

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 25526
Juneau, AK 99802-5526

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ALASKA BOARD OF GAME
WINTER 1998 MEETING
Jan. 17 - 21, 1998
Bethel, AK

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O.E.O

**U.S. Department of the Interior
Washington, D.C. 20240**

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Diana Cote at (907) 465-6095 no later than January 2, 1998 to make any necessary arrangements. To correspond by text telephone (TDD) call 1-800-478-2028.

**ALASKA BOARD OF GAME
WINTER 1998 PROPOSAL BOOK**

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PLEASE READ CAREFULLY

REVIEWER LETTER

DEAR REVIEWER:

The attached packet of regulatory proposals will be considered by the Alaska Board of Game at its **January 1998** meeting concerning ORV use for hunting and transporting game in Unit 13, **January 17-21, 1998**, at the Bethel Cultural Center in Bethel, Alaska. The proposals generally concern changes to statewide regulations related to

Before taking action on these proposed changes to the regulations, the board would like your written comments and/or oral testimony on any effects the proposed changes would have on your activities.

The proposals in this packet are presented as brief statements summarizing the intended regulatory changes. In some cases, where confusion might arise or where the regulation is complex, proposed changes are also indicated in legal format. In this format, underlines words are additions to the regulation text and capitalized words or letters in square brackets [XXXX] are deletions.

You are encouraged to read all proposals presented in this packet, as some regulations have statewide application and may affect all regions of the state.

After reviewing the proposals, you may send written comments to:

ATTN: BOG COMMENTS
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 25526
Juneau, Alaska 99802-5526
FAX - (907)465-6094

Comments may be submitted at any time until the public testimony period for that proposal and/or its subject matter is closed at the meeting and deliberation by the board begins. As a practical matter, you are encouraged to have all written comments presented to the above Juneau address by **January 5, 1998**. Receipt by this date will assure that your written comments will be published in the board workbook. Comments received after January 5 will be presented to board members at the time of the meeting, but will not be printed in the board workbook. Written comments will also be accepted during the board meeting, and of course, public testimony during the meeting is appreciated.

When making comments regarding these proposals, on the first line list the PROPOSAL NUMBER to which your comment pertains and whether you favor or oppose the proposal. This will assure that the comments are noted by the board members in relation to the proper proposal(s).

(continued on following page)

The following guidelines will greatly assist the board in understanding your concerns:

Written comments will be hole-punched and copied to go into the board workbook. Therefore, please use 8 1/2 x 11 paper and leave at least a 1 1/2 inch margin on the left side and a 1-inch margin on the right side, top and bottom. If typed, please make sure the print is dark. If handwritten, use dark ink and write legibly. Briefly explain why you are in favor of or opposed to the proposal.

If you plan to testify, a written copy of your testimony is helpful, but is not required. Again not required, but 25 copies of your written testimony is also helpful.

ADVISORY COMMITTEES: In addition to the above, please make sure the meeting minutes reflect why the committee voted as it did. If the vote was split, include the minority opinion. A brief description--a couple of sentences--will do. Detail attendance, number in attendance (e.g., 12 of 15 members) and what interests were represented (such as guides, sport hunters, trappers, etc.).

Additional proposal booklets may be obtained at offices of the Department of Fish and Game.

A tentative agenda for the January 1998 meeting of the Board of Game is shown on page **ix**. A roadmap showing a tentative order in which proposals will be considered will be available in December. During the meeting, a recorded telephone message will be available, with current updates on the board's agenda and roadmap. That phone number is 465-8901 (Juneau) or 1-800-764-8901 outside of Juneau.

If you are a person with a disability who may need a special accommodation in order to comment on the proposed regulations, please contact the Boards Support Section at 465-4110 no later than January 5, 1997. To correspond by text telephone (TDD), call 1-800-478-2028.

Sincerely,

BOARDS SUPPORT SECTION

ALASKA BOARD OF GAME
TENTATIVE FUTURE MEETING SCHEDULE
as of November 1997

	<u>Dates & Location</u>	<u>Topic</u>
WINTER 1998	January 17 - 21 Bethel Cultural Center Proposal Deadline: November 7, 1997 Comment Deadline: January 5, 1998	Statewide Issues*
SPRING 1998	March 21 - 30 Fairbanks Princess Hotel Proposal Deadline: January 9, 1998 Comment Deadline: March 6, 1998	Interior Region
FALL 1998	October 23 - 28 Ketchikan Proposal Deadline: August 7, 1998 Comment Deadline: October 9, 1998	Southeast Region
SPRING 1999	Dates to be announced Location to be announced	Southcentral Region
WINTER 1998	Dates to be announced Location to be announced	Statewide Issues*

*See Board of Game's meeting cycle on pages v and vi for list of statewide regulations that will be considered during the Winter meetings.

ALASKA BOARD OF GAME MEETING CYCLE

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. Each region will be discussed on a two-year cycle. When the regional area is before the board, the following regulations are open for consideration within that region:

- Trapping Seasons and Bag Limits -- All species
- General and Subsistence Hunting Seasons and Bag Limits -- All species
(Except antlerless moose hunts as noted below)
- Wolf Control Implementation Plans
- Bag Limit for Brown Bears
- Areas Closed To Hunting
- Closures and Restrictions in State Game Refuges
- Management Areas
- Controlled Use Areas
- Areas Closed To Trapping

Regulations which are specific to an area (e.g., Permits for Access to Round Island) will be taken up when the board is scheduled to consider regulations in that region.

Two statewide regulations will be taken up annually, at the spring meeting: Reauthorization of Antlerless Moose Hunts, and Brown Bear Tag Fees. Proposals for changes to these regulations will be considered each spring.

Other statewide regulations will not be taken up every meeting cycle. Statewide regulations are scheduled to be reviewed on a four-year cycle, distributed between winter meetings scheduled to occur every other year. The list of statewide regulations and the associated meeting cycle is attached.

<u>Area</u>	<u>Cycle**</u>		
SOUTHEAST-REGION I Game Management Units: 1, 2, 3, 4, 5	Fall 1998	Fall 2000	Fall 2002
SOUTHCENTRAL-REGION II Game Management Units: 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 All GMUs: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts	Spring 1999	Spring 2001	Spring 2003
ARCTIC AND WESTERN-REGION V Game Management Units: 18, 22, 23, 26A	Fall 1999	Fall 2001	Fall 2003
INTERIOR-REGION III Game Management Units: 12, 19, 20, 21, 24, 25, 26B, 26C All GMUs: Brown Bear Tag Fees Reauthorization of Antlerless Moose Hunts	Spring 1998	Spring 2000	Spring 2002
**THE MEETING CYCLE REPEATS ITSELF ON TWO-YEAR INTERVALS			

This schedule was adopted October 20, 1995; updated August 1, 1997

Alaska Board of Game Winter Meeting Schedule

STATEWIDE REGULATIONS: 5 AAC 92

CYCLE: Winter 1998, 2002, 2006, 2010, etc.

- .001 Application of this Chapter
- .002 Liability for Violations
- .004 Policy for Off-Road Vehicle Use for Hunting and Transporting Game*
- .005 Policy for Changing Board Agenda
- .010 Harvest Tickets and Reports
- .011 Taking of Game by Proxy
- .012 Licenses and Tags
- .016 Muskoxen Tag Fees
- .018 Waterfowl Conservation Tag
- .019 Taking of Big Game for Certain Religious Ceremonies
- .020 Application of Permit Regulations and Permit Reports
- .025 Permit for Exporting a Raw Skin
- .027 Permit for Exporting Big Game Trophies
- .028 Aviculture Permits
- .029 Permit for Possessing Live Game
- .031 Permit for Selling Skins and Trophies
- .033 Permit for Sci, Ed, Propagative, or Public Safety Purposes
- .039 Permit for Taking Wolves Using Aircraft
- .110 Control of Predation by Wolves
- .165 Sealing of Bear Skins and Skulls
- .170 Sealing of Marten, Lynx, Beaver, Otter, Wolf, and Wolverine
- .200 Purchase and Sale of Game
- .210 Game as Animal Food or Bait
- .220 Salvage of Game Meat, Furs, and Hides
- .230 Feeding of Game*
- .250 Transfer of Muskoxen for Sci and Ed Purposes*
- .450 Description of Game Management Units
- .990 Definitions

STATEWIDE REGULATIONS: 5 AAC 92

CYCLE: Winter 2000, 2004, 2008, 2012, etc.

- .037 Permit for Falconry
- .040 Permit for Taking of Furbearers with Game Meat
- .041 Permit to take Beavers to Control Damage to Property
- .043 Permit for Capturing Wild Furbearers for Fur Farming
- .049 Permits, Permit Procedures, and Permit Conditions
- .050 Required Permit Hunt Conditions and Procedures
- .051 Discretionary Trapping Permit Conditions & Procedures
- .052 Discretionary Permit Hunt Conditions and Procedures
- .062 Priority for Subsistence Hunting; Tier II Permits
- .068 Permit Conditions for Hunting Black Bear with Dogs
- .070 Tier II Subsistence Hunting Permit Point System
- .075 Lawful Methods of Taking Game
- .080 Unlawful Methods of Taking Game; Exceptions
- .085 Unlawful Methods of Taking Big Game; Exceptions
- .090 Unlawful Methods of Taking Fur Animals
- .095 Unlawful Methods of Taking Furbearers; Exceptions
- .100 Unlawful Methods of Hunting Waterfowl, Snipe, & Crane
- .130 Restriction to Bag Limit
- .135 Transfer of Possession
- .140 Unlawful Possession or Transportation of Game
- .150 Evidence of Sex and Identity
- .160 Marked or Tagged Game
- .260 Taking Cub Bears & Female Bears with Cubs Prohibited
- .400 Emergency Taking of Game
- .410 Taking Game in Defense of Life or Property

* Deleted from Winter 98 meeting due to consideration in Winter 96 meeting. After Winter 96, next consideration of these three regulations will be Winter 2002.

ALASKA BOARD OF GAME

(Revised October 1997)

NAME AND ADDRESS	PHONE NUMBER	TERM EXPIRES
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Mike Fleagle P.O. Box 33 McGrath, AK 99627	524-3385 524-3701 (FAX)	1/31/99
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Greg Streveler P.O. Box 94 Gustavus, AK 99826	697-2287 697-2287 (FAX)	1/31/99

NOTE: All written comments to proposals published in this proposal booklet must be sent to the ADF&G Boards Support Section at the address below in order to be included and published in the Board of Game's Winter 1998 board workbook. Written comments regarding the proposals in this proposal booklet may not be published if the comments are sent to individual board members.

Board members may also be reached at:

ALASKA DEPARTMENT OF FISH AND GAME

Boards Support Section

P.O. Box 25526

Juneau, AK 99802-5526

BOARDS SUPPORT SECTION

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Phone: 465-6095
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Phone: 465-4111
Phone: 465-6097
Phone: 465-6096

Board Meeting Recording:

Phone: 465-8901 (in Juneau)
1-800-764-8901 (outside of Juneau)

TDD

Phone: 1-800-478-2028

TENTATIVE AGENDA
BOARD OF GAME
January 17-21, 1998
Bethel Cultural Center, BETHEL, ALASKA

[NOTE: This is a tentative agenda for this meeting of the Board of Game. It is subject to variance throughout the course of the meeting. At the discretion of the chair, additional periods of public testimony may be set. Also, evening sessions may be scheduled as necessary. A more detailed agenda will be available in December.]

Saturday, January 17

8:30 AM

OPENING BUSINESS

Call to Order; Introductions of Board Members and Staff

Purpose of Meeting (overview)

Ethics Disclosure Statements

STAFF REPORTS

1:00 PM or at the conclusion of staff reports

PUBLIC TESTIMONY - This is the primary time for testimony on all issues before the Board of Game. At the chair's discretion, there may be additional sessions.

TO TESTIFY BEFORE THE BOARD ON PROPOSALS BEING CONSIDERED AT THIS MEETING, YOU MUST COMPLETE A BLUE TESTIMONY CARD. PUBLIC TESTIMONY WILL CONTINUE UNTIL ALL WHO SIGN UP HAVE TESTIFIED.

<p>DEADLINE FOR <u>SIGN-UP</u> TO TESTIFY IS: 12 NOON, SUNDAY, JANUARY 18</p>
--

Sunday, January 18

8:30 AM

Continue public testimony

At the conclusion of public testimony the Board will begin deliberation on proposals.

Monday, January 19 - Wednesday, January 21

8:30 AM

Board Deliberation on proposals

Miscellaneous Business, if any

The Board schedule will generally be: 8:30 AM - 12:00 noon and 1:00 - 5:00 PM with lunch from noon until 1:00 PM. This schedule is subject to change at the discretion of the chair.

PROPOSAL 1 - 5 AAC 92.XXX. NEW REGULATION. Create a new regulation to define:

We would like the board to consider establishing a new class of "Personal Use" hunting regulations, somewhat similar to those in use for fishing. These could apply to Alaska residents only, and possibly include only certain wildlife species commonly sought for food such as moose, caribou, deer and possibly black bear. A further restriction could require that antlers, if any, be immediately sawed from the skull before salvage, thus eliminating their "trophy" value, and black bear carcasses be totally salvaged for human consumption. Sheep, mountain goats, elk, brown bear and bison could be managed for "Sport Hunting" as at present, as could moose, deer, caribou and black bear where the horns could be left intact, while black bear carcasses would not require complete salvage. The two types could also be separated by area and time to aid enforcement. Thus, "Sport Hunting" regulations would remain separate from "Personal Use Hunting" regulations, probably helping the latter become more palatable to those opposed to the former, and making it easier to provide for those hunting primarily for food. Furthermore, "Personal Use Hunting" would not be restricted by race or area of residence, but would be open to all Alaskan residents equally.

ISSUE: There is a stigma (real or imagined) attached to the term "sport hunting" by some of the public and various agencies. The term "sport," in many eyes, signifies the hunter who kills primarily for the "trophy" to satisfy ego and not need for food. Because they hunt under "Sport Hunting" regulations, this often raises strong opposition toward hunting by those residents primarily interested in hunting for food. The term "Subsistence Hunting" is generally accepted by the public and administrators, with many new regulations, present and future, designed to support and enhance it. A new concept and new regulations are needed to cover those who do not qualify as "Rural Subsistence Hunters," but who are hunting primarily for food rather than for "Sport."

WHAT WILL HAPPEN IF NOTHING IS DONE? Faced with overriding pressure to provide for the "Subsistence Hunters," and the opposition to "Sport Hunting," it will become more difficult to provide seasons and bag limits to resident hunters who need to take wildlife for food rather than "Sport."

WHO IS LIKELY TO BENEFIT? Those who hunt primarily for wild food with which to feed themselves and their families, but who cannot qualify as "Subsistence Users" under the arbitrary current and proposed rules. This probably comprises the majority of resident hunters who utilize the species mentioned.

WHO IS LIKELY TO SUFFER? Possibly a few "Sport Hunters" who may lose some times/areas in which to hunt, but well thought out regulations could reduce such loss to almost nothing.

OTHER SOLUTIONS CONSIDERED? Establishing a special "Personal Use" license, but this would require legislative action.

PROPOSED BY: Cooper Landing Advisory Committee (SC-98-G-022)

PROPOSAL 2 - 5 AAC 92.XXX. NEW REGULATION. Mandate state policy for managing all big game herds to read:

The State will manage all big game herds at or near maximum range carrying capacity.

ISSUE: The decline of Alaska big game herds (moose, deer, sheep, goats, caribou).

WHAT WILL HAPPEN IF NOTHING IS DONE? 1. A decline in a valuable food source. 2. A decline in a valuable hunting source. 3. A decline in a valuable viewing source.

WHO IS LIKELY TO BENEFIT? 1. Subsistence users. 2. Tourists and animal lovers. 3. Hunters. 4. Trappers, because larger herds, in the long run, can support more predators.

WHO IS LIKELY TO SUFFER? 1. Anti hunters. 2. Preservationists.

OTHER SOLUTIONS CONSIDERED? Current predator control policy is suppressing the expansion of Alaska big game herds.

PROPOSED BY: David Werner (HQ-98W-G-001)(HQ-97-G-055)

PROPOSAL 3 - 5 AAC 92.XXX. INTENSIVE MANAGEMENT OF IDENTIFIED BIG GAME PREY POPULATIONS. Adopt new regulations to implement the requirements of the intensive management law by establishing the guidelines the board will use to identify big game prey populations that are important for providing high levels of human consumptive use, set population objectives and harvest objectives, determine whether an identified big game prey population is depleted or its productivity is reduced, and determine whether a proposed reduction in the allowable take is significant as follows:

For purposes of implementing AS 16.05.255(e)-(g), the Board of Game shall:

(a) consider the following criteria when identifying big game prey populations that are important for providing high levels of human consumptive use:

1. harvest size:

(Option 1) the estimated harvestable surplus meets or exceeds values as follows:

- (i.) caribou: 100
- (ii.) deer: 500
- (iii.) moose: 50
- (iv) other:?

(Option 2) the average historic harvest meets or exceeds values as follows:

- (i.) caribou: 100
- (ii.) deer: 500
- (iii.) moose: 50
- (iv) other:?

2. accessibility:

(Option 1) the population is accessible to a human population capable of utilizing at least 50 percent of the estimated harvestable surplus

(Option 2) the average historic harvest has been at least 50 percent of the harvestable surplus;

3. utilization for meat: a population that is used primarily for food; and
4. level of hunter demand: as reflected by total hunter effort, number of applications for permits or other indicators;

(b) establish population objectives and harvest objectives for each identified big game prey population consistent with maintaining near maximum sustainable yield from the population, taking into consideration:

1. effects of weather, habitat capability, diseases and parasites;
2. maintenance of viable predator populations;
3. maintenance of habitat conditions suitable for non-target species;
4. effects on subsistence users;
5. cost, feasibility and potential effectiveness of possible management actions;
6. land ownership patterns within the range of the population; and
7. degree of accessibility to harvest;

(c) consider that depletion of a big game prey population or reduction of the productivity of a big game prey population has occurred when:

- (1) the harvestable surplus is less than the “harvest objective” for the population, and
- (2) the population size is less than the “population objective for the population”;

(d) determine whether a finding under (c) of this section may result in a significant reduction in the allowable human harvest of the population; and

(e) not consider as significant:

- (1) any reduction in taking that continues to allow a level of harvest equal to or greater than the minimum harvest objective established by the board, or
- (2) any reduction in taking that is intended or expected to be of a short-term and temporary nature and is necessary for the conservation of the population.

ISSUE: The board is directed by AS 16.05.255 (e) to adopt regulations providing for intensive management of identified big game prey populations when the following three criteria exist:

- (1) consumptive use of the big game prey population is a preferred use;
- (2) depletion of the big game prey population or reduction of the productivity of the big game prey population has occurred and may result in a significant reduction in the allowable human harvest of the populations; and
- (3) enhancement of abundance or productivity of the big game prey population is feasibly achievable utilizing recognized and prudent active management techniques.

The first step the board must take to implement this statutory mandate is to identify the ungulate populations that are important for providing high levels of human consumptive use. The four criteria identified in this proposals relate directly to the importance of a population to humans for consumption.

The second step is to establish the population objectives and harvest objectives, or human consumptive use goals of the board. The board believes the legislature’s intent in adopting AS 16.05.255(e)-(g) is to mandate the board to provide for management of identified big game prey populations near the maximum sustainable yield for human consumption. The proposed

regulation identifies the factors the board will consider in establishing objectives consistent with this intent.

To implement the law, the board must also determine whether an identified big game prey population is depleted or its productivity is reduced. However, “depletion” and “reduction” are both relative terms. To determine whether a population is “depleted” or the productivity is “reduced” requires a comparison between the current size or productivity level and some pre-established standard. To ensure the consistent application of the law, the board is establishing a uniform framework for making these comparisons. Given the relationship between the intensive management law and harvest for human consumptive use from identified big game prey populations, these standards should relate to the size and available harvest from the population.

AS 16.05.255(f). restricts the board’s authority to adopt any regulations that will “significantly reduce the taking of an identified big game prey population” unless certain actions are taken or certain circumstances apply. The statute provides no guidance as to what constitutes a “significant” reduction. To provide consistency, yet allow the board sufficient flexibility to establish regulations as appropriate, the board needs to adopt standards for how it will determine what does, or does not, constitute a “significant” reduction in allowable take.

This proposal specifies the board will not consider “significant” any reduction in harvest that fails to lower the take below the minimum established board harvest objective. Similarly, the board will not consider “significant” those reductions that may impose a harvest less than the minimum harvest objective, but which are intended and expected to be temporary, such as may be necessary to reduce the taking of antlerless moose for one or two years to allow a population to rebound following a severe winter. The board may consider significant those reduction in harvest due to regulations designed to result in a harvest less than the minimum established harvest objective for a prolonged or indefinite period of time. See also Proposal 4.

WHO WILL BENEFIT: Everyone will benefit from consistent application of the statute.

WHO WILL SUFFER: No one.

OTHER SOLUTIONS CONSIDERED: Do not adopt a consistent approach for implementing the law. This was rejected as both inefficient and prone to litigation.

PROPOSED BY: Alaska Department of Fish and Game and Department of Law at the request of the Board of Game (HQ-98W-G-042)

PROPOSAL 4 - 5 AAC 92.990. DEFINITIONS. Adopt the following definitions to apply to implementation of AS 16.05.255(e)-(g):

() “Harvestable Surplus” means the number of animals, estimated by the department, that can be removed by human harvest from a population or portion of a population on an annual basis without reducing the population below the population objective, preventing growth of the population toward the population objective at a rate set by the board, or altering the composition of the population in a biologically unacceptable manner.

() “Harvest Objective” is the human consumptive use goal set by the board in consultation with the department, and means the number of animals to be made available for human harvest from a population or portion of a population on an annual basis.

() “Population Objective” means the desired size of a population or portion of a population, set by the board in consultation with the department.

ISSUE: Regulations proposed to implement AS 16.05.255(e)-(g) use these terms to provide clear guidance to the board, department and public with respect to intensive management of identified big game prey populations. These definitions explain what each term means and who (i.e., department or the board) is responsible for determining the number, or range of numbers. These definitions are needed to ensure consistent application of the law and to provide sound management planning and action. Population and harvest objectives will generally be established as a range to provide high levels of human consumptive use. See also Proposal 3.

WHAT WILL HAPPEN IF NOTHING IS DONE: Without clear definitions, the board’s application of the statute may be inconsistent.

WHO WILL BENEFIT: Everyone will benefit from clear, consistent definitions.

WHO WILL SUFFER: No one.

OTHER SOLUTIONS CONSIDERED: Adopt the definitions into statute. This was rejected as the terms defined are used in regulations, therefore, the definitions should be in regulation.

PROPOSED BY: Alaska Department of Fish and Game and Department of Law at the request of the Board of Game (HQ-98W-G-043)

PROPOSAL 5 - 5 AAC 92.005(2)(3)(4). POLICY FOR CHANGING BOARD AGENDA. Amend this regulation as follows:

...

(2) ... a request must be sent to the executive director [DEPUTY DIRECTOR] of the boards support section [DIVISION OF BOARDS] at least 45 days before a scheduled meeting...

(3) the executive director [DEPUTY DIRECTOR] shall attempt to obtain comments...

(4) ... the executive director [DEPUTY DIRECTOR] shall notify the public...

ISSUE: In 1994 the Division of Boards became the Boards Support Section, with corresponding changes in staff titles. This proposal is a housekeeping proposal to reflect those changes in the regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE?

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-030)

PROPOSAL 6 - 5 AAC 92.011(f). TAKING OF GAME BY PROXY. Amend this regulation as follows:

A person must personally deliver all parts of harvested game to the beneficiary within five days of filling his/her permit; or, if unsuccessful will return his/her harvest tag(s) and license within 10 days of the close of the season.

ISSUE: Proxy limit of 15 days is inconvenient due to recently erratic caribou migration. Suggest "season long" proxy authorization.

WHAT WILL HAPPEN IF NOTHING IS DONE? Many proxy hunters will stop offering to hunt as proxies, thereby depriving many senior/handicapped permit holders from getting needed meat.

WHO IS LIKELY TO BENEFIT? All those requiring proxy hunters.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Questioning law: "either, or both parties can hunt," yet only one can carry permit and license.

PROPOSED BY: Tom Thompson (HQ-98W-G-011)

PROPOSAL 7 - 5 AAC 92.XXX. NEW REGULATION. Create a new regulation to provide the following:

A revision to the current interpretation of the Disabilities Act that would allow ADF&G to issue special moose hunting permits to those Alaskans being disabled veterans that are 100% unemployable who qualify for special disability provisions (AS 16.05.940) to hunt other than by use of a proxy (Approximately 125 veterans qualify per Vets. Benefits Anchorage).

ISSUE: Sec. 1: AS 16.05.340 to be amended by adding the extended interpretation of the current proxy regulation to allow each year, according to positive moose management ADF&G send one permit, upon request and a fee of \$5.00 to qualified hunters.

Sec. 2: Since ADF&G already has a system in place to monitor disabled veterans hunting licenses implementation should not cost the state extra. Plus saves time and money for issuing proxy permits.

WHAT WILL HAPPEN IF NOTHING IS DONE?

WHO IS LIKELY TO BENEFIT? Allow disabled veterans the dignity and self-reliance the ability to take care of themselves with positive moose management and a savings to the State.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Barbara Broadwater (HQ-98W-G-022)(HQ-97N-G-017)

PROPOSAL 8 - 5 AAC 92.XXX. DISABILITY EXEMPTION PERMITS. Create a new regulation to provide the following:

(a) A person with a disability, or their personal representative, may submit an application, on a form developed by the department, for an exemption from a regulatory limitation set forth in 5 AAC 84, 85 or 92. The application must:

(1) include a signed statement from a licensed physician explaining the nature of the disability and how the disability would prevent the person from participation in the program, service or benefit in question unless the exemption is granted;

(2) specifically identify the regulatory limitation at issue, and the type of exemption requested;

(3) be submitted at least 30 days prior to the requested effective date of the exemption, unless the exemption is necessitated by an emergency order or regulation.

(b) The department may grant the exemption, or any other exemption that it determines would provide the person meaningful access to the program, service or benefit in question. In considering whether to grant the exemption, the department should consider, among other, things whether it;

(1) would fundamentally alter a program, service, or benefit of the department;

(2) would incur undue administrative burdens or expense; or

(3) would have unreasonable impact on conservation, development, or utilization of game.

ISSUE: There is a need to provide opportunity for disabled Alaskans to have access to state programs, services and/or benefits.

WHAT WILL HAPPEN IF NOTHING IS DONE?

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Board of Game (HQ-98W-G-044)

PROPOSAL 9 - 5 AAC 92.016. MUSK OXEN TAG FEES. Amend this regulation to apply the tag fee reduction in Units 22, 23, 26B and 26C only to subsistence hunting as follows:

The resident tag fee for hunting musk oxen on Nelson Island and for subsistence hunting in Units 22, 23, 26(B), and 26(C), or for hunting cow musk oxen on Nunivak Island, is \$25.

ISSUE: Alaska statutes provide that if the board reduces the tag fee for musk ox hunting, permits must be issued on a registration basis. This is appropriate for subsistence hunting, but not for non-subsistence hunting which has generally been regulated through drawing permits. The only way the board can authorize drawing permit hunts is if they have not reduced the tag fee.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board will not be able to authorize drawing permit hunts for musk oxen in Units 22, 23, 26B or 26C.

WHO IS LIKELY TO BENEFIT? Non-subsistence hunters who want to hunt musk ox under drawing permits.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No other solution can address statutory requirements.

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-036)

PROPOSAL 10 - 5 AAC 92.018. WATERFOWL CONSERVATION TAG. Amend this regulation as follows:

A person required to possess an Alaska Waterfowl Conservation Tag or 'stamp' under AS 16.05.340(a)(17) shall:

(a) complete registration in the Migratory Bird Harvest Information Program and carry proof of such registration while hunting migratory birds; and

(b) sign the tag across its face before engaging in migratory bird [WATERFOWL] hunting.

ISSUE: There have been long-standing problems with traditional state and federal surveys for harvests of migratory birds, including inadequate sampling of migratory bird hunters, lack of information on non-waterfowl species (e.g. snipe, sandhill cranes, doves), lack of information on less frequently hunted species (e.g. sea ducks, brant), and poor accuracy of harvest estimates. The State of Alaska, other states, and the U.S. Fish and Wildlife Service (USFWS) have recognized the need to develop a more complete sampling frame for migratory bird hunters and hunted migratory birds. The International Association of Fish and Wildlife Agencies (IAFWA) worked with the USFWS and states to reach consensus on a better harvest survey system and supported implementation of regulations to require hunters and states to participate in the new system. Thus, the national Harvest Information Program (HIP) was established, and phase-in implementation was begun in 1994. In accordance with federal regulations (50 CFR Part 20 §

20.20) HIP must be implemented in all states, including Alaska, for the 1998-99 migratory bird seasons.

The HIP registration requirements include obtaining information on: (a) identity of migratory bird hunters by name, address, and date of birth; and (b) their previous-year activity and level of harvest for categories of migratory birds (e.g. ducks, geese, cranes, snipe). The USFWS will not require registration by hunters who are exempted from licensing by state law (i.e. low-income, junior and senior hunters, disabled veterans). Registration data gathered by the states is used by the USFWS to conduct a harvest survey from a more reliable sample of hunters and to produce better harvest estimates for migratory bird groups.

The Alaska Department of Fish and Game plans to offer HIP registration on printed forms through license vendors in connection with the sale of Alaska Waterfowl Conservation Stamps. Telephone registration capability is also planned. In either case, a serial-numbered state duck stamp will serve as proof of HIP registration; no additional license items or fees will be created. The state will receive additional Federal Aid funding to cover HIP start-up costs in Alaska.

Note: In order to register all migratory bird hunters in HIP, the department will submit a request to amend AS 16.05.340(a)(17)(A) to require common snipe and sandhill crane hunters, as well as waterfowl hunters, to purchase an Alaska state waterfowl stamp.

WHAT WILL HAPPEN IF NOTHING IS DONE? If HIP is not implemented on schedule in Alaska, the state and its hunters will be out of compliance with federal regulations, federal implementation funds will be withheld from the state, and improvements in migratory bird hunter and harvest information will be precluded.

WHO IS LIKELY TO BENEFIT? All resource users and management agencies will benefit from more complete information on migratory bird hunters and harvest. Accurate harvest information is necessary to establish sound regulations and manage stocks of migratory birds.

WHO IS LIKELY TO SUFFER? No one is expected to suffer. Migratory bird hunters will be asked to spend about six minutes to complete HIP registration. A sample of hunters will be asked to complete a harvest survey for after the season (similar to the annual state mail questionnaire survey).

OTHER SOLUTIONS CONSIDERED? The HIP program system was designed and supported by state wildlife agencies, through IAFWA, to provide the most effective and least disruptive means to improving migratory bird harvest data.

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-040)

PROPOSAL 11 -5 AAC 92.027. PERMIT FOR EXPORTING BIG GAME TROPHIES. Repeal this section of the regulations and readopt paragraphs (b) and (d) as paragraphs (c) and (d) under 5 AAC 92.135 TRANSFER OF POSSESSION as follows:

5 AAC 92.027. PERMIT FOR EXPORTING BIG GAME TROPHIES. Repealed __/__/98

5 AAC 92.135. TRANSFER OF POSSESSION. (a) ...

(c) Upon request from a peace officer of the state or federal fish and wildlife agent, any person shipping or receiving a raw, unprocessed, or unmounted big game trophy shall allow inspection of the trophy.

(d) In this section “big game trophy” means the raw, unprocessed, or unmounted horns, antlers, or cape of any big game animal, or the hide of a black or brown bear.

ISSUE: Big Game Trophy Export Tags have been required since before statehood. Currently the tag is of no value for enforcement for which it was initially intended. The tag requirement is an unnecessary burden to those wishing to ship unprocessed trophies out of state and is costly for the state to purchase and distribute.

The language in 5 AAC 92.027 that provides an explicit authority to allow officers to inspect trophy shipments should be retained. However, with the repeal of the permit requirement, this language should appear in a different portion of the code.

WHAT WILL HAPPEN IF NOTHING IS DONE? People wishing to ship unprocessed big game trophies will continue to have to obtain export tags to attach to their shipments.

WHO IS LIKELY TO BENEFIT? People wishing to ship unprocessed trophies out of Alaska.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game and Department of Public Safety
(HQ-98W-G-033)

PROPOSAL 12 - 5 AAC 92.029. PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

(b) The following species, not including a hybrid of a game animal and a species listed in this subsection, may be possessed, imported, exported, bought, sold, or traded without a permit from the department but may not be released into the wild:

...

(c) The department may not issue a permit for the capture, possession, import, or export of any game animal, including a hybrid of a game animal and a species listed in subsection (b), for use as a pet.

ISSUE: The public (and some law enforcement personnel) is confused about whether hybrids (e.g., wolf/dogs, lynx/house cats, etc.) are game, may be kept as pets, and may be imported and possessed without a permit. The department receives many inquiries about importing and possessing hybrids, and some hybrids arrive in the state each year as pets, without permits. People who own hybrid pets are not always willing to accept the department’s interpretation of the regulation as it is currently written. The board’s intent with regard to hybrids needs to be clarified.

WHAT WILL HAPPEN IF NOTHING IS DONE? Although adoption of this regulation is unlikely to stop all movement of hybrids into Alaska, it will make Alaska’s laws regarding the importation of game and possession of animals as pets clearer, slow the movement and commerce in hybrids within the state, and make violations easier to prosecute.

WHO IS LIKELY TO BENEFIT? Everyone will benefit from a better understanding of the law. All Alaskans concerned about preserving the health of the state’s native wildlife will benefit.

WHO IS LIKELY TO SUFFER? People who currently abuse the law by trafficking in hybrid animals will no longer be able to advertise hybrids for sale with impunity.

OTHER SOLUTIONS CONSIDERED? An unacceptable solution would be to consider hybrids of game and “clean list” species exempt from permitting requirements. Although this also would clarify the existing regulations, hybrids being imported into Alaska are capable of causing most, if not all, the adverse impacts the board enumerated under subsection (i).

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-037)

PROPOSAL 13 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation to provide the following:

Any animal now allowed to be sold as a household pet in any of the other states of the United States or the provinces of Canada shall be allowed importation into the State of Alaska to be sold, breed or kept as a pet.

ISSUE: The clean list. Not being allowed to import, breed, or possess a bobcat or lynx that has been bred in captivity by a recognized breeder.

WHAT WILL HAPPEN IF NOTHING IS DONE? Honest breeders of exotic pets will be denied a right to make a living inside or outside the borders of Alaska. Also people wishing to purchase same will be denied their opportunity to do so.

WHO IS LIKELY TO BENEFIT? Any and all peoples of Alaska wishing freedom to choose their pet of choice, not chance.

WHO IS LIKELY TO SUFFER? In all honesty, I believe no one.

OTHER SOLUTIONS CONSIDERED? I am open to all or to any within reason.

PROPOSED BY: Lewis F., Barbara A., and Dale R. Rice (HQ-98W-G-018)

PROPOSAL 14 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

Add emus to the list of species allowed to be possessed by individuals for import, export, sale and trade without a permit.

ISSUE: Approving emus to the clean list of animals allowed under subsection (b) of 5 AAC 92.029.

WHAT WILL HAPPEN IF NOTHING IS DONE? A very clean, safe and reliable source of food and income will be deprived of those Alaskans interested in this animal.

WHO IS LIKELY TO BENEFIT? All Alaskans interested in a low-fat, clean meat alternative from processed sources.

WHO IS LIKELY TO SUFFER? Importers of such products, if any.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Ronald L. Ax and Kathy M. Ax (HQ-98W-G-014)

PROPOSAL 15 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

Emu (*Dromaius Novaehollandiae*) may be possessed, imported, exported, bought, sold or traded without a permit, but may not be released into the wild. Live emu and any products from the bird (meat, eggs, feathers, leather and oil).

ISSUE: Placing emu (*Dromaius Novaehollandiae*) on the state list of clean game, to be raised as another food source for Alaskans.

WHAT WILL HAPPEN IF NOTHING IS DONE? People in Alaska would be deprived of a healthy good source of meat. State may have a problem with illegally possessed and imported birds.

WHO IS LIKELY TO BENEFIT? Alaskans who would like another source of low fat healthy meat. Slaughter houses would have another animal to work on during their normally slow season. Artists would use eggs and feathers. Emu oil products would become available for people and possibly hospitals.

WHO IS LIKELY TO SUFFER? Probably no one in Alaska, as there currently isn't a ready supply of locally raised meat animals or birds in the state.

OTHER SOLUTIONS CONSIDERED? Permit - not a good plan for a farmer to invest and have to depend on getting a permit every year.

PROPOSED BY: Ronald Ax and Geraldine J. Ax (HQ-98W-G-015)

PROPOSAL 16 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

Would like the board to place emu on the list of acceptable import species. Emu are currently raised in all 49 other US states and most Canadian provinces.

ISSUE: The importation of live birds and their eggs into Alaska from the US or Canada is not restricted nor prohibited. The breeding, rearing, harboring and slaughtering for human consumption is not restricted in any manner.

WHAT WILL HAPPEN IF NOTHING IS DONE? Alaskans will lose out on the opportunities afforded by this new and growing market consisting of meat and pharmaceutical oil.

WHO IS LIKELY TO BENEFIT? The State of Alaska and its people.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? N/A

PROPOSED BY: Bobbye Cikanek (HQ-98W-G-020)

PROPOSAL 17 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

Allow emus to come into and remain in the state as long as they are checked before entry. If hatched here they will be native to the state. They are an educational bird. They adapt very well, but no danger of surviving in the wild.

ISSUE: To approve a permit to let emus stay in the State of Alaska. They are a clean and disease-free bird. They eat the same food as geese and ducks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Then we will not be allowed to have a small business with the emu oil and eggs. We are going to use the egg shells in our business.

WHO IS LIKELY TO BENEFIT? All of the owners of said birds. Their own ideas of a business involving these birds.

WHO IS LIKELY TO SUFFER? The market would be flooded and the prices for all items will bottom out. So all small businesses will go under.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Marie Toothman (HQ-98W-G-023)

PROPOSAL 18 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation to include the following:

The addition of African Pygmy Hedgehog (*Atelerix Albivetrus*).

ISSUE: The inclusion of African Pygmy Hedgehog (*Atelerix Albivetrus*). The African Pygmy Hedgehog is not capable of surviving in the wild of Alaska. If exposed to temperatures below 65 degrees Fahrenheit for more than 24 hours African Pygmy Hedgehogs will begin the process of hibernation, but will die within 72 hours afterwards. Their native habitat is Kenya and areas south of Kenya where they normally do not experience temperatures below 70 degrees. While European species of hedgehogs are suspected of being carriers of tuberculosis, there is no evidence that African Pygmy Hedgehogs are carriers of either tuberculosis or hoof and mouth disease. In 1995, the Province of Alberta reversed their ban on African Pygmy Hedgehogs. In reversing their ban on African Pygmy Hedgehogs, the Province of Alberta cited a study that concluded that African Pygmy Hedgehogs are incapable of carrying and transmitting hoof and mouth disease. *Atelerix Albivetrus* fits all of the criteria listed in 5 AAC 92.031(h)(1)-(5). At this time there are only five states that do not allow African Pygmy Hedgehogs: Alaska, Hawaii, Georgia, Alabama and California. Of these states, Alaska is the only state in which these pets could not survive in the wild.

It was suggested to me that African Pygmy Hedgehogs (*Atelerix Albivetrus*) could not be allowed into the State of Alaska because of a ban against European Hedgehogs. In Pennsylvania, African Pygmy Hedgehogs are allowed, while European Hedgehogs are not. A certificate from a veterinarian could be required certifying that the animal is of the *Atelerix Albivetrus* species and is in good health.

These animals make excellent pets. They are easy to take care of. They eat cat food and can be trained to use a kitty box. They do not smell, are very quiet and fun to play with. On behalf of my child and others that would like to have a pet but do not have a place for a dog or are allergic to cats, please consider the ban on the African Pygmy Hedgehog.

WHAT WILL HAPPEN IF NOTHING IS DONE? Alaska’s children will be deprived of the opportunity to own an adorable, harmless, easy to care for pet.

WHO IS LIKELY TO BENEFIT? Children and adults that wish to own or sell African Pygmy Hedgehog (*Atelerix Albivetrus*).

WHO IS LIKELY TO SUFFER? No one. Unlike the European Hedgehog, the African Pygmy Hedgehog does not carry disease and cannot live in the wild.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Louann T. Christian (HQ-98W-G-024)

PROPOSAL 19 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

Include the skunk on the approved list of species to be possessed in the State of Alaska to help diversify the selection of pets for Alaskans.

ISSUE: The ability to possess domestic skunks (*Mephitis Mephitis*) as pets in the State of Alaska.

WHAT WILL HAPPEN IF NOTHING IS DONE? The experience and knowledge gained from observing such a unique and amusing animal would be lost.

WHO IS LIKELY TO BENEFIT? Pet owners, importers.

WHO IS LIKELY TO SUFFER? If the above people act responsibly, no one will suffer.

OTHER SOLUTIONS CONSIDERED? At this point, the only way to possess a skunk in the State of Alaska is to petition the board.

PROPOSED BY: Tasha M. Jones-Platzek (HQ-98W-G-009)

PROPOSAL 20 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation to include the following:

The new regulation would say that sugar gliders are accepted into Alaska (added to the “clean list” of animals already allowed).

ISSUE: I would like to see the board address the admission/addition of sugar gliders.

WHAT WILL HAPPEN IF NOTHING IS DONE? Alaskan residents will continue to be denied the availability of keeping captive-bred sugar gliders as pets.

WHO IS LIKELY TO BENEFIT? All persons interested in keeping sugar gliders.

WHO IS LIKELY TO SUFFER? No one. Even if a sugar glider were to escape into Alaskan outdoors, its dietary and temperature needs could not be met and the animal would perish within two days.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Lisa L. White (HQ-98W-G-013)

PROPOSAL 21 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation to include the following:

Sugar gliders can be imported into Alaska and be kept as pets by Alaskans.

ISSUE: Place sugar gliders on the clean list.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sugar gliders cannot be kept by Alaskan citizens as pets.

WHO IS LIKELY TO BENEFIT? Alaskan residents.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No other solution.

PROPOSED BY: Charles Rollins, Jr. (I-98W-G-008)

PROPOSAL 22 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation as follows:

Dama wallaby can be imported into Alaska as pets.

ISSUE: Place Dama wallaby on the clean list.

WHAT WILL HAPPEN IF NOTHING IS DONE? Dama wallaby cannot be kept by Alaskans as pets.

WHO IS LIKELY TO BENEFIT? Alaskan residents.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No other solution.

PROPOSED BY: Charles Rollins, Jr. (I-98W-G-006)

PROPOSAL 23 - 5 AAC 92.029(b). PERMIT FOR POSSESSING LIVE GAME. Amend this regulation to include the following:

Bennett wallaby can be imported into Alaska as pets.

ISSUE: Place Bennett wallaby on the clean list.

WHAT WILL HAPPEN IF NOTHING IS DONE? Bennett wallaby cannot be kept by Alaskans as pets.

WHO IS LIKELY TO BENEFIT? Alaskan residents.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No other solution.

PROPOSED BY: Charles Rollins, Jr.

(I-98W-G-007)

The Board of Game accepted an agenda change request to include consideration of the following proposal at its January 1998 meeting.

PROPOSAL 24 - 5 AAC 92.050(4)(B)(i). REQUIRED PERMIT HUNT CONDITIONS AND PROCEDURES. Amend this regulation to provide the following:

Keep the license and tag requirement, just change the procedure. Provide that a license and tags must be purchased before the permit will be issued. If proof of purchase is not provided by a set date the permit will be awarded to an alternate. Also, I would recommend a space be provided on the permit application where an applicant can provide license and tag numbers if the applicant already has them.

ISSUE: Current regulations require proof of purchase of a hunting license and big game tags before submitting an application for big game permit drawings. I request that the board amend this requirement to provide that proof of purchase of a hunting license and big game tags be furnished before the permit will be issued.

WHAT WILL HAPPEN IF NOTHING IS DONE? Applications for permit drawings during the 1997-1998 permit season dropped an estimated 10-12 percent over the 1996-1997 season. This significant drop in permit revenues will continue if the advance purchase of license and tags requirement is not changed. Under current regulations ADF&G must refund tag money. This has resulted in an increased workload on the department for less revenue.

WHO IS LIKELY TO BENEFIT? ADF&G will benefit with revenue from a higher number of permit applications. The department will benefit from not having to account for funds and refunding thousands of dollars in tag fees. The public will not have to pay “up-front” costs for license and tags in order to submit applications. Guides can induce nonresident clients to submit more applications.

WHO IS LIKELY TO SUFFER? ADF&G uses permit hunts to reach management goals. People submitting applications to “save an animal” without any intention of hunting create management problems. The requirement to purchase license and tags will still be in place. People submitting applications for reasons other than hunting will suffer the expense of the license and tags to do so.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Dennis L. Lattery

(HQ-98W-G-032)

The Board of Game accepted an agenda change request to include consideration of the following proposal at its January 1998 meeting:

PROPOSAL 25 - 5 AAC 92.050. REQUIRED PERMIT HUNT CONDITIONS AND PROCEDURES. Amend the regulations to require that drawing permit applicants must have either purchased or applied for a current license and must submit a big game tag application fee as follows:

...

(1) the applicant or the applicant's agent shall complete the application form; a permit application that is incomplete, or that does not include, if required, [EITHER THE] a hunting license number and big game tag number or big game tag application [THE] fee[S FOR THE APPROPRIATE LICENSE AND TAG], or that contains a false statement is void;

(2)...same...

(3) the applicant must obtain or apply for a hunting [THE APPROPRIATE] license [AND BIG GAME TAG] before [OR AT] the time of application; at the time of application for drawing permits, residents applying for brown bear hunts must provide the number of a valid brown bear tag or submit a \$25 big game tag application fee; residents applying for muskox hunts and all nonresidents must submit a \$500 big game tag application fee; after the drawing has taken place, all unsuccessful applicants will be refunded any [THE] big game tag application fee paid to the department at the time of application, and successful applicants will be refunded any portion of their big game tag application fee in excess of the cost of big game tags issued with the permit;

(4)...same....

ISSUE: The board adopted a regulation in 1995 to require all drawing permit applicants to purchase the appropriate hunting license and big game tags at the time of application. The board had two reasons for adopting this change: to prevent frivolous applications, thereby increasing the odds of serious applicants, and to generate revenue for the division.

The division implemented this regulation for the first time in 1997. Experience shows that the first goal the board had for adopting the change may have been achieved through the requirement to pre-purchase licenses and tags. However, this requirement did not generate revenue.

The number of applicants declined significantly and the Division of Wildlife Conservation experienced a significant increase in expense and personnel required to administer the new system and explain it to hunters. Overall, we projected first year additional administrative costs of nearly \$179,000, and recurring annual costs of \$185,000. Particularly complicating for us was the many types and variations of licenses which people can have.

The proposed change retains the original intent of the board in order to maintain progress toward the first goal, but greatly simplifies the application process for hunters and the department in an effort to minimize the negative fiscal impact. Only one license and a standard tag application fee of \$25 or \$500 for residents and \$500 for nonresidents would be required. Through this change we would separate the process of purchasing the license and issuing tags from processing the drawing application. This will greatly streamline both processes and reduce the cost of administering this regulation. The department anticipates automated licensing will be in place by 1999 which will make licensing even easier for both residents and nonresidents.

WHAT WILL HAPPEN IF NOTHING IS DONE? The drawing application process will remain confusing for hunters and costly for the division to administer.

WHO IS LIKELY TO BENEFIT? The 21,000 to 25,000 people who apply for drawing permits.

WHO IS LIKELY TO SUFFER? The few people who are inconvenienced by having to buy or apply for a hunting license through the mail before they can apply. Those few nonresidents who must submit more tag money than necessary.

OTHER SOLUTIONS CONSIDERED? Repeal the requirement to prepurchase licenses and tags. This would further reduce costs and the department would not oppose this, but neither of the two goals the board set would be met.

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-034)

PROPOSAL 26 - 5 AAC 92.110(b)(1)(A). CONTROL OF PREDATION BY WOLVES. Amend this regulation as follows:

Include a provision to require clear evidence of broad-based public support for the program.

ISSUE: Lack of broad public support for wolf control programs adopted by the board. Lack of fair representation for all public wildlife interests in the Alaska wildlife decision-making process.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wolf control programs will continue to be shut down by public outrage. The state will continue to get a “black eye” in the national and international arena for its irresponsible resource management policies. Direct economic impacts such as tourism boycotts are also a reality.

WHO IS LIKELY TO BENEFIT? Everyone will benefit from wildlife management policies that better reflect the views of the public.

WHO IS LIKELY TO SUFFER? Wolf control advocates who believe wildlife should be managed solely for themselves.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: The Alaska Wildlife Alliance (HQ-98W-G-027)

PROPOSAL 27 - 5 AAC 92.110(b)(1)(A). CONTROL OF PREDATION BY WOLVES. Amend this regulation to include:

- An Environmental Impact Statement, in accordance with National Environmental Policy Act standards.

- Proof of public acceptance of Alaskans in the form of a population survey conducted using a statistically-valid and peer-reviewed methodology.
- An economic analysis that considers social costs, existence values, and includes full-cost accounting.

ISSUE: Wolf control is a scientifically unproved method of management of wolves and their prey species, it costs the state money that could be used for conservation management, and it is publicly unfavorable.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wolf populations and prey species will face further mismanagement, ecosystems will suffer from a loss of important indicator species, and the Department of Fish and Game will face a continued erosion of public confidence.

WHO IS LIKELY TO BENEFIT? A majority of subsistence users and other rural residents who will enjoy conservation of a healthy ecosystem, a majority of Alaskans overall, and a majority of people who live outside Alaska.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Ballot initiative.

PROPOSED BY: Soren Wuerth (HQ-98W-G-029)

PROPOSAL 28 - 5 AAC 92.110(b)(1)(A). CONTROL OF PREDATION BY WOLVES.
Amend this regulation to include:

Justification for the proposed action, including scientific review by a minimum of six professional wildlife ecologists with no more than one employed in Alaska or the Yukon Territory of Canada.

ISSUE: Lack of consideration of the ecological costs of wolf control to wolves and the ecosystems they inhabit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wolf control programs will continue to be approved that attempt to artificially inflate “game” populations without due consideration for the damage done to wolves and natural biological diversity.

WHO IS LIKELY TO BENEFIT? The health and biodiversity of Alaska’s wildlife ecosystems. Everyone who enjoys wildlife in Alaska.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: The Alaska Wildlife Alliance (HQ-98W-G-028)

PROPOSAL 29 - 5 AAC 92.110(b)(1)(A). CONTROL OF PREDATION BY WOLVES
Amend this regulation to include:

Justification for the proposed action, including scientific review by a minimum of six professional wildlife ecologists with no more than one employed in Alaska or the Yukon Territory of Canada.

ISSUE: Lack of sufficient research and consideration of the environmental destruction caused by wolf control (destruction to animals, natural ecosystems and future people of Alaska.)

WHAT WILL HAPPEN IF NOTHING IS DONE? The Alaska Board of Game will continue to approve wolf control programs that irreversibly harm the Alaskan ecosystem.

WHO IS LIKELY TO BENEFIT? The entire Alaskan population and the future of our natural environment.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Animals and Ethics (HQ-98W-G-031)

PROPOSAL 30 - 5 AAC 92.200(b)(2). PURCHASE AND SALE OF GAME. Amend subsection (b) paragraph (2) as follows:

...
(b) No person may purchase, sell, or barter the following:

...
(2) any part of a black bear except the hide if altered into a handicraft, article or garment, an unsealed marten taken in Units 1-5, 7 and 15 (except as provided in 5 AAC 92.170(a), or an unsealed beaver, land otter, lynx, wolf, or wolverine;

...
ISSUE: A customary and traditional use of black bear hides was the making and selling of handicrafts and garments. Black bear hides were used to make gloves, mukluks and mukluk liners for both personal use and to sell or barter. Under current regulations, these items and other handicrafts can no longer be sold.

This change in regulation would allow the sale of handicraft articles and garments made from black bear hides. Based on sales of polar bear hide handicraft and garment and the effects on harvest, the market for black bear handicrafts and garment are not expected to be large and should not have any impact on black bear harvest. In most areas of the state, black bear harvest regulations are liberal but most people who consistently take black bears are subsistence hunters. Allowing the making and selling of handicrafts and garments from black bear hides would develop another valuable product from this important resource and would benefit subsistence users. Black bear harvest is closely monitored throughout the state and any impacts can quickly be identified and corrected regionally through the game board process. The intent of this

proposed regulation change is to allow sale of only parts of the bear hide that have been made into handicrafts or garments, not to create a loophole that allows the sale of entire hides or other bear parts

WHAT WILL HAPPEN IF NOTHING IS DONE? Loss of opportunity to use a valuable resource.

WHO IS LIKELY TO BENEFIT? Individuals who create handicrafts and garment from black bear hides and people interested in purchasing them.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Upper Tanana/Fortymile Advisory Committee (HQ-98W-G-025)

PROPOSAL 31 - 5 AAC 92.200(b)(5). PURCHASE AND SALE OF GAME. Amend this regulation as follows:

There would be no restrictions on the sale of caribou antlers. People would be allowed to sell them as is now legal in other units. This regulation discriminates against the people of Unit 23.

ISSUE: The regulation prohibiting the sale of caribou antlers in Unit 23.

WHAT WILL HAPPEN IF NOTHING IS DONE? The people of this area will continue to be denied a source of substantial amounts of extra income each year. Antlers will continue to be wasted.

WHO IS LIKELY TO BENEFIT? The people of Unit 23. They would have a source of income that people in all other units now have.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Richard Hayden (I-98W-G-001) (A-98-W-G-001)

PROPOSAL 32 - 5 AAC 92.200(b)(5). PURCHASE AND SALE OF GAME. Amend this regulation as follows:

There would be no restrictions on the sale of caribou antlers in Unit 23 as is now the case in all other units statewide.

ISSUE: The regulation prohibiting the sale of caribou antlers in Unit 23. When antlers are left in hunting areas, especially near the riverbank, they are washed away when there is high water. Case in point, there are two eddies currently that have antlers in the areas where people seine for white fish and trout, creating a problem for the seiners. Riverbanks will become congested with antlers left by hunters if people are unable to harvest them. If people are not prohibited from selling antlers, hunting areas would be cleaned of antlers by those harvesting them.

WHAT WILL HAPPEN IF NOTHING IS DONE? The people of Unit 23 will continue to be denied substantial amounts of extra income each year and antlers will continue to be wasted.

WHO IS LIKELY TO BENEFIT? The people of Unit 23 would have a source of substantial amounts of extra income each year. Hunting areas would be free of congested antlers.

WHO IS LIKELY TO SUFFER? None. No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Robert Mulluk, Sr. (A-98W-G-02)

PROPOSAL 33 - 5 AAC 92.200(b)(5). PURCHASE AND SALE OF GAME. Amend this regulation as follows:

The sale of caribou antlers in Unit 23 shall be open to residents of Unit 23, 21 years of age and older. All antlers sold shall be accompanied by a photocopy of a valid Alaska hunting license of person selling the antlers.

ISSUE: The regulation prohibiting the sale of caribou antlers in Unit 23.

WHAT WILL HAPPEN IF NOTHING IS DONE? If it is not solved properly the residents of Unit 23 will suffer. I don't like seeing caribou shot just for the antlers and the meat wasted.

WHO IS LIKELY TO BENEFIT? The residents of Unit 23.

WHO IS LIKELY TO SUFFER? No one. It will only slow down the illegal taking of game (caribou) by nonresidents and minors in this area.

OTHER SOLUTIONS CONSIDERED? No.

PROPOSED BY: Michael W. Willson (A-98W-G-03)

PROPOSAL 34 - 5 AAC 92.200(b)(5). PURCHASE AND SALE OF GAME. Amend this regulation as follows:

There would be no restrictions on the sale of caribou antlers in Unit 23 as is now the case in all other units statewide.

ISSUE: The regulation prohibiting the sale of caribou antlers in Unit 23.

WHAT WILL HAPPEN IF NOTHING IS DONE? The people of Unit 23 will continue to be denied substantial amounts of extra income each year and antlers will continue to be wasted.

WHO IS LIKELY TO BENEFIT? The people of Unit 23 would have a source of substantial amounts of extra income each year.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Eugene Solin (A-98W-G-04)

PROPOSAL 35 - 5 AAC 92.220(a)(1). SALVAGE OF GAME MEAT, FURS AND HIDES. Amend this regulation to include the following:

Under salvage of furbearers: If you take a beaver, muskrat squirrels or marmots, you must salvage either the hide or the meat.

ISSUE: Add squirrels and marmots for salvage. Otherwise this sends a wrong message to young hunters that wanton waste is an acceptable practice. Marmots are being depleted in certain areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? Target practice and wanton waste on valuable prey species. We need to educate ourselves and our young on the importance of each valuable link of the food chain to the health of the whole, i.e., marmots and squirrels are favorite foods of wolverine.

WHO IS LIKELY TO BENEFIT? Predators such as wolverine or bear who utilize these species. All into the future.

WHO IS LIKELY TO SUFFER? No one will suffer.

OTHER SOLUTIONS CONSIDERED? Salvage both hide and meat.

PROPOSED BY: Nancy Hillstrand (HQ-98W-G-003)(SC-97-G-016)

PROPOSAL 36 - 5 AAC 92.220(a)(3) and (4). SALVAGE OF GAME MEAT, FURS AND HIDES. Amend this regulation as follows:

(3) in any unit in which black bear sealing is required, from January 1 - December 31 [MAY 31], the hide, skull and edible meat must be salvaged; [FROM JUNE 1 - DECEMBER 31, THE HIDE AND SKULL MUST BE SALVAGED]

(4) in any unit in which black bear sealing is not required, from January 1 - December 31 [MAY 31], the edible meat must be salvaged. The hide is optional; [FROM JUNE 1 - DECEMBER 31, EITHER THE HIDE OR THE EDIBLE MEAT MUST BE SALVAGED]

ISSUE: Edible meat of black bear June 1 - December 31.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wanton waste of good edible meat.

WHO IS LIKELY TO BENEFIT? All will benefit from extra meat in their freezer.

WHO IS LIKELY TO SUFFER? Those who don't want to pack out good, edible meat.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Nancy J. Hillstrand (SC-98W-G-028)

PROPOSAL 37 - 5 AAC 92.220(h). SALVAGE OF GAME MEAT, FURS AND HIDES.
Add the following to this regulation:

A person who complies fully with the previous requirements of this subsection by delivering an illegal animal they've mistakenly taken to a Department of Fish and Game, or Department of Public Safety office, prior to any contact by a regulatory or enforcement officer. The individual who so delivers will forfeit their harvest ticket for that regulatory year; however associated fines and equipment seizures for the violation will be waived in accordance with the similar provision provided by 5 AAC 92.140(d) of this subsection.

4(a) Intent of regulation:

The intent behind all of this is that if someone brings in the meat of an animal they won't be penalized, it would not remove or reduce an officer's abilities in the field. While a person is dressing out the animal and driving it to the office they would still have the chance of being cited/fined and suffer all associated penalties.

ISSUE: Conscientious hunters who mistakenly shoot an illegal animal (i.e. spike-fork/50-inch or no cow harvest areas) and go through the significant good faith effort to bring it into the Fish and Game office only to run the risk of being treated no differently than a blatant poacher, depending on the mood, time of day, and stress level of the receiving officer.

WHAT WILL HAPPEN IF NOTHING IS DONE? Animals and meat will continue to rot in the woods instead of being brought in and used. Continued perception that the system is "out to get you" even when you do the right thing, and frustration at the system's potential unfairness. Continued high incentive to leave animals to decompose in the field and avoid any possible prosecution.

WHO IS LIKELY TO BENEFIT? All honest and ethical hunters who mistakenly shoot an illegal animal and would like to salvage the meat and comply with the law without undue

reprisal. Possible loophole, hunters who shoot animals any time they feel like, then take it into the office and turn it in to avoid prosecution.

WHO IS LIKELY TO SUFFER? No one if the law is explicit enough to prevent it from being a loophole for those who would/may try to abuse it.

OTHER SOLUTIONS CONSIDERED? None at present. It is hoped that if this proposed solution is unworkable, that broader focus on the issue through the public process, would bring it before minds more experienced in this area, and help to find/provide additional or more acceptable alternatives.

PROPOSED BY: Theodore V. Rose, Kenneth H. Miller, Kenneth W. Bylo and Stephen L. Sensabaugh (SC-98-G-026)

Note: The following proposal was deferred by the Board of Game until the January 1998 meeting.

PROPOSAL 38 - 5 AAC 92.XXX. Establish a new regulation for sealing sheep horns in Units 11 and 13 as follows:

Require all subsistence- and sport-taken sheep to have a seal or plug placed in the horns within 10 days of the end of the hunt.

ISSUE: Increasing take of sublegal rams by sport hunters, resulting in fewer old, large full-curl rams available for both hunters and breeding.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small sub-full-curl rams will be taken before they mature. Usually the best, fastest growing young rams are taken.

WHO IS LIKELY TO BENEFIT? 1) Sheep population - more older, full-curl rams for breeding; 2) Hunters - more large rams in the population; 3) Fish and Game - can monitor composition of harvest and can see age structure of harvest instead of relying on hunter reports.

WHO IS LIKELY TO SUFFER? Fish and Game has to spend time sealing. Some problems may occur such as false reporting of kill locations - but this already occurs on harvest tickets.

OTHER SOLUTIONS CONSIDERED? Permits, every-other-year sheep bag limits. These limit participation and are not needed if hunters just let rams mature.

PROPOSED BY: Michael Roscovius (HQ-98W-G-004)(HQ-97-G-119)

PROPOSAL 39 - 5 AAC 92.450(18). DESCRIPTION OF GAME MANAGEMENT UNITS. Amend this regulation as follows:

Establish permanent sub-unit boundaries between Yukon and Kuskokwim Rivers since residents of these rivers requested separate season openings of subsistence moose hunting.

ISSUE: The separate subsistence season openings for the Yukon and Kuskokwim areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicts will arise from residents near each of these rivers if the unit sub-boundaries are not established permanently.

WHO IS LIKELY TO BENEFIT? Most residents of both Yukon and Kuskokwim Rivers, their needs will be met as requested.

WHO IS LIKELY TO SUFFER? A minor portion of the commercial fishing industry on the Kuskokwim will be affected in early part of the season.

OTHER SOLUTIONS CONSIDERED? This proposal does not ask for another change, only to make the change permanent.

PROPOSED BY: Residents and Council Members of Eek (HG-98W-G-010)(W-97-G-01)

PROPOSAL 40 - 5 AAC 92.450(23) and (26). DESCRIPTION OF GAME MANAGEMENT UNITS. Amend this regulation in Game Management Units 23 and 26 as follows:

Unit 23 consists of...Goodhope River drainage to, but not including the Singoalik River drainage [CAPE LISBURNE];

Unit 26 consists of Chukchi Sea drainages north of and including the Singoalik and Arctic Ocean drainages between Cape Lisburne and... within Alaska;

ISSUE: Change a portion of the boundary between Unit 26A and Unit 23, as described above.

WHAT WILL HAPPEN IF NOTHING IS DONE? Currently Point Hope is in Unit 23, but is part of the North Slope Federal Subsistence Regional Advisory Council. Point Hope feels that it is more a part of the North Slope Borough northern Inupiaq villages than the NANA, Unit 23 region. Point Hope often gets excluded from Unit 23 issues because of this and would like to be part of Unit 26. Changing this boundary would allow Point Hope to have consistency in the groups it works with: the Federal Subsistence Regional Advisory Council, the North Slope Fish and Game Advisory Committee, the North Slope Borough and the Arctic Slope Regional Corporation. This would also be beneficial at federal regional advisory council meetings where Geoff Carroll is present and represents Unit 26, but Unit 23 is unrepresented.

Although Unit boundaries are not along political lines, there are times when political boundaries should be taken into consideration. Political boundaries like the North Slope Borough and the Arctic Slope Regional Corporation are based on cultural boundaries. Point Hope lies within both of these boundaries and all other boundaries should be consistent. Once the boundary between Unit 23 and Unit 26A hits the coastal plain, the boundary becomes somewhat arbitrary and could easily be based on a different drainage, as suggested.

WHO IS LIKELY TO BENEFIT? Point Hope residents will be the greatest beneficiaries of this proposal change. This boundary change is supported by the representative on the North Slope Regional Advisory Council from Point Hope. This boundary change would make issues less confusing for them and assure that Point Hope is included in issues concerning the Unit they are in.

WHO IS LIKELY TO SUFFER? No one is expected to suffer adverse effects.

OTHER SOLUTIONS CONSIDERED? None possible.

PROPOSED BY: North Slope Federal Subsistence Regional Advisory Council
(HQ-98W-G-026)

The Board of Game accepted an agenda change request to include consideration of the following proposal at its January 1998 meeting. This proposal is for housekeeping purposes only:

PROPOSAL 41 - 5 AAC 92.540. CONTROLLED USE AREAS. Adopt editorial changes to the language of controlled use areas that currently only place restrictions on “hunting” to include transportation of hunters, hunting gear or game.

Inserting the phrase “including the transportation of hunters, hunting gear, and/or parts of game” in place of the word “hunting” will clarify the original intent of the regulations for controlled use areas.

ISSUE: Regulations governing activities in controlled use areas, especially those adopted many years ago, place restrictions on various means of transportation for “hunting.” The board’s intent in adopting these restrictions was to prohibit use of certain means of transportation in all aspects of hunting, including transportation of hunters and their gear to the field and transportation of hunters, their game and gear from the field. However, “hunting” as defined in statutes, means “the taking of game under AS 16.05 -- AS 16.40 and the regulations adopted under those chapters.” (AS 16.05.940(20)). Because the statutory definition of hunting does not specifically include transportation, some enforcement officers and courts will not enforce action against hunters who are only transporting themselves, their gear or game in a controlled use area. This effectively nullifies the effect of the regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Enforcement of board intent for adopting controlled use area restrictions will be frustrated.

WHO IS LIKELY TO BENEFIT? Hunters, wildlife managers and enforcement officers will benefit from clearer regulations.

WHO IS LIKELY TO SUFFER? Hunters who take advantage of the existing imprecise language would be restricted.

OTHER SOLUTIONS CONSIDERED? No action; this would continue the problems identified above.

PROPOSAL 42 - 5 AAC 92.990. DEFINITIONS. Amend this regulation to include the following:

Need definition of disabled.

ISSUE:

WHAT WILL HAPPEN IF NOTHING IS DONE?

WHO IS LIKELY TO BENEFIT? Everyone.

WHO IS LIKELY TO SUFFER? Those who abuse.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Charles Shubert

(SC-98-G-033)

PROPOSAL 43 - 5 AAC 92.990(8). DEFINITIONS. Amend the definition of a moose “brow tine” as follows:

(8) “brow tine” means a tine emerging from the first branch or brow palm on the main beam of a moose antler and projecting forward; the brow palm is separated from the main palm by the first wide bay; a tine originating in or after this bay is not a brow tine; [ON THE FRONT PORTION OF A MOOSE ANTLER, TYPICALLY PROJECTING FORWARD FROM THE BASE OF THE ANTLER TOWARD THE NOSE]

ISSUE: The current definition of a brow tine is ambiguous and misleading, and the new definition will provide a clearer picture of a brow tine. The success of selective harvest programs is highly dependent on hunters being able to identify and avoid shooting bulls that are protected under this management approach. The current definition of brow tines allows a hunter to harvest any bull with the minimum number of tines emerging from the “front portion” of at least one antler, even if they are not brow tines. Additionally, the term “typically” implies points should point forward but in some cases they may not. Hunters harvesting illegal bulls have successfully argued that even points along the outer edge of the main palm are brow tines as long as they point forward. The lack of a definition of “front portion of a moose antler” has also complicated prosecutions of hunters taking sub-legal moose.

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters and agency staff will continue to be faced with an unclear definition of a brow tine.

WHO IS LIKELY TO BENEFIT? This clarification is necessary to strengthen the focus of selective harvest moose management programs through the state. Hunters will benefit from a clearer definition.

WHO IS LIKELY TO SUFFER? Unethical hunters that have harvested illegal bulls in the past and rely on the current unclear definition to avoid prosecution.

OTHER SOLUTIONS CONSIDERED? Elimination of the brow tine provision. Since hunters have a difficult time determining a 50-inch antler spread, the elimination of the brow tine provision would lead to more illegal bulls taken. A short season or permit hunt for “any bull” are undesirable when compared to long, general seasons even with antler restrictions.

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-039)

PROPOSAL 44 - 5 AAC 92.990(40). DEFINITIONS. Amend this regulation as follows:

Change the definition to state: “a point or tine is an antler projection at least one inch long, and longer than it is wide, with the width measured one inch from the tip.” Eliminate the “or more” part of the definition.

ISSUE: As defined on page 25 of the Hunting Regulations #37, “A point or tine is an antler projection at least one inch long, and longer than it is wide, with the width measured one inch *or more* from the tip.” (emphasis added)

The definition of “point” or “tine” is confusing and non-definitive. Where exactly does a person measure the width of a point? By measuring the width of some “points” where they attach to the palm (more than 1 inch from the tip), they can be several inches wide--making them wider than they are long and disqualifying it as being a point, even though the projection is several inches long.

WHAT WILL HAPPEN IF NOTHING IS DONE? The number of points is critical in special spike-fork and areas requiring specific number of brow tines on larger bulls. The public needs an exact definition for a point.

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Dave Bredin (HQ-98W-G-002)(HQ-97-G-016)

PROPOSAL 45 - 5 AAC 92.990(45). DEFINITIONS. Amend this regulation as follows:

Change definition of “within the second degree of kindred” to allow a relative of an Alaskan resident to hunt with that resident.

ISSUE: Definition of second degree of kindred.

WHAT WILL HAPPEN IF NOTHING IS DONE? I won't be able to afford to take any of my uncles or first cousins.

WHO IS LIKELY TO BENEFIT? Everyone.

WHO IS LIKELY TO SUFFER? A few outfitters.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Dan N. Bates (HQ-98W-G-007)

PROPOSAL 46 - 5 AAC 92.990(45). DEFINITIONS. Amend this regulation as follows:

Change definition of "second degree kindred" to include aunts, uncles, nieces and nephews.

ISSUE: Aunts, uncles, nieces and nephews are more closely blood-related to the Alaskan hunter than are the various "in-laws" currently specified in the definition. This omission prevents families from traditionally hunting together in Alaska for sheep, goat and grizzly bear.

WHAT WILL HAPPEN IF NOTHING IS DONE? Alaska residents will continue to be denied the opportunity to hunt grizzly bear, sheep and goat with nonresident family members unless they employ the services of a registered guide for all members of the hunting party. Alaska continues to forego the additional hunting revenue that would be generated through increased nonresident license and tag fees plus income to other associated Alaska businesses.

WHO IS LIKELY TO BENEFIT? Alaska game management, Alaska businesses and Alaska families that traditionally hunt together.

WHO IS LIKELY TO SUFFER? The few guides that are currently employed by the aunts, uncles, nieces and/or nephews of resident Alaskan hunters now hunting sheep, goat or grizzly bear.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Don Quarberg (I-98W-G-005)

The Board of Game deferred action on this proposal to its January 1998 meeting:

PROPOSAL 47 - 5 AAC 85.020(16). HUNTING SEASONS AND BAG LIMITS FOR BROWN BEAR. Change the regulations for season dates in Unit 18 as follows:

Units and Bag Limits (16) Unit 18	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
1 bear every regulatory year by registration permit	Sept. 1 - May 31 (Subsistence hunt only)	No open season
1 bear every 4 regulatory years	<u>Sept. 10 - May 25</u> [SEPT. 10 - OCT. 10] [MAY 10 - MAY 25]	<u>Sept. 10 - May 25</u> [SEPT. 10 - OCT. 10] [MAY 10 - MAY 25]

ISSUE: This proposal was deferred from the October 1997 meeting of the board in Nome. Under this proposal the general season hunting dates are simplified and changed from the opening date of the existing fall season to the closing date of the existing spring season. The single season simplifies regulations. It allows later fall hunting and earlier spring hunting with the following advantages: a) safer access over snow, b) more likely to encounter boars (male bears), c) better hide condition.

WHAT WILL HAPPEN IF NOTHING IS DONE? Bear hunting regulations will remain unchanged in Unit 18.

WHO IS LIKELY TO BENEFIT? General hunters will benefit from simplified regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-98W-G-035)

PROPOSAL 48 - 5 AAC 85.070(4). SEASONS AND BAG LIMITS FOR UNCLASSIFIED GAME. Amend the bag limit for crows as follows:

Units and Bag Limits	Resident Open Seasons (Subsistence and General Hunts)	Nonresident Open Season
Crow		
Units 1-9 and 15	Mar. 1-Apr. 15 (General Hunt only) Sept. 1-Nov. 17 (General Hunt only)	Mar. 1-Apr. 15 Sept. 1 - Nov 15

No limit; however a bird may be taken only if used for food or clothing, and no bird may be sold or offered for sale.

[40 PER DAY]

Units 10-14 and 16-26

No open season.

No open season.

ISSUE: Under current law it is not clear that hunters who take crows are required to salvage the birds for human use. This change would clarify that crows may only be taken for food or clothing, as is currently the case for cormorant and snowy owls. The intent is to prevent indiscriminate shooting of crows. This change would not affect a person’s right to take crows to prevent depredation of crops, which is authorized under 5 AAC 92.410. Taking Game In Defense Of Life Or Property.

WHAT WILL HAPPEN IF NOTHING IS DONE? People may not know whether they can shoot crows without salvaging the meat.

WHO IS LIKELY TO BENEFIT? Everyone will benefit from a better understanding of the law.

WHO IS LIKELY TO SUFFER? People who currently shoot crows but do not salvage the birds.

OTHER SOLUTIONS CONSIDERED? Amend the regulations to define “wild fowl” to include crow. We believe it is simpler and more consistent with other regulations to amend the bag limit.

PROPOSED BY: Alaska Department of Fish and Game at the request of the Board.

(HQ-98W-G-038)

PROPOSAL 49 - 5 AAC 85.070(4). HUNTING SEASONS AND BAG LIMITS FOR UNCLASSIFIED GAME: CROWS. Amend this regulation to provide the following statewide:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(4) Crow Units 1-26	No open season	No open season

ISSUE: The Northwestern Crow, a coastal shore bird, is hunted for no apparent reason. These birds are not used for food, subsistence, hides, feathers, body parts, or ceremonies and are not an agricultural pest. This wanton waste of wildlife is offensive to many hunters and plays directly into hands of the “stop-all anti-hunting and fishing” groups and organizations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Crows are not properly defined in 5 AAC 85.070(4). Webster's Dictionary defines crow as a general name for birds of the genus Corvus, usually black and with a strong conical bill and typical harsh call. The raven, rook and jackdaw are all crows. Webster defines raven as the largest crow with straight sharp beak and lustrous black feathers. Under this definition, can ravens be hunted as crows during the present open season for crow? The Audubon Society Western Region Field Guide lists the northwestern crow and the common raven as members of the genus Corvus common to Alaska. The ADF&G 1989 Wildlife Notebook Series on raven states under MANAGEMENT that the Migratory Bird Treaty between the United States, Canada and Mexico was amended in 1972 to include the Corvids, thus giving federal protection to these species. As Corvids, is either/or/both the northwestern crow and the common raven protected under this treaty? In answer to the first question of this part of the proposal form, northwestern crows and possibly common ravens will continue to be hunted for no apparent reason.

WHO IS LIKELY TO BENEFIT? Those who enjoy the seashore and hunting without unnecessary waste of wildlife and those who enjoy watching northwest crows feast on blue bay mussels by dropping the mussels on nearby rocks to open them.

WHO IS LIKELY TO SUFFER? Crow hunters.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Bill Stockwell (HQ-98W-G-021)

PROPOSAL 50 - 5 AAC 85.070(4). HUNTING SEASONS AND BAG LIMITS FOR UNCLASSIFIED GAME: CROWS. Amend this regulation as follows:

Units 1-26 - no open season.

ISSUE: Inappropriate to have 40 crows per day on regulation books.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wanton waste.

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Charles Shubert (SC-98-G-032)

PROPOSAL 51 - 5 AAC 85.070. HUNTING SEASONS AND BAG LIMITS FOR UNCLASSIFIED GAME. Amend this regulation to provide the following:

It should be population control by professional biologists who are qualified to judge the proper population.

ISSUE: The over population of ravens in highly populated areas - they have few if any natural enemies so they overpopulate and become the equivalent of garbage bears.

WHAT WILL HAPPEN IF NOTHING IS DONE? We will lose all of the robins, warblers and other desirable birds - in fact the area where I live in the 25 years I have been here what was common has become rare.

WHO IS LIKELY TO BENEFIT? All of the people in populated areas who enjoy a variety of birds.

WHO IS LIKELY TO SUFFER? Very few if any if properly handled.

OTHER SOLUTIONS CONSIDERED? I oppose shooting or poisoning because it would be very difficult to do it properly and it is presently illegal.

PROPOSED BY: W.H. Fiedler (HQ-98W-G-008)

PROPOSAL 52 - 5 AAC 92.040. PERMIT FOR TAKING FUR BEARERS WITH MEAT and 5 AAC 92.210. GAME AS ANIMAL FOOD OR BAIT and 5 AAC 92.220. SALVAGE OF GAME MEAT, FURS, AND HIDES. Amend these regulations to provide for the following:

After ADF&G completes its investigation of illegally killed big game, in cases in which the meat is not suitable for human consumption, the carcasses will be made available to trappers using a process similar to which edible carcasses are made available to consumptive users.

ISSUE: Illegally killed big game left to rot after ADF&G investigation is completed.

WHAT WILL HAPPEN IF NOTHING IS DONE? Carcasses will continue to be left to rot.

WHO IS LIKELY TO BENEFIT? Trappers.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Anchorage Advisory Committee (SC-97-G-48)
