminary 2011 harvest is 29 cows and only 12 bulls; the average yearly harvest during the past decade (2001-2010) has been 275 moose; compared to the average yearly harvest of 260 moose the previous decade (1991-2000) and an average yearly harvest 198 moose during the decade from 1981-1991; the harvest has been within intensive management objectives and generally higher than harvest from the 1980s but harvest restrictions adopted by the board in 2011 will reduce the harvest below intensive management objectives in 2011 and in 2012;
 - b) the moose population in 2011 showed a 30% twinning rate and does not appear greatly limited by habitat; fall surveys in 2010 showed 19 calves:100 cows; at a predicted calving rate of 80% with 30% twinning, spring 2010 calf ratios may have yielded 104 calves:100

- cows where 85 calves:100 cows were assumed lost from approximately June to November likely due to predation;
- c) a reduction of predation can reasonably be expected to aid in continuing to meet the intensive management harvest objectives at a higher level than have previously been achieved through both bull and antlerless harvest; if temporary antler restrictions in place through the 2012 season are eliminated at the 2013 board meeting, the future sustainable harvest of moose in Unit 15(C) is predicted to remain below intensive management objectives;
 - d) the wolf harvest over the past decade in Unit 15(C) has ranged between 10–21 wolves taken each year with a mean of 14 wolves; the wolf population in Unit 15(C) is likely between 40-75 wolves, the harvest of wolves has been inadequate to reduce wolf numbers considering yearly growth; assuming a pre-winter population of 40-75 wolves, based on managers experience in this area harvest must be greater than 50% of the wolf population per year from all methods (trapping, hunting, and wolf control) to reduce annual wolf population growth and result in a reduction in predation rates on moose; the past hunting and trapping harvest of wolves has not been adequate at reducing the wolf population; based on past trapping and hunting harvest, additional efforts are needed to reduce the wolf population; the hunting season and bag limit for wolves has remained unchanged since 1989 but the bag limit on the Kenai National Wildlife Refuge, which was limited to 2 wolves per year on the refuge, was liberalized to 5 wolves per year in 2011; the trapping season and bag limits have been the same since 1997; additional active management methods are necessary to further reduce the wolf population;
 - e) roughly 25% of the portion of Unit 15(C) described in (1) is Federal land, 40% is private land, and 35% is state/borough land; wolf control will be initiated pending authorization by land managers/owners; and
 - f) with current harvest levels well below Intensive Management objectives, any increase in sustainable harvest will benefit Alaska residents;
- 4) the authorized methods and means used to take wolves include: hunting and trapping of wolves by the public in Unit 15(C) during the term of the management program as provided in the hunting and trapping regulations; the commissioner may issue public aerial shooting permits, public land and shoot permits, or allow agents of the state, or department employees to conduct aerial, land and shoot, or ground-based shooting as a method of wolf removal under AS 16.05.783, including the use of any type of aircraft; prey harvest may include bull-only harvests with variable combinations of antler restrictions, any-bull hunts, and/or antlerless harvest;
- a) Factors described in Section 3 and other considerations unique to the situation indicate that aerial shooting of wolves by members of the public under permit is the most feasible option to reduce predation in the management area described in Section 1 to a level sufficient to improve survival of moose and the potential for population growth.
 - b) Based on measured response of biological parameters indicating less than sufficient improvement in survival of moose to reach the upper levels of intensive management objectives for harvest, methods to improve moose survival will include same day airborne shooting of wolves by members of the public under permit, and airborne shooting of wolves by the Department;

- 5) the anticipated time frame, schedule for update and reevaluation and conditions for termination of the plan are as follows:
 - a) this plan is for 5 years (January 2012–January 2017) unless renewed;
 - b) annually the department shall, to the extent practicable, provide to the board a report of program activities conducted during the preceding 12 months, including implementation activities, the status of the moose and wolf populations, and recommendations for changes, if necessary to achieve the objectives of the plan;
 - c) predator control activities shall be terminated;
 - i) when the intensive management objectives for the moose population size and harvest are obtained; or
 - ii) upon expiration of the period during which the commissioner is authorized to reduce predator numbers in the predator control plan area;
- 6) the program will be reviewed and suspended if one of the following conditions are met:
 - a) if the moose population exceeds 3.0 moose per square mile;
 - b) when one or more measure of nutritional stress (e.g., pregnancy rates, rump fat, age at first reproduction, short yearling weights, or twinning rates) shows a decline in 3 consecutive years;
 - c) if after 3 years, any measure consistent with significant levels of nutritional stress [e.g., twinning rates less than 20%, adult female (greater than 2 years old) pregnancy rates less than 80%] fails to improve to levels no longer showing significant levels of nutritional stress [e.g., twinning rates greater than or equal to 20%, adult female (greater than 2 years old) pregnancy rates greater than or equal to 80%];
 - d) if the wolf population falls below 15 wolves at any time during the program as estimated from one or more of the following techniques: population survey, population census, modeling, harvest, or pilot and trapper interviews;
- 7) Supporting and implementing documentation for this IM Plan are found in the Operational Plan for Intensive Management of Moose in Game Management Unit 15A, 2012-2017; October 2011, and the Feasibility Assessment for Moose in Game Management Unit 15A, 2012-2017; October 2011.

ISSUE: At the March 2011 meeting, the Board of Game requested the department to draft an intensive management plan for moose in Unit 15C that would include aerial wolf control for consideration at the November, 2011 meeting. Because the time constraints between the March 2011 meeting and the April 29 proposal deadline the department did not have sufficient time to complete a plan. Therefore, the department is submitting this as a placeholder proposal. Department staff will present a feasibility assessment and an intensive management plan at the November regional meeting in Barrow.

The full plan will be posted on the department web site: www.BoardOfGame.ADFG.Alaska.Gov prior to the November, 2011 meeting.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is mandated to address intensive management, as well as conditions that would preclude it, as outlined in AS 16.05.255 (f)(1).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A successful intensive management plan will improve the moose population, which would in turn increase the harvestable surplus, benefitting hunters that rely on this population. A feasibility assessment will be presented that will evaluate the potential effectiveness of an intensive management program.

WHO IS LIKELY TO BENEFIT? Hunters who rely on Unit 15A moose for food.

WHO IS LIKELY TO SUFFER? Individuals who do not approve of intensive management of wildlife populations.

OTHER SOLUTIONS CONSIDERED? The department is working with major land owners in GMU 15C to accomplish habitat enhancement projects.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG042811L

Note: The issue statement for this proposal was incorrectly entered. The proposal has been updated with the issue statement that was originally submitted.

PROPOSAL 101 – 5AAC 92.095. Unlawful methods of taking furbearers; exceptions; and 92.090. Unlawful methods of taking fur animals; exceptions. Allow same day airborne taking of coyotes statewide.

You may take coyotes the same day you have been airborne with no restriction on the distance you are from the aircraft.

ISSUE: Rapidly expanding population of coyotes in Alaska that have become major predators of Alaska's wildlife.

WHAT WILL HAPPEN IF NOTHING IS DONE? A continuation of the reduction in populations of sheep, fox, hare, grouse and other wildlife in Alaska

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Reduces the population of coyotes which have become major predators of wildlife in Alaska

WHO IS LIKELY TO BENEFIT? All who enjoy hunting and viewing Alaska's wildlife.

WHO IS LIKELY TO SUFFER? Those who would prefer to view coyotes only.

OTHER SOLUTIONS CONSIDERED: Coyote control program by ADF&G - rejected for financial and political reasons.

PROPOSED BY: Delta Fish and Game Advisory Committee

LOG NUMBER: EG050611478

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the Statewide, 2012 meeting.

PROPOSAL 257 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions. Amend 5 AAC 92.095(a)(16)(A) to allow the use of larger snares for trapping wolves in a portion of Unit 1C, provided the snare is designed with a breakaway system and a diverter wire.

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions. (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

(16) in Unit 1C, that portion west of Excursion Inlet and north of Icy Passage, by using

(A) a snare with a cable diameter of 1/32 inch or larger that is set out of water, **unless the snare cable is severed at a point that is 10.0 inches to 10.5 inches from the cable end stop and then reattached with a double ferrule, and the snare has a wire designed to divert non-target species that is attached to the snare so that the diverter wire extends at least 28 inches from the snare loop and is perpendicular to the loop;**

ISSUE: At the November, 2010 Southeast Region meeting, the Board of Game authorized wolf trapping in Unit 1C with the use a specific type of breakaway snare with a diverter wire for the purpose of diverting non-target species. At the Barrow meeting in November 2011, the board repealed the new regulations, and asked the department for modified language to address the issue in Gustavus.

With the repeal of this regulation, trappers in Gustavus will no longer be able to use snares > 1/32" out of water to pursue wolves as of July 1, 2012.

In the Southeast Board meeting in 2002, the Board passed a proposal that prevented the use of snares > 1/32" set out of water at Gustavus because of concerns about incidental moose trapping. The new regulation eliminated the opportunity for trappers to snare wolves in the area. At public meetings with the residents of Gustavus during that time frame, the Department agreed to support future proposals to allow wolf snaring if and when a snare was designed that either prevented moose from being caught, or, if caught, allowed them to break free.

With the recent development and testing of this type of snare, a trapper in Gustavus submitted a proposal at the November 2010 SE meeting to once again allow snaring of wolves in the Gustavus area. The board passed that proposal and the opportunity to snare wolves became available, with the stipulations of the breakaway type snare and diverter wire. If this regulation isn't reinstated, or a similar regulation adopted, the opportunity for snaring wolves in and around Gustavus will be lost to trappers in the future.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trappers in Gustavus will not be able to use the larger snares needed for wolf trapping.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The moose population in Gustavus will benefit from the harvest of additional wolves.

WHO IS LIKELY TO BENEFIT? Trappers will benefit from being allowed to use snares to take wolves, and moose will be able to escape from the modified snares.

WHO IS LIKELY TO SUFFER? Trappers may have to modify existing snares to comply with the breakaway requirements.

OTHER SOLUTIONS CONSIDERED? Do not require breakaway snares and diverter wires, which would mean use of snares for wolf trapping in the area would be prohibited..

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFGBOG257

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the Statewide, 2012 meeting.

PROPOSAL 258 - 5 AAC 85.020. Seasons and bag limits for brown bear. Change the brown bear hunt structure in Units 7 and 15.

Replace the current limited-permit draw hunt with an open registration hunt for Units 7 and 15. The proposed season is September 15 to November 30, and harvest will be regulated by an established quota and short reporting period.

ISSUE: The Kenai/Soldotna Advisory Committee and others on the Kenai Peninsula, have requested the local Department of Fish and Game staff to increase the number of permits issued or implement a registration hunt for hunting brown bears for years, with no success. In every advisory committee meeting concerning game issues, the concern for too many brown bears comes up, resulting in many heated discussions over nothing being done by the department. Brown bear density has increased on the Kenai Peninsula but hunting opportunities have not. In recent years, the majority of the bears killed locally were killed as defense of life and property or by department staff for public safety concerns. We believe licensed-hunters should have an opportunity to take these bears instead of department staff or being killed in defense of life or property.

Further, the current permit hunt has not resulted in an adequate harvest, nor would it be, given the current quota set by the department, even if all 100 permits were issued. Likewise, the fall portion of the permit hunt has been unnecessary due to the quota being met or close to it.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued loss of hunting opportunity for brown bear in Units 7 and 15.

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

WHO IS LIKELY TO BENEFIT? Hunters in Units 7 and 15 and the moose population.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Kenai/Soldotna Fish and Game Advisory Committee

LOG NUMBER: ADFGBOG258

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the Statewide, 2012 meeting.

PROPOSAL 259 - 5 AAC 92.010. Harvest tickets and reports; 92.165. Sealing of bear skins and skulls; and 92.220. Salvage of game meat, furs, and hides. Streamline the reporting, sealing and salvage of black bears.

5AAC 92.010. Harvest tickets and reports.

...

(I) For black bear, a person may not hunt black bear in Units 1-~~5~~[7, 11-17, 19(D), AND 20], except when a permit is required, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket); **in Units 6-26 a person must first obtain a harvest report card (harvest tickets are not required).**

5 AAC 92.165. Sealing of bear skins and skulls. (a) Sealing is required for brown bear taken in any unit in the state, black bear of any color variation **need not be sealed unless sealing is required in designated areas for biological purposes by ADF&G area staff** [TAKEN IN UNITS 1 - 7, 11, 13 - 17, AND 20(B)], and a bear skin or skull before the skin or hide is sold. A seal must remain on the skin until the tanning process has commenced. A person may not possess or transport the untanned skin or skull of a bear taken in a unit where sealing is required, or export from the state the untanned skin or skull of a bear taken anywhere in the state, unless the skin and skull have been sealed by a department representative within 30 days after the taking, or a lesser time if requested by the department, except that

5 AAC 92.220. Salvage of game meat, furs, and hides. (a) Subject to additional requirements in 5 AAC [84](#) - 5 AAC [85](#), a person taking game shall salvage the following parts for human use:

...

(3) statewide from January 1 through May 31, the hide[, SKULL,] and edible meat as defined in 5 AAC [92.990](#), from June 1 through December 31, **either** the hide **or meat must be salvaged, in addition, the** skull of a black bear taken in a game management unit in which sealing is required, [AND FROM JUNE 1 - DECEMBER 31, THE SKULL AND EITHER THE HIDE OR EDIBLE MEAT OF A BLACK BEAR TAKEN IN UNIT 20(B);]

ISSUE: These changes are intertwined enough that we decided they should all be included in a single proposal even though they address three separate regulations. There are currently areas of the state that require sealing but not harvest reports or tickets; harvest tickets/reports but not sealing; some require both; and some require neither. There are also varying salvage requirements. These changes will not eliminate all reporting and salvage differences across all regions and units but it will greatly simplify the requirements to the public. Public compliance with regulations and reporting will be increased due to simplified regulations. This regulation change will clean up the current disparity in salvage, sealing, and harvest ticket/reporting.

Reporting: Black bear hunting in greater Alaska (GMU 6-26) will require a harvest report card but not harvest tickets. Sealing will be required only in those areas in which ADF&G area staff need biological data that can only be obtained by sealing. Units 1-5 will not change.

Salvage: Salvage requirements will be standardized statewide to require salvage of meat, and hide January 1-May 31 and meat or hide June 1-December 31. Skulls only need to be salvaged in areas where sealing is required.

This Proposal consists of several consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially Greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (unit 6-26, etc.).

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters will continue to be confused by the sealing/harvest ticket/none situation in greater Alaska. Hunters will be required to salvage poor quality hides while meat hunting in the late spring, summer and fall.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? Possibly; a hunter that is not required to salvage a hide and skull may be able to take better care of bear meat.

WHO IS LIKELY TO BENEFIT? Bear hunters will have less confusing regulations and more options as to the salvage of their animals.

WHO IS LIKELY TO SUFFER? No one

OTHER SOLUTIONS CONSIDERED? Allow the salvage of the meat OR hide year-round. Require sealing statewide but no harvest ticket/report.

PROPOSED BY: The Greater Alaska Black Bear Committee

LOG NUMBER: ADFGBOG259
