



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Fish and Game

DIVISION OF WILDLIFE CONSERVATION
Central/Southwest

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October 11, 2016

An Agenda Change Request (ACR) has been submitted to the Alaska Board of Game requesting to change 5 AAC 92.037, Permits for Falconry.

With respect to the board's ACR acceptance criteria (5 AAC 92.005):

- (A) The department is unaware of any conservation concerns that require immediate board action to address a biological concern or a loss of hunting opportunity.
- (B) The department is unaware of an error in regulation, however see below.
- (C) The department is unaware of any unforeseen effects of regulations that should be addressed in a change to a regulation.

The proponent is asking the board to eliminate the testing requirement for West Nile Virus (WNV) for raptors being imported into Alaska. The requirement is found in the *Alaska Falconry Manual* No. 9 dated July 1, 2012, which is adopted by reference in 5 AAC 92.037. Because the manual is adopted by reference, any changes to it are essentially changes in regulation, and need to be done following the appropriate public process. The department submitted an addendum to the manual in March of 2013 which eliminated the requirement for WNV testing, however the board did not take action on the addendum, so it has no effect.

As of October 7, 2016, four birds were imported this year into Alaska that required this testing, and previous years are similar in number.

If the board does not accept this ACR, the proponent can submit a proposal by May 1, 2017 to be considered at the Statewide Cycle A and B meeting, as the regulations in question is on the regularly scheduled call for proposals for that meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Dale".

Bruce Dale, Director

Division of Wildlife Conservation