

**DRAFT
RECOMMENDATIONS
BOARD OF GAME PROPOSALS**

January 2006

Alaska Department of Fish & Game

Division of Wildlife Conservation

The department's recommendations are based on analysis of the proposals with available information. These recommendations may change after further analysis based on public comment or additional information.

PROPOSAL 1

EFFECT OF THE PROPOSAL: Establish framework seasons and align lynx hunting and trapping seasons in units managed under the lynx harvest tracking strategy.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: Staff proposal - see issue statement.

PROPOSAL 2

EFFECT OF THE PROPOSAL: Establish a new state permit for controlling fox predation near migratory bird nesting areas.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: Staff proposal - see issue statement.

PROPOSAL 3

EFFECT OF THE PROPOSAL: Create a statewide moose hunt for bow hunters from October 10-October 20. This new season would replace all early general season archery hunts where they exist (mostly in Southcentral). The author also recommends a system where these hunters would not be able to participate “the regular moose season”.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: Generally the department makes no recommendation for proposals that are allocative. For this proposal we maintain our neutral position regarding the allocation of resources between user groups. However there are two aspects of this proposal that the department is opposed to or may not be able to implement.

First, the department is generally opposed to hunting moose during the rut. The proposed season dates encompass much of what is recognized as the rut period. Disruption of the rut may jeopardize future production.

Second, the author proposes a system where a hunter must choose to hunt during this hunt and that opportunity is mutually exclusive from other general season moose hunts. This type of system is not possible under the existing harvest ticket program. The department has discussed the potential for other types of hunts (e.g., “super harvest tickets” — harvest tickets with special provisions or conditions) and we are not sure if our current technology can handle these types of permits or hunts. If enacted this program would be new and have associated implementation costs.

Finally, the department is concerned that broad sweeping proposals such as this one will result in unanticipated consequences in some areas in the state.

PROPOSAL 4

EFFECT OF THE PROPOSAL: Require sealing of all goat horns statewide.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: This proposal is concerned with the possibility of inaccurate reporting of sex and age of harvested goats when the hunter is only required to provide information in a harvest report. As a permit condition in a registration or drawing hunt, the department can require that goat horns be submitted to the department for measurements and verification of sex. In those hunts that the department is concerned about the potential for overharvest or we need to monitor female harvest we require the submission of horns. Requiring sealing in areas without biological concerns creates an unnecessary burden on the hunters and additional workload for department staff.

PROPOSAL 5

EFFECT OF THE PROPOSAL: Require sealing of all goat horns statewide.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 4.

PROPOSAL 6

EFFECT OF THE PROPOSAL: Establish resident and nonresident hunting opportunities for an introduced species once a harvestable surplus is reached.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION**

RATIONALE: The department and Board of Game have a long and successful history of providing seasons and bag limits once any population has a harvestable surplus. This includes the introduction of species that are new to an area (e.g., mountain goats on Baranof and Kodiak islands, deer on Kodiak Island, ruffed grouse in Southcentral), or the introduction of a species (e.g., bison). The department follows all existing laws and regulations, such as the subsistence and intensive management statutes, when establishing seasons and bag limits for any new population that can be hunted or trapped.

PROPOSAL 7

EFFECT OF THE PROPOSAL: Establish consistent minimum ages for hunting requirements throughout regulations.

DEPARTMENT RECOMMENDATION: **NO RECOMMENDATION.**

This proposal is the product of the Board’s intent to continue to encourage young hunters and provide additional opportunity. At the same time the Board has a desire to simplify regulations. The proposal is an allocation among age groups for big game hunting.

Currently there are a variety of age limits within the regulations, a result of various changes over the years. The department repeatedly hears concerns about the complexity Alaska’s hunting regulations and we desire simplification where possible. We are also strongly committed to encouraging the development of young hunters. The department’s Hunter and Information Training Program currently certifies over 3,000 new students each year. The program does not require a minimum age for the Basic Hunter Education course; however, students under the age of 10 have some difficulty in the course. This can be attributed to reading, comprehension, and test-taking problems, or more significantly, the inability to safely handle the firearms used in “hands on” exercises.

National trends clearly show that we are losing the younger generation of hunters. A significant study, “Youth Hunting Report”, was recently compiled for the National Shooting Sports Foundation (NSSF) and the National Wildlife Turkey Federation (NWTf). States were ranked from “very restrictive” to “least restrictive”, based on the ability of new hunters to enter and participate in hunting. Alaska was one of 16 states ranked as “least restrictive” based on the current minimum age of 10.

Younger hunters can still experience hunting with no restrictions on other game, such as small game and fur animals, and may take big game under the direct, immediate supervision of a licensed adult.

The current standard age limit of 10 years for big game hunting has been in regulation for 4 years, and is generally accepted and understood by the public. This proposal as written would raise that minimum age to 12 and eliminate opportunity for hunters 10 and 11 years old to have their own bag limit, or hunt on behalf of a permit holder in specific hunts. Aligning the current age at 10 for all big game hunting, including general season hunts would:

- Allow all young hunters 10 years old to have their own bag limit in all big game hunts, after obtaining the necessary harvest tickets or permits.
- Allow hunters younger than 10 to hunt big game, under the direct, immediate supervision of a licensed adult.
- Allow young hunters 10-17 to hunt on behalf of permit holders in all permit hunts, not just specific hunts, increasing the young hunters opportunity.

PROPOSAL 8

EFFECT OF THE PROPOSAL: Modify the requirements for an adult supervising a young hunter in areas requiring hunter education.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT.**

RATIONALE: The department continues to encourage adult hunters to take young people hunting. However, current information gathered from 211 hunting incidents indicates the need for more, not less, hunter education for all age groups, including adult hunters who would be considered “grandfathered in”.

Our hunter incident information is from the Hunter Incident Clearinghouse, maintained by the International Hunter Education Association (IHEA). These were 2004 incidents from the lower 48 states and involved the use of rifles and shotguns. Alaska is one of the few remaining states that does not provide information to the national database.

Of the 211 hunting incidents:

- 81% of them involved adult hunters (19+ years of age), with 45% of these involving “long-time” hunters (40+ years old)
- Only 19% involved teenagers

The current requirement that a supervising adult complete a hunter education class, often results in the adult attending class with the young hunter. Some of the most productive and rewarding experiences of hunter education classes are when an adult (e.g., “grandad”, “dad” or “mom”) takes the course with the young hunter, share their years of experience with the class, and actually participate in the learning experience along with the rest of the class.

The department believes that new delivery methods now popular in Alaska allow any student to complete the requirement in one day, so the requirement is not a burden.

PROPOSAL 9

EFFECT OF THE PROPOSAL: Repeal board authority to restrict off-road vehicles due to chronic user conflicts.

DEPARTMENT RECOMMENDATION: **NO RECOMMENDATION.**

RATIONALE: The proposal requests the Board to relinquish its’ authority to restrict motorized access in specific cases. This authority is granted by statute. The department has no recommendation on this allocation issue.

PROPOSAL 10

EFFECT OF THE PROPOSAL: Eliminate resident brown bear tag fee and replace with sealing fee.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: Fee structures are set in statute and require action by the legislature. The Board has been granted authority to eliminate the brown bear tag fee on a year-to-year basis in specific areas. Tag fees have been eliminated across much of interior and northwest Alaska in association with intensive management programs. Conceivably, the Board could eliminate brown bear tag fees statewide every year. The department would not support such a broad approach. Establishment of a new fee for the sealing brown bears would require legislative action.

PROPOSAL 11

EFFECT OF THE PROPOSAL: Require harvest report for deer hunting.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: This additional requirement is not considered necessary by the department. Currently the department measures deer harvest through a voluntary mail-out harvest survey to a sample of deer hunters after the season. This method has been used for many years and the department feels that the information obtained through this method is adequate and more cost-effective than requiring that every hunter complete and submit a harvest report. Given the large number of deer hunters in the state, using harvest reports would add considerably to the workload of the department for data entry and information management. The department does not believe that collecting information from 100% of the deer hunters would appreciably add to the quality of information available for deer management. If the Department were to adopt an electronic licensing system with electronic reporting, this type of program may be feasible and cost effective. This type of program is not yet available in Alaska.

PROPOSAL 12

EFFECT OF THE PROPOSAL: Allow proxy hunting for muskoxen.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT.**

RATIONALE: When proxy hunting regulations for game animals were adopted in the early 1990s, muskox populations were small, hunting was very restricted, and it was appropriate to limit proxy authorizations to moose, caribou, and deer. However, at present, muskox populations have increased and support subsistence and general hunt harvests in many areas of the State. Since muskox have become an important subsistence resource across western and northern Alaska, it is appropriate that muskox be added to the list of proxy species.

Every year we are contacted by elderly or disabled subsistence permittees who ask for proxy authorizations because they are unable to fill their permits due to circumstance that would allow them to designate a proxy hunter if muskoxen were an eligible species. Because muskoxen have become an important food species, we agree with the Seward Peninsula Muskox Cooperators Group and local advisory committees that subsistence hunters should be able to designate a proxy to take a muskox, as they can for other subsistence species. Although abuse of proxy regulations may be a serious problem in some areas of the state, it has not been a problem within the range of muskoxen in northern Alaska.

We suggest amending the proposal to limit proxy hunting to areas where the Board has few conservation concerns (similar to moose, see Proposal 14). Since the muskox bag limit is limited to one animal statewide, we recommend that proxy hunting be allowed only for cow hunts or any-bull hunts. Muskox hunts with restrictive bull bag limits would not be eligible for proxy hunting.

PROPOSAL 13

EFFECT OF THE PROPOSAL: Restrict proxy hunters by limiting the number of beneficiaries per year.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 14.

PROPOSAL 14

EFFECT OF THE PROPOSAL: Limit proxy hunting to specific hunts.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT.**

RATIONALE: The department feels that the proposal still provides opportunity for beneficiaries to obtain meat, while restricting proxy hunters to areas where populations are healthy. The department suggests an amendment to address areas where bag limits have been restricted to one species or sex, such as the Fortymile area or the fall hunt for Mulchatna bulls. In the Fortymile, hunters are required to choose to hunt one species or another, and in the Mulchatna, taking of more than one bull is prohibited during the fall. Use of a proxy can circumvent the regulations.

Amended language would read:

(a) A resident hunter (the proxy) holding a valid resident hunting license may take only moose, caribou, and deer for another resident (the beneficiary) who is blind, physically disabled, or 65 years of age or older, as authorized by AS 16.05.405. **Proxy hunting will be allowed for caribou and deer in areas where the bag limit is greater than one. Proxy hunting will be allowed for moose in cow hunts or any-bull hunts. Proxy hunting may be prohibited in specific hunts if the use of the proxy would allow circumvention of harvest restrictions specified in Board regulations.**

PROPOSAL 15

EFFECT OF THE PROPOSAL: Limit number hunts by proxy to two per species per season.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 14.

PROPOSAL 16

EFFECT OF THE PROPOSAL: This proposal attempts to address the issue that there are big game animals (i.e., moose) that are being harvested for certain religious ceremonies that are not being reported. The proposal, if adopted would:

- Require a ceremonial harvest permit to be in the possession of anyone hunting big game for a religious ceremony
- Require harvest ticket(s) for anyone hunting big game for a religious ceremony
- Require all ceremonial hunters to be listed on the permit
- Require that hunt results be reported within 5 days of the taking as required in the community subsistence harvest hunt area regulations
- Require unfilled harvest tickets to be returned within 15 days of the date of the ceremony

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: The 1987 regulation adopted by the Board provided for a harvest report to be submitted by the hunter who had taken a moose for a funeral potlatch within 15 days after the take (5 AAC 92.015). In 1996 the Board adopted the current regulation (5 AAC 92.019) and made a finding in 96-98-BOG, which required the hunter to submit a harvest report within 20 days following the ceremony. In 2003 the Board amended the current regulation requiring the tribal chief, village council president, or their designee, for the village in which the religious ceremony will be held, to notify the nearest department office that a ceremonial hunt will take place as well as to provide a harvest report within 15 days after the taking of big game. Under current regulation, the tribal chief, village council president, or their designee also is required to maintain records of the successful hunters and the decedents for the village or tribal ceremony, and make that information available to the department upon request.

The current regulation has only been in effect for two years, so the department suggests it is premature to adopt this proposal given that requiring a paper permit and harvest tickets would not automatically lead to better reporting. Furthermore, the department concludes that reducing the reporting period to five days would likely not result in better reporting than occurs under the present regulation (15 days). The department concludes that requiring ceremonial hunters to be listed on a permit is unnecessary given that access to this information is already provided for under the current regulation, upon request by the department. Similarly, requiring unsuccessful harvest tickets to be returned within 15 days after the ceremony likely would not result in better reporting of successful hunts in the absence of systematic follow-up and cooperation between

department staff and the communities in which the ceremonies take place. Designing and implementing a specific harvest ticket or permit system for this program would not necessarily make reporting easier, and would be contrary to the intent of the existing regulation. The department agrees with the proponent that, for some areas, evaluating the current level of harvest is difficult to ascertain.

Finally, Board of Game finding 96-98-BOG states that there are no known cases where sustained yield has been threatened by taking of big game animals for Alaska Native religious ceremonies. The current regulation also provides for the department to publicize a list of big game populations and areas, if any, for which the taking of a big game animal would be inconsistent with sustained yield principles; no big game populations are on this list. Areas where moose hunting is currently closed for conservation reasons are presumed to be closed to the taking moose under this program.

PROPOSAL 17

EFFECT OF THE PROPOSAL: This proposal attempts to address the issue that there is more than one ceremonial harvest permit being issued for a single ceremony. The proposal, if adopted would:

- Limit the number of ceremonial harvest permits available to one, only to be issued to the family of the deceased
- Limit the number of ceremonial hunters that could be registered on the ceremonial permit to five
- Administer ceremonial harvest permits the same as the community subsistence harvest hunt area and permit regulation (5 AAC 92.072(c)(1)(A))

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: The current regulation states that a written permit from the department is not required for taking big game for ceremonial purposes (5 AAC 92.019(c)). In 1996, the Board found that the statewide ceremonial harvest regulation provides regulations that are reasonable and least intrusive with respect to certain religious practices. Limiting the number hunters that could participate in hunting for religious ceremonial purposes does not recognize the customary and traditional social patterns related to certain religious ceremonies. Social obligations related to funeral or mortuary potlaches are not limited to the immediate family of the deceased, but include broader social obligations related to clan affiliation.

Current regulations provide that the big game harvest for funeral or mortuary religious ceremonies does not count as the hunter’s individual bag under general or subsistence regulations (96-98-BOG). The Community Harvest Permit regulations restrict the individual hunters’ opportunity to hold a harvest ticket or other state hunt permit for the same species where the bag limit is the same or for fewer animals. Community harvest regulations are not generally suitable for administering the taking of big game for certain religious ceremonies.

PROPOSAL 18

EFFECT OF THE PROPOSAL: Allow the sale of big game trophies.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: In regulation, a "trophy" means a mount of a big game animal, including the skin of the head (cape) or the entire skin, in a lifelike representation of the animal, including a lifelike representation made from any part of a big game animal; "trophy" also includes a "European mount" in which the horns or antlers and the skull or a portion of the skull are mounted for display.

The proposal is somewhat confusing, since references include bear hides, and antlers and skulls not mounted for display, which are not included in the current definition of a trophy. It also refers to the state auction in which untanned, salted bear hides, and antlers removed from the skulls, are the only items for sale by the state. Often, other auctions are occurring at the same time as the state auction, so the proponent may have confused the two.

The department does not feel that the sale of big game trophies, as *currently* defined, would create a conservation concern through the harvest of specific animals. The Board may wish to consider restricting sales to prevent large-scale commercialization. This might include allowing a one-time sale by the original hunter. Alaska contains more species of trophy big game and a greater opportunity to harvest large individual animals than all other states in the USA. A qualitative survey of selected western states fish and game agencies suggest that most states allow the sale of trophies and few have obvious problems. Yet, Alaska is in a different 'league' than many of these states with regard to trophy-sized native big game. The Board should consider attendant effects of allowing the sale of trophies, including the possibility for invoking the federal commerce clause, since discriminating between residents and nonresidents might restrict access to a potential source of income.

PROPOSAL 19

EFFECT OF THE PROPOSAL: Allow the sale of big game trophies.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 18.

PROPOSAL 20

EFFECT OF THE PROPOSAL: Allow African servals to be possessed in the state with a permit.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT.**

RATIONALE: Wording in this proposal suggests that the intent is to allow African servals (*Felis serval*) to be possessed as pets. Using these animals for educational purposes (presumably under authority in 5 AAC 92.033, permit for scientific, educational, propagative, or public safety purposes) appears to be a way to allow possession without having the species pass the rigors of 92.029(h)(1-5), which was crafted by the board as a checklist to ensure the safety of Alaska's unique and pristine wildlife populations. These regulations make it clear that the board will add species to the "clean list" only if there is clear and convincing evidence that the species is not capable of endangering Alaska's indigenous wildlife. It is not clear African servals do not pose a threat. Therefore, for the safety of Alaska's indigenous wildlife populations, the department opposes adding African servals to the "clean" list.

Keeping with Board intent, it is department policy to issue educational permits only to organizations or institutions with demonstrated experience and where there is a compelling case to possess wildlife. Seldom do we issue a permit for an institution to possess exotic wildlife and virtually never for educational purposes.

As written, the proposal does not merit action by the Board of Game. The Department concurs with the American Veterinary Medical Association, which issued a policy statement strongly opposing the keeping of wild carnivore species as pets. There is little or no information available concerning the needs and proper care of servals in captivity apart from that supplied by the commercial exotic pet trade. Furthermore, servals cannot be legally vaccinated against rabies because there is no vaccine proven safe and effective in exotics. For the safety of Alaska's indigenous wildlife populations, the department opposes adding African servals to the "clean" list.

PROPOSAL 21

EFFECT OF THE PROPOSAL: Issue permits in specific areas to allow trapping of black bear, and sale of hides, claws, and skulls.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT.**

RATIONALE: In most areas of the state, hunting seasons and bag limits are adequate to meet bear harvest objectives. Individual areas where harvest objectives are not being met, or where increased harvest is desired, should be dealt with on a case-by-case basis.

There are significant differences between hunting and trapping in terms of both application and regulation. Hunting is selective for specific individuals. Trapping is not nearly as selective and cubs, and sows with cubs, could be caught in traps, resulting in potentially dangerous situations, and the taking of animals that are not presently legal. Across Alaska, trapping is generally limited to winter seasons, and the potential for the incidental trapping of a bear is minimized. In summary, the department does not support the portion of the proposal that would allow the trapping of black bears.

The department supports the limited sale of black and brown bear hides and skulls taken from identified predator control areas. Discussions concerning the specifics of this program are ongoing and may include:

- Whether a permit would be required
- In unit sealing requirements
- Special tags attached at the time of sealing

The claws of bears are considered a part of the hide, so any sale of bear hides would automatically include the sale of claws that must remain attached to the hide.

PROPOSAL 22

EFFECT OF THE PROPOSAL: Issue permits in specific areas to allow sale of black bear hides, claws, and skulls

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 21.

PROPOSAL 23

EFFECT OF THE PROPOSAL: Allow the sale of brown bear hides.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT.**

RATIONALE: A statewide regulation to allow the sale of bear hides could lead to overharvest in areas where harvest objectives are already being met. This is especially true for many coastal brown bear populations.

The department recommends the approach regarding the limited sale of bear hides described in our recommendation for Proposal 21.

PROPOSAL 24

EFFECT OF THE PROPOSAL: Allow the sale of black bear hides.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 21.

PROPOSAL 25

EFFECT OF THE PROPOSAL: Allow the sale of black bear hides and skulls.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 21.

PROPOSAL 26

EFFECT OF THE PROPOSAL: Shorten time frame required before taxidermist can sell unclaimed mount.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: The current waiting period of one year is much longer than the minimum required by other western states. A six month wait period, combined with the required notification procedures, would be sufficient to protect the interests of the trophy owner while reducing the financial burden on the taxidermist.

PROPOSAL 27

EFFECT OF THE PROPOSAL: Require muzzleloader certification prior to applying for restricted drawing hunt.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: Staff proposal - see issue statement.

PROPOSAL 28

EFFECT OF THE PROPOSAL: Modify Tier II scoring to provide more points for cost of food and gas.

DEPARTMENT RECOMMENDATION: **NO RECOMMENDATION.**

RATIONALE: This is an allocation issue. The Department is analyzing the effects of this proposed change and will present information at the Board meeting.

This proposal, as Proposal 2, was deferred from the June 2005 Board of Game meeting at the request of the Board. Proposal 2 had been deferred from the March 2005 meeting (Proposal 156). The proposal was originally developed by the Board of Game to revise the points awarded to applicants in Tier II hunts. Tier II hunts occur when the harvestable surplus of a game population is not sufficient to provide a reasonable opportunity for all Alaskans who wish to do so to participate in subsistence hunting and it is therefore necessary to distinguish among Alaskans who may participate. The state subsistence law presently specifies two factors that are used to individually rank those Alaskans who wish to participate in a Tier II hunt: customary and direct dependence on the game population as a mainstay of livelihood, and the ability of the subsistence user to obtain food if the subsistence use is restricted or eliminated. The Board has developed questions to measure each of these factors for each applicant. Under the current scoring system, 60 percent of points are awarded to the first factor, which is measured by the

length of use by the applicant of the game population. The maximum number of points is achieved at 50 years of use. Under Proposal 28, 40 percent of available points would be allocated to factor one, and a maximum score will be achieved at 30 years of use. This change will reduce the scoring advantage for long-term users of the Tier II population, especially those with more than 30 years of use. Proposal 28 allocates 60 points to questions measuring factor 2, including cost of food and cost of gasoline. This change is likely to favor Tier II applicants who live outside urban areas where alternatives to subsistence use of the Tier II population are limited by high food and fuel costs. This change may also create more opportunities for younger hunters, especially those living within the Tier II population area, to obtain permits. Another justification offered in the past by the Board for this revised point allocation is that the scoring procedure for factor 2 is based upon verifiable data concerning costs of living. Length of use of the Tier II population, the measure used for factor 1, cannot be easily verified and, in the view of the Board, may in some cases result in false claims of long use histories.

PROPOSAL 29

EFFECT OF THE PROPOSAL: Modify Tier II scoring to provide points for distance traveled.

DEPARTMENT RECOMMENDATION: **NO RECOMMENDATION.**

RATIONALE: This is an allocation issue. The Department is analyzing the effects of this proposed change and will present information at the Board meeting.

For general background on the Tier II process, see comments on Proposal 28. Proposal 29 is similar to Proposal 28 in lowering the points allocated to factor 1 from 60 to 40, and correspondingly increasing the points allocated to factor 2 from 40 to 60. The proposal suggests two additional measures for factor 2: distance traveled to obtain food from the nearest grocery store and distance traveled to obtain gasoline from the closest gas station. Details on how this distance should be calculated and how points would be allocated are not offered in the proposal.

PROPOSAL 30

EFFECT OF THE PROPOSAL: Modify Tier II scoring to provide more points for cost of food and gas.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 28.

PROPOSAL 31

EFFECT OF THE PROPOSAL: Allow taking of wolves with snowmachines, ATV's and boats in Unit 22.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT**

RATIONALE SPECIFIC TO DEFERRED PROPOSAL: Wolf abundance is highly influenced by seasonal distribution and movements of caribou and, since the mid-1990s, winter wolf numbers have increased in Unit 22 in response to greater use of winter range on the Seward Peninsula by the Western Arctic caribou herd. Wolves are most abundant in eastern Unit 22, where caribou have wintered for the longest period of time. Reported wolf harvest in Unit 22 has averaged 40 wolves per year during the last 10 years. Although actual harvest is higher, current harvest levels are not believed to be limiting wolf numbers. A reduction in wolf numbers in Unit 22 could benefit efforts to rebuild moose populations in parts of Unit 22; however, we do not expect that adoption of this proposal would significantly increase wolf harvest. If adopted, this proposal would not present a biological concern for wolves in Unit 22. However, unless this Unit-specific proposal is considered in a consistent manner with the suggestions provided below, confusion will remain regarding the taking of wolves with the aid of a motorized vehicle.

RATIONALE FOR AMENDED STATEWIDE REGULATION: The Board began liberalizing the use of snowmachines several years ago. As new regulations were adopted, it was unclear what a snowmachine could be used for in certain areas. The department suggests amending this proposal to clarify the regulations for the use of snowmachines and other motorized vehicles to take wolves.

Below are relevant sections of the existing and proposed regulations. We

- 1) reorganized the section to clarify the different types of motorized vehicles and their allowed uses;
- 2) removed the relatively broad term *take* and added the term *position* where applicable; and,
- 3) applied the federal land exclusion to all units where this regulation exists.

Traditional, formatted and amended language will be provided at the Board meeting.

5 AAC 92.080. Unlawful methods of taking game; exceptions. The following methods of taking game are prohibited:

...

with the use of a [AN AIRCRAFT, SNOWMACHINE, MOTOR-DRIVEN BOAT, OR OTHER] motorized vehicle to harass game or for the purpose of driving, herding, or molesting game;

() shooting from a motorized boat unless the motor has been completely shut off and the progress from the motor's power has ceased, except:

- (A) a motorized boat may be used to take caribou in Units 23 and 26;
- (B) under authority of a permit issued by the department

() shooting from a motorized land vehicle unless the motor has been completely shut off and the progress from the motor's power has ceased, except that;

(A) in Units 22 and 23, snowmachine may be used to position caribou to select individual caribou for harvest, and caribou may be shot from a stationary snowmachine;

(B) in wolf control implementation areas specified in 5 AAC 92.125, in Units 9(B), 9(C), 9(E), 17, 18, and 19 except on any National Park Service or National Wildlife

Refuge lands not approved by the federal agencies, a snowmachine may be used to position wolves to select individual wolves for harvest, and wolves may be shot from a stationary snowmachine;

(C) ATV may be used in Units 9(B), 9(C), 9(E), and 17, except on any National Park Service or National Wildlife Refuge lands not approved by the federal agencies, to take wolves, may be used to position wolves to select individual wolves for harvest, and wolves may be shot from a stationary ATV;

(D) under authority of a permit issued by the department

...

5 AAC 92.990. Definitions. (a) In addition to the definitions in AS 16.05.940, in 5 AAC 84 - 5 AAC 92, unless the context requires otherwise.

(43) "motorized vehicle" means a motor-driven land, water, or air conveyance;

(9) "boat" means a vehicle, vessel, or watercraft operated in or on water deep enough to float it at rest and includes hovercraft, airboats, personal watercraft, and amphibious vehicles;

(42) "motorized land vehicle" means a motorized vehicle operated on land, and includes hovercraft and airboats.

(62) "snowmachine" means a motor vehicle of 850 pounds or less gross vehicle weight, primarily designed to travel over snow, and supported, in part by skis, belts, or tracks; "snowmachine" includes the motor vehicle commonly known as a snowmobile;

(75) "ATV" means

(A) a motorized tracked vehicle, or a vehicle with four or more wheels, operated on land weighing less than 1,000 pounds dry weight;

(B) does not include a snowmachine.

PROPOSAL 32

EFFECT OF THE PROPOSAL: Allow pursuit of bears and wolves with snowmachines in predator control areas.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT**

RATIONALE: The Board began liberalizing the use of snowmachines several years ago. As new regulations were adopted, it was unclear what a snowmachine could be used for in certain areas. Regarding wolves, the department suggests adopting the consistent language in Proposal 31.

Regarding bears, the department asks that the Board consider allowing the positioning of bears with the aid of a snowmachine. This regulation for bears would only apply in specific predator control areas approved by the Board.

PROPOSAL 33

EFFECT OF THE PROPOSAL: Require department to provide options every year for removal of black bear in areas where necessary for recovery of ungulate populations.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: The department does not believe it is necessary to discuss this issue annually. Presently the Board considers proposals to change regulations in each region every two years. As part of that process each Area Management Biologist provides a synopsis of management issues including predator control programs. Therefore we do not see the utility of the annual presentations. Implementation of 5AAC 92.115 in a specific area includes an implementation plan, which among other things describes methods and means for achieving objectives. It is conceivable that most viable methods will be review and discussed during this process.

PROPOSAL 34

EFFECT OF THE PROPOSAL: Allow fur buyers to receive and seal raw fur without the trapper being present or without a temporary sealing certificate from the trapper.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: Temporary furbearer sealing certificates are available to all trappers through local area biologists and fur sealers. In addition, a temporary certificate is available in the back of each trapping regulation book. Anyone needing a temporary certificate only has to ask for it by phone, mail, fax, or e-mail if none are readily available.

This proposal may expedite the shipping of furs but it would shift the responsibility for reporting harvest from the trapper to the fur buyer. It also would likely result in the reduction or loss of important harvest data needed for management of furbearer species that must be sealed.

PROPOSAL 35

EFFECT OF THE PROPOSAL: Replace the requirement to seal pelts of beaver, lynx, marten, river otter, wolf, and wolverine with the requirement for trappers to submit a harvest card each season indicating the species they harvested and game unit where the harvest occurred.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: Beaver, lynx, marten, river otter, wolf, and wolverine are the species harvested most in the state or are most sensitive to harvest and, therefore, require reliable harvest data to manage. The detailed data the department derives through the fur sealing process are very important to the management of those species.

The type of information that would be provided through this proposal is comparable to information already documented on fur acquisition and fur export reports. This level of information only provides a general idea of harvest among the units in the state and is inadequate for managing the above species.

An additional problem with this proposal is that lynx, river otter, and wolf are CITES species, which must be sealed according to federal regulations.

PROPOSAL 36

EFFECT OF THE PROPOSAL: Modify sheep sealing requirements.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT.**

RATIONALE: This regulation was passed in 2004 in response to public proposals concerned about the take of illegal sheep. After two years of data gathering, results indicate that 30-35 percent of the sheep taken statewide are less than full curl, although most of the sheep less than full curl are still legal because they are over eight years old.

The number of illegal sheep that have been presented over the last two hunting seasons is less than 1 percent of the total harvest. Almost all of the illegal sheep were taken by nonresident guided hunters.

The department’s amendment is to repeal the current requirement. The regulation places an unnecessary burden on sheep hunters and department staff, and raises issues of over regulation. Many less than full curl harvested sheep are suspected as being illegal and this is a vocal concern among sheep hunters. We have learned that many of these sheep were actually legal under the 8 year old requirement.

The department currently has discretionary authority to require specimens from permit hunts and intends to continue to use this authority to require sheep horns be brought in for measuring in specific areas. This allows staff to continue to gather data for ongoing research and management purposes. The department would prefer being able to use this authority on a case-by-case basis rather than the current one-size-fits-all regulation.

If the Board chooses not to repeal the sealing requirement we suggest that it consider restricting the sealing requirement to nonresidents only.

Finally, if the sealing requirement is maintained, the department intends to publish a list of offices where sheep may be sealed. This will result in a limited number of locations where experienced staff can consistently apply the regulation. This may inconvenience some hunters.

PROPOSAL 37

EFFECT OF THE PROPOSAL: Modify salvage requirements for black bear, to require either the meat or hide to be salvaged.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT.**

RATIONALE: Since harvest tickets are not required for bears, sealing of black bear is an important management tool to gather information from hunters on sex and age of the bears taken in addition to methods and means of harvest. Sealing is required in Game Management Units where the department has active management programs or conservation concerns with the bear populations. Salvage of the hide and skull are necessary to manage bear populations where

sealing is required. Without the hide and skull the Department has no way of accounting for animals harvested for meat.

Much of the state already allows salvage of either the meat or hide from black bears as allowed under 5AAC 92.220 (4). The department is not willing at this time to change the black bear sealing program which would change the salvage regulations in many areas. We do recognize the difficulty that some hunters have with salvaging and presenting for sealing hides and skulls due to travel, timing, etc. One option discussed that would allow for the department to gather harvest information without sealing would be to expand the general harvest ticket program to include black and/or brown bears.

PROPOSAL 38

EFFECT OF THE PROPOSAL: Prohibit the intentional feeding of bald eagles.

DEPARTMENT RECOMMENDATION: **NO RECOMMENDATION.**

RATIONALE: Proposals 38, 39 and 40 are all similar. The department finds that the incidental, intentional, infrequent and small-scale feeding of bald eagles poses no known threats to eagles and does not constitute a nuisance. Across coastal Alaska eagles obtain food, typically fish scraps, from anglers along beaches, while fishing near shore or along rivers, and at some fish cleaning stations in harbors. These types of small-scale eagle feeding activities may result in some seasonal local dependence on fish by some eagles in some locations. This type of activity, especially in harbors or locally concentrated fishing areas may concentrate eagles and gulls periodically. Because most of this activity occurs during the summer, it probably does not increase eagle survival or eagle populations that are not limited by summer food.

Discussions with those proposing a ban on intentional eagle feeding suggest a desire to focus on large-scale, intentional and frequent eagle feeding. The department concurs with the proponents that under some circumstances large-scale eagle feeding can have a number of negative consequences. These include injury to eagles that are fighting over food, electrocution in some situations, nuisance created for neighbors by eagles dropping fish scraps and defecating on houses etc., indirect feeding of bears, and undesirable increases in local gull numbers. It is unclear whether large-scale and consistent eagle feeding results in an increase in eagle survival or whether a large concentration of eagles reduces local waterfowl or other eagle prey.

While not all coastal communities have eagle feeding issues, clearly the issue is not limited to Homer. For example, the department is aware of commercial-tourism ventures that are interested in habituating and feeding eagles as part of their business. The department would prefer to not see these new types of eagle feeding activities get started, but under current state and federal regulation there is no ban on this type of activity. It remains unclear to the department how a regulation can be crafted to disallow large-scale and/or commercial eagle feeding that can be discerned from incidental, small-scale eagle feeding.

PROPOSAL 39

EFFECT OF THE PROPOSAL: Prohibit the intentional feeding of bald eagles.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 38.

PROPOSAL 40

EFFECT OF THE PROPOSAL: Prohibit the intentional feeding of bald eagles.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 38.

PROPOSAL 41

EFFECT OF THE PROPOSAL: Modify prohibition of feeding regulation to allow preemptive action.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 44.

PROPOSAL 42

EFFECT OF THE PROPOSAL: Modify prohibition of feeding regulation; add feed and birdseed, require precautionary actions.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 44.

PROPOSAL 43

EFFECT OF THE PROPOSAL: Prohibit the intentional feeding of bald eagles.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 38.

PROPOSAL 44

EFFECT OF PROPOSAL: Modify prohibition of feeding regulation to add livestock feed, and allow preemptive action.

DEPARTMENT RECOMMENDATION: **AMEND AND ADOPT.**

RATIONALE: We suggest amending the proposal as originally submitted by the department.

Feeding of game. A person may not intentionally feed a moose [(EXCEPT UNDER TERMS OF A PERMIT ISSUED BY THE DEPARTMENT)], **deer, elk,** bear, wolf, coyote, fox or wolverine **(except under terms of a permit issued by the department),** or negligently leave human food, **animal** [pet] food **(including hay, bird food and salt blocks),** or garbage in a manner that attracts these animals. However this prohibition does not apply to the use of bait for trapping furbearers or hunting black bears under 5 AAC 84 – 5 AAC 92.

PROPOSAL 45

EFFECT OF THE PROPOSAL: Adds Unit 19E, which describes the Holitna watershed and splits southern Unit 19A and Unit 19B into non-adjacent fragments.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: Current moose hunting regulations are based on the Central Kuskokwim Moose Management Plan and address different management problems based on the current subunit boundaries and geographic descriptions. The Central Kuskokwim Moose Management committee included representatives interested in moose management in Unit 19A (e.g., Central Kuskokwim and other Fish and Game advisory committees, guides, transporters, conservationists and Native organizations). The issue that current subunit boundaries complicate management scenarios, particularly for moose management, was not brought up during the 2003–2005 planning process. The proposal would insert a new subunit into the middle of Units 19A and 19B, splitting southern 19A such that portions of 19A would be west (Aniak, Holukuk, Oskawalik drainages) and east (Stony River drainage) of the new Unit 19E. This would also occur in Unit 19B with the Aniak River drainage west of Unit 19E and the Stony River drainage east of Unit 19E. Such disjunctive game management units would be confusing for hunters and more difficult for the department to manage.

PROPOSAL 46

EFFECT OF THE PROPOSAL: Clarify subunit boundary between Unit 9B and 9C.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: Staff proposal - see issue statement.

PROPOSAL 47

EFFECT OF THE PROPOSAL: Redefine northern boundary of Unit 17C.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: This is an allocation issue between resident and nonresident moose hunters. The issue appears to be conflicts between local subsistence hunters and nonresident moose hunters, as season and bag limits for most other species are aligned between GMU 17B&C.

The proposal states that moose in GMU 17C are in decline, however surveys indicate the population increased from 2,955 in 1999 to 3,670 in 2004.

PROPOSAL 48

EFFECT OF THE PROPOSAL: Redefine subunit boundary between Unit 21A and 21B.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: Staff proposal - see issue statement.

PROPOSAL 49

EFFECT OF THE PROPOSAL: Divide Unit 24 into four subunits.

DEPARTMENT RECOMMENDATION: **ADOPT.**

RATIONALE: Staff proposal - see issue statement.

PROPOSAL 50

EFFECT OF THE PROPOSAL: Redefine brown bear cub.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: It is currently legal to harvest brown bears that are 2 years old or older. If bears were harvested strictly according to their availability in the population, then 2-year-olds would be the most commonly harvested age class, followed by 3-year-olds, 4-year-olds, etc. Statewide brown bear harvest statistics indicate that 3-year-olds are the most commonly harvested age class, followed by 2-year-olds, then 4-year-olds, 5-year-olds, etc. This suggests that hunters discriminate slightly against 2-year-olds, but otherwise take brown bears according to their availability. We do not know whether hunters pass up some 2-year-olds because of confusion over whether or not they are legal, or because they are reluctant to take cubs still accompanied by their mother. Certainly some 2-year-old brown bears are already being taken. We have no direct information on how many females accompanied by 2-year-old cubs are taken by hunters, but it would seem reasonable that if hunters are taking 2-year-olds, they are also taking at least some of

their mothers. Changing the definition of brown bear cubs probably would not result in a reduction of bear numbers.

The rationale for not taking females accompanied by cubs, and the differing definitions of cub for brown and black bears, are based on bear biology. Black bears commonly wean cubs as yearlings, while brown bears usually don't wean cubs until they are 2 years old or sometimes even 3. Yearling black bears and 2-year-old brown bears can normally survive without their mothers. Younger orphaned cubs cannot. Yearling brown bears and sows with yearlings are currently protected because yearlings remain dependent on their mothers and would likely starve or be killed by other bears if orphaned. Thus, allowing harvest of brown bears accompanied by yearling cubs would likely result in mortality of the cubs through starvation or encounters with older bears. Orphaned cubs also commonly become "problem bears" as they search for food when near settlements. Yearling brown bears during spring are still quite small. Few hunters want to shoot cubs with mothers or mothers with cubs. Many hunters will not take such small bears or their mothers.

Changing the definition of brown bear cub is not appropriate on a statewide basis. Statewide application of such a regulation would require different restrictions in areas like Kodiak or Southeast, where brown bear populations are already harvested at or near sustained yield.

PROPOSAL 51

EFFECT OF THE PROPOSAL: Redefine brown bear cub.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION.**

RATIONALE: See analysis and recommendation for proposal 50.

PROPOSAL 52

EFFECT OF THE PROPOSAL: Classify brown bear as a furbearer.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT.**

RATIONALE: There are significant differences between hunting and trapping in terms of both application and regulation. Hunting is selective for specific individuals. Trapping is not nearly as selective and cubs, and sows with cubs, could be caught in traps, resulting in potentially dangerous situations, and the taking of animals that are not presently legal. Across Alaska, trapping is generally limited to winter seasons, and the potential for the incidental trapping of a bear is minimized. Reclassifying brown bears as a furbearer and allowing trapping would have to occur outside of the denning period. This would result in the capture of nontarget species. Having a brown bear in a trap is also dangerous to other publics that are in remote locations (e.g., hikers, anglers, subsistence food gathering) during the spring, summer and autumn. The department does not support this proposal.

In most areas of the state, hunting seasons and bag limits are adequate to meet bear harvest objectives. Individual areas where harvest objectives are not being met, or where increased harvest is desired, should be dealt with on a case-by-case basis.

PROPOSAL 53

EFFECT OF THE PROPOSAL: Classify black bear as a furbearer.

DEPARTMENT RECOMMENDATION: **TAKE NO ACTION**

RATIONALE: See analysis and recommendation for proposal 52.

PROPOSAL 54

EFFECT OF THE PROPOSAL: Modify definition of second degree kindred.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT.**

RATIONALE: Statute requires all nonresidents hunting brown bear, sheep or mountain goat to be accompanied by a guide, or a resident relative over 19 years of age within and including the second degree of kindred, by marriage or blood. Extending the definition to include uncles, aunts, nieces, and nephews would no longer be within the scope of second-degree kindred and would increase the number of residents eligible to guide a nonresident on specific hunts.

The current Board regulation defines second degree of kindred as: a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother- or sister-in-law, son- or daughter-in-law, father- or mother-in-law, step-father, step-mother, step-sister, step-brother, step-son, and step-daughter. This was based on the standard accepted definition currently use in courts and found in Black’s Law dictionary.

The requirement for a guide is based on a variety of factors, such as the need to protect public resources and the hunting public. Knowledge of the hazards of rugged terrain, dangerous animals and their behavior, and inclement weather have been raised as justification for requiring hunters to be accompanied by guides. A resident relative is allowed as a defacto guide assuming that they have the necessary knowledge to aid in a hunt in a safe and legal manner.

PROPOSAL 55

EFFECT OF THE PROPOSAL: Modify definition of full curl ram.

DEPARTMENT RECOMMENDATION: **DO NOT ADOPT**

RATIONALE: Past discussions of hunting harvest strategies for sheep (3/4 vs. 7/8 vs. full-curl issue) have focused on which is best for conservation while providing maximum hunting opportunity. The department must manage conservatively given that a high percentage of the available legal rams are harvested annually in many areas of the state and many populations are recovering or continue to suffer from past low recruitment.

This proposal increases the number of sheep that would be legal by changing each of the 3 criteria in the current definition of a full-curl ram-

- The definition of curl would change from a 360 degree circle to one horn grown to the start of the eye socket. This would bring us closer to the 7/8ths regulation of the past. This proposed definition is not clearer for the hunter than the current definition of full-curl.
- Both horns being broken or broomed would change to one complete lamb tip (annuli/lump) broken off. This would make a single broomed ram a legal animal.
- Decreasing the age from 8 to 7 years of age. This would add one age class to the legal harvest. Studies in some areas have shown that full-curl rams closely correlate with rams age 8. The age of maturity of Dall rams is not well studied, but is likely somewhat dependent on weather-related physical development. Rams are potentially sexually and behaviorally mature at age 4 or 5, and the higher age limit provides rams a minimum of three years to breed during their 6 to 9 years of adulthood.
