

PROPOSAL 67 – 5 AAC 92.003 Hunter education and orientation requirements; 92.012. Licenses and tags; 92.039. Permit for taking wolves using aircraft; 92.044. Permit for hunting bear with the use of bait or scent lures; 92.052. Discretionary permit hunt conditions and procedures; 92.072. Community subsistence harvest hunt area and permit conditions; 92.130. Restrictions to bag limit; and 5 AAC 92.530, Management areas. To comply with recent statutory changes, review and update regulations with minimum hunting age requirements as follows:

The Department of Fish and Game (department) recommends the Board of Game (board) examine the age requirements of all existing regulations given action taken by the legislature to raise the minimum age requirement for Alaska residents to purchase licenses from 16 to 18 years of age. Some of the age requirements in regulation are region specific and the board may prefer to deal with those at the appropriate regional meeting, however they are shown below to illustrate all of the age requirements currently in regulation.

5 AAC 92.003. Hunter education and orientation requirements. (a) Beginning August 1, 2002, a person born after January 1, 1986 that is

(1) required to have a hunting license must have successfully completed a certified hunter education course in order to hunt in Units 7, 13, 14, 15, and 20;

(2) not required to have a hunting license, and who has not successfully completed a certified hunter education course, must, in order to hunt in Units 7, 13, 14, 15, and 20, be under the direct immediate supervision of a licensed hunter who

(A) is **18** [16] years of age or older and has successfully completed a certified hunter education course; or

(B) was born on or before January 1, 1986

(b) notwithstanding (a) of this section, A resident hunter who is 10 through 17 years of age at the start of the hunt, and has successfully completed a certified hunter education course, is allowed to hunt on behalf of a permit holder who is at least **18** [16] years of age, under the direct immediate supervision of that permit holder, who is responsible for ensuring that all legal requirements are met.

5 AAC 92.012. Licenses and tags. (a) No hunting or trapping license is required of a resident under the age of **18** [16]. An appropriate license and big game tag are required of nonresidents, regardless of age, for hunting and trapping. No person **18** [16] years of age or older may take waterfowl unless that person has a current, validated, federal migratory bird hunting stamp or "duck stamp" in possession.

5 AAC 92.039. Permit for taking wolves using aircraft.

(d) The department may apply any of the following conditions to a permit issued under this section:

...

(7) the department may require an applicant for a permit to possess minimum qualifications, including

...

(E) that the applicant is at least **18** [16] years old;

5 AAC 92.044. Permit for hunting bear with the use of bait or scent lures.

...

(b) In addition to any condition that the department may require under 5 AAC 92.052, a permit issued under this section is subject to the following provisions:

...

(3) a person must be at least **18** [16] years of age to be issued a permit;

5 AAC 92.052. Discretionary permit hunt conditions and procedures. The department may apply any or all of the following additional conditions to a permit hunt, when necessary for management of the species hunted:

...

(15) the permit applicant must hold a valid Alaska hunting license; however, this does not apply to a resident under the age of **18** [16]; an applicant's hunting license number must be entered on the permit application; a resident under the age of **18** [16] shall enter his or her age instead of a license number;

5 AAC 92.072. Community subsistence harvest hunt area and permit conditions.

...

(c) If the board has established a community harvest hunt area for a big game population, residents of a community or members of a group may elect to participate in a community harvest permit hunt in accordance with the following conditions:

(1) a person representing a group of 25 or more residents or members may apply to the department for a community harvest permit by identifying the community harvest hunt area and the species to be hunted, and by requesting that the department distribute community harvest reports to the individuals who subscribe to the community harvest permit; the community or group representative must

(A) provide to the department the names of residents or members subscribing to the community harvest permit and the residents' or members' hunting license numbers, permanent hunting identification card numbers, or customer service identification numbers, or for those residents or members under **18** [16] years of age, the resident or member's birth date;

5 AAC 92.122(b)(4)(D)(vii). Unit 16 Intensive Management Plan.

(vii) taking of bears by foot snaring by permit only from April 15 through October 15; permittees must be accompanied by another person, age **18** [16] or older, when conducting foot snaring activities in the field; foot snaring permits will be issued at the discretion of the

department based on previous trapping experience, ability to help train other participants, and length of time available for participation in a snaring program; a selected foot snaring permittee must successfully complete a department-approved training program, must be a resident **18** [16] years of age or older, and report all animals taken by the permittee to the department within 48 hours of taking;

5 AAC 92.130. Restriction to bag limit.

(e) A hunter who is under 10 years of age may take big game only under the direct, immediate supervision of a licensed hunter who is at least **18** [16] years of age. The supervising hunter is responsible for ensuring that all legal requirements are met. The big game animal taken will count against the supervising hunter's bag limit. This section does not relieve an individual from complying with big game tag requirements, but does require a supervising hunter to validate the hunter's harvest ticket, or permit, in accordance with 5 AAC 92.010, immediately following the taking of big game under this section.

5 AAC 92.530. Management Areas.

(6) Skilak Loop Wildlife Management Area:

(A) the area consists of that portion of Units 15(A) and 15(B) bounded by a line beginning at the easternmost junction of the Sterling Highway and the Skilak Loop Road (milepost 58), then due south to the south bank of the Kenai River, then southerly along the south bank of the Kenai River to its confluence with Skilak Lake, then westerly along the north shore of Skilak Lake to Lower Skilak Lake Campground, then northerly along the Lower Skilak Loop Campground Road and the Skilak Loop Road to its westernmost junction with the Sterling Highway (milepost 75.1), then easterly along the Sterling Highway to the point of origin;

AAC 92.530(6)(B) is repealed and readopted to read:

(B) the area is closed to hunting and trapping, except that:

(i) moose may be taken by permit only;

(ii) small game may be taken by:

(a) falconry or bow and arrow only from October 1 through March 1;

and

(b) standard .22 caliber rimfire firearm and shotgun only, in that portion of the area west of a line from the access road from the Sterling Highway to Kelley Lake, the Seven Lakes Trail, and the access road from Engineer Lake to Skilak Lake Road, and north of Skilak Lake Road, during each Saturday and Sunday from November 1 through December 31 and the Friday following Thanksgiving day, by youth hunters **18** [16] years old or younger accompanied by a licensed hunter 18 years old or older who has successfully completed a certified hunter education course if the youth has not successfully completed a certified hunter education course;

(iii) wolf, coyote, and lynx may be taken under applicable hunting regulations from November 10 through March 31, except within 1/4 mile of the Engineer, Kelly, Petersen and Hidden Lake campgrounds and within 1/4 mile of boat launches.

(C) a firearm may not be discharged within one-quarter mile of any campground;

...

(30) the Hatcher Pass Youth Hunt Management Area:

(A) the area consists of that portion of Unit 14(A) within the upper Little Susitna River drainage upstream of mile 13.6 on Hatcher Pass Road (Gold Mint Trail parking area) and ¼ mile away from the road including Archangel and Fishhook Creeks, and upper Little Susitna River drainages. Also, portions of the upper Willow Creek drainage upstream of the confluence of Willow and Craigie Creeks, including Grubstake Gulch and Homestake Creeks, Summit Lake, and Bullion and Skyscraper Mountains. There is no discharge of firearms allowed within ¼ mile of the road.

(B) from August 10 to August 25, the area is closed to small game hunting except that small game may be taken by a youth hunter **18** [16] years old or younger accompanied by a licensed hunter 18 years old or older who has successfully completed a certified hunter education course if the youth hunter has not successfully completed a certified hunter education course.

What is the issue you would like the board to address and why? There are 13 places in regulation that refer to licensed hunters, hunters, and permit holders 16 years of age. Effective January 1, 2017, the Alaska legislature changed the minimum age requirement for Alaska residents to purchase a hunting, trapping, and fishing license from 16 to 18 years of age, which put these 13 places in regulation in contradiction with the statutes. In some cases the conflicting ages may be appropriate, in many cases the age in regulation appears to have been driven by the license requirement only. The proposed changes to 5 AAC 92.012, 5 AAC 92.052, and 5 AAC 92.072 must be made in order for board regulations to be in compliance with the recent statutory changes. All of the other changes in this proposal are at the board's discretion.

For most of the identified regulations the department has little data, if any, regarding the number of people that may be impacted by this change. Some of the regulations are not currently used, for example, bear control in Unit 16 is not currently being implemented, so the change would not impact anyone because there are no participants.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F17-029)
