



AMERICAN FALCONRY

RC 22

To: Alaska Board of Game

Subject: Support for Proposal 40 – 5 AAC 92.037. Permits for Falconry. Allow nonresident falconers to capture raptors: American Falconry Conservancy Public Testimony at Alaska Board of Game January 2012 Meeting in Anchorage.

Good morning, Ladies and Gentlemen of the Board. I am here to offer oral public testimony in **Support of Proposal 40 – 5 AAC 92.037. Permits for Falconry. Allow nonresident falconers to capture raptors.** Thank you for this opportunity to address the Board.

My name is Rob Sulski. I am here today from Glenview, IL on behalf of the American Falconry Conservancy (AFC). I am a biologist and an environmental engineer by education and a government environment programs manager by profession. In my spare time I practice falconer, conduct raptor research, and promote and steward various ecological restoration sites. Since 1968, I have studied and assisted in drafting numerous laws and regulations pertaining to falconry specifically and wildlife in general.

AFC was formed over a decade ago for the purpose of preserving and enhancing traditional falconry opportunities for falconers throughout the United States. What I mean by “traditional” falconry is: the harvest and training of wild raptors for the pursuit of game.

At the time of AFC’s formation, falconry was legal in most states. However, several dozen states did not allow nonresident falconers to harvest wild raptors. Generally, this was because the resident falconers were indifferent or saw little benefit in allowing nonresident harvest, or they were too busy to carry the adoption of such harvest through to completion in their states.

In response, AFC initiated conversations with falconers in no nonresident take states, wherein we discussed the merits of such take with indifferent falconers and offered our technical and legal assistance to falconers who did not have the time or wherewithal to pursue this matter with their state wildlife agencies. As of today, there are only three U.S. states that do not allow nonresident take. One, Montana, is in the process of adopting nonresident take provisions.

AFC, after consultation with several Alaska falconers, drafted and submitted the nonresident take proposal that sits before the Board today. Alaska Dept. of Fish and Game’s preliminary recommendations to the Board are in agreement with AFC’s assessment that nonresident take would have no biological impact on the Alaska raptor resource, and the Department suggests that nonresident raptor harvest for falconry is simply a resource allocation issue.

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My purpose here today is to highlight and underscore the importance of some of the language in the AFC draft proposal, to offer some additional suggestions and information for the Board's consideration, and to answer any questions the Board may have on the proposal specifically and nonresident take across the U.S. generally.

The Board should have in its hands a table summarizing the nonresident take of raptors provisions that exist in many of the U.S. states. AFC hopes that this data will aid the Board in formulating a reasonable nonresident take provision that would benefit the state of Alaska and would enhance opportunities for Alaska falconers. It should be noted that some of the provisions contained in the table will change in the coming year as some of the states conclude their adoption of new falconry laws and regulations in order to comply with new federal regulations. AFC is not aware of any circumstances where a state is intending to eliminate nonresident take provisions.

The first important matter AFC wishes to highlight is that Alaska nonresident raptor take provisions would have no measurable impact on the Alaska raptor resource.

Secondly, the adoption of nonresident take in Alaska would preserve and expand Alaska falconers' opportunity to harvest raptors in other states, many of which have incorporated or are in the process of incorporating falconry raptor harvest reciprocity provisions. What I mean by reciprocity here is: you can harvest in our state if we can harvest in yours. This is especially important to Alaska falconers who wish to harvest desirable falconry raptor species that are not readily available in Alaska, including: Cooper's Hawk, Prairie Falcon, Harris's Hawk and other species, which are non-existent or extremely rare above the lower-48; Golden Eagle, which may only be taken in designated depredation areas that currently do not exist in Alaska; larger Eastern Red-tailed Hawk, which is well suited to pursue larger quarry such as Snowshoe Hare; and passage Arctic Peregrine Falcon, which is more readily available along the Great Lakes, Atlantic and Gulf coastlines.

As indicated in the draft proposal, nonresident take promotes and fosters cooperation between state wildlife agencies and falconers across the nation. Nonresidents' have a more vested interest in the welfare of the raptor resource and falconers in states with nonresident provisions and are stauncher allies in battling issues that threaten the sport of falconry or raptor harvest in such states. Also, as previously mentioned, one good turn often earns another – it is human nature that the existence of nonresident allowances generally compels nonresidents to go out of their way to assist neighbors who practice such hospitality. This is especially true and invaluable in falconry, where more often than not a sister state falconer possesses a more intimate knowledge of the raptor resources in his or her state and is more inclined to share such knowledge with and offer assistance to a non-resident if that non-resident is able to reciprocate.

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In addition to the language in the proposal, AFC suggests that Alaska include a reciprocity provisions that encompass harvestable species and license fees for nonresident take. This would help level the playing field between the various state falconry programs, which to some degree may be lost through the recent replacement of the joint state-federal falconry permit program with individual state programs. It would also grant Alaska falconers the widest range of opportunity outside of Alaska. Some state reciprocity provisions block non-resident harvest if the nonresident's home state does not allow nonresident harvest of species allowed to be taken by residents. Also, several states adjust their permit fees for nonresidents in accordance with the permit applicant's home state fees for nonresidents. Therefore, adopting a reasonable fee for nonresident permits that is close to covering the administrative costs for issuing such permits would help ensure that Alaska falconers would not be faced with unnecessarily high out-of-state fees. AFC believes that reasonable, low permit fees would be no sacrifice to the state when one takes into consideration the thousands of dollars that would be brought into Alaska by nonresident falconers and their families during the course of their harvest activities. The table attached to this testimony demonstrates that most states do not place restrictions on species unless such restrictions are also placed on their residents. It also shows that the average fee for nonresident harvest of raptors is a little over \$100.00.

As indicated in the text of the proposal and the testimony I just presented, AFC believes the adoption of a raptor harvest program for nonresidents would result in a win-win-win situation: Alaska falconers would preserve and expand their opportunities across the U.S.; the citizens of Alaska would benefit from additional outside revenue, and the U.S. falconry community at large would experience greater benefit and security in pursuing their sport.

Thank you, Ladies and Gentlemen of the Board, for the opportunity to provide oral testimony in support of Proposal 40 – 5 AAC 92.037. Permits for Falconry. Allow nonresident falconers to capture raptors.

American Falconry Conservancy

Nonresident falconry raptor capture provisions in various US states, 1/10/2012.

State	Nonresident Take?	Reciprocity? (1)	Seasons		Requirements: Home-state or joint home-state/federal falconry permit and:	Raptor Allowance, Birds Per Year	Restrictions beyond those placed upon residents (2)	Total Annual Cost, \$	Comments
			Eyas	Passager					
IL	Yes	Yes (3)	1st, 2nd, 3rd & 4th Saturdays in Mar.; and May 20 to June 11	Sept. 1 to Jan. 31	IL Capture Permit and IL Nonresident Hunting License	2	None	100	
MN	Yes	No	May 27 to July 14	Aug. 21 to Dec. 29	MN Capture Permit	2	None	0	
WI	Yes	No	Mar. 26 to Apr. 5, and May 15 to July 15	Sept. 16 to Dec. 31	WI Capture Permit	2	No eyas Merlins	100	
IN	Yes	Yes	Jan 1 - Aug 31	Sept. 1 to Feb. 31		2	Apprentices excluded	0	
CA	Yes	No	May 20 to July 15	Oct. 1 to Jan. 31	CA Nonresident Take Permit	2	None	310 (6)	
CO	Yes	Yes	N/A	Oct. 1 to Dec. 31	CO Nonresident Take License	1	Passagers only	153 (5)	No eyasses; and no Peregrines, Gyrfalcons, kites, Ospreys, owls or federal T or E raptor species
MO	Yes	No	July 1 to June 30	July 1 to June 30	MO Authorization Letter and MO Nonresident Hunting License	2		80	
IA	Yes	Yes	N/A	Sept. 1 to Jan. 31	IA Capture Permit	1	Apprentices excluded, no eyases, permit good for 60 days	100 (4)	
AL	Yes	Yes	May 25 to June 30	Sept. 15 to Jan. 31	AL Nonresident Hunting License	2	None	90.85 (7)	
AR	Yes	Yes	March 1 to July 31 on Fri., Sat., Sun. and Mon.	Sept. 1 to Jan. 31 on Fri., Sat., Sun. and Mon.	AR Nonresident Hunting License	1	None	225 (7)	
ME	Yes	No	From birth until fledge	From fledge until Feb. 28	MA Falconry Permit and MA Nonresident Annual Hunting License	2	No Peregrines	74	See special take season restrictions for American Kestrel
TX	Yes	Yes	July 1 to June 30	July 1 to June 30	TX Nonresident Trapping Permit	1	None	360	
NM	Yes	Yes	April 1 to Jan 15	April 1 to Jan 15	NM Raptor Take Permit	2	(9)	20 per bird	

AZ	Yes	No	May 1 to Jan. 31 (8)	May 1 to Jan. 31 (8)	AZ Sport Falconry License and AZ Nonresident General Hunting License	2	None	151.25	
KS	Yes	No			KS Authorization Letter and KS Nonresident Hunting License	2	None	72.50	
PA	Yes	Yes	May 8 to July 15	Sept. 19 to Dec 31	PA Special Permit	1	No Apprentices, and no eyas goshawks	100	
NY	Yes	No	May 1 to July 15 on Fri. Sat. and Sun.	Sept. 1 to Jan. 25	NY Authorization	2	None	?	
VA	Yes	Yes	?	?	?	?	?	50?	New regs. have not yet been posted by VDGIF
WY	Yes	No	June 10 to July 5	Sept. 5 to Feb. 5	WY Capture License	2	None	240	
NC	Yes	Yes	May 1 to June 30	Sept. 4 to Dec. 31	NC Nonresident Falconry License	2	None	10	
UT	Yes		Jan. 1 to Dec. 31	Jan. 1 to Dec. 31, except that birds that fledged the prior year may not be taken after March 1	UT Nonresident Raptor Capture Permit	2	None	115	
NV	Yes	No	May 20 to July 9	Sept. 13 to Dec. 31	NV Raptor Take Permit	2	None	125	
OR	Yes	No	May through Feb.	May through Feb.	OR Nonresident Raptor Capture Permit	2	None	17	
WA	Yes	No	Year round	Year round	WA Nonresident Raptor Capture Permit	1	None		
MT	Yes (3)	No	Jan 1 to Dec. 31	Jan 1 to Dec. 31	Not yet established	2	None	Not yet established	
SD	Yes	No	N/A	Sept. 21 to Jan. 31	SD Raptor Collecting Permit	2	No eyasses	200	
MI	Yes		Feb 1 to July 19	Jan 1 to Dec. 31					
AK	No								Presently under review by AK Board of Game
CT	No								
WV	No								
HA	N/A								No falconry provisions
VT	Yes	?							
NH	Yes	?							
RI	Yes	?							
MA	Yes	?							

NJ	Yes	?							
DE	Yes	?							
SC	Yes	?							
GA	Yes	?							
FL	Yes	?							
MS	Yes	?							
LA	Yes	?							
KY	Yes	?							
TN	Yes	?							
OK	Yes	?							
NE	Yes	?							
ND	Yes	?							
ID	Yes	?							
OH	Yes	?							
MD	Yes	?							

- (1) Reciprocity means a non-resident can take raptors only if the non-resident's home state allows non-resident take.
- (2) States vary widely on restrictions on Peregrine Falcon harvest.
- (3) Pending finalization of new regulations, presently No.
- (4) Fees for nonresident raptor trapping applications shall be reciprocal to the fee charged by the applicant's resident state. If the applicant's resident state does not provide for a nonresident raptor trapping fee, then the Iowa nonresident raptor trapping application fee shall be \$100.
- (5) CO has a provision that allows it to adjust the nonresident take license fee to conform with the fee charged a CO resident for a nonresident capture permit in the applicant's state.
- (6) Fee per raptor.
- (7) Given price is for an annual license, and less expensive, shorter duration licenses may be purchased.
- (8) See AZ Game Commission Order No. 25 for some minor variations in harvest seasons for some species of raptors.
- (9) American Kestrel, Prairie Falcon, Red-tailed Hawk and Harris's Hawk; Up to 2 Harris's Hawks if residents do not fill annual quota.

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Alaska Board of Game (Statewide Meeting
January 13-17, 2012 – 8:30 a.m.- ?
Hilton Hotel in Anchorage, AK.

Statewide 2012 Wildlife Proposals

Falconry, Other Permits

Proposal 41 5 AAC 92.034. Permit to take game for cultural purposes. By the Alaska Department of Fish and Game. Review the intended scope of this permit and amend as needed.

- We oppose Proposal 41 because the current regulation is meeting its intended purpose

Proposal 44 5 AAC 92.052. Discretionary permit hunt conditions and procedures. By Alaska Department of Fish and Game. 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.

- We oppose Proposal 44 to allow the Department to define specific seasons and methods and means of hunting for recipients of Governor's tags.
- Recipients should hunt under existing hunting seasons and methods and means
- Existing regulations provide for quality hunting experience
Hunters who bid on Governor's tag should not be singled out for a privileged hunting season
- Giving away Governor's tag is not the Board's decision, but we want to state that we oppose giving Governor's tags to organizations that have or had lawsuits against the Alaska Board of Game

Sale of Big Game and Big Game Trophies

Proposal 45 5 AAC 92.200. Purchase and sale of game. By Alaska Department of Fish and Game. Align state regulations on subsistence bartering with statutory authority.

- We support Proposal 45 so that subsistence uses will be in compliance with Purchase and sale of game regulation
- It is customary and cultural to share meat with others and to barter a monetary value item for meat in a limited noncommercial way
- We barter store brought products for wild game
- Bartering is necessary in rural Alaska
- Rural Alaska has a high cost of living expenses, and that is the reason we barter

Discretionary Permit Conditions

Proposal 50 5 AAC 92.052. Discretionary permit hunt conditions and procedures. Review and potentially repeal discretionary hunt conditions and procedures applied to permit hunts across the state. By the Board of Game.

- We support Proposal 50 to remove number 22 of the Discretionary permit hunt conditions and procedures
- It is confusing to the public to have this regulation in place, especially for the Tier I permit hunters
- Unit 13 no longer has a Tier II subsistence permit hunt

Proposal 112 5 AAC 92.150. Evidence of sex and identity. By John Frost. Eliminate the evidence of sex regulation.

- After reconsideration we oppose Proposal 112 to eliminate the evidence and identity of sex regulation
- If evidence of identity and sex regulation is removed, abuse may occur

Miscellaneous

Proposal 245 5 AAC 85.045(11). Hunting seasons and bag limits for moose. By Alaska Department of Fish and Game. Re-authorize the drawing permits hunts for antlerless moose in Unit 13.

- We oppose Proposal 245 to allow a Unit 13 hunting season for cow moose without calves
- It is against our customary and traditional use to shoot cows with calves; however, people may make a mistake and shoot a cow that has a calf standing or laying down nearby in the field
- In the 70s, when ADF&G allowed a antlerless moose hunt, harvesting of cows crashed Unit 13 moose population, and it took a long time to recover
- Unit 13 is an impacted area during the hunting season, and hunters will take too many antlerless moose
- Moose will naturally manage its population on its own, if there is too many, it will crash and it will recover again.
- Moose will move to other areas if food resources are scarce
- It is contradictory with the Predator Control Management Program