

PROPOSAL106

5 AAC 92.990. Definitions.

Provide a definition for “feral” as follows:

“feral” means an ownerless and unconfined domestic animal, or the progeny of an ownerless and unconfined domestic animal, that no longer depends solely on food provided by humans to survive.

What is the issue you would like the board to address and why? “Feral” is used in several regulations adopted by the Board of Game, including **[emphasis added in text]**:

5 AAC 92.990(a)(73) "nuisance wildlife" includes

(A) a **feral** domestic bird or mammal, deleterious exotic wildlife, unclassified game, small game, fur animals or furbearers, except wolf, wolverine, or lynx, or migratory bird for which there is a federal depredation order for this state under issued 50 CFR Sec. 21.43;

(B) an animal that invades a dwelling, cause property damage, or is an immediate threat to health, safety, or property;

...

5 AAC 92.990(a)(52) “deleterious exotic wildlife” means any starling, English sparrow, or raccoon; any Muridae rodent, rockdove or Belgian hare that is unconfined or unconstrained; and any **feral** ferret or **feral** swine.

...

5 AAC 92.029 Permit for possessing live game (d) Under this section, and in accordance with the definition of “game” in AS 16.05.940 (which includes **feral** domestic animals), a

(1) game animal defined as deleterious exotic wildlife or a nonindigenous gallinaceous bird is **feral** if the animal is not under direct control of an owner, including being confined in a cage or other physical structure, or being restrained on a leash; the commissioner may capture, destroy, or dispose of any **feral** deleterious exotic wildlife or **feral** nonindigenous gallinaceous bird in an appropriate manner.

Other than the definition of “feral” used for nonindigenous gallinaceous birds in 5 AAC 92.029(1), the term is not defined in regulation. Applying that definition (“not under direct control of an owner”) to other domestic animals is problematic because it could, for example, include a racing pigeon, unleashed family dog, or a horse that gets out of its enclosure.

At the other extreme, conventional wisdom and most dictionary definitions of “feral” seem to consider an animal to be feral only when it reverts to a wild state. But there is a spectrum of behavior that might be considered wild. A domestic animal that has gone feral is one that can and

has survived in the wild on its own, at least for an extended period. It doesn't necessarily have to become so wild that it avoids all human contact, the definition used by Anchorage Animal Control. Even wild animals seek out human contact and foods in some situations, and one reason why feral animals (like cats) cause problems is that they are capable of killing wildlife and spreading diseases while being subsidized by food and shelter provided by people.

It is also unclear what "feral domestic" means. Certainly, the offspring of an animal that was once domestic are also feral.

The definition I have proposed would provide a clear definition of "feral" and ensure that all formerly domestic animals, and their offspring, that no longer depend solely on food provided by humans to survive will fall under the definition of "nuisance wildlife."

PROPOSED BY: Rick Sinnott

(EG-F20-034)
