

ALASKA BOARD OF GAME
Statewide Regulations, Cycle B Schedule, Cycle B
January 13 – 18, 2012
Anchorage Hilton Hotel
500 West 3rd Avenue, Anchorage, Alaska

~TENTATIVE AGENDA~

NOTE: This Tentative Agenda is subject to change throughout the course of the meeting.

This Tentative Agenda is provided to give a general idea of the board's anticipated schedule. The board will attempt to hold to this schedule; however, the board is not constrained by this Tentative Agenda. Persons wishing to testify must sign-up by the deadline. Public testimony will continue until those present at the meeting are heard; the board will continue working through its agenda immediately upon conclusion of public testimony. The following time blocks are only an estimate.

Friday, January 13, 8:30 AM

OPENING BUSINESS

Call to Order

Introductions of Board Members and Staff

Board Member Ethics Disclosures

Purpose of Meeting (overview)

STAFF AND OTHER REPORTS

PUBLIC AND ADVISORY COMMITTEE TESTIMONY (upon conclusion of staff reports)

THE DEADLINE FOR SIGN-UP TO TESTIFY will be 11:00 am on Saturday, January 14. Public testimony will continue until persons who have signed up before the deadline and who are present when called by the Chairman to testify, are heard.

Saturday, January 14, 8:30 AM

PUBLIC AND ADVISORY COMMITTEE TESTIMONY Continued

BOARD DELIBERATIONS (Upon conclusion of public testimony)

Sunday, January 15 – Wednesday, January 18, 8:30 AM

BOARD DELIBERATIONS Continued

MISCELLANEOUS BUSINESS, including petitions, findings and policies, letters, and other business (Upon conclusion of deliberations)

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Special Notes

- A. This agenda is TENTATIVE and subject to change during the meeting. A list of staff reports and a roadmap will be available at the meeting. Scheduled updates will be available on the Board of Game website.
- B. Meeting materials are available on the Board of Game website at:
<http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo> or by contacting the ADF&G Boards Support Office in Juneau at 465-4110.
- C. A live audio stream for the meeting is intended to be available at:
www.boardofgame.adfg.alaska.gov
- D. The State of Alaska Department of Fish and Game complies with Title II of the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this hearing and public meeting should contact 465-4110 no later than December 30, 2011 to make any necessary arrangements.

ALASKA BOARD OF GAME
Statewide Regulations, Cycle B
Anchorage, Alaska
January 13 – 18, 2012

Tentative List of Oral Reports

Friday, January 13, 2012 (following opening business)

1. Department and Agency Updates
2. Species of Special Concern in Alaska – Doug Vincent Lang, ADF&G
3. Intensive Management Protocol – Tom Paragi, ADF&G
4. Brown Bear Baiting Permits for Hunters with Disabilities – Dale Rabe, ADF&G
5. Chronic Waste Disease and Sheep Diseases – Kimberlee Beckmen, ADF&G
6. Division of Subsistence Research Overview – Jim Fall, ADF&G
7. Options for Amounts Necessary for Subsistence: Furbearers – Jim Fall, ADF&G
8. Falconry – Kim Titus, ADF&G
9. Crossbow and Archery – Timmy Thomas, ADF&G
10. Unit 13 Community Harvest Hunt Update – Lem Butler, ADF&G

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BOARD OF GAME

Notice is given that the Alaska Board of Game, under the authority of Title 16, Alaska Statutes, proposes to adopt, amend, or repeal regulations in Title 5 of the Alaska Administrative Code which implement, interpret or make specific the provisions of Title 16.

The Board of Game may adopt, amend, repeal, or take no action on the subject matters listed below. Regulations to be the subject of board action concern the use or taking of game and include, but are not limited to the following:

- A. HUNTING AND TRAPPING SEASONS AND BAG LIMITS, including: Statewide seasons for ALL big game; taking small game with the use of falconry; brown bear hunting in Units 7 and 15; statewide bag limit for black bear; statewide hunting and trapping seasons by nonresidents; and statewide seasons for youth hunts.
- B. METHODS AND MEANS FOR TAKING BIG GAME, GAME, FUR ANIMALS, AND FURBEARERS, including: Lawful methods of taking big game and game including with the use of archery and crossbow equipment, compound bows, lighted nocks, broadheads, and artificial or enhanced light equipment; requiring special tags for type of take, rifle or archery; prohibiting the use of electronics, artificial light; certain pack animals, felt soled wading boots, and animal urine; providing archery hunts for disabled individuals; and same day airborne taking of big game and game. Also under this category, lawful methods of taking furbearers and fur animals including: prohibiting the take of furbearers and fur animals with firearms, the taking of black bears with traps or snares and artificial light; requirements for trapping tags, identification, and checking traps; incidental taking of animals with traps; taking small game through falconry; and use of snares in Unit 1.
- C. POSSESSION, TRANSPORTATION, AND USE OF GAME including: Subsistence bartering; sale of big game trophies; prohibiting the sale of bear parts; record requirements for taxidermists and authorizing the inspection of those records; restrictions to bag limits including wounded game and taking cub bears and female bears with cubs; evidence of sex and identity including requirements for external sex organs to remain attached on certain big game animals; transfer of possession including inspection by federal agents; and salvage and sealing requirements for taking black bear.
- D. PERMITS, PERMIT HUNT CONDITIONS, AND PROCEDURES, including: All discretionary hunting permit conditions and procedures including requirements for trophy destruction, coordinates of kill locations, antler locking tags, setting seasons, bag limits, methods, and means for recipients of Governor's tags; discretionary trapping permit conditions associated with incidental take; permits to take game for cultural purposes; permits for scientific, educational, propagative, or public safety purposes; permits for falconry including changes to the ADF&G Falconry Manual and the capture of raptors by nonresidents; permits for public safety purposes; permits to take beavers; restrictions on the number of permit applications and the number allowed to be issued to each person, the allocation of permits for residents and nonresidents; exceptions for deferring permits; and establishing a bonus point drawing permit system. Also under this category, permits for taking black bear with the use of bait or scent lures including the number of bait sites maintained by guides and assistant guides; baiting permit dates; prohibiting baiting on National Park Service lands; using scent while floating; requirements for accompanying hunters at bait sites; same-day-airborne taking of black bear; bait site identification; archery certification; and guide client agreements.

- E. PREDATOR CONTROL IMPLEMENTATION PLANS including: Eliminating predator control permits for black bear baiting; responsibilities and authorities of the Department of Fish and Game; nonresident hunting seasons in intensive management areas; and predator control implementation plans for Units 26, 7, 15, and 19.
- F. REGULATORY DEFINITIONS AND GENERAL PROVISIONS including: Definitions for wounded game and certain archery/crossbow equipment; agenda change request policy; harvest tickets and reports for black bear, and general application of the statewide regulations chapter.
- G. CUSTOMARY AND TRADITIONAL USES OF GAME POPULATIONS including but not limited to: Amounts reasonably necessary for subsistence uses for furbearers and fur animals.

You may comment on the proposed regulations, including the potential costs to private persons of complying with the proposed changes by submitting written comments to the Alaska Board of Game, Boards Support Section at P.O. Box 115526, Juneau, AK 99811-5526. Comments may also be submitted by fax to (907) 465-6094.

Written comments may be submitted to the Board of Game at any time before the proposal is taken up by the board in deliberations, but as a practical matter, written comments should be submitted to the Boards Support Section office at the above address or fax number by **5:00 pm Friday, December 30, 2011** to ensure inclusion in the board workbooks.

Written comment over 100 single sided or 50 double sided pages in length from any one individual or group relating to proposals will not be accepted. Written comments submitted after December 30, 2011 will be limited to 10 single sided or 5 double sided pages in length from any one individual or group. Written comments that are submitted are public record and are subject to public inspection.

The public hearing portion of the meeting will begin immediately after staff reports and continue until everyone who has signed up and is present when called has been given the opportunity to be heard. However, state advisory committee representatives may elect to provide testimony at a later portion of the meeting. The deadline to sign up to testify will be announced at the meeting. The board will take oral testimony only from those who register before the cut-off time. The length of oral statements may be limited to three to five minutes, or less.

Additional public hearings may be held throughout the meeting just before consideration and adoption of proposed changes in the regulations. A live audio stream of the board meeting is intended to be available and can be accessed on the Board of Game website at: www.boardofgame.adfg.alaska.gov .

Tentative Meeting Schedule

**Statewide Regulations, Cycle B Schedule
Anchorage Hilton Hotel
500 West 3rd Avenue
Anchorage, Alaska
January 13-18, 2012**

An agenda will be posted daily during the meeting. Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110.

If you are a person with a disability who may need special accommodations in order to participate in this process, please contact Scott Crass at (907) 465-4110 no later than December 30, 2011 to ensure that any necessary accommodations can be provided.

The proposed regulation changes are available on the Board of Game website at www.boardofgame.adfg.alaska.gov; or through the ADF&G Boards Support Section Office at (907) 465-4110.

Anyone interested in or affected by subsistence and general hunting or trapping regulations is hereby informed that, by publishing this legal notice the Board of Game may consider any or all of the subject areas covered by this notice. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.** Pursuant to AS 44.62.200, the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the hunting and trapping regulations as may be required to ensure the subsistence priority in AS 16.05.258 including reexamining customary and traditional use findings and determinations for amounts reasonably necessary for subsistence use.


After the public hearing, the Board of Game may adopt these or other provisions dealing with the same subject, without further notice, or amend, reject, supplement, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interest could be affected.

Statutory Authority: AS 16.05.255; AS 16.05.258; AS 16.05.270

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05.255; AS 16.05.256; AS 16.05.258; AS 16.05.407; AS 16.05.346; AS 16.05.340; AS 16.30.010 – .030; AS 16.05.330, and AS 16.05.783

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

9. Date: December 8, 2011

Prepared by: 
Kristy Tibbles
Executive Director, Board of Game
907-465-4110


ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Board of Game
2. General subject of regulation: Statewide Regulations
3. Citation of regulations: 5 AAC 84, 85, 92, 98, and 99
4. Reason for the proposed action:
 - compliance with federal law
 - compliance with new or changed state statute
 - compliance with court order
 - development of program standards
 - other: Regularly scheduled topics for the Statewide regulations Board of Game meeting and other miscellaneous provisions. Implement, interpret, or make specific the provisions of AS 16.05–AS 16.30
5. Program category and RDU: Natural Resources and all RDUs
6. Cost of implementation to the state agency and available funding: It is not possible to estimate cost. However, this action is not expected to require an increased appropriation.
7. The name of the contact person for the regulations:

Name: Kristy Tibbles
Title: Executive Director, Board Game
Address: Boards Support Section
Alaska Dept. of Fish and Game
PO Box 115526
Juneau, AK 99811-5526
Telephone: (907) 465-4110

8. The origin of the proposed action:
 - staff of state agency
 - federal government
 - general public
 - petition for regulation change
 - other (please list)

9. Date: December 8, 2011

Prepared by: 

Kristy Tibbles
Executive Director, Board of Game
907-465-4110

~Tentative~
Proposal Roadmap
ALASKA BOARD OF GAME
Statewide Regulations, Cycle B Schedule
January 13 - 18, 2012

Falconry, Other Permits

- ___ 39 Modify the state falconry regulations and the Alaska Falconry Manual to comply with new federal falconry standards.
- ___ 38 Modify the falconry regulations and the Alaska Falconry Manual to meet the federal standards for certification by the USF&WS.
- ___ 40 Allow nonresident falconers to capture raptors in Alaska.
- ___ 95 Open several management areas to the taking of small game by the use of falconry.
- ___ 41 Review the regulation for permits to take game for cultural purposes.
- ___ 42 Modify the ADF&G authority for issuing public safety permits.
- ___ 43 Review and modify nuisance beaver permits to allow beaver flow devices.
- ___ 257 Reinstate the requirement for a breakaway type of snare outside of water in Unit 1C.
- ___ 44 Modify the ADF&G discretionary authority for Governor's tags.

Sale of Big Game, Big Game Trophies

- ___ 45 Align state regulations on subsistence bartering with statutory authority.
- ___ 46 Allow the sale of big game trophies.
- ___ 47 Allow the sale of trophies acquired through legal action such as divorces.
- ___ 48 Prohibit the sale of bear parts harvested on National Park Service lands.
- ___ 49 Require logbooks for taxidermists and provide authority to the Alaska Wildlife Troopers to inspect taxidermy paperwork.

Intensive Management

- ___ 129 Clarifies responsibilities of Department of Fish and Game Commissioner.
- ___ 130 Authorize a predator control program in Unit 26B.
- ___ 131 Authorize a brown bear control program in Unit 19A.
- ___ 35 Approve an intensive management plan for moose in Unit 15A. (Deferred from the November, 2011 meeting.)

- ___ 36 Approve an intensive management plan for moose in Unit 15C. (*Deferred from the November, 2011 meeting.*)

Discretionary Permit Conditions

- ___ 50 Review and potentially repeal discretionary hunt conditions and procedures applied to permit hunts across the state.
- ___ 51 Allow ADF&G to require the latitude and longitude of kill locations on a harvest report for drawing and registration hunts.
- ___ 52 Clarify ADF&G discretionary authority to require antler locking tags for certain permit hunts.

Archery, Crossbow Regulations

- ___ 53 Establish statewide standards for crossbow equipment used to take big game.
- ___ 54 Expand the definition of bow to include crossbows.
- ___ 55 Create a regulatory definition for crossbow.
- ___ 56 Adopt crossbow standards and allow disabled hunters to use crossbows in archery hunts
- ___ 57 Allow archers to use mechanical/retractable broadheads for all big game.
- ___ 58 Allow archers to use mechanical/retractable broadheads for all big game.
- ___ 59 Require the use of a lighted nock on arrow for moose and bear hunting.
- ___ 60 Clarify legal type of compound bow.
- ___ 61 Modify the requirement for legal bow.

Permits, Permit Allocations

- ___ 258 Change the brown bear hunt structure in Units 7 and 15.
- ___ 63 Increase the number of drawing permits for each species that a person may apply for.
- ___ 62 Restrict the number of drawing permits a resident may apply for.
- ___ 64 Limit drawing permits to only two permits per year.
- ___ 65 Limit drawing permit winners to only two permits per year.
- ___ 66 Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters.
- ___ 67 Limit drawing permits to 10 percent for nonresidents, no nonresident permits if less than 10 permits available.

- ___ 68 Allow a maximum of 10 percent for the Alaska drawing permits to be awarded to nonresident hunters.
- ___ 69 Establish bonus point/preference system for draw hunts.
- ___ 70 Allow nonresident deployed military personnel to defer drawing permits.

Statewide Big Game Seasons

- ___ 71 Open resident seasons one week before nonresident seasons in all intensive management areas.
- ___ 72 Open big game general seasons seven days earlier for residents, five days earlier in drawing hunts.
- ___ 73 Open all big game seasons one week earlier for residents than nonresidents.
- ___ 74 Open all big game seasons one week earlier for residents than nonresidents.
- ___ 75 Open early youth hunt for all big game, ten days before other seasons; require hunter education.
- ___ 76 Open early youth hunt (10-17 years) for all big game statewide and require accompanying adult to forfeit bag limit.
- ___ 77 Require hunters to use only one type of method; either firearm or bow; require a tag.

Statewide Sheep Seasons and Permit Allocations

- ___ 78 Open resident sheep seasons seven days earlier than nonresident seasons.
- ___ 79 Open resident seasons one week before nonresident seasons for Dall sheep hunting.
- ___ 80 Change the nonresident season and amount of permits available.
- ___ 81 Allow an earlier Dall sheep hunting season for residents.
- ___ 82 Begin the resident sheep season seven days earlier than nonresidents.
- ___ 83 Begin the resident sheep seasons ten days earlier than nonresident seasons.
- ___ 84 Open resident sheep seasons five days earlier than nonresident seasons.
- ___ 85 Begin resident Dall sheep seasons five days earlier.
- ___ 86 Begin the youth hunting season for Dall Sheep five days earlier than residents.
- ___ 87 Convert all nonresident sheep seasons to drawing permit hunts and limit to 5 percent of total permits.
- ___ 88 Convert all nonresident sheep seasons to drawing permit and limit to 10 percent of total permits.

- ___ 89 Convert all sheep hunts to drawing only, 90% for residents.
- ___ 90 Allocate two percent of all sheep drawing permits to nonresidents, close nonresident season if harvestable surplus is less than 50.
- ___ 91 Nonresident next of kin sheep tags come out of the resident pool in Units where there are a limited number of nonresident sheep tags.

Statewide Other Game Seasons

- ___ 92 Allow only the use of traps and snares for taking wolf and wolverine. Prohibit the use of firearms except for dispatching trapped animals.
- ___ 93 Allow only the use of traps and snares for taking wolf and wolverine on National Park Service lands and prohibit the use of firearms except for dispatching trapped animals.
- ___ 94 Prohibit the taking of wolf, fox, wolverine, or coyote during May, June and July on National Park Service lands.
- ___ 96 Open areas to archery hunting, if shotguns are allowed.

Methods and Means

- ___ 97 Prohibit the use of artificial light for taking game on all lands managed by the National Park Service.
- ___ 98 Prohibit the use of hand held electronics in taking game.
- ___ 99 Hunters using a licensed transporter cannot harvest an animal on the same day being transported.
- ___ 100 Allow the use of laser sight, electronically-enhanced night vision scope, or artificial light for taking coyotes.
- ___ 101 Allow same day airborne taking of coyotes statewide.
- ___ 102 Prohibit the use of pack animals other than horses while hunting goat or sheep.
- ___ 103 Prohibit the use of felt soled wading boots while hunting game.
- ___ 104 Prohibit the use of deer or elk urine for use in taking game.

Sealing and Bag Limits

- ___ 105 Clarify the definition of wounded as it applies to the restrictions to bag limits.
- ___ 106 Count wounded muskox, bison, sheep and goat that are not recovered as bag limit.
- ___ 107 Eliminate the statewide bag limit for black bear.

- ___ 108 Prohibit the harvest of cubs and sows accompanied by cubs on National Park Service (NPS) lands.
- ___ 109 Clarify and remove complicated and restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting.
- ___ 259 Modify the salvage and sealing requirements for black bear regulations statewide.

Evidence of Sex, Transfer & Possession

- ___ 110 Require the hunter to keep sex attached to the meat if it (the skull) needs to be sealed.
- ___ 111 Clarify the sex organs, or portions of, that must remain attached for proof of sex.
- ___ 112 Eliminate the evidence of sex regulation.
- ___ 113 Remove the reference to federal agent under the transfer and possession regulation.

Black Bear Baiting

- ___ 114 Allow black bear to be taken same day airborne within 1/4 mile of bait station.
- ___ 118 Clarify and modify the permit for hunting black bear with the use of bait and scent lures
- ___ 115 Eliminate the personally accompany requirement for guides using bait stations and require a guide-client agreement.

In addition to the 10 bait sites in total, guides and assistant guides may also have two
- ___ 116 personal sites each; guides and assistant guides may hunt all sites for personal use without guide client agreements.
- ___ 117 Remove the requirement for guides to personally accompany resident clients at a black bear bait station.
- ___ 119 Establish a codified location for permitted black bear bait stations and establish seasons for all of Alaska.
- ___ 120 Eliminate black bear baiting as a method requiring a predator control permit in predator control areas.
- ___ 121 Prohibit black bear baiting on all National Park Service lands.
- ___ 122 Allow the use of scent lures for black bear baiting while floating.
- ___ 123 Allow the use of scent lures for black bear baiting while floating.

Trapping

- ___ 14 Close nonresident trapping seasons for certain species. (*Deferred from November, 2011 meeting as amended to apply statewide.*)
- ___ 19 Close nonresident fur animal hunting seasons for certain species. (*Deferred from the November, 2011 meeting as amended to apply statewide.*)
- ___ 124 Require trap identification for all Units on lands managed by the National Park Service.
- ___ 125 Require a 72 hour trap check for all traps and snares set on National Park Service lands.
- ___ 126 Prohibit the trapping of black bears in all National Park Service managed lands.
- ___ 127 Prohibit the taking of a black bear by trap or snare.
Clarify when a violation has occurred concerning incidental take by trappers.
- ___ 18 (*Deferred from the November, 2011 meeting as amended to apply statewide and it does not apply to traps set below ice.*)
- ___ 128 Establish a tag and fee to allow trappers to retain incidental catch.

Miscellaneous

- ___ 132 Modify the Agenda Change Request Policy.

Alaska Board of Game

Revised July 2011

NAME AND ADDRESS

TERM EXPIRES

Cliff Judkins, Chairman
PO Box 874124
Wasilla, Alaska 99687

6/30/2012

Ted Spraker, Vice Chairman
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6/30/2014

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6/30/2013



Alaska Board of Game members may also be reached at:

ALASKA DEPARTMENT OF FISH AND GAME

Boards Support Section

P.O. Box 115526

Juneau, AK 99811-5526

PHONE: (907) 465-4110 FAX: (907) 465-6094

Web address: <http://boardofgame.adfg.alaska.gov>

**ALASKA BOARD OF GAME
Meeting Schedule
2011/2012 Cycle**

Tentative

Dates	Topic	Location
November 11-14, 2011 (4 days) <i>Comment Deadline – October 28, 2011</i>	Arctic Region Inupiat Heritage Center	Barrow
January 13-18, 2012 (5 days) <i>Comment Deadline – December 30, 2011</i>	Statewide Regulations Hilton Hotel	Anchorage
March 2 – 11, 2012 (10 days) <i>Comment Deadline – February 17, 2012</i>	Interior Region Wedgewood Resort	Fairbanks

****Note: The Board of Game is issuing a single Call for Proposals for the 2012/2013 cycle; the deadline is: 5:00 pm Tuesday, May 1, 2012.****

ALASKA BOARD OF GAME
Proposed Meeting Dates
2012/2013 Cycle

Proposed Dates	Topic	Location
January 11 – 15, 2013 (5 days)	Southeast Region	Sitka
<i>Past Meetings:</i>		
<i>November 5-9, 2010 (5 days)</i>		<i>Ketchikan</i>
<i>November 7-11, 2008 (5 days)</i>		<i>Juneau</i>
<i>November 10-15, 2006 (6 days)</i>		<i>Wrangell</i>
February 8 - 15, 2013 (8 days)	Central/Southwest Region	Wasilla
<i>Past Meetings:</i>		
<i>March 4-10, & 25, 2011 (9 days)*</i>		Wasilla
March 15-19, 2013 (5 days)	Southcentral Region	Kenai
<i>Past Meetings:</i>		
<i>March 26-30, 2011 (5 days)</i>		Anchorage
<i>February 27-March 9, 2009 (11 days)**</i>		Anchorage
<i>March 2–12, 2007 (11 days)</i>		Anchorage
<i>Total meeting days: 18</i>		

PROPOSAL DEADLINE: Tuesday, May 1, 2012 at 5:00 p.m.

**The Central/SW regional meeting in 2011 was originally scheduled for 7 days, but an extra day was needed for the board to complete its' business. The board also recessed the meeting to the day the day before Southcentral meeting, in order to receive additional information before taking action.*

***Beginning 2011, the board split the Southcentral region meeting into two smaller 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 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. Proposals for changes to regulations pertaining to reauthorization of all antlerless moose hunts, 5 AAC 85.045, and all brown bear tag fee exemptions, 5 AAC 92.015, will be taken up annually, at spring meetings.

The Board of Game does not consider proposals to statewide regulations in every meeting cycle. Instead, the Board of Game reviews statewide regulations on a four-year cycle, distributed between winter meetings, every other year. The list of statewide regulations and the associated “Cycle A” and “Cycle B” meeting schedule is set forth on the next page of this publication.

<u>Regulations for:</u>	<u>Will be considered:</u>		
SOUTHEAST REGION (Region I) Game Management Units: 1, 2, 3, 4, 5	Fall 2012	Fall 2014	Fall 2016
SOUTHCENTRAL REGION (Region II) Game Management Units: 6, 7, 8, 14C, 15	Spring 2011	Spring 2013	Spring 2015
CENTRAL/SOUTHWEST REGION (Region IV) Game Management Units: 9, 10, 11, 13, 14A, 14B, 15, 16, 17	Spring 2011	Spring 2013	Spring 2015
ARCTIC AND WESTERN REGIONS (Region V) Game Management Units: 18, 22, 23, 26A	Fall 2011	Fall 2013	Fall 2015
INTERIOR REGION (Region III) Game Management Units: 12, 19, 20, 21, 24, 25, 26B, 26C	Spring 2012	Spring 2014	Spring 2016

ALASKA BOARD OF GAME
STATEWIDE REGULATIONS SCHEDULE

CYCLE “A”: 2010, 2014, 2018, 2022

5 AAC Chapter 92 Statewide Provisions:

- .001 Application of this Chapter
- .002 Liability for Violations
- .003 Hunter Education and Orientation Requirements
- .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
- .013 Migratory bird hunting guide services
- .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
- .028 Aviculture Permits
- .029 Permit for Possessing Live Game
- .030 Possession of Wolf Hybrid Prohibited
- .031 Permit for Selling Skins, Skulls, and Trophies
- .033 Permit for Science, Education, Propagative, or Public Safety Purposes
- .034 Permit to Take Game for Cultural Purposes
- .039 Permit for Taking Wolves Using Aircraft
- .042 Permit to Take Foxes for Protection of Migratory Birds
- .047 Permit for Using Radio Telemetry Equipment
- .104 Authorization for Methods and Means Disability Exemptions
- .106 Intensive Management of Identified Big Game Prey Populations
- .110 Control of Predation by Wolves
- .115 Control of Predation by Bears
- .116 Special Provisions in Predation Control Areas
- .141 Transport, Harboring, or Release of Live Muridae Rodents Prohibited
- .165 Sealing of Bear Skins and Skulls
- .170 Sealing of Marten, Lynx, Beaver, Otter, Wolf, and Wolverine
- .171 Sealing of Dall sheep horns
- .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 Musk oxen for Science and Education Purposes
- .450 Description of Game Management Units
- .990 Definitions

CYCLE “B”: 2012, 2016, 2020, 2022.

5 AAC Chapter 92 Statewide Provisions:

- .009 Obstruction or hindrance of lawful hunting or trapping
- .035 Permit for Temporary Commercial Use of Live Game
- .036 Permit for taking a child hunting
- .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
- .044 Permit for hunting black bear with the use of bait or scent lures
- .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
- .057 Special Provisions for Dall Sheep Drawing Permit Hunts
- .062 Priority for Subsistence Hunting; Tier II Permits
- .068 Permit Conditions for Hunting Black Bear with Dogs
- .069 Special Provisions for Moose Drawing Permit Hunts
- .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
- .200 Purchase and Sale of Game
- .260 Taking Cub Bears & Female Bears with Cubs Prohibited
- .400 Emergency Taking of Game
- .410 Taking of Game in Defense of Life or Property
- .420 Taking Nuisance Wildlife

ALASKA BOARD OF GAME
Policies and Resolutions

2011

- #2011-189-BOG Subunits 9C and 9E (Northern Alaska Peninsula Caribou Herd) Intensive Management Supplemental Findings
- #2011-188-BOG Units 9B, 17, 19, and 19B (MCH) Intensive Management Supplemental Findings
- #2011-187-BOG Unit 16 Predation Control Area for Moose Intensive Management Supplemental Findings
- #2011-186-BOG Board of Game Bear Conservation, Harvest, and Management Policy.
- #2011-185-BOG Board of Game Wolf Management Policy (this policy supersedes BOG policy 82-31-GB)
- #2011-184-BOG Game Management Unit 13 Caribou and Moose Subsistence Uses
(*Supplement findings to 2006-170-BOG*)

2010

- #2010-183-BOG Harvest of Game for Customary and Traditional Alaska Native Funerary and Mortuary Religious Ceremonies.

2009

- #2009-182-BOG Units 12, 20B, 20D, 20E, and 25C Intensive Management Supplemental Findings
- #2009-181-BOG Unit 19D-East Intensive Management Supplemental Findings
- #2009-180-BOG Unit 19A Intensive Management Supplemental Findings
- #2009-179-BOG Resolution Supporting Increasing Non-Resident Hunting License and Tag Fees

2008

- #2008-178-BOG Finding of Emergency: Predator Control Implementation Plans
- #2008-177-BOG Units 12, 20B, 20D, 20E, & 25C Intensive Management Supplemental Findings
- #2008-176-BOG Units 16A & B Intensive Management Supplemental Findings
- #2008-175-BOG Unit 9D (South AK Peninsula Caribou Herd) Intensive Management Supplemental Findings
- #2008-174-BOG Unit 19D East Supplemental Findings

2007

- #2007-173-BOG Nonresident Drawing Permit Allocation Policy – (#162 Revised)
- #2007-172-BOG Annual Reauthorization of Antlerless Moose

2006

- #2006-171-BOG Resolution supporting a Moratorium on New Zoo Applications
- #2006-170-BOG Unit 13 Caribou and Moose Subsistence Uses
- #2006-169-BOG Unit 19D-East Intensive Management Supplemental Findings

#2006-168-BOG Unit 19A Intensive Management Supplemental Findings
 #2006-167-BOG Unit 16 Intensive Management Supplemental Findings
 #2006-166-BOG Unit 13 Intensive Management Supplemental Findings
 #2006-165-BOG Unit 12 and 20E Intensive Management Supplemental Findings
 #2006-164-BOG Board of Game Bear Management and Conservation Policy
 #2006-163-BOG Resolution Regarding Declining Fish and Wildlife Enforcement in Alaska
 #2006-162-BOG Nonresident Drawing Permit Allocation Policy
 #2006-161-BOG Finding of Emergency: Predator Control Implementation Plans

2005

#2005-160-BOG Finding of Emergency: Methods of Harvest for Hunting Small Game in the Skilak Loop Special Management Area of the Kenai National Wildlife Refuge
 #2005-159-BOG Resolution in Support of Allowing Guides to Take Wolves while Under Contract to Clients
 #2005-158-BOG Resolution in Support of Public Education Program on Predator Control
 #2005-157-BOG Reauthorizing Wolf Control in Portions of Unit 13
 #2005-156-BOG Supporting Joint Federal and State Deer Harvest Reporting
 #2005-155-BOG Supporting Governor’s Lawsuit Against Federal Government; Extent and Reach of Subsistence Regulations in State Navigable Waters

2004

#2004-154-BOG Supporting Increasing Resident and Non-Resident Hunting License and Tag Fees
 #2004-153-BOG Increase FY06 Budget for Boards of Fisheries and Game and State Advisory Committees
 #2004-152-BOG Predator Control in Portions of Upper Yukon/Tanana Predator Control Area
 #2004-151-BOG Bear Baiting Allocation
 #2004-150-BOG Authorizing Predator Control in Central Kuskokwim Area, Unit 19A
 #2004-149-BOG Signage for Traplines on Public Lands
 #2004-148-BOG Authorizing Predator Control in Western Cook Inlet, Unit 16B
 #2004-147-BOG Bear Conservation and Management Policy
 #2004-146-BOG Americans with Disabilities Act Exemptions

2003

#2003-145-BOG Authorization of Airborne Shooting in Unit 19D East Predation Control Program
 #2003-144-BOG Authorizing Wolf Control in Portions of Unit 13
 #2003-143-BOG Authorizing Wolf Control in Portions of Unit 13
 #2003-142-BOG Resolution of the Alaska Board of Game Concerning a Statewide Bear Baiting Ballot Initiative
 #2003-141-BOG Request for Commissioner’s Finding Regarding Same-Day-Airborne Wolf Hunting in Game Management Unit 13
 #2003-140-BOG Guidelines for a Unit 19D East Predation Control Program

#2003-139-BOG A resolution of the Alaska Board of Game Concerning Management of Kenai Peninsula Brown Bear Mortality

2002

#2002-138-BOG Request to US Forest Service re: Management of Guided Brown Bear Hunting in Unit 4

#2002-137-BOG Unit 1C Douglas Island Management Area Findings

#2002-136A-BOG Unit 1D Brown Bear Drawing Hunt Finding

#2002-136-BOG Government to Government Relations with Tribes in Alaska

2001

#2001-135-BOG Resolution concerning Unit 19D-East Adaptive Management Team Work

2000

#2000-134-BOG Unit 4 Brown Bear Management Team Findings

#2000-133-BOG Habituation of Wildlife (unsigned – left in draft)

#2000-132-BOG Reaffirm Resolution re: Management of Alaska’s Fish and Game Resources/Ballot Initiative Process

#2000-131-BOG Finding of Emergency: Unit 19D-East (Wolf Control Implementation Plan)

#2000-130-BOG Resolution re: Support of the Conservation and Reinvestment Act of 1999

1999

#99-129-BOG Snow Machine Use in the Taking of Caribou

1998

#98-128-BOG Findings on Elk Management in Region I

#98-127-BOG Findings on Commercial Guiding Activities in Alaska

#98-126-BOG Emergency Findings – Moose in Unit 25B and Unit 25D

#98-125-BOG Emergency Findings – Moose in Unit 21D

#98-124-BOG Emergency Findings – Moose in Unit 18

#98-123-BOG Emergency Findings – Caribou in Unit 9

#98-122-BOG 1998 Intensive Management Findings: Interior Region

#98-121-BOG Findings: HB 168, Traditional Access

#98-120-BOG Resolution re: Ballot Initiative Banning Use of Snares

#98-119-BOG Trapping and Snaring of Wolves in Alaska

#98-118-BOG Customary and Traditional Use of Musk Ox in Northwest Unit 23

1997

#97-117-BOG Customary and Traditional Use of Musk Ox on the Seward Peninsula

#97-116-BOG Dall Sheep Management in the Western Brooks Range

#97-115-BOG Resolution supporting Co-management of Alaska’s Fish and Game Resources

#97-114-BOG Resolution re: Dual Management of Alaska’s Fish and Game Resources

#97-113-BOG Resolution re: Methods and Means of Harvesting Furbearers and Fur Animals Including Wolves

#97-112-BOG Resolution re: Management of Alaska’s Fish and Game Resources/Ballot Initiative Process
 #97-111-BOG Finding to Include Unit 22 (except 22C) in the Northwest Alaska Brown Bear Management Area
 #97-110-BOG Finding of Emergency re: Stranded Musk Oxen
 #97-109-BOG Findings re: Unit 16B-South Moose
 #97-108-BOG Resolution re: Subsistence Division Budget
 #97-107-BOG Findings re: Wanton Waste on the Holitna and Hoholitna Rivers

1996

#96-106-BOG Delegation of Authority re: Issuing Permits to Take Game for Public Safety Purposes
 #96-105-BOG Delegation of Authority to Implement Ballot Measure #3
 #96-104-BOG Finding of Emergency re: Western Arctic Caribou Herd
 #96-103-BOG Findings – Antlerless Moose in Unit 20A
 #96-102-BOG Findings – Nelchina Caribou Herd Management
 #96-101-BOG Findings – Intensive Management for GMU 19D East
 #96-100-BOG Establishment of the Nenana Controlled Use Area
 #96-99-BOG Moose Populations in Unit 26A
 #96-98-BOG Taking Big Game for Certain Religious Ceremonies
 #96-97-BOG Forty Mile Caribou Herd Management Plan
 #96-96-BOG Finding of Emergency – Moose in Remainder of Unit 16B

1995

#95-95-BOG Resolution – Wildlife Diversity Initiative
 #95-94-BOG Resolution – Change Name of McNeil River State Game Refuge to Paint River State Game Refuge
 #95-93-BOG Requiring License Purchase in advance
 #95-92-BOG *Open Number*
 #95-91-BOG Delegation of Authority – Comply with Alaska Supreme Court Opinion in Kenaitze vs. State
 #95-90-BOG Board Travel Policy
 #95-89-BOG Findings – Noatak Controlled Use Area
 #95-88-BOG Delegation of Authority to Increase Bag Limits in Unit 18 for Mulchatna and Western Arctic Caribou Herds
 #95-87-BOG Subsistence Needs for Moose in Unit 16B
 #95-86-BOG Findings on Intensive Management in Unit 19D
 #95-85-BOG Findings on Intensive Management in Unit 20D
 #95-84-BOG Findings on Intensive Management in Unit 13
 #95-83-BOG Resolution: Subsistence Use on National Park Lands
 #95-82-BOG “No Net Loss” Policy for Hunting and Trapping Opportunities
 #95-81-BOG Resolution: Remove Federal Management of F&W on Public Lands and Waters
 #95-80-BOG Resolution to Legislature to Define Subsistence

1994

#94-80A-BOG Wolf Predation Control Program in Unit 20A
#94-79-BOG Delegation to Commissioner to Adopt Regulations Resulting from Kenaitze Decision which Invalidates Nonsubsistence Areas
#94-78-BOG Addendum to Findings on Unit 16B Moose
#94-77-BOG Resolution on SB325 (Repeal Antlerless Moose Statute)

1993

#93-76-BOG Findings on McNeil River Refuge Bears
#93-75-BOG Resolution on Adak Caribou
#93-74-BOG Delegation of Authority for Permits to Take Furbearers with Game Meat
#93-73-BOG Delegation of Authority to Make Emergency Regulations Permanent, Moose in Unit 19D
#93-72-BOG Wolf Control Findings – Delta Area
#93-71-BOG Resolution on Round Island Walrus Hunt
#93-70-BOG Findings on Unit 16B Moose Seasons and Bag Limits
#93-69-BOG Resolution on Popof Island Bison
#93-68-BOG Resolution on Commercialization of Moose
#93-67-BOG Resolution on Elk Transplants in Southeast
#93-66-BOG Resolution on Clear-cut Management in the Tongass National Forest

1992

#92-65-BOG Findings in Units 12, 20B, D, and E on Wolves
#92-64-BOG Findings in Unit 20A Wolves
#92-63-BOG Findings in Unit 13 Wolves
#92-62-BOG Findings Wolf Area Specific Management Plans for Southcentral and Interior
#92-61-BOG Resolution on Unit 13 Moose
#92-60-BOG Findings Unit 13 Moose Seasons and Bag Limits
#92-59-BOG Findings Unit 19 A&B Moose – Holitna and Hoholitna Controlled Use Area
#92-58-BOG Findings on Kilbuck Caribou re Fall Hunt
#92-57-BOG Report of the Board of Game, Area Specific Management Plans for Wolves
#92-56-BOG Relating to Moose in GMUs 19A and 19B per Superior Court order in Sleetmute vs. State
#92-55-BOG Relating to Endorsement of State Closure of Deer Hunting in GMU 4 and Requesting Federal Closure

1991

#91-54-BOG Findings on Strategic Wolf Management Plan
#91-54a-BOG Relating to Kilbuck Caribou Management Plan
#91-53-BOG Relating to Taking of Walrus from Round Island by Residents of Togiak
#91-53a-BOG Board Direction to Committee for Strategic Wolf Plan
#91-52-BOG Findings on Unit 13 Moose Season and Bag Limits

1990

#90-51-BOG Findings on Strategic Wolf Management Plan
#90-50-BOG Relating to Kilbuck Caribou Management Plan
#90-49-BOG Findings on Kwethluk Emergency Caribou Hunt Petition
#90-48-BOG Relating to the Use of Furbearers by Rural Alaskans, Including Alaska Natives
#90-47-BOG Relating to the Commercialization of Moose and other Wildlife
#90-46-BOG Relating to Destruction of Moose by the Alaska Railroad

1989

#89-45-BG Delegation of Authority to Adopt Waterfowl Regulations

1988

#88-44-BG Delegation of Authority for March 1988 Meeting
#88-43-BG Resolution Supporting Funding for Division of Game

1987

#87-42d-BG Procedures for Delegations of Authority (Replacing #75-2-GB)
#87-42c-BG Delegation of Authority to Correct Technical Errors
#87-42b-BG Delegation of Authority to Correct Technical Errors Before Filing Regulations
#87-42a-BG Delegation of Authority to Adopt Emergency Regulations (Replacing #75-3-GB)

1986

#86-41-BG Finding of Emergency: New State Subsistence Law
#86-40-BG Delegation of Authority

1985

#85-39-GB Resolution on Resources v/s Logging
#85-38-GB Findings: Madison vs. State Requirements
#85-37-GB Lime Village Management Area Findings
#85-36-GB Findings: Waterfowl hunting in and near Palmer Hayflats

1984

#84-35-GB Resolution on Waterfowl Stamp
#84-34-GB Transplant of Musk Ox to Nunivak Island

1983

#83-33-GB Resolution on Guide Board
#83-32-GB Findings on Moose in GMU 16B

1982

#82-31-GB Supplement to Wolf Population Control

1981

#81-30-GB Findings and Policy Regarding Nelchina Caribou
#81-29-GB Finding and Policy for Future Management of the Western Arctic Caribou Herd
#81-28-GB Letter of Intent: Wolf Reduction in Alaska

1980

#80-27-GB Letter of Intent Regarding Use of Alaska's Game for Religious Ceremony
#80-26-GB Findings and Policy Regarding Bowhunting
#80-25-GB Standing Committee II on Deer
#80-24-GB Regarding Advisory Committee Coordinators

1979

#79-23-GB Authorization to Export Animals from Alaska
#79-22-GB Staff Directive to Subsistence Section
#79-21-GB Relating to Brown Bear in GMU 4
#79-20-GB Relating to Brown Bear in GMU 4
#79-19-GB Brown Bear, GMU 4
#79-18-GB Relating to Muskoxen

1978

#78-18-GB Statement of Direction: Use of Airplanes in Controlling Predation by Wolves
#78-17-GB Relating to (d)(2) Legislation, State's ability to Manage Fish & Wildlife Resources
#78-16-GB Relating to (d)(2) Legislation, State's ability to Manage Fish & Wildlife Resources

1977

#77-15-GB Delegation of Authority to Commissioner to Address Petitions
#77-14-GB Repeal of Regulations Relating to Registration of Camps by Guides for Hunting Bears
#77-13-GB Regarding Closed Season for Caribou (rescinded November 30, 1977)
#77-12-GB Regarding the 17(d)(2) Land Settlement

1976

#76-11-GB Trapping Wolves by ADF&G
#76-10-GB Request for Public Safety Involvement in Enforcement of Caribou Regulations
#76-9-GB Management Goal: Western Arctic Caribou
#76-8-GB Export of Live Game Animals Outside of Alaska
#76-7-GB Muskox to Anchorage Children's Zoo (rescinded November 30, 1977)
#76-6-GB Taking of Wolves by Helicopter
#76-5-GB Regarding the Taking of Wolves in Units 23 and 26A

1975

#75-4-GB Endorsement of Trapping as a Legitimate Use of Renewable Resources

#75-3-GB Delegation of Authority to Adopt Emergency Regulations (See #87-42a-GB)
#75-2-GB Procedures for Delegations of Authority (See #87-42d-GB)
#75-1-GB Effectuating Delegation of Authority

**Findings of the Alaska Board of Game
2011-186-BOG**

**BOARD OF GAME BEAR CONSERVATION, HARVEST,
AND MANAGEMENT POLICY**

Expiration Date: June 30, 2016

Purposes of Policy

1. To clarify the intent of the Board and provide guidelines for Board members and the Department of Fish and Game to consider when developing regulation proposals for the conservation and harvest of bears in Alaska, consistent with the Alaska Constitution and applicable statutes.
2. To encourage review, comment, and interagency coordination for bear management activities.

Goals

1. To ensure the conservation of bears throughout their historic range in Alaska.
2. To recognize the ecological and economic importance of bears while providing for their management as trophy, food, predatory, and furbearer species.
3. To recognize the importance of bears for viewing, photography, research, and non-consumptive uses in Alaska.

Background

The wild character of Alaska's landscapes is one of our most important natural resources and the presence of naturally abundant populations of brown/grizzly bears (*Ursus arctos*) and black bears (*Ursus americanus*) throughout their historic range in Alaska is important to that wild character. Bears are important to Alaskans in many ways, including as food animals, predators of moose, caribou, deer and muskox, trophy species for nonresident and resident hunters, furbearers, problem animals in rural and urban settings, and as objects of curiosity, study, awe, and enjoyment. Bears are also important components of naturally functioning Alaskan ecosystems.

Bear viewing is a rapidly growing industry in selected areas of the state. The interest exceeds the opportunities provided now by such established and controlled sites as McNeil River, Pack Creek, Anan Creek, Wolverine Creek and Brooks Camp. In most areas, hunting and viewing are compatible uses but the Board may consider bear viewing as a priority use in some small areas, especially where access for people is good and bears are particularly concentrated. The Board and the Department will continue to discourage people from feeding bears to provide viewing opportunities.

Bears are frequently attracted to garbage or to fish and hunting camps, and can be a nuisance where they become habituated to humans and human food sources. Dealing with problem bears has

been especially difficult in Anchorage, Juneau, and the Kenai Peninsula. The department has worked hard, and successfully, with municipalities to educate people and solve waste management problems. The department's policy on human food and solid waste management (<http://www.wc.adfg.state.ak.us/index.cfm?adfg=bears.bearpolicy>) provides guidance on reducing threats to humans and the resulting need to kill problem bears.

Bears can pose a threat to humans in certain situations. Statewide, an average of about six bear encounters a year result in injuries to people. Most attacks now occur in suburban areas and do not involve hunters. About every two or three years, one of the attacks results in a human fatality. The Department and the Board will continue to educate people about ways to minimize threats to humans and the resulting need to kill problem bears.

Alaska is world-renowned as a place to hunt brown bears, grizzly bears and black bears. Alaska is the only place in the United States where brown and grizzly bears are hunted in large numbers. An average of about 1,500 brown and grizzly bears is harvested each year. The trend has been increasing, probably because of both increased demand for bear hunting and increasing bear numbers. Many of the hunters are nonresidents and their economic impact is significant to Alaska. Hunters have traditionally been the strongest advocates for bears and their habitat, providing consistent financial and political support for research and management programs.

Because bears can be both prey and predator, their relationship with people is complex. Throughout much of Interior Alaska and in some areas of Southcentral Alaska, the combined predation by bears and wolves keeps moose at relatively low levels. Bear predation on young calves has been shown to contribute significantly to keeping moose populations depressed, delayed population recovery, and low harvest by humans. People in parts of rural Alaska (e.g. Yukon Flats) have expressed considerable frustration with low moose numbers and high predation rates on moose calves in hunting areas around villages. The Board and the Department have begun to take a more active role in addressing bear management issues. Because the Constitution of the State of Alaska requires all wildlife (including predators) to be managed on a sustained yield basis, the Board of Game and the Department will manage all bear populations to maintain a sustained yield, but the Board recognizes its broad latitude to manage predators including bears to provide for higher yields of ungulates (*West vs State of Alaska*, Alaska Supreme Court, 6 August 2010).

Brown and grizzly bears

Although there is no clear taxonomic difference between brown and grizzly bears, there are ecological and economic differences that are recognized by the Board and Department. In the area south of a line following the crest of the Alaska Range from the Canadian border westward to the 62nd parallel of latitude to the Bering Sea, where salmon are important in the diet of *Ursus arctos*, these bears are commonly referred to as brown bears. Brown bears grow relatively large, tend to be less predatory on ungulates, usually occur at high densities, and are highly sought after as trophy species and for viewing and photography. Bears found north of this line in Interior and Arctic Alaska; where densities are lower and which are smaller in size, more predatory on ungulates, and have fewer opportunities to feed on salmon; are referred to as grizzly bears. Brown and grizzly bears are found throughout their historic range in Alaska and may have

expanded their recent historic range in the last few decades into places like the Yukon Flats and lower Koyukuk River.

Although determining precise population size is not possible with techniques currently available, most bear populations are estimated to be stable or increasing based on aerial counts, Capture-Mark-Resight techniques (including DNA), harvest data, traditional knowledge, and evidence of expansion of historic ranges. Throughout most coastal habitats where salmon are abundant, brown bears are abundant and typically exceed 175 bears/1,000 km² (450 bears/1,000 mi²). A population in Katmai National Park on the Alaska Peninsula was measured at 550 bears/1,000 km² (1,420 bears/1,000 mi²). In most interior and northern coastal areas, densities do not exceed 40 bears/1,000 km² (100 bears/1,000 mi²). Mean densities as low as 4 grizzly bears/1,000 km² (12 bears/1,000 mi²) have been measured in the eastern Brooks Range but these density estimates may be biased low and the confidence intervals around the estimates are unknown. Extrapolations from existing density estimates yielded statewide estimate of 31,700 brown bears in 1993, but the estimate is likely to be low.

Although some northern grizzly bear populations have relatively low reproductive rates, most grizzly bear and brown bear populations are capable of sustaining relatively high harvest rates comparable to moose, caribou, sheep, goats, and other big game animals that exist in the presence of natural numbers of large predators in most areas of Alaska. In addition, grizzly bears and brown bears have shown their ability to recover relatively quickly (<15 years) from federal poisoning campaigns during the 1950s and overharvest on the Alaska Peninsula during the 1960s. Biologists were previously concerned about the conservation of brown bears on the Kenai Peninsula and brown bears there were listed by the state as a "species of special concern". The Department implemented a conservation strategy there through a stakeholder process. In recent years it has become apparent that brown bears remain healthy on the Kenai and the Board and the Department no longer believes there is a conservation concern.

In some areas of the state (e.g. Unit 13) where the Board has tried to reduce grizzly bear numbers with liberal seasons and bag limits for over 15 years, there is no evidence that current increased harvests have affected bear numbers, age structure, or population composition. In areas of Interior Alaska, where access is relatively poor, long conventional hunting seasons and bag limits of up to 2 bears per year have not been effective at reducing numbers of grizzly bears. In these areas, most biologists believe that as long as sows and cubs are protected from harvest it will not be possible to reduce populations enough to achieve increases in recruitment of moose.

Black bears

American black bears (*Ursus americanus*) are generally found in forested habitats throughout the state. Like brown and grizzly bears, black bears also occupy all of their historic ranges in Alaska and are frequently sympatric with grizzly and brown bears. Because they live in forested habitats it is difficult to estimate population size or density. Where estimates have been conducted in interior Alaska, densities ranged from 67 bears/1,000 km² (175 bears/1,000 mi²) on the Yukon Flats to 289 bears/1,000 km² (750 bears/1,000 mi²) on the Kenai Peninsula. In coastal forest habitats of Southeast Alaska's Alexander Archipelago black bear densities are considered high. A 2000 estimate for Kuiu Island was 1,560 black bears/1,000 km² (4,000 black bears/1,000 mi²).

In most areas of the state, black bears are viewed primarily as food animals, but they are also important as trophy animals, predators of moose calves, and for their fur. The Board recently classified black bears as furbearers, recognizing the desire of people to use black bear fur as trim on clothing, to enhance the value of black bears, and to enable the Board and the Department to use foot-snares in bear management programs. The classification of black bears as a furbearer has legalized the sale of some black bear hides and parts (except gall bladders), and has thus made regulations in Alaska similar to those in northern Canada in this regard.

Black bears exhibit higher reproductive rates than brown and grizzly bears. In all areas of the state black bear populations are healthy and can sustain current or increased harvest levels. However, hunting pressure on black bears in some coastal areas like Game Management Unit (GMU) 6 (Prince William Sound), GMU 2 (Prince of Wales Island) and parts of GMU 3 (Kuiu Island) may be approaching or have exceeded maximum desired levels if trophy quality of bears is to be preserved, and are the subjects of frequent regulatory adjustments.

In some other parts of the state, deliberately reducing black bear numbers to improve moose calf survival has proven to be difficult or impossible with conventional harvest programs. The Board has had to resort to more innovative regulations promoting baiting and trapping with foot snares. The Department has also tried an experimental solution of translocating bears away from an important moose population near McGrath (GMU 19D) to determine if reduced bear numbers could result in significant increases in moose numbers and harvests. The success of the McGrath program has made it a potential model for other small areas around villages in Interior Alaska, if acceptable relocation sites are available.

Guiding Principles

The Board of Game and the Department will promote regulations and policies that will strive to:

1. Manage bear populations to provide for continuing sustained yield, while allowing a wide range of human uses in all areas of the state.
2. Continue and, if appropriate, increase research on the management of bears and on predator/prey relationships and methods to mitigate the high predation rates of bears on moose calves in areas designated for intensive management.
3. Continue to provide for and encourage non-consumptive use of bears without causing bears to become habituated to human food.
4. Favor conventional hunting seasons and bag limits to manage bear numbers.
5. Encourage the human use of bear meat as food.
6. Employ more efficient harvest strategies, if necessary, when bear populations need to be substantially reduced to mitigate conflicts between bears and people.
7. Primarily manage most brown bear populations to maintain trophy quality, especially in Game Managements 1 through 6, and 8 through 10.
8. Work with the Department to develop innovative ways of increasing bear harvests if conventional hunting seasons and bag limits are not effective at reducing bear numbers to mitigate predation on ungulates or to deal with problem bears.

9. Simplify hunting regulations for bears, and increase opportunity for incidental harvest of grizzly bears in Interior Alaska by eliminating resident tag fees.
10. Recognize the increasing value of brown bears as a trophy species and generate increased revenue from sales of brown bear tags.
11. Review and recommend revision to this policy as needed.

Conservation and Management Policy

The Board and the Department will manage bears differently in different areas of the state, in accordance with ecological differences and the needs and desires of humans. Bears will always be managed on a sustained yield basis. In some areas, such as the Kodiak Archipelago, portions of Southeast Alaska and the Alaska Peninsula, brown bears will generally be managed for trophy-hunting and viewing opportunities. In Southeast Alaska and Prince William Sound, black bears will generally be managed as a trophy species, food animals, or for viewing opportunities. In Interior and Arctic Alaska, black bears and grizzly bears will be managed primarily as trophy animals, food animals, and predators of moose and caribou. However in some parts of Interior Alaska, the Board may elect to manage populations of black bears primarily as furbearers.

Monitoring Harvest and Population Size

The Board and the Department recognize the importance of monitoring the size and health of bear populations on all lands in Alaska to determine if bear population management and conservation goals are being met. In areas where monitoring bear numbers, population composition, and trophy quality is a high priority, sealing of all bear hides and skulls will be required. At the present time, all brown and grizzly bears harvested under the general hunting regulations must be inspected and sealed by a Department representative. Where monitoring bear numbers and harvests is a lower priority, harvest may be monitored using harvest tickets or subsistence harvest surveys.

Harvest of black bears will generally be monitored either with harvest tickets or sealing requirements. Where harvests are near maximum sustainable levels or where the Department and the Board need detailed harvest data, sealing will be required.

Large areas of the state have subsistence brown/grizzly bear hunts with liberal seasons and bag limits, mandatory meat salvage, and relaxed sealing requirements. The Department will continue to accommodate subsistence needs.

Bear viewing also is an important aspect of bear management in Alaska. Increasing interest in watching bears at concentrated feeding areas such as salmon streams and sedge flats, and clam flats is challenging managers to find appropriate levels and types of human and bear interactions without jeopardizing human safety. Bear hunting and viewing are compatible in most situations.

Nothing in this policy affects the authority under state or federal laws for an individual to protect human life or property from bears (5 AAC 92.410). All reasonable steps must be taken to protect life and property by non-lethal means before a bear is killed.

Managing Predation by Bears

In order to comply with the intensive management law (AS 16.05.255) the Board and Department may implement management actions to reduce bear predation on ungulate populations that are important for high levels of human use. The Board may elect to work with the Department to remove individual problem bears or temporarily reduce bear populations in Game Management Units, Subunits, or management areas. The Board and the Department may also need to reduce bear predation on ungulates to provide for continued sustained yield management or conservation of ungulates. In addition, it may be necessary for the Department to kill problem bears to protect the safety of the public under AS 16.05.050 (a) (5). In some cases the Board may direct the Department to prepare a Predation Control Areas Implementation Plan (5 AAC 92.125) or in other cases the Board may authorize extensions of conventional hunting seasons, or implement trapping seasons to aid in managing predation on ungulates.

To comply with AS 16.05.255 (“Intensive Management Law”), to maintain sustained yield management of wildlife populations, or to prevent populations of ungulates from declining to low levels, the Board may selectively consider changes to regulations allowing the public to take bears, including allowing the following:

- Baiting of bears
- Trapping, using foot-snares, for bears under bear management or predator control programs.
- Incidental takes of brown or grizzly bears during black bear management or predator control programs.
- Use of communications equipment between hunters or trappers.
- Sale of hides and skulls as incentives for taking bears.
- Diversionary feeding of bears during ungulate calving seasons.
- Use of black bears for handicraft items for sale, except gall bladders.
- Use of grizzly bears for handicraft items for sale, except gall bladders.
- Taking of sows accompanied by cubs and cubs.
- Same-day-airborne taking.
- Aerial shooting of bears by department staff in moose and caribou calving areas
- Suspension or repeal of bear tag fees.
- Use of helicopters for transporting hunters and their equipment.

The Board intends that the above-listed methods and means will be authorized primarily in situations that require active control of bear populations, and only for the minimum amount of time necessary to accomplish management objectives.

Vote: 5-1-1

March 25, 2011

Anchorage, Alaska



Cliff Judkins, Chairman
Alaska Board of Game

**Findings of the Alaska Board of Game
2011-185-BOG**

**BOARD OF GAME WOLF MANAGEMENT POLICY
(Policy duration: Date of finding through June 30, 2016.
This policy supersedes BOG policy 82-31-GB)**

Background and Purpose

Alaskans are proud that wolves occur throughout their historic range in Alaska. Wolves are important to people for a variety of reasons, including as furbearers, big game animals, competitors for ungulate prey animals, and as subjects of enjoyment, curiosity, and study. Wolves are important components in the natural functioning of northern ecosystems. Over time, many people have come to appreciate wolves as exciting large carnivores that contribute significantly to the quality and enjoyment of life in Alaska.

The primary purpose of this policy is to provide guidance to the public, the Department, and the Board of Game on wolf management issues as the Board and the Department implement constitutional and statutory direction and respond to public demands and expectations. The Board recognizes the need for ongoing responsible wolf management to maintain sustainable wolf populations and harvests, and to help maintain sustainable ungulate populations upon which wolves are largely dependent. The Board also recognizes that when conflicts arise between humans and wolves over the use of prey, wolf populations may have to be managed more intensively to minimize such conflicts and comply with existing statutes (e.g. AS 16.05.255). Under some conditions, it may be necessary to greatly reduce wolf numbers to aid recovery of low prey populations or to arrest undesirable reductions in prey populations. In some other areas, including national park lands, the Board also recognizes that non-consumptive uses of wolves may be considered a priority use. With proper management, non-consumptive and consumptive uses are in most cases compatible but the Board may occasionally have to restrict consumptive uses where conflicts among uses are frequent.

Wolf/Human Use Conflicts

Conflicts may exist between wolves and humans when priority human uses of prey animals cannot be reasonably satisfied. In such situations, wolf population control will be considered. Specific circumstances where conflicts arise include the following:

1. Prey populations or recruitment of calves into populations are not sufficient to support existing levels of existing wolf predation and human harvest;
2. Prey populations are declining because of predation by wolves or predation by wolves in combination with other predators;
3. Prey population objectives are not being attained; and
4. Human harvest objectives are not being attained.

Wolf Management and Wolf Control

The Board and the Department have always distinguished between wolf management and wolf control. Wolf management involves managing seasons and bag limits to provide for general public hunting and trapping opportunities. These seasons provide for both subsistence and other traditional economic harvest opportunities and, as a side benefit, allow for participants to directly aid in mitigating conflicts between wolves and humans or improving ungulate harvest levels. In most cases, seasons will be kept to times when wolf hides are prime. However, some hunters are satisfied to take wolves during off-prime months including August, September and April, and opportunity may be allowed for such harvest.

Wolf control is the planned, systematic regulation of wolf numbers to achieve a temporarily lowered population level using aerial shooting, hiring trappers, denning, helicopter support, or other methods which may not normally be allowed in conventional public hunting and trapping. The purpose of wolf control is not to eradicate wolf populations. Under no circumstances will wolf populations be eliminated or reduced to a level where they will not be able to recover when control efforts are terminated, and wolves will always be managed to provide for sustained yield.

In some circumstances it may be necessary to temporarily remove a high percentage (>70%) of wolf populations to allow recovery of prey populations. In other situations, it may be necessary to temporarily remove a smaller percentage of wolf populations (40-70%) to allow prey populations to increase or meet human harvest objectives. Once prey population objectives have been met, wolf populations will generally be allowed to increase to or above pre-control levels.

During the 1997 review of predator control in Alaska by the National Research Council of the National Academy of Sciences (National Research Council 1997), only two clearly successful cases were found where increased harvests of ungulates resulted from control in the Yukon and Alaska. In the last 13 years since that review, several other programs have been successful, including programs in GMUs 9, 13, 16 and 19. In addition, there is now a thirty year history of intensive wolf and moose management and research, including 2 periods of wolf control in GMU 20A. It is clear, and well documented, that periodic wolf control has resulted in much higher harvests of moose than could be realized without control (Boertje et al., 2009). Biologists now have considerable experience successfully managing moose at relatively high density (Boertje et al., 2007). The GMU 20A case history has provided a great deal of information on what biologists can expect from intensive management programs and these programs are scientifically well founded. However, GMUs are different ecologically and new information on which areas are best suited to intensive management programs will continue to be gathered.

Decisions by the Board to Undertake Wolf Control

Generally, there are two situations under which the Board will consider undertaking wolf control (implementing extraordinary measures outside normal hunting and trapping). In rare cases, control may be implemented where sustained yield harvests of ungulates cannot be maintained or where extirpation of ungulate populations may be expected. More commonly, the Board may implement wolf control to comply with Alaska Statutes (AS 16.05.255) where ungulate populations are declared "depleted" or where ungulate harvests must be significantly reduced and these

populations have been found by the Board to be important for “high levels of human harvest”. In most cases when wolf control is implemented, the Board will favor and promote an effective control effort by the public. Experience has shown that often a joint effort by the public and the Department has been most effective. However, the Board recognizes that there are areas and situations where the public cannot effectively or efficiently control predation and that the Department may, under its own authority and responsibilities, conduct the necessary wolf population control activities. Such situations arise in part because public effort to take wolves tends to diminish before an adequate level of population control is achieved. In areas where wolf reduction is being conducted, ungulate and wolf surveys should be conducted as frequently as necessary to ensure that adequate data are available to make management decisions and to ensure that wolf numbers remain sufficient to maintain long-term sustained yield harvests.

Methods the Board Will Consider When Implementing Wolf Control Programs

- 1) Expanding public hunting and trapping into seasons when wolf hides are not prime.
- 2) Use of baiting for hunting wolves.
- 3) Allowing same-day-airborne hunting of wolves when 300 ft from aircraft.
- 4) Allowing land-and-shoot by the public.
- 5) Allowing aerial shooting by the public.
- 6) Allowing use of Department staff and helicopters for aerial shooting.
- 7) Encouraging the Department to hire or contract with wolf trappers and other agents who may use one or more of the methods listed here.
- 8) Allowing denning by Department staff and use of gas for euthanasia of sub-adults in dens.

Terminating Wolf Control

Depending on the response to wolf control and ungulate population and harvest objectives, control may either be of short or long duration. In some cases, control may last less than five years. In other cases it may be an ongoing effort lasting many years. As ungulate harvest objectives are met, the Board will transition from a wolf control program to a wolf management program, relying to a greater extent on public hunting and trapping. In cases where ungulates respond very well and hunting is ineffective at controlling ungulate numbers for practical reasons, it may be necessary for the Board to restrict the taking of predators.

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- Boertje, R. D., K. K. Kellie, C. T. Seaton, M. A. Keech, D. D. Young, B. W. Dale, L. G. Adams, A. R. Aderman. 2007. Ranking Alaska moose nutrition: signals to begin liberal antlerless moose harvests. *Journal of Wildlife Management* 71(5): 1494-1506.
- Boertje, R. D., M. A. Keech, D. D. Young, K. A. Kellie, and C. T. Seaton. 2009. Managing for elevated yields of moose in Alaska. *Journal of Wildlife Management* 73 (3): 314-327.

National Research Council. 1997. Wolves, bears, and their prey in Alaska. National Academy Press. Wash., D.C.

Vote: 6-0-1

March 25, 2011

Anchorage, Alaska


Cliff Judkins, Chairman
Alaska Board of Game

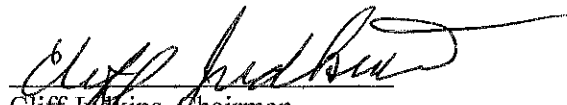
**Findings for the Alaska Board of Game
2009-180-BOG**

**Unit 19A Intensive Management Supplemental Findings
March 9, 2009**

The Board of Game finds as follows, based on information provided by Department staff and residents and users of moose in Unit 19A. These findings are supplemental to the findings set forth in 5AAC 92.108, in the Unit 19A predation control implementation plan in 5 AAC 92.125, and in Board of Game Findings 2004-150-BOG and 2006-168-BOG.

1. The moose population size, currently estimated to be 3,200-5,275 moose, is less than the population objective of 7,600-9,300 moose (derived from the combined Units 19A and 19B objective based on proportionate area). The population objective has not been achieved for at least the last 8 years.
2. The Unit 19A moose harvestable surplus, as described in 5 AAC 92.106(3)(A), there is no harvestable surplus in eastern Unit 19A (upstream from and excluding the George River drainage), excluding the Lime Village Management Area. In western Unit 19A (downstream from and including the George River drainage), the harvestable surplus is 60 bulls. This is less than the harvest objective of 400-550 moose (also based on proportionate area). The harvest objective has not been achieved for at least the last 8 years.
3. The Unit 19A moose population is, thus, depleted and reduced in productivity, which has already resulted in a significant reduction in the allowable human harvest of the population.
4. Enhancement of abundance or productivity is feasibly achievable utilizing the recognized and prudent active management technique of predator control.
5. The Board has repeatedly, since 2002, been required to significantly reduce the taking of moose in Unit 19A by restricting harvest, seasons and bag limits as compared to the level and timing of hunting opportunity that was allowed when the population was not depleted and reduced in productivity.
6. The population and harvest objectives have not been achieved, at least in part, because wolf predation has been an important cause of mortality in the population, to the extent that the population is unlikely to recover, and objectives are unlikely to be achieved, in the foreseeable future unless predator control is conducted.
7. Reducing predation can reasonably be expected to aid in achievement of the population and harvest objectives.

Vote: 5-0-2
March 9, 2009
Anchorage, Alaska

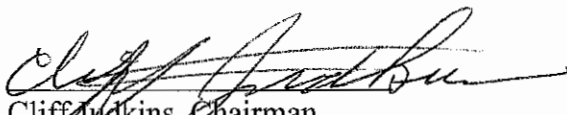

Cliff Jenkins, Chairman
Alaska Board of Game

Finding for the Alaska Board of Game
2007-173-BOG

Nonresident Drawing Permit Allocation Policy
March 12, 2007

At the March 2007, Southcentral/Southwest Region meeting in Anchorage, the Board of Game modified the Nonresident Drawing Permit Allocation Policy, #2006-162-BOG, by adding item #4 to the guidelines that shall be applied when determining the allocation percentage for drawing permits to nonresidents:

1. Allocations will be determined on a case by case basis and will be based upon the historical data of nonresident and resident permit allocation over the past ten years.
2. Each client shall provide proof of having a signed guide-client agreement when applying for permits.
3. Contracting guides shall be registered in the area prior to the drawing.
4. When a guide signs a guide-client agreement, the guide is providing guiding services and therefore must be registered for the use area at that time.


Cliff Judkins, Chairman
Alaska Board of Game

Vote: 7-0
Amended: March 12, 2007
Anchorage, Alaska


**Findings for the Alaska Board of Game
2006-168-BOG**

**Unit 19A Intensive Management Supplemental Findings
May 14, 2006**

The Board of Game finds as follows, based on information provided by Department staff and residents and users of moose in Unit 19A. These findings are supplemental to the findings set forth in 5AAC 92.108, in the Unit 19A predation control implementation plan in 5 AAC 92.125, and in Board of Game Findings 2004-150-BOG.

1. The moose population size, currently estimated to be 2,700-4,250 moose, is less than the population objective of 7,600-9,300 moose (derived from the combined Units 19A and 19B objective based on proportionate area). The population objective has not been achieved for at least the last 5 years.
2. The Unit 19A moose harvestable surplus, as described in 5 AAC 92.106(3)(A), there is no harvestable surplus in eastern Unit 19A (upstream from and excluding the George River drainage), excluding the Lime Village Management Area. In western Unit 19A (downstream from and including the George River drainage), the harvestable surplus is 60 bulls. This is less than the harvest objective of 400-550 moose (also based on proportionate area). The harvest objective has not been achieved for at least the last 5 years.
3. The Unit 19A moose population is, thus, depleted and reduced in productivity, which has already resulted in a significant reduction in the allowable human harvest of the population.
4. Enhancement of abundance or productivity is feasibly achievable utilizing the recognized and prudent active management technique of predator control.
5. The Board has repeatedly, since 2002, been required to significantly reduce the taking of moose in Unit 19A by restricting harvest, seasons and bag limits as compared to the level and timing of hunting opportunity that was allowed when the population was not depleted and reduced in productivity.
6. The population and harvest objectives have not been achieved, at least in part, because wolf predation has been an important cause of mortality in the population, to the extent that the population is unlikely to recover, and objectives are unlikely to be achieved, in the foreseeable future unless predator control is conducted.
7. Reducing predation can reasonably be expected to aid in achievement of the population and harvest objectives.

Vote: 6-0-1
May 14, 2006
Anchorage, Alaska


Mike Fleagle, Chairman
Alaska Board of Game

**Findings of the Alaska Board of Game
2006-164-BOG**

**BOARD OF GAME BEAR CONSERVATION AND MANAGEMENT POLICY
MAY 14, 2006**

GENERAL BEAR MANAGEMENT

Purposes of Policy

1. To assure all management actions provide for the conservation of Alaska's bear species, their habitat and food sources, and are consistent with the Alaska Constitution, and applicable statutes.
2. To encourage review and comment and interagency coordination for bear management activities.

Goals

1. To ensure the long-term conservation of bears throughout their historic range in Alaska.
2. To increase public awareness and understanding of the uses, conservation, and management of bears and their habitat in Alaska.

Background

Brown/grizzly bears (*Ursus arctos*) are large omnivores found throughout most of Alaska. Although they are considered the same species, brown and grizzly bears occupy different habitats and have somewhat different lifestyles and body configurations. Grizzlies are typically found in interior and northern areas. They are generally smaller than brown bears and more predatory. Brown bears live in coastal areas of southern Alaska where they have access to productive salmon streams.

Brown/grizzly bears are found throughout their historic range in Alaska, and unlike populations in the contiguous 48 states, they are not considered a threatened or endangered species. Estimating precise population numbers is difficult because of the bears' secretive habits and often densely vegetated habitat, but in most places in the state, populations are considered stable or increasing. Throughout most coastal habitats where salmon are abundant, bear densities typically exceed 175 bears/1,000 km² (450 bears/1,000 mi²). A population in Katmai National Park on the Alaska Peninsula was measured at 550 bears/1,000 km² (1,420 bears/1,000 mi²). In most interior and northern coastal areas, densities do not exceed 40 bears/1,000 km² (100 bears/1,000 mi²).

Densities as low as 7 bears/1,000 km² (20 bears/1,000 mi²) have been measured in the eastern Brooks Range. Extrapolations from existing density estimates yielded an estimate

of 31,700 brown bears in 1993. All indications are that the population has increased in the past decade.

American black bears (*Ursus americanus*) are generally found in forested habitats throughout the state. Black bears also occupy their historic range in Alaska, often overlapping distribution with brown/grizzly bears. Because they live in forested habitats it is very difficult to estimate population size or density. Where estimates have been conducted in interior Alaska, densities ranged from 67 bears/1,000 km² (175 bears/1,000 mi²) on the Yukon Flats to 289 bears/1,000 km² (750 bears/1,000 mi²) on the Kenai Peninsula. In coastal forest habitats of Southeast Alaska's Alexander Archipelago black bear densities are considered high. A 2000 estimate for Kuiu Island was 1,560 black bears/1,000 km² (4,000 black bears/1,000 mi²). A statewide black bear population estimate is not available because, unlike the many brown/grizzly bear and wolf estimates that are available across the state, very few black bear population estimates have been conducted.

Brown/grizzly bears have relatively low reproductive rates and require abundant resources. Black bears exhibit higher reproductive rates than brown/grizzly bears; however, rates are still lower than for other big game animals with the exception of brown/grizzly bears. Population stability can be threatened by human-caused mortality and from fragmentation or destruction of habitat. This combination is present to a sufficient extent on the Kenai Peninsula that brown/grizzly bears there have been designated by the State as a "population of special concern". To address situations where bear populations have declined because of human activities, the Department has implemented remedial management actions. In the Kenai situation, a conservation strategy has been developed through a public stakeholder process.

In most areas of the state black bear populations are healthy and can sustain current or increased harvest levels. However, in some areas such as Unit 20B and 20D in the interior, the Kenai Peninsula, and Southeast Alaska, hunter demand for black bears is high, harvest is high, and these populations require closer monitoring. Bears are intelligent animals that learn to adapt to new situations. This ability, coupled with their enduring drive to rebuild fat reserves prior to denning, makes bears experts in finding ways to get a meal. Garbage is often a source of food from people. If this happens, bears learn to exploit human-related food resources and lose their natural tendencies to avoid people. Frequently, such bears become classified as "nuisance" bears and often are killed in defense of life or property (DLP).

Respected by most, and feared by many, bears can pose a threat in certain situations. Statewide, there are an average of about six encounters a year in which a human is injured. About half of those involve hunters in search of other quarry. About every two or three years, one of the attacks results in a human fatality.

Whenever bears and people interact with each other there are potential benefits and dangers. Displacing bears from feeding sites has serious consequences for them. Human behavior around bears not only impacts their own personal safety and viewing experience,

it also impacts the health and safety of the bears and the people who come to the area later. When bears and people meet, it is important that bears never get food from them and that people are trained how to react to bear encounters. Comprehensive education is recognized as a vital component in all aspects of any bear viewing program.

Public interest in bears has increased dramatically in Alaska during the past decade. Some of this interest is incidental to other pursuits such as sport fishing, hiking, flight seeing, eco-tours, or marine water cruises but some of it is specifically targeted at bear viewing. Bear viewing is a rapidly growing industry in selected areas of the state. The interest exceeds the opportunities provided now by such established and controlled sites as McNeil River, Pack Creek, Anan Creek, Wolverine Creek and Brooks Camp. As a result, private entrepreneur businesses are providing viewing opportunities in some high-density bear areas. Many of these sites and programs involve highly habituated bears that most frequently result in mutually exclusive conflicts with other uses of bears. Habituation of bears should be discouraged and maximum public benefits pursued by providing management programs designed to provide for public viewing opportunities in areas where other uses are already excluded or to carefully integrate uses on a time and area basis.

Alaska is world-renowned as a brown/grizzly bear hunting area. Alaska is the only place in the United States where they are hunted in large numbers, and the vast majority of record book bears come from the state. An average of about 1,500 brown/grizzly bears are harvested each year. The trend has been increasing. Many of the hunters are nonresidents and their economic impact is significant to Alaska. Hunters have traditionally been the strongest advocates for bears and their habitat, providing consistent financial and political support for research and management programs.

Because bears can be both prey and predator, their relationship with people is complex. In areas where a population of large ungulates has been reduced to low levels, bears may have a significant influence on the decline of species such as moose, caribou and deer. This is especially true when bears are found in combination with thriving wolf populations. Alaskan studies of bear interactions with moose, for instance, indicate that bears may contribute significantly to calf mortality. Coupled with wolf predation, the combined mortality rates can far exceed human induced mortality and contribute to major moose population declines, depressed populations and delayed recoveries. The role of bears in these situations greatly exacerbates the debate over predator control and complicates evaluation of potential and initiated management actions.

Guiding Principles

1. Manage bear populations to allow a wide range of human uses, while providing for long-term bear population sustainability.
2. Establish minimum population goals that ensure the long-term viability of bears recognizing the reproductive capacity of each bear species.
3. Manage bears at the scale of subunits or units to achieve appropriate overall predator-prey relationships rather than pursue single species management.
4. Protect the genetic diversity of bears.
5. Continue and, if appropriate, accelerate research for the management of bears.

6. Consider short-term and long-term effects of habitat loss and fragmentation on bear populations.
7. Provide for consumptive and non-consumptive uses of bears in management plans and encourage economic benefit to the state and its citizens while maintaining sustainable bear populations.
8. Do not allow identified prey populations to decline to a point where predation keeps them at low levels.
9. Avoid, where possible, activities that encourage the habituation of bears and manage bear viewing opportunities that are not mutually exclusive of other uses.
10. Encourage wildlife viewing of bears and other species in their natural settings as part of a broader outdoor experience.
11. Implement this policy in such a manner that the Department and the Board can respond promptly to unforeseen situations.
12. Pursue informational and educational efforts to help the public understand more about bears and their management.
13. Work with enforcement agencies to identify priorities and to assist with and encourage adequate enforcement activities.
14. Review and recommend revision to this policy as needed.

Conservation and Management

A. Management Strategies

The Department will manage both bear species differently according to their population and human use characteristics in different parts of the state. In some areas, such as the Kodiak Archipelago, portions of Southeast Alaska and the Alaska Peninsula, bears are managed for trophy-hunting and viewing opportunities. In many other areas of the state, bear populations are largely unaffected by human harvest. Bears are an important big game species sought by resident and nonresident hunters and are managed for a variety of objectives.

Generally, bear hunting will be conducted on a sustained yield basis, except in areas where a bear predation control program is authorized. Harvests will not be allowed to threaten the long-term population survival of bears. In most areas of the state, sustained brown/grizzly bear harvests will generally be 4-8 percent of the estimated total population and up to 12 percent for black bears. Some bear populations may be able to sustain a harvest above these guidelines and these will be evaluated for more liberal harvest programs. Lacking precise population data, managers will continue applying indirect parameter to assess the status of bear populations.

All brown/grizzly bears harvested under the general hunting regulations must be inspected and sealed by a Department representative. Black bears must be sealed in some units but not all. Non-resident hunters of brown/grizzly bears must be accompanied in the field by a registered big game guide or a resident relative. For both species, sows accompanied by cubs, and the cubs, are protected, but cubs are defined as bears in their first year of life for

black bears and for the first two years of life for brown/grizzly bears. The Department will continue to maintain these strategies and regulations for most of the state, unless it is necessary to consider methods to increase bear harvests as part of a bear predator control program.

The effect of management actions on the economic contribution of bears to Alaska's users of bears should be considered. Maintaining a regulatory structure that assures reasonable standards of data integrity with responsible management strategies and population sustainability will help avoid threats of international sanctions. Large areas of the state have subsistence brown/grizzly bear hunts with liberal seasons and bag limits, mandatory meat salvage, and relaxed sealing requirements. The Department will continue to accommodate subsistence needs and will consider the impacts on subsistence activities.

Bear viewing and bear/human interactions are also important aspects of bear management in Alaska. Increasing interest in watching bears at concentrated feeding areas such as salmon streams and sedge flats is challenging managers to find appropriate levels and types of human and bear interactions without jeopardizing human safety or bears or other legitimate uses of bears. Bear hunting and viewing are compatible in many situations. However, there are areas where the two uses are potentially mutually exclusive. Land and wildlife managers are faced with tough decisions that could either minimize those conflicts or promote single use regulations at the expense of other uses. For instance, federal withdrawals totaling over 40 million acres are managed to protect large segments of Alaska's big game resources habitat and major portions of these areas provide park-like observation opportunities. Logically these areas could first be utilized for habituated wildlife viewing opportunities before traditional uses of bears and other wildlife are unnecessarily impacted in other areas. Bear management programs on state and private lands should be designed to achieve maximum benefits to Alaskans. Specifically, state management programs should avoid habituating bears wherever possible. Conflicts between user groups can frequently be reduced if viewing programs adopt "best viewing practices."

In areas where bear management plans have been developed, the Department will adhere to the recommendations included in those plans as long as they are consistent with the newest policies and regulations adopted by the Board.

Nothing in this policy affects the authority under state or federal laws for an individual to protect human life or property from bears (5 AAC 92.410). All reasonable steps must be taken to protect life and property by non-lethal means before a bear is killed.

B. Research Strategies

Developing and implementing precise, cost-effective methods for determining bear populations will continue to be a research priority for the Department. Work to date suggests that no single population estimation method will work across the state given the vast areas, varied topography, differing vegetation communities and great differences in bear density. Some methods work well in one area but not in another. Aerial stream

surveys, line-transect surveys, capture-mark-recapture, intensive aerial surveys, and DNA analysis are some of the tools that can be utilized to provide population estimates.

Predator-prey relationships between bears and large ungulates have not been thoroughly examined in most of the state. Bears use a wide variety of foods seasonally including vegetation, fish, mammals, birds, and carrion and they are exceptionally adaptable in their ability to capitalize on available food resources. Consequently, the impact of ungulate prey abundance on bears is difficult to ascertain. Similarly, the impact of bears on prey populations is multifaceted and can be further compounded by the presence of other predators such as wolves.

Where appropriate, the Department will cooperate in research efforts with other agencies. Research findings will be reported in a timely fashion and presented in a form that is easily understood by the public.

C. Information and Education Strategies

Public education is critical in any bear management program. Perhaps as much as any species in Alaska, bears elicit a wide variety of emotions, have myriad uses, and directly impact peoples' lives both in the field and near settlements. Clear, objective information is necessary for citizens and managers alike to make wise decisions when dealing with bears. As the agency primarily responsible for bear management, the Department must take a lead role in producing and disseminating this information.

Bear information will be developed for a wide range of audiences and be delivered in a variety of media. A principal focus of bear education will be to promote a better understanding of life history, behavior, and habitat associations. Specific messages will include discussions of bear/human interactions, bear hunting, bear viewing, and bear predation on moose, caribou, and sheep. To assure consistent and accurate presentation of bear information, the Department will continue to work with the Alaska Interagency Bear Safety Education Committee.

The Department will strive to include the public in all bear management decisions. The primary method of public involvement will be through existing local Fish and Game Advisory Committee and Board processes. Citizen-driven bear management plans will be sponsored and supported by the Department. To date, such plans have been developed for Game Management Unit 4, the Kenai Peninsula, and the Kodiak Archipelago. The Department is committed to implementing as many of the recommendations from bear management plans as possible.

Because of the economic importance of guiding and other commercial enterprises associated with the varied uses of bear, it is recommended that extra efforts are made to notify all concerned parties that area specific predator control activities are being considered.

BEAR PREDATION MANAGEMENT

Purpose of Policy

1. To guide the Board of Game (Board) and the Alaska Department of Fish and Game (Department) in implementing any bear predation management actions pursuant to AS 16.05.255(e) and 5 AAC 92.106, when the Board determines ungulate populations important for human consumption are being kept at low levels because of bear predation.

Goals

1. To provide guidelines for developing, implementing, and evaluating bear management actions designed to reduce bear specific predation in precise areas for specific time periods required by predator control implementation plans.

Background

In areas where the Board has authorized for intensive management (IM) activities, set IM population and harvest objectives and those objectives are not being met and bear predation has been found to be a major factor in the decline in prey populations or in keeping prey populations from recovering, the Board can authorize bears to be included in predator control planning. Whenever bears are considered and authorized for predator control activities, the implementation control plan must specify whether one or both bear species are to be considered in the control plan.

Based on careful consideration of scientific information and public comment, the Department and the Board believe that in some limited circumstances it may be beneficial and appropriate to control predation by bears to achieve population and human use objectives.

Guiding Principles

1. Where bear reductions are authorized, the first step should be to reduce bear numbers through general hunting provisions such as liberalized seasons, bag limits, hunting methods and means and tag wavers.
2. Where predation regulates prey populations, identify to the extent possible, the relative contribution by each primary predator species so that management response can be focused and effective.
3. Implement measures to reduce black and/or brown bear numbers to allow prey species to increase population management objectives in areas managed for high consumptive use where predation by bears itself or in combination with other predators is keeping prey at low levels.
4. Manage bears at the appropriate scale that may vary from an entire Game Management Unit to a specifically defined area (e.g. key calving sites).
5. If liberalization of general hunting provisions does not adequately reduce the target bear population, an additional control program may be authorized. This program should be conducted for the minimum time necessary to achieve the stated

management objectives and may utilize methods and means not approved for general hunting.

6. Consider the management goals and objectives of state, federal, and private land owners and work cooperatively with them to design, implement, and evaluate bear control activities.
7. Encourage federal and private land owners, where possible, to work cooperatively in any management and/or species control programs.
8. If reduction in bear numbers fail to result in reasonable increases in availability of prey populations for human use, management practices intended to reduce bear populations should be reconsidered.

Management Strategies

In areas where bears have been identified as an important component in reducing and/or holding prey populations well below objectives, higher harvest levels than those listed under general management strategies will be allowed. In these areas, specific harvest reporting conditions will be imposed which may include additional requirements for permits, sealing, and/or reporting. In addition, the Department will closely monitor the effects of higher harvest on the bear and prey populations.

Research Strategies

In areas where bear predation control programs are considered, the Department may conduct research to quantify the contributions of each bear species and of wolves to the causes of decline in the ungulate population important for human use. Alternatively, the Department may use standard survey and inventory data and interpretation of other research results to guide the decision-making process. Monitoring activities designed to determine the effects of high levels of bear harvest on recovery of depressed ungulate populations would help focus management efforts in the most cost-effective manner.

Information and Education Strategies

In any situation where the Board or Department believes bear predation control may become necessary, the public will be informed as soon as possible. Detailed information on the specific location, the predator, prey and habitat concerns, and the proposed management action and its anticipated costs and duration will be widely disseminated. Public meetings may be held in the affected area and in major Alaska communities, in addition to regularly scheduled Board and Advisory Committee meetings. Once implemented, the Department will provide the Board and the public with an annual report and evaluation of the management action.

Board Consideration

The Board may consider bear control on a bear species when:

1. Bear predation has been determined to be an important factor in the decline of a prey population or is preventing recovery of a low density prey population.

2. Bear predation is an important factor preventing attainment of approved prey population of human-use objectives.
3. Efforts to control bear predation can be reasonably expected to achieve improvement in sustainable human use of ungulates.

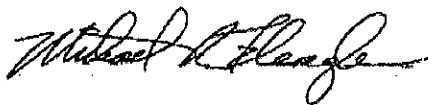
If the Department or the Board determines that one or more of these conditions exist in a given IM area, at the Board's direction, an implementation plan will be prepared for public review.

It is the intent of the Board of Game that bear control programs authorized under this policy shall be directed at only specified target areas and is not intended for implementation under general hunting regulations.

Under methods and means the Board may selectively consider:

- Relocation
- Sterilization
- Use of communications equipment between hunters or trappers
- Sale of hides and skulls as incentive
- Use of bears for handicraft items for sale
- Trapping
- Bear baiting
- Changing the definition of a legal bear
- Same day airborne taking, except aerial shooting
- Diversionary feeding

Vote: 7/0
May 14, 2006
Anchorage, Alaska



Mike Fleagle, Chair
Alaska Board of Game

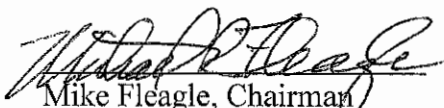
**Findings for the Alaska Board of Game
2006-162-BOG**

**Nonresident Drawing Permit Allocation Policy
March 18, 2006**

At the March 2006, Interior Region meeting in Fairbanks, the Board of Game adopted the following guidelines to be applied when determining the allocation percentage for drawing permits to nonresidents:

- Allocations will be determined on a case by case basis and will be based upon the historical data of nonresident and resident permit allocation over the past ten years.
- Each client shall provide proof of having a signed guide-client agreement when applying for permits.
- Contracting guides shall be registered in the area prior to the drawing.

Vote: 6-0
March 18, 2006
Fairbanks, Alaska


Mike Fleagle, Chairman
Alaska Board of Game

**Findings of the Alaska Board of Game
2004-150-BOG**

**Authorizing Wolf Predation Control in the Unit 19(A) Portion
of the Central Kuskokwim Wolf Predation Control Area
With Airborne or Same Day Airborne Shooting**

March 10, 2004

Purpose and Need

This action of the Board of Game (Board) is to authorize a wolf predation control program in the Game Management Unit 19(A) portion of the Central Kuskokwim Wolf Predation Control Area in accordance with AS 16.05.783, Same day airborne hunting, 5 AAC 92.039, Permit for taking wolves using aircraft, and 5 AAC 92.110, Control of predation by wolves. This authorization does not currently include the Unit 19(B) portion of the Central Kuskokwim Wolf Predation Control Area.

There is no expectation that the Intensive Management population and harvest objectives for moose will be achieved in a reasonable time frame unless wolf predation on moose is reduced through a wolf predation control program.

Identified Big Game Prey Population and Wolf Predation Control Area

The Central Kuskokwim Wolf Predation Control Implementation Area includes both Units 19(A) and 19(B) and encompasses approximately 17,680 mi², including all land ownerships. The Board has identified moose populations in Units 19(A) and 19(B) as important for providing high levels of harvest for human consumptive use in accordance with the Intensive Management statute and regulations (AS 16.05.255(e)–(g), 5 AAC 92.106, and 5 AAC 92.108).

The Board's present authorization for wolf control using airborne or same-day-airborne shooting includes those portions of the Kuskokwim River drainage within Unit 19(A) defined in 5 AAC 92.450(19)(A), encompassing approximately 9,969 mi².

Background

Unit 19(A) encompasses the Central Kuskokwim River and the communities of Lower and Upper Kalskag, Aniak, Chuathbaluk, Crooked Creek, Red Devil, Sleetmute, Stony River, Lime Village, and other smaller settlements. Residents of Unit 19(A) depend on moose as a primary subsistence food source. Residents of communities in Unit 18 travel up the Kuskokwim River to harvest moose for subsistence and other uses, as do other Alaska residents who access the area by aircraft.

Unit 19(B) is also included in the Central Kuskokwim Wolf Predation Control Area. It encompasses the upper portions of several tributaries to the Kuskokwim River. Although there are no communities in the unit, the area provides moose that are important for subsistence use

and personal consumption of moose by Alaska residents. Units 19(A) and (B) have also provided hunting opportunities that are important for non-resident hunters and the guiding and transporting industries.

For several years, the Central Kuskokwim Fish and Game Advisory Committee (CKAC) has expressed concern to the Board about declining moose numbers in Units 19(A) and 19(B). The committee has submitted several regulation proposals and recommended wolf predation control to stop the decline of the moose population and boost moose numbers in the area. In response to the concerns of the CKAC and other users, the Alaska Department of Fish and Game (ADF&G) initiated a comprehensive planning process for the area with a citizen based planning committee composed of a broad cross-section of stakeholders in Units 19(A) and (B) wildlife management. Upon reviewing information on the moose populations, the majority of the Central Kuskokwim Moose Management Planning Committee (CKMC) agreed:

“There is a major concern that the moose populations in Units 19(A) and 19(B) will not meet the needs of local subsistence users and other consumptive users. Local observations and available scientific data indicate that the moose population has substantially declined and in some areas is very low and will continue to jeopardize subsistence and other uses.”

The Central Kuskokwim Moose Management Plan developed by the CKMC is a comprehensive plan for the area that includes a recommendation for a wolf predation control program for Units 19(A) and (B). The control program is one component of a multifaceted plan to rebuild the moose populations in the Central Kuskokwim region. The CKMC recommended that the first priority for wolf predation control efforts should be the areas most important for providing moose for subsistence uses. Unit 19(A) is where the majority of subsistence moose hunting by local residents and residents of Unit 18 occurs.

Status of the Moose Population

A moose population estimate conducted in Unit 19(A) in March 1998 indicated a density of 1.25 moose per mi² in the Holitna and Hoholitna drainages where moose are most abundant. Moose densities are much lower in surrounding areas of lower habitat quality. A March 2001 population estimate in Unit 19(A) in the Aniak River area indicated a density of 0.7 moose per mi². The Aniak survey area is surrounded by other areas of lower habitat quality where moose densities are much lower. Extrapolation of the 1998 and 2001 survey data results in a population estimate of 6,800 – 11,300 moose for Units 19(A) and 19(B). If the moose population has decreased since the last (2001) population estimation survey as is suggested by other moose survey data and observations of local residents and others, the population is probably lower.

There is a great deal of concern about the low calf:cow and bull:cow ratios in the moose population in Unit 19(A). A November 2001 trend count conducted in a relatively small and heavily hunted area along the Holitna/Hoholitna Rivers indicated only 8 calves:100 cows and 6 bulls:100 cows (sample size 196 moose).

A late winter survey to estimate calf survival conducted in April 2003 in Unit 19(A) resulted in

an estimate of 7.6% calves in the moose population in Holitna/Hoholitna drainage (sample size 107 adults and 9 short-yearlings) and 8.9% in the moose population in the Aniak drainage (sample size 61 adults and 6 short-yearlings).

The calf:cow ratios in fall and percent of calves found in spring surveys support the belief that calf survival in the moose population is very low, a decline in moose numbers is occurring, and the actual number of moose is likely lower.

The Department's data is specific to 19(A), but the information is indicative of the entire Central Kuskokwim Wolf Predation Control Area.

Trends in Moose Harvest

Numbers of reported hunters and moose harvested have declined substantially since the mid 1990s (Figure 1). Total reported moose harvest in Units 19(A) and (B) has declined 48% from the 1994-95 season (331 moose) to the 2002-03 season (148 moose). In Unit 19(A), the number of moose reported harvested by local residents and other Alaska residents declined approximately 65% (from 138 moose to 48 moose) between 1994-95 and 2002-03. Hunting in Unit 19(B) by non-local Alaska residents has declined from 199 hunters who harvested 71 moose in 1994-95 to 80 hunters who harvested 14 moose in 2002-03. Numbers of moose taken by nonresident hunters declined in Units 19(A) and (B) from 101 moose taken in 1994-95 to 83 moose taken in 2002-03. If estimated unreported harvest is added to these figures, the trend of harvest having declined by approximately 50% over the last 8 years is unchanged.

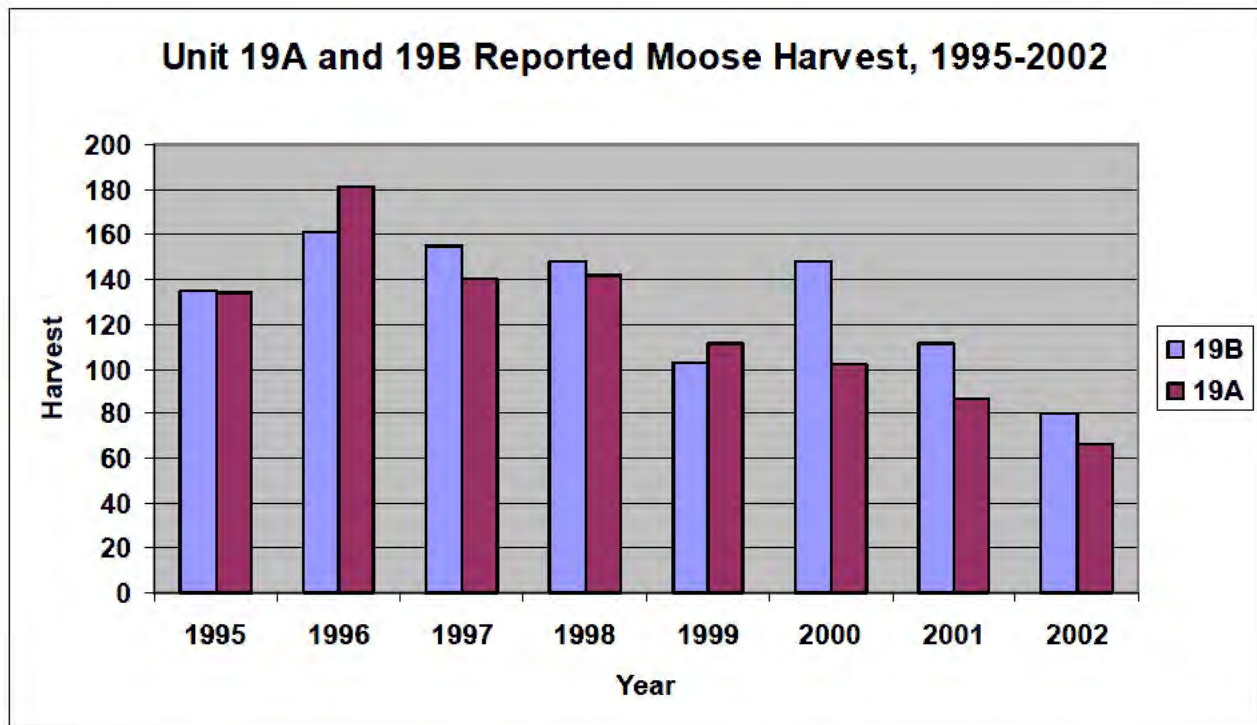


Figure 1. Decline in reported moose harvest in GMUs 19(A) and 19(B) since 1995.

The Objectives For The Big Game Prey Population Established By The Board Of Game Have Not Been Achieved

<u>Intensive Management Objectives for Units 19(A) and 19(B) (5 AAC 92.108)</u>	<u>Current Estimated Moose Population and Harvest (reported and unreported) for Units 19(A) and 19(B)</u>
Population: 13,500 – 16,500 moose Harvest: 750 – 950 moose	Population: 6,800 – 11,300 Harvest: 200 – 300

The current estimate of the moose populations and harvest levels are well below the population and harvest objectives established in 5 AAC 92.108, Identified big game prey populations and objectives. The estimated harvest number provided above includes both reported and unreported moose harvest.

Predation is an Important Cause for the Failure to Achieve the Population and Harvest Objectives Established by the Board of Game

The wolf population in Unit 19(A) is estimated at 180-240 wolves in 24-28 packs; that is approximately 1.8-2.4 wolves per 100 square miles. Wolf population estimates are extrapolated from other areas based on average pack size, land area, and estimated prey biomass and also take into account observations of local hunters and trappers, and department observations not associated with wolf surveys. Extrapolated estimates of moose and wolf populations suggest the current moose-to-wolf ratio is between 18:1 and 24:1. Moose can be expected to persist at low densities with little expectation of increase unless moose calf and adult survival improve. These data, information gained from studies on moose mortality in Unit 19(D)-East and other similar areas of Alaska, and observations of local residents suggest that wolves are currently a major limiting factor for moose in the Central Kuskokwim Wolf Predation Control Area.

Reduction of Predation Provides a Reasonable Expectation of Achieving the Population and Harvest Objectives

Data from moose mortality and predator/prey studies conducted throughout Alaska and similar areas in Canada suggest that reducing the number of wolves in the Central Kuskokwim Wolf Predation Control Area can reasonably be expected to increase the survival of calf as well as older moose. Mortality studies conducted in Unit 19(D) East have shown that wolves accounted for 37% of calf mortality and 40% of yearling and adult mortality. In terms of the total population, wolves killed approximately 26% of the calf population and 8% of the adult and yearling population annually. Reducing wolf predation on moose, in combination with reducing harvest (particularly of cows), can reasonably be expected to initiate an increase of the moose population towards the population and harvest objectives.

The Board Establishes and Recommends the Following:

1. The first priority for wolf predation control activities in the Central Kuskokwim Wolf Predation Control Area are the areas most important for providing moose for subsistence harvest by residents of the region. In general, Unit 19(A) is the most important for providing moose for subsistence purposes.
2. Methods and means to take wolves may include land and shoot or shooting from aircraft as designated by the Department and in accordance with 5 AAC 92.039. The present Board authorization for airborne or land and shoot taking of wolves is for Unit 19A only.
3. Permits shall be issued to members of the public qualified to operate within the constraints of the program, and able to accomplish the objectives of the program as designated by the Department.
4. The Department should seek to accomplish an approximate 80% reduction in the wolf population in the Unit 19(A) portion of the Central Kuskokwim Wolf Predation Control Area for a period of 5 years beginning on July 1, 2004. Based on the wolf population estimate of 180-240 wolves, approximately 140-190 wolves should be taken the first year of the program.
5. At no time should the wolf population in the Central Kuskokwim Wolf Control Implementation Area be reduced to fewer than 40 wolves.
6. The Board recognizes that the CKMC recommendation for a wolf predation control program is based on available scientific data that indicates low survival in the moose population and the observations of local residents and other users who report significant declines in the moose population. This is the best information currently available. The Board encourages the Department to continue efforts to obtain additional moose population information to increase knowledge about the population and to evaluate the progress of the wolf predation control program.
7. The Department should establish a program to monitor the wolf population that will make maximum use of data obtained from pilots involved in the wolf reduction program. The Department should also conduct wolf surveys to provide additional assurances that the minimum wolf population will be maintained and to measure the success of the program.
8. The wolf predation control program should be re-evaluated after a 5-year period or when the moose population is estimated to reach the Intensive Management population objectives, whichever occurs the soonest.
9. The Board of Game endorses the Central Kuskokwim Moose Management Plan, as modified by regulatory actions taken in the March 2004 meeting, as a general guide to moose management in Units 19(A) and 19(B). In particular, the Board endorses the mission of the plan to increase the moose population of the Central Kuskokwim region to provide for high levels of human consumptive uses of moose. The Board also endorses the strategy of

restoring hunting opportunities as soon the moose population can sustain additional harvest. The Board recognizes that the Central Kuskokwim Moose Mangement Plan may require revisions in the future as additional information is obtained and implementation of the revised regulations is evaluated.

10. The Board requests that the Department provide a progress report on implementation of wolf predation control in Unit 19(A) and other aspects of the Central Kuskokwim Moose Management Plan at its spring 2005 meeting. At that time, the Board will consider if the present authorization for airborne or same day airborne shooting of wolves is sufficient to achieve the objectives of the Central Kuskokwim Wolf Predation Control Implementation Plan and whether the authorization needs to be expanded to include Unit 19(B) or modified in any other way.

Vote: 6/1
March 10, 2004
Fairbanks, Alaska

Mike Fleagle, Chair
Alaska Board of Game

**Findings of the Alaska Board of Game
2004-149-BOG**

**Resolution Encouraging Public Agencies Signage for Traplines on Public Lands
March 10, 2004**

Whereas, A variety of seasonal uses occur on public lands and trails during the winter months,

Whereas, The general public often is not aware of when trapping seasons are open or how to recognize trapping activity on trails,

Whereas, Recreational trail users sometimes use the same trails that trappers use,

Whereas, Unleashed pets accompanying recreational trail users can come into contact with legal trapping activities,

Whereas, the Board of Game regularly receives proposals to limit trapping activity and gear, as a result of recreational users coming into conflict with traplines,

Whereas, Official land management agency signing is probably more effective and recognizable as a standard than the current practice of private signing of traplines,

Therefore be it resolved: That the Board of Game encourages land management agencies to erect signs at trailheads on public lands in areas where trapping is allowed to notify trail users that trapping may be occurring along the trails and suggest that domestic animals be harnessed or leashed to avoid conflicts,

And further be it resolved that: That trappers and recreational users take the initiative to encourage land managers to support mutual and respective winter trail use.

Vote: 7/0
March 10, 2004
Fairbanks, Alaska

Mike Fleagle, Chair
Alaska Board of Game

**Findings of the Alaska Board of Game
2004-147-BOG**

**BOARD OF GAME BEAR CONSERVATION AND MANAGEMENT POLICY
MARCH 8, 2004**

GENERAL BEAR MANAGEMENT

Purposes of Policy

1. To assure all management actions provide for the conservation of Alaska's bear species, their habitat and food sources, and are consistent with the Alaska Constitution, and applicable statutes.
2. To encourage review and comment and interagency coordination for bear management activities.

Goals

1. To ensure the long-term conservation of bears throughout their historic range in Alaska.
2. To increase public awareness and understanding of the uses, conservation, and management of bears and their habitat in Alaska.

Background

Brown/grizzly bears (*Ursus arctos*) are large omnivores found throughout most of Alaska. Although they are considered the same species, brown and grizzly bears occupy different habitats and have somewhat different lifestyles and body configurations. Grizzlies are typically found in interior and northern areas. They are generally smaller than brown bears and more predatory. Brown bears live in coastal areas of southern Alaska where they have access to productive salmon streams.

Brown/grizzly bears are found throughout their historic range in Alaska, and unlike populations in the contiguous 48 states, they are not considered a threatened or endangered species. Estimating precise population numbers is difficult because of the bears' secretive habits and often densely vegetated habitat, but in most places in the state, populations are considered stable or increasing. Throughout most coastal habitats where salmon are abundant, bear densities typically exceed 175 bears/1,000 km² (450 bears/1,000 mi²). A population in Katmai National Park on the Alaska Peninsula was measured at 550 bears/1,000 km² (1,420 bears/1,000 mi²). In most interior and northern coastal areas, densities do not exceed 40 bears/1,000 km² (100 bears/1,000 mi²).

Densities as low as 7 bears/1,000 km² (20 bears/1,000 mi²) have been measured in the eastern Brooks Range. Extrapolations from existing density estimates yielded an estimate

of 31,700 brown bears in 1993. All indications are that the population has increased in the past decade.

American black bears (*Ursus americanus*) are generally found in forested habitats throughout the state. Black bears also occupy their historic range in Alaska, often overlapping distribution with brown/grizzly bears. Because they live in forested habitats it is very difficult to estimate population size or density. Where estimates have been conducted in interior Alaska, densities ranged from 67 bears/1,000 km² (175 bears/1,000 mi²) on the Yukon Flats to 289 bears/1,000 km² (750 bears/1,000 mi²) on the Kenai Peninsula. In coastal forest habitats of Southeast Alaska's Alexander Archipelago black bear densities are considered high. A 2000 estimate for Kuiu Island was 1,560 black bears/1,000 km² (4,000 black bears/1,000 mi²). A statewide black bear population estimate is not available because, unlike the many brown/grizzly bear and wolf estimates that are available across the state, very few black bear population estimates have been conducted.

Brown/grizzly bears have relatively low reproductive rates and require abundant resources. Black bears exhibit higher reproductive rates than brown/grizzly bears; however, rates are still lower than for other big game animals with the exception of brown/grizzly bears. Population stability can be threatened by human-caused mortality and from fragmentation or destruction of habitat. This combination is present to a sufficient extent on the Kenai Peninsula that brown/grizzly bears there have been designated by the State as a "population of special concern". To address situations where bear populations have declined because of human activities, the Department has implemented remedial management actions. In the Kenai situation, a conservation strategy has been developed through a public stakeholder process.

In most areas of the state black bear populations are healthy and can sustain current or increased harvest levels. However, in some areas such as Unit 20B and 20D in the interior, the Kenai Peninsula, and Southeast Alaska, hunter demand for black bears is high, harvest is high, and these populations require closer monitoring. Bears are intelligent animals that learn to adapt to new situations. This ability, coupled with their enduring drive to rebuild fat reserves prior to denning, makes bears experts in finding ways to get a meal. Garbage is often a source of food from people. If this happens, bears learn to exploit human-related food resources and lose their natural tendencies to avoid people. Frequently, such bears become classified as "nuisance" bears and often are killed in defense of live or property (DLP).

Respected by most, and feared by many, bears can pose a threat in certain situations. Statewide, there are an average of about six encounters a year in which a human is injured. About half of those involve hunters in search of other quarry. About every two or three years, one of the attacks results in a human fatality.

Whenever bears and people interact with each other there are potential benefits and dangers. Displacing bears from feeding sites has serious consequences for them. Human behavior around bears not only impacts their own personal safety and viewing experience,

it also impacts the health and safety of the bears and the people who come to the area later. When bears and people meet, it is important that bears never get food from them and that people are trained how to react to bear encounters. Comprehensive education is recognized as a vital component in all aspects of any bear viewing program.

Public interest in bears has increased dramatically in Alaska during the past decade. Some of this interest is incidental to other pursuits such as sport fishing, hiking, flight seeing, eco-tours, or marine water cruises but some of it is specifically targeted at bear viewing. Bear viewing is a rapidly growing industry in selected areas of the state. The interest exceeds the opportunities provided now by such established and controlled sites as McNeil River, Pack Creek, Anan Creek, Wolverine Creek and Brooks Camp. As a result, private entrepreneur businesses are providing viewing opportunities in some high-density bear areas. Many of these sites and programs involve highly habituated bears that most frequently result in mutually exclusive conflicts with other uses of bears. Habituation of bears should be discouraged and maximum public benefits pursued by providing management programs designed to provide for public viewing opportunities in areas where other uses are already excluded or to carefully integrate uses on a time and area basis.

Alaska is world-renowned as a brown/grizzly bear hunting area. Alaska is the only place in the United States where they are hunted in large numbers, and the vast majority of record book bears come from the state. An average of about 1,500 brown/grizzly bears are harvested each year. The trend has been increasing. Many of the hunters are nonresidents and their economic impact is significant to Alaska. Hunters have traditionally been the strongest advocates for bears and their habitat, providing consistent financial and political support for research and management programs.

Because bears can be both prey and predator, their relationship with people is complex. In areas where a population of large ungulates has been reduced to low levels, bears may have a significant influence on the decline of species such as moose, caribou and deer. This is especially true when bears are found in combination with thriving wolf populations. Alaskan studies of bear interactions with moose, for instance, indicate that bears may contribute significantly to calf mortality. Coupled with wolf predation, the combined mortality rates can far exceed human induced mortality and contribute to major moose population declines, depressed populations and delayed recoveries. The role of bears in these situations greatly exacerbates the debate over predator control and complicates evaluation of potential and initiated management actions.

Guiding Principles

1. Manage bear populations to allow a wide range of human uses, while providing for long-term bear population sustainability.
2. Establish minimum population goals that ensure the long-term viability of bears recognizing the reproductive capacity of each bear species.
3. Manage bears at the scale of subunits or units to achieve appropriate overall predator-prey relationships rather than pursue single species management.
4. Protect the genetic diversity of bears.
5. Continue and, if appropriate, accelerate research for the management of bears.

6. Consider short-term and long-term effects of habitat loss and fragmentation on bear populations.
7. Provide for consumptive and non-consumptive uses of bears in management plans and encourage economic benefit to the state and its citizens while maintaining sustainable bear populations.
8. Do not allow identified prey populations to decline to a point where predation keeps them at low levels.
9. Avoid, where possible, activities that encourage the habituation of bears and manage bear viewing opportunities that are not mutually exclusive of other uses.
10. Encourage wildlife viewing of bears and other species in their natural settings as part of a broader outdoor experience.
11. Implement this policy in such a manner that the Department and the Board can respond promptly to unforeseen situations.
12. Pursue informational and educational efforts to help the public understand more about bears and their management.
13. Work with enforcement agencies to identify priorities and to assist with and encourage adequate enforcement activities.
14. Review and recommend revision to this policy as needed.

Conservation and Management

A. Management Strategies

The Department will manage both bear species differently according to their population and human use characteristics in different parts of the state. In some areas, such as the Kodiak Archipelago, portions of Southeast Alaska and the Alaska Peninsula, bears are managed for trophy-hunting and viewing opportunities. In many other areas of the state, bear populations are largely unaffected by human harvest. Bears are an important big game species sought by resident and nonresident hunters and are managed for a variety of objectives.

Generally, bear hunting will be conducted on a sustained yield basis, except in areas where a bear predation control program is authorized. Harvests will not be allowed to threaten the long-term population survival of bears. In most areas of the state, sustained brown/grizzly bear harvests will generally be 4-8 percent of the estimated total population and up to 12 percent for black bears. Some bear populations may be able to sustain a harvest above these guidelines and these will be evaluated for more liberal harvest programs. Lacking precise population data, managers will continue applying indirect parameter to assess the status of bear populations.

All brown/grizzly bears harvested under the general hunting regulations must be inspected and sealed by a Department representative. Black bears must be sealed in some units but not all. Non-resident hunters of brown/grizzly bears must be accompanied in the field by a registered big game guide or a resident relative. For both species, sows accompanied by cubs, and the cubs, are protected, but cubs are defined as bears in their first year of life for

black bears and for the first two years of life for brown/grizzly bears. The Department will continue to maintain these strategies and regulations for most of the state, unless it is necessary to consider methods to increase bear harvests as part of a bear predator control program.

The effect of management actions on the economic contribution of bears to Alaska's users of bears should be considered. Maintaining a regulatory structure that assures reasonable standards of data integrity with responsible management strategies and population sustainability will help avoid threats of international sanctions. Large areas of the state have subsistence brown/grizzly bear hunts with liberal seasons and bag limits, mandatory meat salvage, and relaxed sealing requirements. The Department will continue to accommodate subsistence needs and will consider the impacts on subsistence activities.

Bear viewing and bear/human interactions are also important aspects of bear management in Alaska. Increasing interest in watching bears at concentrated feeding areas such as salmon streams and sedge flats is challenging managers to find appropriate levels and types of human and bear interactions without jeopardizing human safety or bears or other legitimate uses of bears. Bear hunting and viewing are compatible in many situations. However, there are areas where the two uses are potentially mutually exclusive. Land and wildlife managers are faced with tough decisions that could either minimize those conflicts or promote single use regulations at the expense of other uses. For instance, federal withdrawals totaling over 40 million acres are managed to protect large segments of Alaska's big game resources habitat and major portions of these areas provide park-like observation opportunities. Logically these areas could first be utilized for habituated wildlife viewing opportunities before traditional uses of bears and other wildlife are unnecessarily impacted in other areas. Bear management programs on state and private lands should be designed to achieve maximum benefits to Alaskans. Specifically, state management programs should avoid habituating bears wherever possible. Conflicts between user groups can frequently be reduced if viewing programs adopt "best viewing practices."

In areas where bear management plans have been developed, the Department will adhere to the recommendations included in those plans as long as they are consistent with the newest policies and regulations adopted by the Board.

Nothing in this policy affects the authority under state or federal laws for an individual to protect human life or property from bears (5 AAC 92.410). All reasonable steps must be taken to protect life and property by non-lethal means before a bear is killed.

B. Research Strategies

Developing and implementing precise, cost-effective methods for determining bear populations will continue to be a research priority for the Department. Work to date suggests that no single population estimation method will work across the state given the vast areas, varied topography, differing vegetation communities and great differences in bear density. Some methods work well in one area but not in another. Aerial stream

surveys, line-transect surveys, capture-mark-recapture, intensive aerial surveys, and DNA analysis are some of the tools that can be utilized to provide population estimates.

Predator-prey relationships between bears and large ungulates have not been thoroughly examined in most of the state. Bears use a wide variety of foods seasonally including vegetation, fish, mammals, birds, and carrion and they are exceptionally adaptable in their ability to capitalize on available food resources. Consequently, the impact of ungulate prey abundance on bears is difficult to ascertain. Similarly, the impact of bears on prey populations is multifaceted and can be further compounded by the presence of other predators such as wolves.

Where appropriate, the Department will cooperate in research efforts with other agencies. Research findings will be reported in a timely fashion and presented in a form that is easily understood by the public.

C. Information and Education Strategies

Public education is critical in any bear management program. Perhaps as much as any species in Alaska, bears elicit a wide variety of emotions, have myriad uses, and directly impact peoples' lives both in the field and near settlements. Clear, objective information is necessary for citizens and managers alike to make wise decisions when dealing with bears. As the agency primarily responsible for bear management, the Department must take a lead role in producing and disseminating this information.

Bear information will be developed for a wide range of audiences and be delivered in a variety of media. A principal focus of bear education will be to promote a better understanding of life history, behavior, and habitat associations. Specific messages will include discussions of bear/human interactions, bear hunting, bear viewing, and bear predation on moose, caribou, and sheep. To assure consistent and accurate presentation of bear information, the Department will continue to work with the Alaska Interagency Bear Safety Education Committee.

The Department will strive to include the public in all bear management decisions. The primary method of public involvement will be through existing local Fish and Game Advisory Committee and Board processes. Citizen-driven bear management plans will be sponsored and supported by the Department. To date, such plans have been developed for Game Management Unit 4, the Kenai Peninsula, and the Kodiak Archipelago. The Department is committed to implementing as many of the recommendations from bear management plans as possible.

Because of the economic importance of guiding and other commercial enterprises associated with the varied uses of bear, it is recommended that extra efforts are made to notify all concerned parties that area specific predator control activities are being considered.

BEAR PREDATION MANAGEMENT

Purpose of Policy

1. To guide the Board of Game (Board) and the Alaska Department of Fish and Game (Department) in implementing any bear predation management actions pursuant to AS 16.05.255(e) and 5 AAC 92.106, when the Board determines ungulate populations important for human consumption are being kept at low levels because of bear predation.

Goals

1. To provide guidelines for developing, implementing, and evaluating bear management actions designed to reduce bear specific predation in precise areas for specific time periods required by predator control implementation plans.

Background

In areas where the Board has authorized for intensive management (IM) activities, set IM population and harvest objectives and those objectives are not being met and bear predation has been found to be a major factor in the decline in prey populations or in keeping prey populations from recovering, the Board can authorize bears to be included in predator control planning. Whenever bears are considered and authorized for predator control activities, the implementation control plan must specify whether one or both bear species are to be considered in the control plan.

Based on careful consideration of scientific information and public comment, the Department and the Board believe that in some limited circumstances it may be beneficial and appropriate to control predation by bears to achieve population and human use objectives.

Guiding Principles

1. Where bear reductions are authorized, the first step should be to reduce bear numbers through general hunting provisions such as liberalized seasons, bag limits, hunting methods and means and tag wavers.
2. Where predation regulates prey populations, identify to the extent possible, the relative contribution by each primary predator species so that management response can be focused and effective.
3. Implement measures to reduce black and/or brown bear numbers to allow prey species to increase population management objectives in areas managed for high consumptive use where predation by bears itself or in combination with other predators is keeping prey at low levels.
4. Manage bears at the appropriate scale that may vary from an entire Game Management Unit to a specifically defined area (e.g. key calving sites).
5. If liberalization of general hunting provisions does not adequately reduce the target bear population, an additional control program may be authorized. This program should be conducted for the minimum time necessary to achieve the stated

management objectives and may utilize methods and means not approved for general hunting.

6. Consider the management goals and objectives of state, federal, and private land owners and work cooperatively with them to design, implement, and evaluate bear control activities.
7. Encourage federal and private land owners, where possible, to work cooperatively in any management and/or species control programs.
8. If reduction in bear numbers fail to result in reasonable increases in availability of prey populations for human use, management practices intended to reduce bear populations should be reconsidered.

Management Strategies

In areas where bears have been identified as an important component in reducing and/or holding prey populations well below objectives, higher harvest levels than those listed under general management strategies will be allowed. In these areas, specific harvest reporting conditions will be imposed which may include additional requirements for permits, sealing, and/or reporting. In addition, the Department will closely monitor the effects of higher harvest on the bear and prey populations.

Research Strategies

In areas where bear predation control programs are considered, the Department may conduct research to quantify the contributions of each bear species and of wolves to the causes of decline in the ungulate population important for human use. Alternatively, the Department may use standard survey and inventory data and interpretation of other research results to guide the decision-making process. Monitoring activities designed to determine the effects of high levels of bear harvest on recovery of depressed ungulate populations would help focus management efforts in the most cost-effective manner.

Information and Education Strategies

In any situation where the Board or Department believes bear predation control may become necessary, the public will be informed as soon as possible. Detailed information on the specific location, the predator, prey and habitat concerns, and the proposed management action and its anticipated costs and duration will be widely disseminated. Public meetings may be held in the affected area and in major Alaska communities, in addition to regularly scheduled Board and Advisory Committee meetings. Once implemented, the Department will provide the Board and the public with an annual report and evaluation of the management action.

Board Consideration

The Board may consider bear control on a bear species when:

1. Bear predation has been determined to be an important factor in the decline of a prey population or is preventing recovery of a low density prey population.

2. Bear predation is an important factor preventing attainment of approved prey population of human-use objectives.
3. Efforts to control bear predation can be reasonably expected to achieve improvement in sustainable human use of ungulates.

If the Department or the Board determines that one or more of these conditions exist in a given IM area, at the Board's direction, an implementation plan will be prepared for public review that includes:

- A statement of the proposed action, including potential methods and means.
- Justification for the proposed action, including previous measures taken that failed to achieve bear and prey objectives and other alternatives considered.
- Geographical description of the area.
- Population and human use objectives.
- Relevant information about wildlife populations and human use, including bear and prey populations status and trend, harvest information, habitat, and estimates of the effects of all predators on prey populations.
- Estimate of the time and funding necessary to meet population and human use objectives.
- Schedule for update and reevaluation of the program.

If a bear control program is authorized by the Board, a specific predator control implementation plan will be prepared that includes:

- Justification
- Geographic area description
- Wildlife population and human-use information
- Bear and Prey population level and population objectives and the basis for those objectives
- Methods and means
- Anticipated time frame not to exceed five years unless the plan is re-adopted, and a schedule for update and reevaluation
- Other specifications or limitations the Board considers necessary.

Bear control will be implemented using the most humane, selective, acceptable and effective methods available. If methods that do not require killing bears are found to achieve the desired results in a reasonable time and with reasonable financial resources, they will be considered first. At no time will poisons be used for bear control.

It is the intent of the Board of Game that bear control programs authorized under this policy shall be directed at only specified target areas and is not intended for implementation under general hunting regulations.

Under methods and means the Board may selectively consider:

- Relocation
- Sterilization
- Use of communications equipment between hunters or trappers

- Sale of hides and skulls as incentive
- Use of bears for handicraft items for sale
- Trapping
- Bear baiting
- Changing the definition of a legal bear
- Same day airborne taking, except aerial shooting
- Diversionary feeding

Vote: 7/0
March 8, 2004
Fairbanks, Alaska

Mike Fleagle, Chair
Alaska Board of Game

ALASKA BOARD OF GAME
#97-113-BOG

Relating to methods and means of harvesting furbearers and fur animals, including wolves.

WHEREAS, the Alaska Board of Game recognizes that the harvest and utilization of Alaska's furbearers and fur animals, including wolves, remains an important use by Alaska's residents, and that restriction of methods and means of harvest could lead to economic hardship for those dependent on trapping for their livelihood, and

WHEREAS, Alaska Board of Game resolution #90-48-BOG supports the harvest and use of fur for clothing and other purposes, including income, by Alaska Natives and other rural residents; and Alaska Board of Fish and Game resolution #75-4-GB endorses and encourages responsible trapping as a legitimate use of our renewable Alaska fur resources, and

WHEREAS, the harvest of these furbearers and fur animals plays an important role in the management of other species, especially large game animals which are relied upon by residents for subsistence purposes, and

WHEREAS, Alaska's trappers use methods of harvesting fur, including the use of snares, which are the most cost-effective and efficient of harvest methods, and strive to find ways to reduce the take of non-target animals through refinement of techniques, such as "break-away" snares and other means, and

WHEREAS, American, and Alaskan, history is intimately tied to the fur trade and federal and state policies continue to encourage the harvest of fur, to the extent that the Alaska Board of Game and the Department of Fish and Game have historically recognized and promoted the use of traps and snares to harvest fur, as it is well known that snares have been used by indigenous peoples since long before the introduction of steel cable by early explorers.

NOW THEREFORE BE IT RESOLVED, the Alaska Board of Game, supports and endorses the harvest of furbearers and fur animals, including wolves, by methods and means currently permitted by law, including traps and snares.

ADOPTED DATE: October 30, 1997
Nome, Alaska


Larry Holmes, Chair
Alaska Board of Game

VOTE: 6-0-1

ALASKA BOARD OF GAME
Policy: #82-31-GB

ALASKA WILDLIFE MANAGEMENT PLANS
SPECIES MANAGEMENT POLICIES
WOLF MANAGEMENT POLICY
December 1980
Supplement on Wolf Population Control
December 1982

The purpose of this supplement is to amplify the Board's policy on wolf management, particularly in relation to population manipulation of wolves. In adopting "Species Management Policies on Wolves," the Board of Game recognized the need for ongoing responsible wolf management to maintain viable wolf populations and to help maintain viable ungulate populations upon which wolves are largely dependent. The Board also recognized that when substantial conflicts arise between humans and wolves over the use of prey, wolf populations may have to be managed more intensively and human use of prey further regulated to minimize such conflicts.

The "wolf management policy" noted the Department's management responsibilities when such circumstances arise.

Under some conditions, it may be necessary to virtually eliminate human use of prey species and greatly reduce wolf numbers to aid recovery of low prey populations or to arrest undesirable reductions in prey populations. Wolf population control programs are presently the most effective means to reduce wolf numbers, and have been implemented in several areas after Department and public review and approval.

Wolf/Human Use Conflicts

Substantial conflicts may exist between wolves and humans when priority human uses cannot be reasonably satisfied because of predation by wolves while maintaining prey populations on a sustained yield basis. In such situations, wolf population control may be contemplated. Specific circumstances where conflicts arise are:

1. the estimated prey population is not sufficient to support both the wolf predator population and the human use objectives;
2. prey populations are declining because of human use and predation by wolves;
3. prey population increase objectives are not being attained;
4. human use objectives are not being attained.

Wolf Population Control

The purpose of wolf population control is not to eradicate wolf populations.

Wolf control is the planned, systematic regulation of wolf numbers to achieve a stated lower population level using aerial shooting, trapping, or other methods which may not normally be allowed in conventional public hunting and trapping. Under no circumstances will wolf populations be eliminated or reduced to a level where they will not be able to recover when control is terminated.

The manipulation of wolf numbers as a result of conventional hunting and trapping seasons, techniques, and bag limits is not considered control. Conventional hunting and trapping are the preferred means of using harvestable surpluses of wolves and of reducing wolf numbers if necessary.

Wolf control should be done only where prey population objectives, human use objectives, and wolf population objectives have been established; where predation by wolves is in conflict with the priority human uses or other management objectives; and where conventional hunting and trapping cannot significantly alter wolf numbers.

Wolf management objectives may entail widely different levels of wolf population control. In the most extreme circumstances it may be necessary to temporarily remove a high percentage of a wolf population to allow rapid recovery of prey populations. In other situations it may be necessary to remove by control programs only a relatively small percentage of wolf populations to allow prey increases or meet human use objectives.

Current wolf population control work in GMU 20A has provided information on what responses can be expected from moose populations which are supporting different wolf population levels. If there are 20 or less moose per wolf, the moose population will decline. Between 20 and 30 moose per wolf, the moose population may decline if other adverse conditions occur, such as a severe winter. If there are 30 to 50 moose per wolf, the moose population will stabilize, and possibly increase if food and other factors are favorable. When there are 50 to 100 moose per wolf, the moose population will increase unless or until a very serious mortality factor, such as a very severe winter takes effect. These relationships are viewed only as guidelines, however, because ecological conditions vary considerably in different situations.

There are several general situations when the combination of circumstances described above suggest the possibility of wolf control:

1. hunting by people is the highest priority use of prey species in the area;
2. prey populations have been reduced to or are held at levels well below estimated carrying capacity of the habitat by predation;
3. prey populations are below levels that could reasonably satisfy priority human uses;
4. adequate control of predation cannot be attained by manipulation of hunting and trapping seasons and bag limits;

5. the human use objectives for prey populations approved by the Department and the Board of Game cannot be obtained because of predation by wolves.

Whenever wolf population control is necessary the Board will favor and promote an effective control effort by the public. Experience has shown that in most cases a joint effort by the public and the Department has been most effective. However, the Board recognizes that there are areas and situations where the public cannot effectively or efficiently control predation and that the Department may under its own authority and responsibilities conduct the necessary wolf population control activities. Such situations arise in part because public effort to take wolves tends to diminish before an adequate level of population control is achieved.

In areas where wolf reduction is being conducted, ungulate and wolf surveys should be made at least once a year in control areas to provide estimates of population sizes, productivity, mortality factors, and distribution of the respective populations.

Public Use of Wolves

Whenever wolf population control is necessary it shall be the Board's intent to allow the public maximum benefit from the taking of wolves.

A. Hunting and trapping seasons will be liberalized primarily within the season when wolf pelts are prime and the maximum economic benefit will accrue from the removal of wolves. Hunting and trapping will not be allowed from May through July.

B. The use of poisons to kill wolves is inhumane and potentially wasteful. It will not be allowed.

C. The shooting of wolves from a helicopter by the public will not be permitted.

D. The Commissioner may issue permits to shoot wolves from an airplane as part of a population control program authorized to address one or more of the general situations described earlier under "Wolf Population Control". The conditions for taking wolves under terms of such a permit are specified in the trapping regulations, Chapter 84 Article 1, 5 AAC 84.030(4). Taking wolves under terms of such a permit is not considered recreational or trophy hunting, and therefore permits will not be issued to nonresidents of the State of Alaska.

E. The pelts of wolves taken under predation control programs must be salvaged according to the existing laws and regulations covering the salvage and waste of game animals.

F. Methods and means will be liberalized where possible within the concepts of the humane taking of wolves and equity of allocation among the using public.

G. The mandates of the Constitution of the State of Alaska and the Alaska Statutes necessitate that predator and prey populations be managed for maximum use consistent with the public interest.

Management Alternatives

Management practices affecting ecosystem elements other than wolf population control may help reduce or eliminate the need for predator control programs in some circumstances.

A. Enhance Habitat

Habitat can be managed to enhance carrying capacity for many species in many ecological situations. Substantially higher prey populations may support both wolf populations which are essentially unregulated and desired levels of human use.

Long-term habitat enhancement is preferred to wolf control in situations where improving the habitat of prey species will reduce or eliminate wolf/human conflicts.

B. Reduce Habitat Loss

For species like caribou, goat, and sheep, habitat improvement may be impractical or impossible. By reducing or precluding habitat deterioration or loss, populations may be able to maintain their maximum size within limits dictated by weather conditions, disease, accidents, or other uncontrollable factors. During periods of favorable conditions, prey populations may be sustained or grow without benefit of a predator control program if habitat quality, quantity, and accessibility are not impaired.

C. Restrict Human Use of Prey Species

If human use of prey species is effectively restricted, the fate of prey populations would then depend largely upon ecological events including the effects of development projects on habitat quality, quantity, or accessibility and on animal movements and susceptibility to accidents, pollution, or other mortality factors. However, given the extremely high value placed on human use of prey species, in most situations the option of dramatically reducing or eliminating human use of prey species for an extended period of time is not recommended.

D. Predation by Other Carnivores

Predation by carnivores other than wolves may contribute substantially to prey population problems and the apparent wolf/human conflicts. Brown/grizzly bears and black bears may have a major influence on prey populations in some areas. Black bears and grizzly bears are used as human food in many areas of the State; therefore, liberal regulations to allow their taking will be favored to ameliorate the conflicts between predation and the human use of prey species. In unusual circumstances, control of bear populations may be considered.

E. Wolf Transplants

Wolf transplants are generally not considered an effective population control technique. However, if a transplant will be beneficial in both the removal area and the receiving area, transplants may be undertaken or permitted.

F. Increase Trapping Take of Wolves

Extensive trapper education programs which emphasize wolf trapping and snaring should be instituted. In certain Canadian provinces where such a program has been instituted, the take of wolves by trappers has substantially increased. Trappers potentially benefit from the training by diversifying their catches, increasing their income, and stabilizing year-to-year variations in income which commonly occur when fur prices or species abundance fluctuate. A substantially increased take of wolves by trappers could reduce the need for Department funded wolf control programs.

G. Enhancement of Wolf Populations

Situations may arise that make it desirable to encourage or establish increased wolf populations. When prey populations increase beyond optimum population levels, or beyond that level needed for human use, the Board may take regulatory action to reduce human take of wolves. In some cases, the Board may encourage the establishment of wolves in areas where they are absent, when such establishment will be of benefit to human uses and to the prey populations.

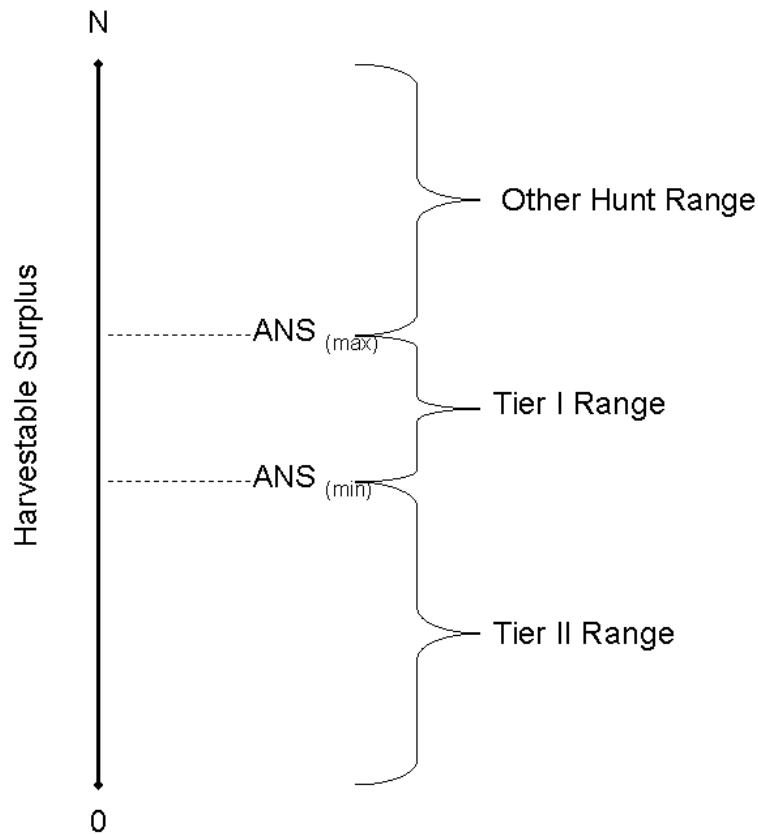
Note: This replaces policies 76-5-GB, 76-6-GB, 76-11-GB, 78-18(A)-GB, and 81-28-GB.

ADOPTED: Anchorage, Alaska
December 5, 1982

VOTE: 6/1


Clint Buckmaster, Chairman
Alaska Board of Game

Potential Regulatory Approach for Management of Species With C&T Use and a Variable Harvestable Surplus



Steps:

1. Board of Game reviews the C&T use patterns and identifies characteristics (i.e. no use of aircraft, no trophy uses, etc.)
2. Board determines the amount necessary to provide a reasonable opportunity for subsistence use.
3. DWC estimates Harvestable Surplus level on an annual basis.

Management Guidelines / Board Direction to the Department:

1. If Harvestable Surplus is between ANS_(min) and ANS_(max), the department may issue subsistence registration permits and apply discretionary conditions to the hunt consistent with the C&T use pattern (e.g. no use of aircraft, trophy value, must be destroyed, etc.)
2. If the Harvestable Surplus is less than ANS_(min) the department may issue Tier II subsistence permits and apply discretionary conditions to the hunt consistent with the C&T use pattern (e.g. no use of aircraft, trophy value must be destroyed, etc.)
3. If Harvestable Surplus is greater than ANS_(max) the department may issue subsistence registration permits and apply discretionary conditions to the hunt consistent with the C&T use pattern (e.g. no use of aircraft, trophy value, must be destroyed, etc.), and issue general drawing permits to take additional animals.

Structure of Regulations

<i>Units and Bag Limits</i>	<i>Resident Season Subsistence & General Hunt</i>	<i>Non-resident Season</i>
Unit A, Resident Hunters:		
x animal (s) by registration permit only if the harvestable surplus is greater than ANS _(min) or by Tier II permit only if the harvestable surplus is less than ANS _(max)	Start date – End date (Subsistence Hunt Only)	
y animal (s) by drawing permit only, provided that the harvestable surplus is greater than ANS _(max)	Start date – End date	
Nonresident Hunters:		
y animal (s) by drawing permit only, provided that the harvestable surplus is greater than ANS _(max)		Start date – End date

Rationale:

This regulatory structure would enable the department to issue the proper type and number of permits for both subsistence and non-subsistence hunting based on the estimated harvestable surplus from year-to-year. The total annual quota for any/all permits issued will be set each year by the department.

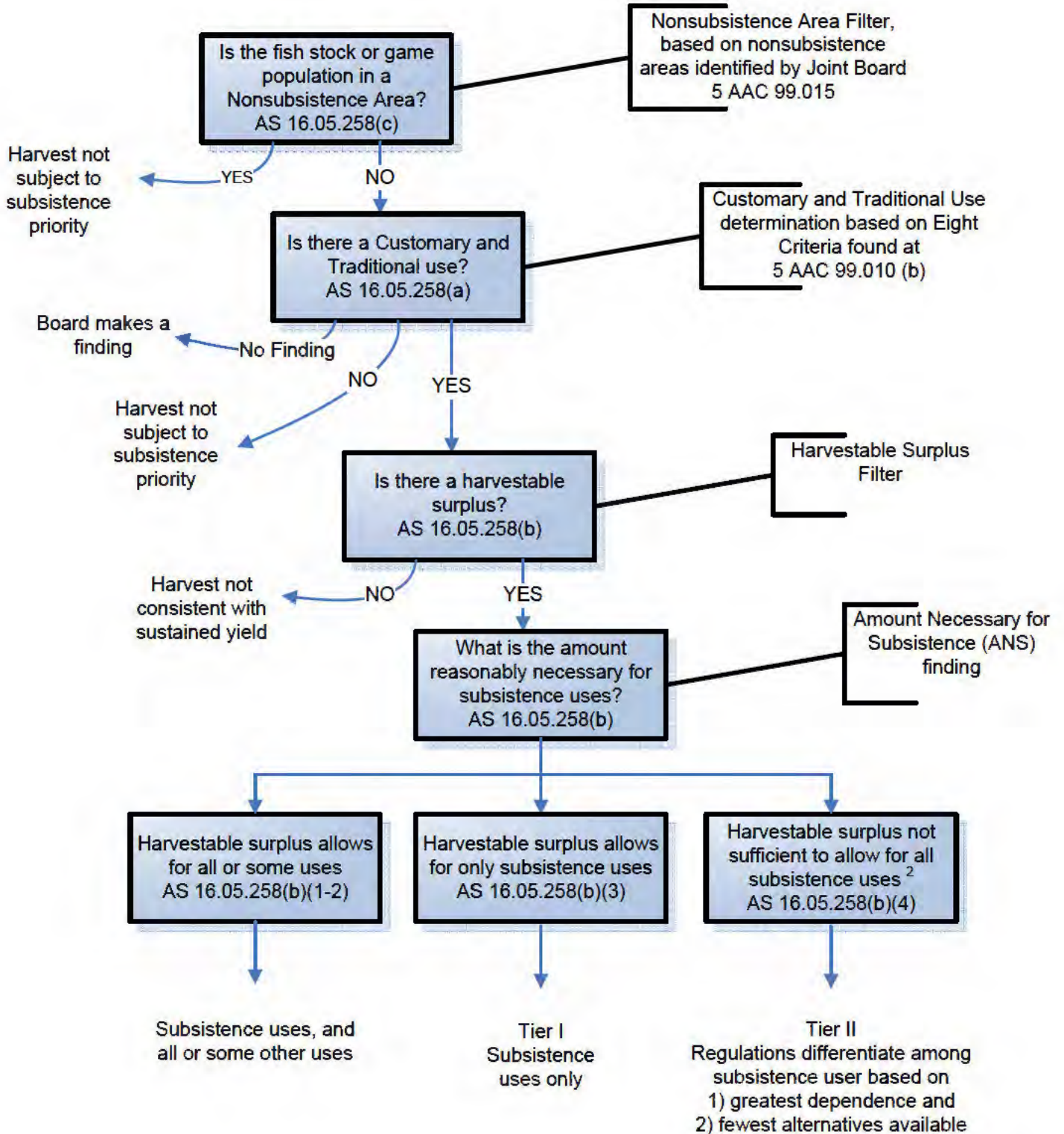
ANS_(max) is not set as the upper limit for subsistence take because total subsistence take should be allowed to exceed ANS_(max) if other hunters do not take these animals. Hence there is no “up to...” language in the regulation. Similarly, there is no upper limit on the number of drawing permits because we cannot predict what the proper total would be. The number of drawing permits does not have to be limited strictly to the number of animals in the harvestable surplus over and above ANS_(max) as long as the number of animals taken by drawing permittees does not reduce the allowable take under registration permits below ANS_(max).

Draft 10/01/06

Alaska Board of Fisheries and Game

Steps When Considering Regulations that Affect Subsistence Uses

Alaska Statute 16.05.258 Subsistence Use and Allocation of Fish and Game



² Harvestable surplus below lower end of ANS range

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Alaska Statues

AS 16.05.258. SUBSISTENCE USE AND ALLOCATION.

(a) Except in nonsubsistence areas, the Board of Fisheries and the Board of Game shall identify the fish

stocks and game populations, or portions of stocks or populations, that are customarily and traditionally

taken or used for subsistence. The commissioner shall provide recommendations to the boards concerning the stock and population identifications. The boards shall make identifications required under this subsection after receipt of the commissioner's recommendations.

(b) The appropriate board shall determine whether a portion of a fish stock or game population identified under (a) of this section can be harvested consistent with sustained yield. If a portion of a stock or population can be harvested consistent with sustained yield, the board shall determine the amount of the harvestable portion that is reasonably necessary for subsistence uses and

(1) if the harvestable portion of the stock or population is sufficient to provide for all consumptive uses, the appropriate board

(A) shall adopt regulations that provide a reasonable opportunity for subsistence uses of those stocks or populations;

(B) shall adopt regulations that provide for other uses of those stocks or populations, subject to preferences among beneficial uses; and

(C) may adopt regulations to differentiate among uses;

(2) if the harvestable portion of the stock or population is sufficient to provide for subsistence uses and some, but not all, other consumptive uses, the appropriate board

(A) shall adopt regulations that provide a reasonable opportunity for subsistence uses of those stocks

or populations;

(B) may adopt regulations that provide for other consumptive uses of those stocks or populations; and

(C) shall adopt regulations to differentiate among consumptive uses that provide for a preference for the

subsistence uses, if regulations are adopted under (B) of this paragraph;

(3) if the harvestable portion of the stock or population is sufficient to provide for subsistence uses, but no other consumptive uses, the appropriate board shall

(A) determine the portion of the stocks or populations that can be harvested consistent with sustained yield; and

(B) adopt regulations that eliminate other consumptive uses in order to provide a reasonable opportunity for subsistence uses; and

(4) if the harvestable portion of the stock or population is not sufficient to provide a reasonable opportunity for subsistence uses, the appropriate board shall

(A) adopt regulations eliminating consumptive uses, other than subsistence uses;

(B) distinguish among subsistence users, through limitations based on

(i) the customary and direct dependence on the fish stock or game population by the subsistence user for human consumption as a mainstay of livelihood;

(ii) the proximity of the domicile of the subsistence user to the stock or population; and

(iii) the ability of the subsistence user to obtain food if subsistence use is restricted or eliminated.

(c) The boards may not permit subsistence hunting or fishing in a nonsubsistence area. The boards, acting jointly, shall identify by regulation the boundaries of nonsubsistence areas. A nonsubsistence area is an area or community where dependence upon subsistence is not a principal characteristic of the economy, culture, and way of life of the area or community. In determining whether dependence upon subsistence is a principal characteristic of the economy, culture, and way of life of an area or community under this subsection, the boards shall jointly consider the relative importance of subsistence in the context of the totality of the following socio-economic characteristics of the area or community:

- (1) the social and economic structure;
- (2) the stability of the economy;
- (3) the extent and the kinds of employment for wages, including full-time, part-time, temporary, and seasonal employment;
- (4) the amount and distribution of cash income among those domiciled in the area or community;
- (5) the cost and availability of goods and services to those domiciled in the area or community;
- (6) the variety of fish and game species used by those domiciled in the area or community;
- (7) the seasonal cycle of economic activity;
- (8) the percentage of those domiciled in the area or community participating in hunting and fishing activities or using wild fish and game;
- (9) the harvest levels of fish and game by those domiciled in the area or community;
- (10) the cultural, social, and economic values associated with the taking and use of fish and game;
- (11) the geographic locations where those domiciled in the area or community hunt and fish;
- (12) the extent of sharing and exchange of fish and game by those domiciled in the area or community;
- (13) additional similar factors the boards establish by regulation to be relevant to their determinations under this subsection.

(d) Fish stocks and game populations, or portions of fish stocks and game populations not identified under (a) of this section may be taken only under nonsubsistence regulations.

(e) Takings and uses of fish and game authorized under this section are subject to regulations regarding open and closed areas, seasons, methods and means, marking and identification requirements, quotas, bag limits, harvest levels, and sex, age, and size limitations. Takings and uses of resources authorized under this section are subject to AS 16.05.831 and AS 16.30.

(f) For purposes of this section, "reasonable opportunity" means an opportunity, as determined by the appropriate board, that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of success of taking of fish or game. (§§ 6 ch 52 SLA 1986; am § 2 ch 1 SSSLA 1992)

Delayed amendment of section.- Under §§ 3 and 12, ch 1 SSSLA 1992, as amended by sec. 3, ch. 68, SLA 1995, § 3, ch. 130 SLA 1996, and § 1, ch. 109, SLA 1997, effective October 1, 1998, this section is amended to read: "**Sec. 16.05.258. Subsistence use and allocation of fish and game.** (a) The Board of Fisheries and the Board of Game shall identify the fish stocks and game populations, or portions of stocks and populations, that are customarily and traditionally used for subsistence in each rural area identified by the boards.

“(b) The boards shall determine

“(1) what portion, if any, of the stocks and populations identified under (a) of this section can be harvested consistent with sustained yield; and

“(2) how much of the harvestable portion is needed to provide a reasonable opportunity to satisfy the subsistence uses of those stocks and populations.

"(c) The boards shall adopt subsistence fishing and subsistence hunting regulations for each stock and population for which a harvestable portion is determined to exist under (b)(1) of this section. If the harvestable portion is not sufficient to accommodate all consumptive uses of the stock or population, but is sufficient to accommodate subsistence uses of the stock or population, then nonwasteful subsistence uses shall be accorded a preference over other consumptive uses, and the regulations shall provide a reasonable opportunity to satisfy the subsistence uses. If the harvestable portion is sufficient to accommodate the subsistence uses of the stock or population, then the boards may provide for other consumptive uses of the remainder of the harvestable sustained yield or continue subsistence uses, then the preference shall be limited, and the boards shall distinguish among subsistence users, by applying the following criteria:

"(1) customary and direct dependence on the fish stock or game population as the mainstay of livelihood;

"(2) local residency; and

"(3) availability of alternative resources.

"(d) The boards may adopt regulations consistent with this section that authorize taking for nonsubsistence uses a stock or population identified under (a) of this section.

"(e) Fish stocks and game populations, including bison, or portions of fish stocks and game populations, not identified under (a) of this section may be taken only under nonsubsistence regulations.

"(f) Taking authorized under this section are subject to reasonable regulation of seasons, catch or bag limits, and methods and means. Takings and uses of resources authorized under this section are subject to AS 16.05.831 and AS 16.30."

Cross references. - For legislative findings, purpose, and intent in connection with the 1992 amendment of this section, see § 1, ch.1, SSSLA 1992 in the Temporary and Special Acts; for requirement that the boards expeditiously adopt regulations to implement this section, see § § 6 and 7, ch. 1, SSSLA 1992 in the Temporary and Special Acts; for transitional provisions and for review by the governor and report to the legislature, see §§ 7-9, ch 1, SSSLA 1992, as amended by §§ 1 and 2, ch. 68, SLA 1995 and §§ 1 and 2, ch. 130, SLA 1996 in the Temporary and Special Acts.

Effect of Amendments.- The 1992 amendment rewrote this section.

Effective date of 1992 amendment. — Under § 11, ch. 1, SSSLA 1992, the amendment to this section made by § 2, ch. 1, SSSLA 1992 takes effect "on the effective date of regulations first adopted under sec. 6 of this Act by the Board of Fisheries and the Board of Game."

Opinions of attorney general. — Under this section, for a given fish stock or game population, if there is a harvestable surplus and if the relevant board has found a customary and traditional use of that stock, then subsistence uses must be authorized. Jan. 1, 1991 Op. Att'y Gen.

Under this section, the Board of Fisheries and Game may not provide less than reasonable opportunity for subsistence uses unless nonsubsistence uses are closed. However, assuming that guideline is met, the board may go to a two tier analysis under the statute (which is necessary if less than reasonable opportunity can be provided) in two cases: (1) to assure sustained yield, or (2) to continue subsistence uses. The latter situation may be presented when a population is being managed for overall growth, in order that eventually more opportunity can be provided. Jan. 1, 1991 OB Att'y Gen.

Notes To Decisions

Rural residency requirement unconstitutional. – The requirement contained in the 1986 subsistence statute (ch. 52, SLA 1986), that one must reside in a rural area in order to participate in subsistence hunting and fishing, violates Alaska Const., art. VIII, §§ 3, 15, and 17. *McDowell v. State*, 785 P.2d 1 (Alaska 1989).

Prohibition of subsistence permits for residents in nonsubsistence areas invalid. – The requirements of the equal access clauses apply to both tiers of subsistence users. Just as eligibility to participate in all subsistence hunting and fishing cannot be made dependent on whether one lives in an urban or rural area, eligibility to participate in Tier II subsistence hunting and fishing cannot be based on how close one lives to a given fish or game population. Subsection (b)(4)(B)(ii), which uses the proximity of the domicile of the Tier II subsistence permit applicant to the fish and game population which the applicant wishes to harvest as a basis for the applicant's eligibility, violates sections 3, 15, and 17 of article VIII of the Alaska Constitution. *State v. Kenaitze Indian Tribe*, 894 P.2d 632 (Alaska 1995).

Creation of nonsubsistence area not unconstitutional. – The statutory provision in subsection (c) mandating the creation of nonsubsistence areas does not violate sections 3, 15, and 17 of article VIII of the Alaska Constitution because the provision by itself without the proximity of domicile provisions does absolutely bar subsistence uses for certain residents. *State v. Kenaitze Indian Tribe*, 894 P.2d 632 (Alaska 1995).

Regulations adopted under former AS 16.05.257 had to be in accordance with the Administrative Procedure Act (AS 44.62). *State v. Tanana Valley Sportsmen's Ass'n*, 583 P.2d 854 (Alaska 1978).

While former AS 16.05.257, which authorized the Board of Game to adopt regulations providing for subsistence hunting, did not specifically refer to the Administrative Procedure Act (AS 44.62), it appeared clear that it merely set forth an additional purpose for which regulations might be promulgated. *State v. Tanana Valley Sportsmen's Ass'n*, 583 P.2d 854 (Alaska 1978).

Considerations in adopting regulations. — The boards of fisheries and game have the discretion to adopt regulations that recognize the needs, customs, and traditions of Alaska residents, but they are not mandated to do so when formulating their subsistence regulations. *State v. Morry*, 836 P.2d 358 (Alaska 1992).

"Sustained yield". — The term "sustained yield" in subsection (b) is potentially broad enough to include authority in the game board to restrict even subsistence hunting in order to rebuild a damaged game population. However, the board does not have absolute discretion in this area. There must be a balance of minimum adverse impact upon rural residents who depend upon subsistence use of resources and recognized scientific principles of game management. *Kwethluk IRA Council v. Alaska*, 740 F. Supp. 765 (D. Alaska 1990).

Familial relationship not required. – In evaluating a subsistence fishery proposal, the Board of Fisheries erroneously required users of salmon in an area to have a familial relationship with prior generations of subsistence users in the area; such interpretation of 5 AAC 99.010(b) was inconsistent with subsection (a) and the definition of "customary and traditional" in AS 16.05.940. *Payton v. State*, 938 P.2d 1036 (Alaska 1997).

Invalid regulations severable. – Invalid portions of regulations established pursuant to the mandate of this section are severable from the remaining regulations if, standing alone, the regulation can be given legal effect and the legislature intended the provision to stand. *State v. Palmer*, 882 P.2d 386 (Alaska 1994).

Issuance of permits based on verbal instructions to agents held improper. – Nothing in the Administrative Procedure Act (AS 44.62) authorizes the Board of Game to impose requirements not contained in written regulations by means of oral instructions to agents. Such verbal additions to regulations involving requirements of substance are unauthorized and unenforceable. *State v. Tanana Valley Sportsmen’s Ass’n*, 583 P.2d 854 (Alaska 1978).

Adoption of eligibility criteria. – All Alaskans are eligible to participate in subsistence hunting and fishing, and the board of game lacks the authority to adopt eligibility criteria when the resource is sufficiently abundant to satisfy all subsistence users. *State v. Morry*, 836 P.2d 358 (Alaska 1992).

The least intrusive standard applied by the superior court to board of game regulations for subsistence uses is not explicitly mentioned in the text of the subsistence preference laws nor can such a standard be reasonably implied from the fact that the subsistence law in this section accords a “preference” to subsistence users. The subsistence law provides a preference only by giving subsistence users “reasonable opportunity” to harvest the resource, and the superior court erred in its decision that the least intrusive standard was implied as a rule of construction for the term “reasonable opportunity.” *State v. Morry*, 836 P.2d 358 (Alaska 1992).

Reasonable basis for Board of Game’s quota of caribou to be killed under former AS 16.05.257 – See *State v. Tanana Valley Sportsmen’s Ass’n*, 583 P.2d 854 (Alaska 1978).

Emergency caribou hunt allowed. – Native Alaskan villagers were granted injunctive relief permitting an emergency caribou hunt allowing the taking of 50 to 70 animals where the hunt was justified by economic conditions and would not adversely affect the herd. *Kwethluk IRA Council v. Alaska*, 740 F. Supp. 765 (D. Alaska 1990).

Regulations held invalid. – Board of game regulations establishing seasons and bag limits on the taking of moose and caribou were arbitrary and invalid, where the board did not follow or articulate its use of the statutory analytical process for adopting bag limits as to subsistence hunting, and the regulations imposed seasons not consistent with the board’s findings as to established village customs and thereby unacceptably restricted the statutory preference for subsistence uses. *Bobby v. Alaska*, 718 F. Supp. 764 (D. Alaska 1989).

Trophy hunting regulations adopted by the board of game do not constitute compliance with the requirement of subsection (c) that the board adopt subsistence hunting regulations for game. *State v. Morry*, 836 P.2d 358 (Alaska 1992).

Where no hearing was ever held regarding whether regulations of the board of game were consistent with the subsistence law prior to their adoption as subsistence regulations, the challenged tag/fee and sealing regulations, as subsistence regulations applicable to the taking and use of brown/grizzly bears in the affected game management units, were invalid. *State v. Morry*, 836 P.2d 358 (Alaska 1992).

Remand. – Where defendant was erroneously barred from challenging regulations prohibiting hunting with the aid of an artificial light and applying the prohibition against subsistence hunters, the case was remanded to allow defendant to demonstrate that the regulations were adopted without compliance with the Administrative Procedure Act, AS 44.62. *Totemoff v. State*, 905 P.2d 954 (Alaska 1995), cert. denied, --U.S.--, 116 S. Ct. 2499, 135 L. Ed. 2d 290 (1996).

Cited in *Krohn v. State, Dep’t of Fish & Game*, 938 P.2d 1019 (Alaska 1997).

AS 16.05.259. NO SUBSISTENCE DEFENSE.

In a prosecution for the taking of fish or game in violation of a statute or regulation, it is not a defense that the taking was done for subsistence uses.(§ 7 ch 52 SLA 1986)

Revisor's notes.- Formerly AS 16.05.261. Renumbered in 1987.

Notes To Decisions

Power to challenge regulation. – A person charged with a subsistence hunting violation is not precluded by this section or by the federal Alaska National Interest Lands Conservation Act from challenging the regulation he is alleged to have violated. *Bobby v. Alaska*, 718 F. Supp. 764 (D. Alaska 1989).

Since *State v. Eluska*, 724 P.2d 514 (Alaska 1986) and this section prevent hunters who took game in the absence of any regulation authorizing them to do so from claiming a subsistence defense; a defendant was not prohibited from contesting the validity of a regulation which prohibits hunting with the aid of an artificial light. *Totemoff v. State*, 905 P.2d 954 (Alaska 1995), cert. denied, --U.S.--, 116 S. Ct. 2499, 135 L. Ed. 2d 290 (1996).

AS 16.05.940. DEFINITIONS.

(7) "customary and traditional" means the noncommercial, long-term, and consistent taking of, use of, and reliance upon fish or game in a specific area and the use patterns of that fish or game that have been established over a reasonable period of time taking into consideration the availability of the fish or game;

(8) "customary trade" means the limited noncommercial exchange, for minimal amounts of cash, as restricted by the appropriate board, of fish or game resources; the terms of this paragraph do not restrict money sales of furs and furbearers;

(27) "rural area" means a community or area of the state in which the noncommercial, customary, and traditional use of fish or game for personal or family consumption is a principal characteristic of the economy of the community or area;

(30) "subsistence fishing" means the taking of, fishing for, or possession of fish, shellfish, or other fisheries resources by a resident domiciled in a rural area of the state for subsistence uses with gill net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;

(31) "subsistence hunting" means the taking of, hunting for, or possession of game by a resident domiciled in a rural area of the state for subsistence uses by means defined by the Board of Game;

(32) "subsistence uses" means the noncommercial, customary and traditional uses of wild, renewable resources by a resident domiciled in a rural area of the state for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption; in this paragraph, "family" means persons related by blood, marriage, or adoption, and a person living in the household on a permanent basis;

Alaska Administrative Code

SUBSISTENCE USES.

Sections

- 10. Boards of fisheries and game subsistence procedures
- 12. (Repealed)
- 14. (Repealed)
- 15. Joint Board nonsubsistence areas
- 16. Activities permitted in a nonsubsistence area
- 20. (Repealed)
- 21. Definition
- 25. Customary and traditional uses of game populations
- 30. Eligibility for subsistence and general hunts

5 AAC 99.010. SUBSISTENCE PROCEDURES

(a) In applying a subsistence law, the Board of Fisheries and the Board of Game will provide for conservation and development of Alaska's fish and game resources according to sustained yield principles.

(b) Each board will identify fish stocks or game populations, or portions of stocks or populations, that are

customarily and traditionally taken or used by Alaska residents for subsistence uses by considering the following criteria:

(1) a long-term consistent pattern of noncommercial taking, use, and reliance on the fish stock or game

population that has been established over a reasonable period of time of not less than one generation, excluding interruption by circumstances beyond the user's control, such as unavailability of the fish or game caused by migratory patterns;

(2) a pattern of taking or use recurring in specific seasons of each year;

(3) a pattern of taking or use consisting of methods and means of harvest that are characterized by efficiency and economy of effort and cost;

(4) the area in which the noncommercial, long-term, and consistent pattern of taking, use, and reliance upon the fish stock or game population has been established;

(5) a means of handling, preparing, preserving, and storing fish or game that has been traditionally used by past generations, but not excluding recent technological advances where appropriate;

(6) a pattern of taking or use that includes the handing down of knowledge of fishing or hunting skills, values, and lore from generation to generation;

(7) a pattern of taking, use, and reliance where the harvest effort or products of that harvest are distributed or shared, including customary trade, barter, and gift-giving; and

(8) a pattern that includes taking, use, and reliance for subsistence purposes upon a wide diversity of fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life.

(c) When circumstances such as increased numbers of users, weather, predation, or loss of habitat may jeopardize the sustained yield of a fish stock or game population, each board will exercise all practical options for restricting nonsubsistence harvest of the stock or population and may address other limiting factors before subsistence uses are restricted below the level the board has determined to provide a reasonable opportunity. If all available restrictions for nonsubsistence harvests have been implemented and further restrictions are needed, the board will eliminate nonsubsistence consumptive uses, and reduce the take for subsistence uses in a series of graduated steps under AS 16.05.258 (b)(4)(B) - the "Tier II" distinction - by distinguishing among subsistence users through limitations based on

(1) the customary and direct dependence on the fish stock or game population by the subsistence user for human consumption as a mainstay of livelihood;

(2) the proximity of the user's domicile to the stock or population; and

(3) the ability of the subsistence user to obtain food if subsistence use of the stock or population is restricted

or eliminated. (Eff. 5/30/82, Register 82; am 1/17/91, Register 117; am 5/15/93, Register 126)

Authority: AS 16.05.251 AS 16.05.258
 AS 16.05.255

5 AAC 99.012. RURAL CRITERIA

Repealed 1/17/91.

5 AAC 99.014. JOINT BOARD FINDINGS RELATING TO RURAL AND NON-RURAL AREAS

Repealed 1/17/91.

5 AAC 99.015. JOINT BOARD NONSUBSISTENCE AREAS.

(a) The following areas are found by the Joint Board of Fisheries and Game to be nonsubsistence use areas:

(1) The Ketchikan Nonsubsistence Area is comprised of the following: within Unit 1(A), as defined in 5 AAC 92.450(1) (A), all drainages of the Cleveland Peninsula between Niblack Point and Bluff Point, Revillagigedo, Gravina, Pennock, Smeaton, Bold, Betton, and Hassler Islands; all marine waters of Sections 1-C, as defined by 5 AAC 33.200(a) (3), 1-D, as defined by 5 AAC 33.200(a) (4), 1-E, as defined by 5 AAC 33.200(a) (5), that portion of Section 1-F, as defined by 5 AAC 33.200(a) (6), north of the latitude of the southernmost tip of Mary Island and within one mile of the mainland and the Gravina and Revillagigedo Island shorelines; and that portion of District 2, as defined by 5 AAC 33.200(b), within one mile of the Cleveland Peninsula shoreline and east of the longitude of Niblack Point.

(2) The Juneau Nonsubsistence Area is comprised of the following: within Unit 1(C), as defined by 5 AAC 92.450(1) (C), all drainages on the mainland east of Lynn Canal and Stephens Passage from the latitude of Eldred Rock to Point Coke, and on Lincoln, Shelter, and Douglas islands; within Unit 4, as defined by 5 AAC 92.450(4), that portion of Admiralty Island that includes the Glass Peninsula, all drainages into Seymour Canal north of and including Pleasant Bay, all drainages into Stephens Passage west of Point Arden, the Mansfield Peninsula, all drainages into Chatham Strait north of Point Marsden; all marine waters of Sections 11-A and 11-B, as defined in 5 AAC 33.200(k) (1) and (k)(2), Section 12-B, as defined in 5 AAC 33.200(l) (2), and that portion of Section 12-A, as defined in 5 AAC 33.200(l) (1), north of the latitude of Point Marsden and that portion of District 15, as defined in 5 AAC 33.200

(o), south of the latitude of the northern entrance to Berners Bay, and including Berners Bay.

(3) The Anchorage-Matsu-Kenai Nonsubsistence Area is comprised of the following: Units 7, as defined by 5 AAC 92.450(7) (except the Kenai Fjords National Park lands), 14, as defined by 5 AAC 92.450(14), 15, as defined by 5 AAC 92.450(15) (except that portion south and west of a line beginning at the mouth of Rocky River up the Rocky and Windy Rivers across the Windy River/Jakolof Creek divide and down Jakolof Creek to its mouth, including the islands between the eastern most point of Jakolof Bay and the eastern most point of Rocky Bay), 16(A), as defined by 5 AAC 92.450(16) (A); all waters of Alaska in the Cook Inlet Area, as defined by 5 AAC 21.100 (except those waters north of Point Bede which are west of a line from the eastern most point of Jakolof Bay north to the western most point of Hesketh Island including Jakolof Bay and south of a line west from Hesketh Island; the waters south of Point Bede which are west of the eastern most point of Rocky Bay; and those waters described in 5 AAC 01.555(b), known as the Tyonek subdistrict).

(4) The Fairbanks Nonsubsistence Area is comprised of the following: within Unit 20(A), as defined by 5 AAC 92.450(20) (A), east of the Wood River drainage and south of the Rex Trail but including the upper Wood River drainage south of its confluence with Chicken Creek; within Unit 20(B), as defined by 5 AAC 92.450(20) (B), the North Star Borough and that portion of the Washington Creek drainage east of the Elliot Highway; within Unit 20(D) as defined by 5 AAC 92.450(20) (D), west of the Tanana River between its confluence with the Johnson and Delta Rivers, west of the east bank of the Johnson River, and north and west of the Volkmar drainage, including the Goodpaster River drainage; and within Unit 25(C), as defined by 5 AAC 92.450(25) (C), the Preacher and Beaver Creek drainages.

(5) The Valdez Nonsubsistence Area is comprised of the following: within Unit 6(D), as defined by 5 AAC 92.450(6) (D), and all waters of Alaska in the Prince William Sound Area as defined by 5 AAC 24.100, within the March 1993 Valdez City limits.

(b) The provisions of this section do not apply during the period from April 28, 1994 until a final decision by the Alaska Supreme Court in State v. Kenaitze, No. S-6162, concerning the constitutionality of AS 16.05.258 (c). (Eff. 5/15/93, Register 126; am 4/28/94, Register 130)

Authority: AS 16.05.251 AS 16.05.258
 AS 16.05.255

5 AAC 99.016. ACTIVITIES PERMITTED IN A NONSUBSISTENCE AREA.

(a) A nonsubsistence area is an area or community where dependence upon subsistence is not a principal characteristic of the economy, culture, and way of life of the area of community. In a nonsubsistence area, the following activities will be permitted if so provided by the appropriate board by regulation:

- (1) general hunting, including drawing and registration permit hunts;
- (2) personal use, sport, guided sport, commercial fishing, and other fishing authorized by permit.

(b) Subsistence hunting and fishing regulations will not be adopted for these areas and the subsistence priority does not apply. (Eff. 5/15/93, Register 126)

Authority: AS 16.05.251 AS 16.05.258
 AS 16.05.255

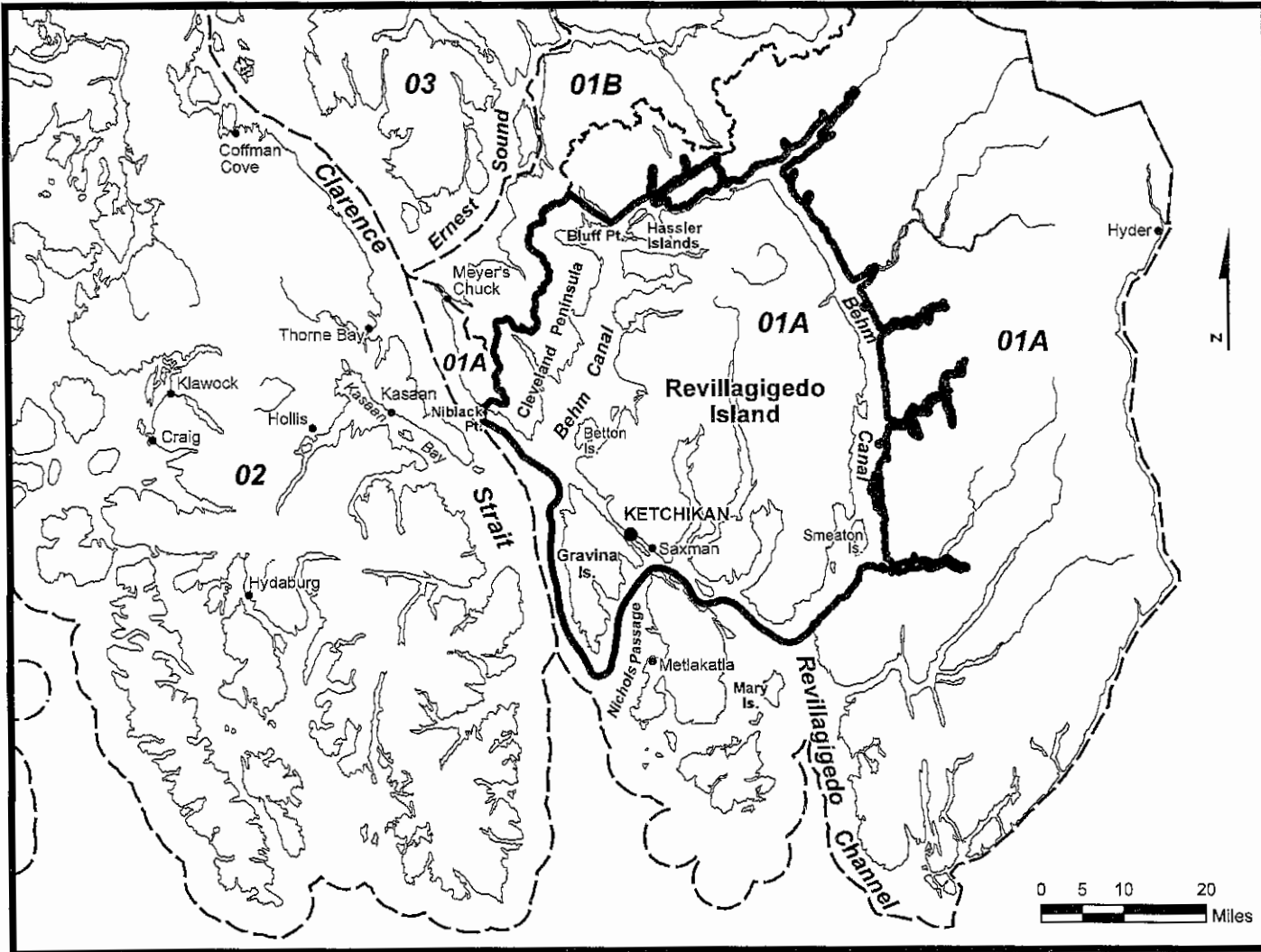
5 AAC 99.020. DEFINITIONS.

Repealed 10/9/83.

5 AAC 99.021. DEFINITION.

In addition to the definitions in AS 16.05.940 , in this chapter "road-connected area" means the location of domiciles that are normally accessed by motorized highway vehicles operating on constructed roads that connect to the main highway system in the relevant area, including roads that can be negotiated during all portions of the year; in this section, "normally accessed" means that it is reasonably feasible to transport persons, food, and other supplies to domiciles by motorized highway vehicles.



Ketchikan Nonsubsistence Area



The Ketchikan Nonsubsistence Area is comprised of the following: within Unit 1(A), as defined in 5 AAC 92.450(1) (A), all drainages of the Cleveland Peninsula between Niblack Point and Bluff Point, Revillagigedo, Gravina, Pennock, Smeaton, Bold, Betton, and Hassler Islands; all marine waters of Sections 1-C, as defined by 5 AAC 33.200(a) (3), 1-D, as defined by 5 AAC 33.200(a) (4), 1-E, as defined by 5 AAC 33.200(a) (5), that portion of Section 1-F, as defined by 5 AAC 33.200(a) (6), north of the latitude of the southernmost tip of Mary Island and within one mile of the mainland and the Gravina and Revillagigedo Island shorelines; and that portion of District 2, as defined by 5 AAC 33.200(b), within one mile of the Cleveland Peninsula shoreline and east of the longitude of Niblack Point.



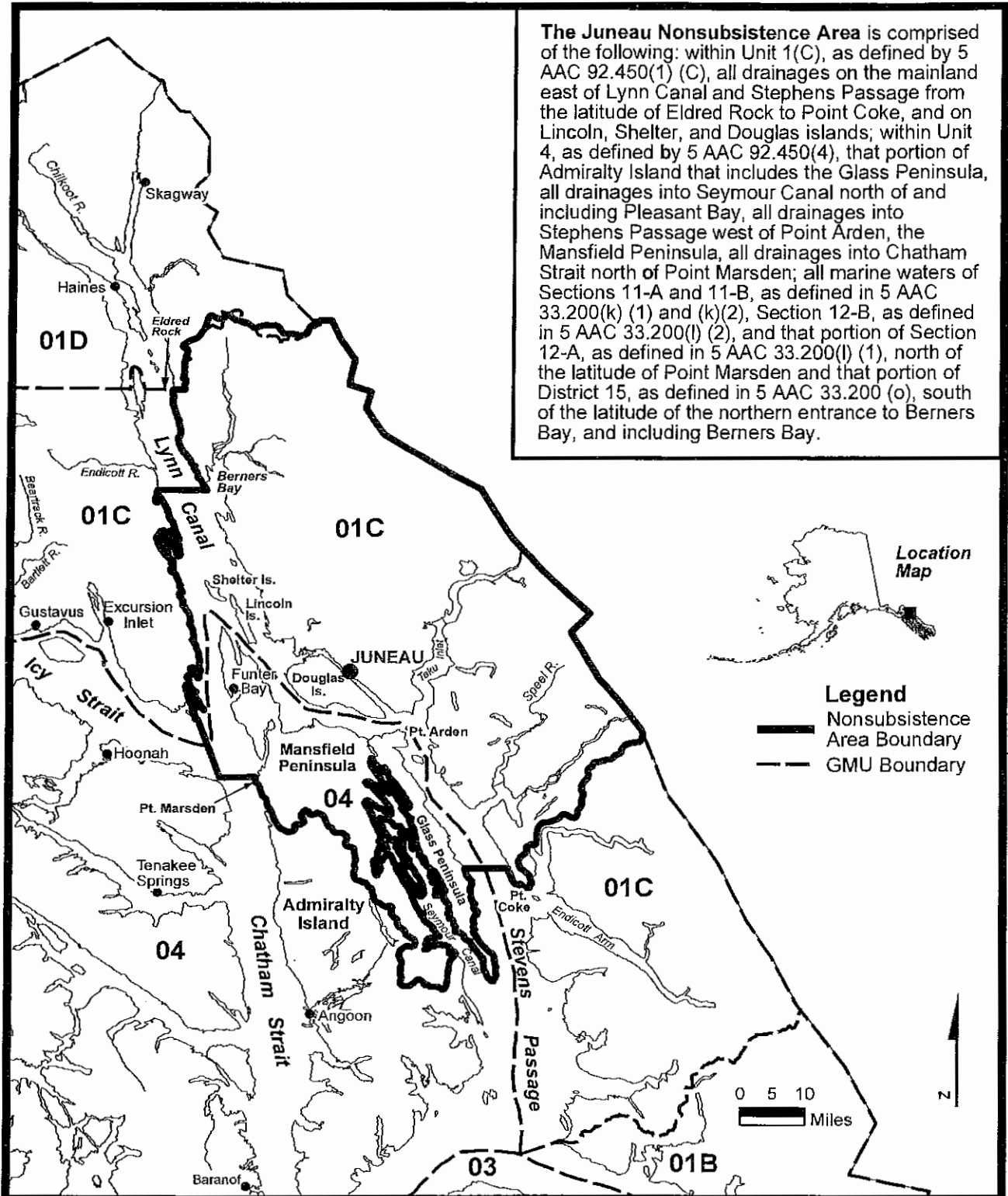
Legend

-  Nonsubsistence Area Boundary
-  GMU Boundary



Juneau Nonsubsistence Area

The Juneau Nonsubsistence Area is comprised of the following: within Unit 1(C), as defined by 5 AAC 92.450(1) (C), all drainages on the mainland east of Lynn Canal and Stephens Passage from the latitude of Eldred Rock to Point Coke, and on Lincoln, Shelter, and Douglas islands; within Unit 4, as defined by 5 AAC 92.450(4), that portion of Admiralty Island that includes the Glass Peninsula, all drainages into Seymour Canal north of and including Pleasant Bay, all drainages into Stephens Passage west of Point Arden, the Mansfield Peninsula, all drainages into Chatham Strait north of Point Marsden; all marine waters of Sections 11-A and 11-B, as defined in 5 AAC 33.200(k) (1) and (k)(2), Section 12-B, as defined in 5 AAC 33.200(l) (2), and that portion of Section 12-A, as defined in 5 AAC 33.200(l) (1), north of the latitude of Point Marsden and that portion of District 15, as defined in 5 AAC 33.200 (o), south of the latitude of the northern entrance to Berners Bay, and including Berners Bay.

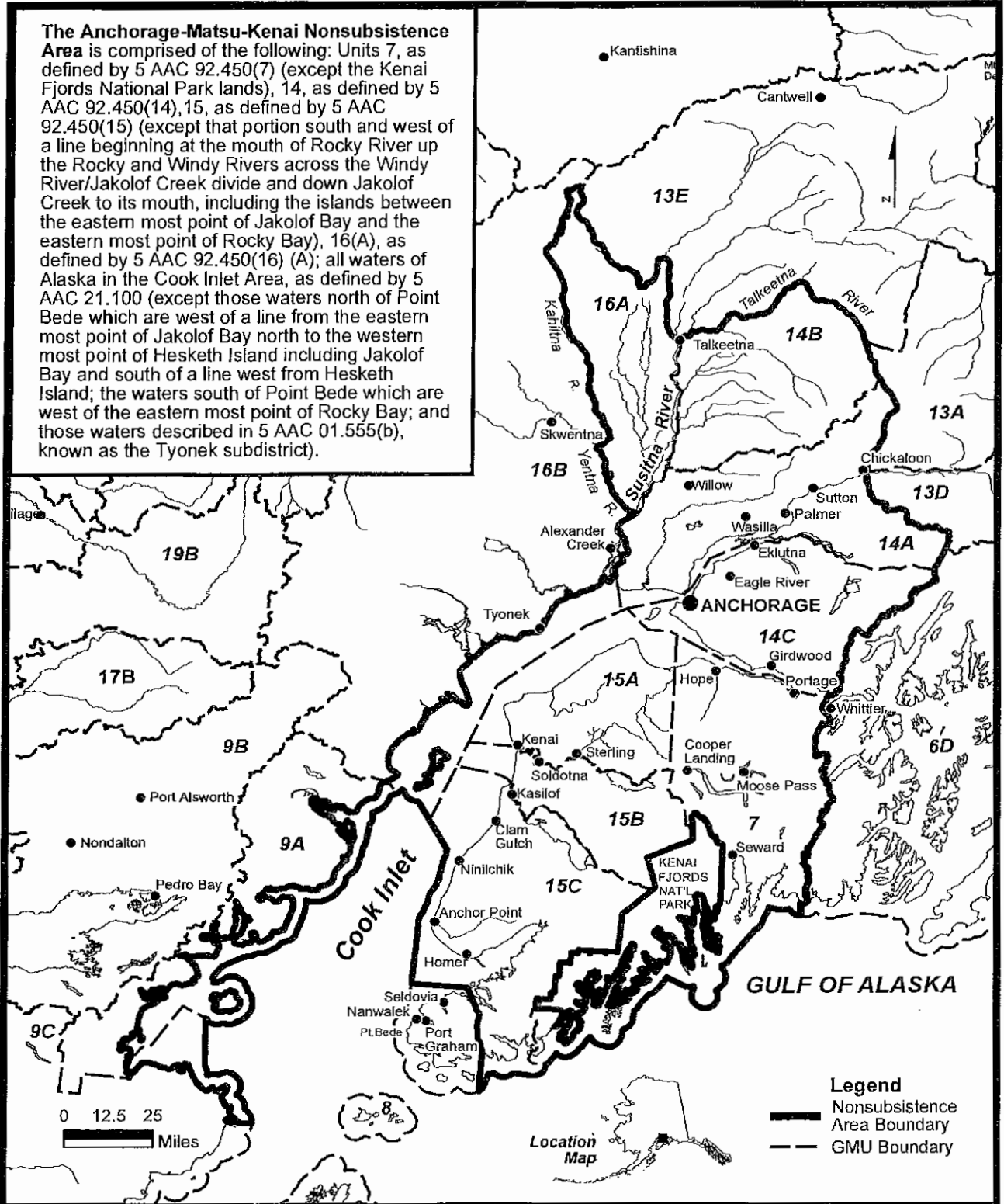


Alaska Department of Fish and Game
Division of Subsistence and Boards

September 2007

Anchorage Nonsubsistence Area

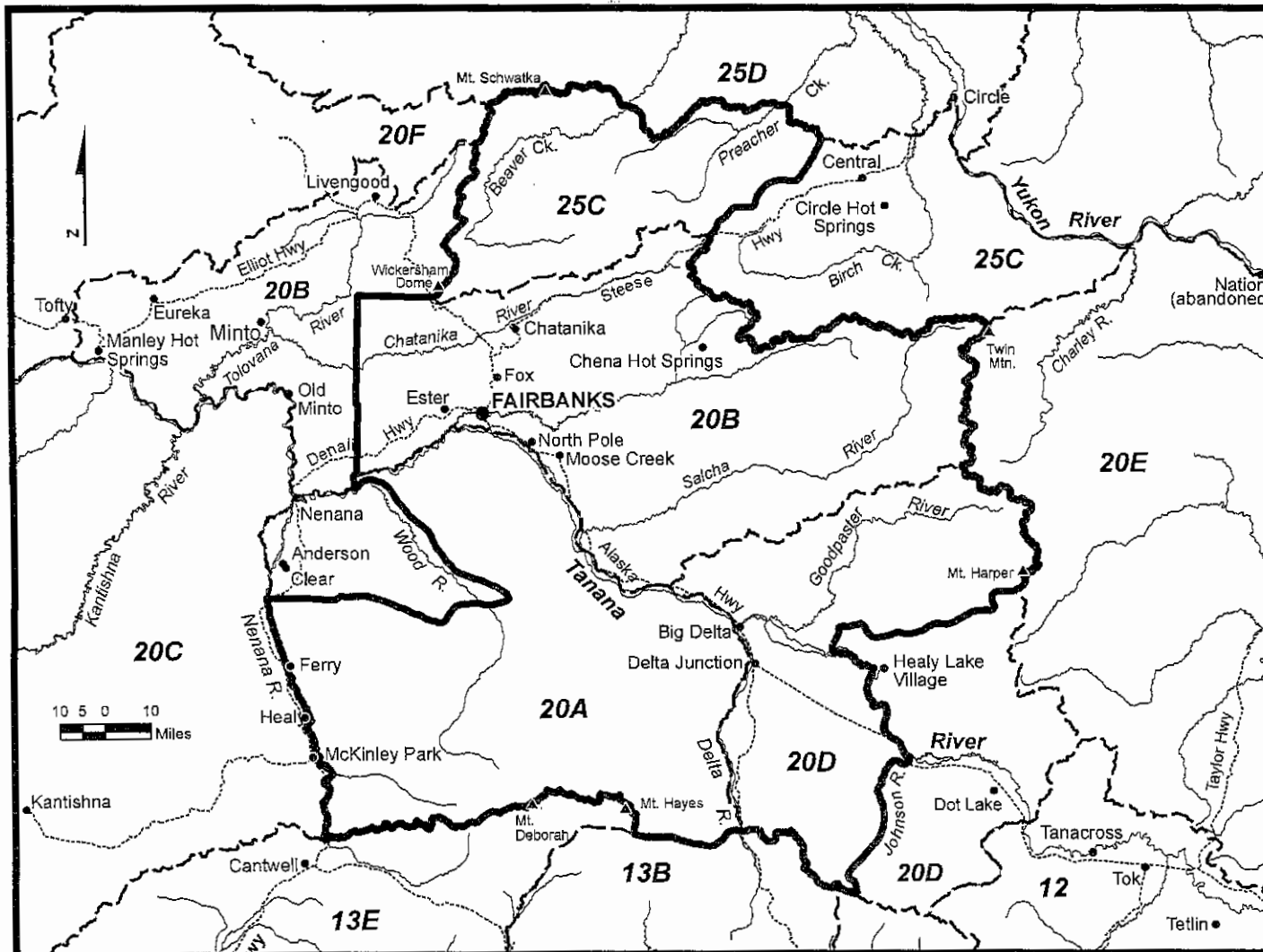
The Anchorage-Matsu-Kenai Nonsubsistence Area is comprised of the following: Units 7, as defined by 5 AAC 92.450(7) (except the Kenai Fjords National Park lands), 14, as defined by 5 AAC 92.450(14), 15, as defined by 5 AAC 92.450(15) (except that portion south and west of a line beginning at the mouth of Rocky River up the Rocky and Windy Rivers across the Windy River/Jakolof Creek divide and down Jakolof Creek to its mouth, including the islands between the eastern most point of Jakolof Bay and the eastern most point of Rocky Bay), 16(A), as defined by 5 AAC 92.450(16) (A); all waters of Alaska in the Cook Inlet Area, as defined by 5 AAC 21.100 (except those waters north of Point Bede which are west of a line from the eastern most point of Jakolof Bay north to the western most point of Hesketh Island including Jakolof Bay and south of a line west from Hesketh Island; the waters south of Point Bede which are west of the eastern most point of Rocky Bay; and those waters described in 5 AAC 01.555(b), known as the Tyonek subdistrict).



Alaska Department of Fish and Game
Division of Subsistence and Boards

September 2007

Fairbanks Nonsubsistence Area



The Fairbanks Nonsubsistence Area is comprised of the following: within Unit 20(A), as defined by 5 AAC 92.450(20) (A), east of the Wood River drainage and south of the Rex Trail but including the upper Wood River drainage south of its confluence with Chicken Creek; within Unit 20(B), as defined by 5 AAC 92.450(20) (B), the North Star Borough and that portion of the Washington Creek drainage east of the Elliot Highway; within Unit 20(D) as defined by 5 AAC 92.450(20) (D), west of the Tanana River between its confluence with the Johnson and Delta Rivers, west of the east bank of the Johnson River, and north and west of the Volkmar drainage, including the Goodpastor River drainage; and within Unit 25(C), as defined by 5 AAC 92.450(25) (C), the Preacher and Beaver Creek drainages.

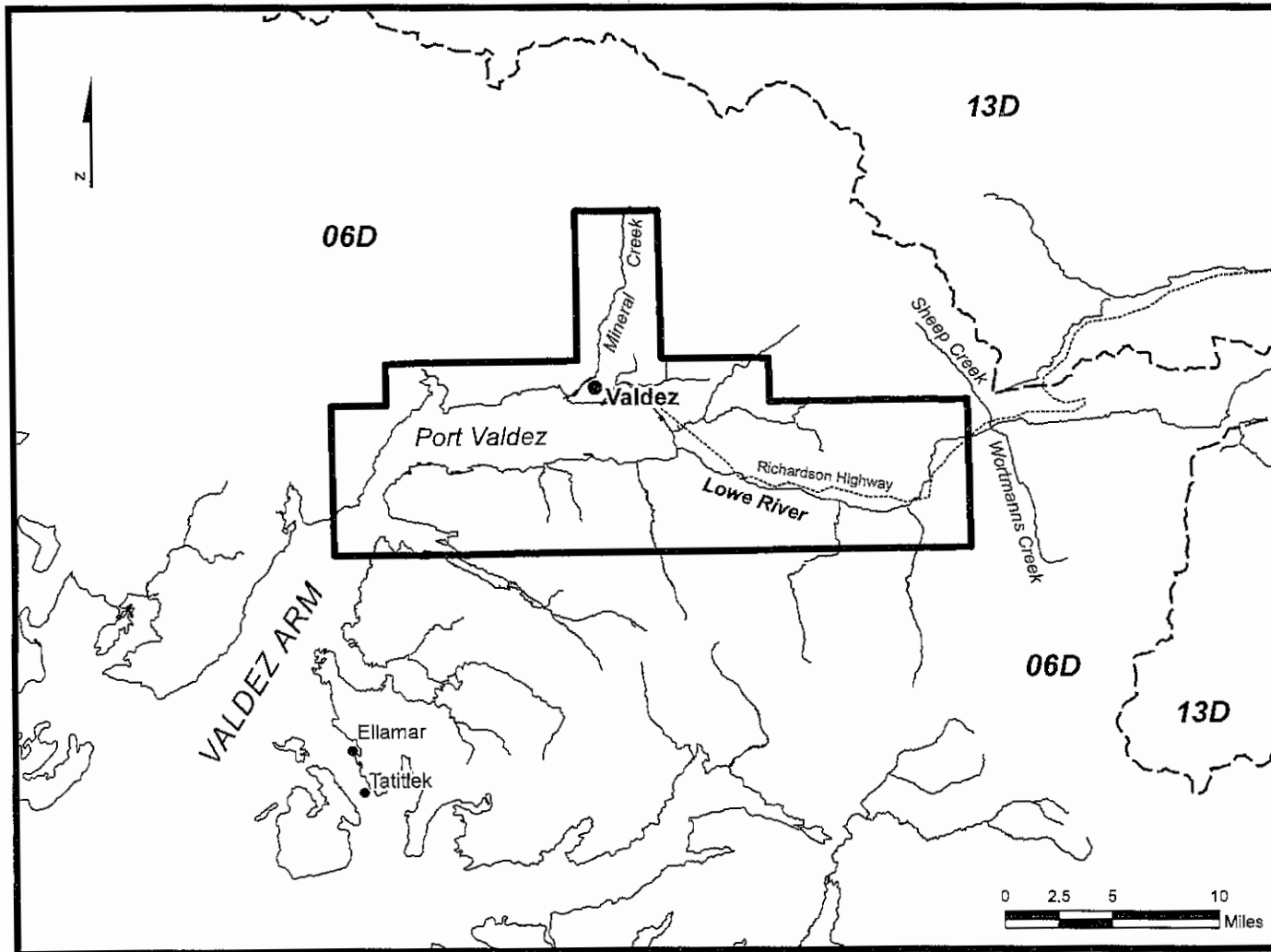


- Legend**
- Nonsubsistence Area Boundary
 - - - GMU Boundary
 - Roads

14






Valdez Nonsubsistence Area



The Valdez Nonsubsistence Area is comprised of the following: within Unit 6(D), as defined by 5 AAC 92.450(6) (D), and all waters of Alaska in the Prince William Sound Area as defined by 5 AAC 24.100, within the March 1993 Valdez City limits.



Legend

-  Nonsubsistence Area Boundary
-  GMU Boundary
-  Roads



Steps When Considering Subsistence Uses and Proposals that Affect Subsistence Uses

1. Nonsubsistence Area Filter

Is the fish stock in the proposal in a nonsubsistence area? If all of the fish stock is in a nonsubsistence area, there is no need for the board to address subsistence uses—subsistence harvests are not allowed in a nonsubsistence area. If any portion of the fish stock is outside a nonsubsistence area, then the board goes to step 2.

2. Customary and Traditional Use Determination

The board determines if there is a customary and traditional use of the fish stock by applying the eight criteria (5 AAC 99.010), considering information about the use pattern. If there has been a previous positive finding, then this step is unnecessary, and the board goes to step 3. If there has been a previous negative finding, there is no need to address subsistence use further, unless the proposal is for reconsidering a negative finding. Also, the board may periodically reconsider previous customary and traditional use findings.

3. Harvestable Surplus Filter

Can a portion of the fish stock be harvested consistent with sustained yield, considering biological information? If there is no harvestable surplus, then the board authorizes no fishery on the stock, and there is no need to address subsistence uses further. If there is a harvestable surplus, then the board goes to step 4.

4. Amount Reasonably Necessary for Subsistence

The board determines the amount reasonably necessary for subsistence uses, considering information about the subsistence use pattern. If there has been a previous determination on the amount, then the board goes to step 5. The board may periodically reconsider and update these determinations.

5. Sufficient Surplus for All or Some Uses

If the harvestable portion of the fish stock is sufficient for all consumptive uses, the board shall adopt regulations that provide a reasonable opportunity for subsistence uses and for other (nonsubsistence) uses.

If the harvestable portion of the fish stock is sufficient to provide for subsistence uses and some, but not all, other consumptive uses, the board shall adopt regulations that provide a reasonable opportunity for subsistence uses and may adopt regulations that provide for other uses.

6. Sufficient Surplus Only for Subsistence

If the harvestable portion of the fish stock is sufficient to provide for subsistence uses, but no other consumptive uses, the board shall adopt regulations that eliminate other consumptive uses in order to provide a reasonable opportunity for subsistence uses.

7. Subsistence Regulations and Reasonable Opportunity Finding

The board shall adopt subsistence regulations that provide a reasonable opportunity for subsistence uses. When the board adopts subsistence regulations that provide a reasonable opportunity for subsistence uses, then adjustments to regulations governing nonsubsistence uses are not necessary. The board may adopt regulations providing for other uses as long as subsistence regulations are adopted that provide a reasonable opportunity for subsistence. If there is a proposal to reduce subsistence opportunity, regulations must still provide a priority for

subsistence uses. If subsistence regulations do not provide a reasonable opportunity for subsistence uses after eliminating all other uses, then the board goes to step 8.

8. Tier II Subsistence Regulations

If the harvestable surplus is not sufficient to provide a reasonable opportunity for all subsistence uses, the board adopts Tier II subsistence fishery regulations on the fish stock (cf., 5 AAC 92.062 for the procedures for game). Tier II regulations differentiate among subsistence users in order to provide opportunity to those most dependent on the resource and having the fewest alternatives other than that resource.

Prepared by: Alaska Department of Fish and Game, Division of Subsistence 01/03.

MEMORANDUM

State of Alaska Department of Law

TO: Kristy Tibbles Executive Director
Alaska Board of Game

DATE: December 29, 2011

FILE NO.: JU2011200573

TEL. NO.:

FROM: Kevin Saxby *rKMS*
Sr. Assistant Attorney General
Natural Resources
Anchorage

FAX:

SUBJECT: Board of Game: January 13-17,
2012 Anchorage Meeting;
Statewide Regulations; Cycle B

GENERAL COMMENTS

In general, ethics disclosures: Before staff reports begin on any new agenda item, or, if preferred, at the very beginning of the meeting, Ethics Act disclosures and determinations must be made under AS 39.52.

In general, record-making: It is very important that Board members carefully explain and clearly summarize on the record the reasons for their actions and the grounds upon which the actions are based. The Alaska Supreme Court has stressed the importance of a clear record to facilitate the courts in determining that the Board's actions are within its authority and are reasonable. A clear record also assists the public in understanding the Board's rationale. If board members summarize the reasons for their actions before they vote, it will help establish the necessary record.

In considering each proposal, and the specific requirements that apply in some cases, such as with the subsistence law, it is important that the Board thoroughly discuss and summarize on the record the basis and reasons for its actions. Consistency with past approaches is another important point for discussion. If a particular action does not appear to be consistent, Board members should discuss their reasons for a different approach.

The Alaska Administrative Procedures Act requires that State agencies, including the Board of Game, "[w]hen considering the factual, substantive, and other relevant matter, ...pay special attention to the cost to private persons of the proposed regulatory action." AS 44.62.210(a). This requirement to pay special attention to costs means, at a minimum, that the Board should address any information presented about costs, or explicitly state that no such information was presented, during deliberation of any proposal likely to be adopted. In our view, this requirement does not go so far as to

mandate that the Board conduct an independent investigation of potential costs, nor does it require that cost factor into the Board's decision more than, for example, conservation concerns might. However, it does require the Board to address and "pay special attention to" costs relevant to each regulation adopted.

In general, written findings: If any issue is already in court, or is controversial enough that you believe it might result in litigation, or if it is complex enough that findings may be useful to the public, the department, or the Board in the future, it is important that the Board draft and adopt written findings explaining its decisions. From time to time, the Department of Law will recommend that written findings be adopted, in order to better defend the Board's action. Such recommendations should be carefully considered, as a refusal to adopt findings, in these circumstances, could mean that the Board gets subjected to judicial oversight and second-guessing which might have been avoided. The Alaska Supreme Court has stressed the importance of an adequate decisional document, or written finding, to a determination that the Board has acted within its authority and rationally in adopting regulations, and has deferred to such findings in the past.

In general, subsistence: For each proposal the Board should consider whether it involves or affects identified subsistence uses of the game population or sub-population in question. If action on a proposal would affect a subsistence use, the Board must be sure that the regulations provide a reasonable opportunity for the subsistence uses, unless sustained yield would be jeopardized. If the Board has not previously done so, it should first determine whether the game population is subject to customary and traditional uses for subsistence and what amount of the harvestable portion, if any, is reasonably necessary for those uses. The current law requires that the Board have considered at least four issues in implementing the preference:

- (1) Identify game populations or portions of populations customarily and traditionally taken or used for subsistence; *see* 8 criteria at 5 AAC 99.010(b);
- (2) determine whether a portion of the game population may be harvested consistent with sustained yield;
- (3) determine the amount of the harvestable portion reasonably necessary for subsistence uses; and
- (4) adopt regulations to provide a reasonable opportunity for subsistence uses.

Reasonable opportunity is defined to mean "an opportunity, as determined by the appropriate board, that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of

success of taking of fish or game.” AS 16.05.258(f). It is not to be construed as a guarantee of success.

The amount of the harvestable portion of the game population that is reasonably necessary for subsistence uses will depend largely on the amount of the game population used for subsistence historically and the number of subsistence users expected to participate. This may require the Board to determine which users have been taking game for subsistence purposes, and which ones have not. Once the Board has determined the amount reasonably necessary for subsistence uses, the Board should by regulation provide an opportunity that allows the predicted number of normally diligent participants a reasonable expectation of success in taking the subject game. In doing so, the Board must distinguish among the various uses, unless the harvestable surplus is so numerous as to be able to provide for all uses. The Board may base its determination of reasonable opportunity on information regarding past subsistence harvest levels of the game population in the specific area and the bag limits, seasons, access provisions, and means and methods necessary to achieve those harvests, or on comparable information from similar areas.

If the harvestable portion of the game population is not sufficient to provide for subsistence uses and any other consumptive uses, the Board is required to eliminate non-subsistence uses in order to continue to provide a reasonable opportunity for subsistence uses. If the harvestable portion of the game population is still not sufficient to provide a reasonable opportunity for all subsistence uses, the Board is required to eliminate non-subsistence consumptive uses and distinguish among the subsistence users based on the following Tier II criteria:

- (1) The customary and direct dependence on the game population by the subsistence user for human consumption as a mainstay of livelihood; and
- (2) the ability of the subsistence user to obtain food if subsistence use is restricted or eliminated. AS 16.05.258.

In general, intensive management: Under AS 16.05.255 (e), (f) and (g), the Board should assure itself that the steps outlined below have been followed when acting on proposals dealing with ungulate populations.

First - Determine whether the **ungulate** population is **important for high levels of human consumptive use**.

- If so, then subsequent intensive management analysis may be required.
- If not, then no further intensive management analysis is required.

Second - Is the ungulate population **depleted** or will the Board be **significantly reducing the taking** of the population?

The Board must determine whether depletion or reduction of productivity, or Board action, is likely to cause a significant reduction in harvest.

- If either is true, then subsequent intensive management analysis is required.
- If not, then further intensive management analysis is not required.

Third - Is intensive management appropriate?

(a) If the population is depleted, has the Board found that consumptive use of the population is a preferred use? Note that the Legislature has already found that “providing for high levels of harvest for human consumption in accordance with the sustained yield principle is the highest and best use of identified big game prey populations in most areas of the State” In the rare cases where consumptive use is not a preferred use, then the Board need not adopt intensive management regulations.

(b) If consumptive uses are preferred, and the population is depleted or reduced in productivity so that the result may be a significant reduction in harvest, the Board must consider whether enhancement of abundance or productivity is feasibly achievable using recognized and prudent active management techniques. At this point, the Board will need information from the Department about available recognized management techniques, including feasibility. If enhancement is feasibly achievable, then the Board must adopt intensive management regulations.

(c) If the Board will be significantly reducing the taking of the population, then it must adopt, or schedule for adoption at its next meeting, regulations that provide for intensive management *unless*:

1. Intensive management would be:
 - A. Ineffective based on scientific information;
 - B. Inappropriate due to land ownership patterns; or
 - C. Against the best interests of subsistence users;

or

2. The Board declares that a biological emergency exists and takes immediate action to protect and maintain the population and also schedules for adoption those regulations necessary to restore the population.

Comments on Individual Proposals

Proposals 38, 39 and 40: In amending the falconry regulations, the Board should determine whether limiting nonresident take and uses remains consistent with constitutional standards. The Board may limit or close nonresident uses when doing so serves a legitimate governmental purposes and the limitation or closure relates in some rational manner to a particular problem caused by the nonresident use. Conversely, there may be no legal reason or need to limit nonresident uses if the nonresident harvest is so miniscule as to have no effect on game populations.

Proposal 49: Some have questioned the constitutionality of previous versions of this proposal. It is the Dept. of Law's view that, as currently drafted, this proposal complies with all applicable constitutional principles.

Proposals 60, 61 and 77: The Board may adopt proposals along the lines of what is proposed, but better regulatory language will need to be developed.

Proposals 66, 67, 68 72, 73, 74, 75, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, and 89: All of these proposals suggest discrimination in favor of residents over nonresidents, in some fashion. The Board may limit nonresident uses more than resident uses when doing so serves a legitimate governmental purposes and the limitation relates in some rational manner to a particular problem caused by the nonresident use.

Proposal 71: Intensive management is not, currently, primarily applied to an area. Rather, it is applied to individual game populations. The Board would need to adjust several other regulations if it decides to switch to a primarily area-based approach. Also, this proposal raises the same constitutional issues addressed above for proposal 66.

Proposal 76: The Board may adopt regulations along the lines proposed here, but should ensure that any such regulations track AS 16.05.255(i) in doing so.

Proposal 105: It is already the law that if an animal is mortally wounded, it has been "killed" or "taken" and so, at least if the hunter knows it has been mortally wounded, it must be counted against the bag limit, salvaged, reported, etc. The Board could clarify this further, if it so desired.

Proposal 113: Any federal officer in Alaska that is considered to be a "police officer" or "an officer whose duty it is to enforce and preserve the public peace" is already defined by AS 01.10.101 and, more specifically, by AS 16.05.150 to be a "peace officer of the state" and is authorized to enforce Alaska's fish and game laws. The Board cannot change that grant of authority.

Proposal 128: The Board has no authority to establish fees.

Proposal 130: If this proposal is adopted, the title of 5 AAC 92.125 should be changed to “Predation Control and Intensive Management Plans,” as musk oxen have not been identified for intensive management.



State of Alaska

Department of Public Safety

Division of Alaska Wildlife Troopers

Sean Parnell, Governor
Joseph A. Masters, Commissioner

November 29, 2011

Chairman Judkins
Alaska Board of Game
P.O. Box 115526
Juneau Ak, 99811-5526

Dear Chairman Judkins:

The following comments give a brief description of the positions that the Department of Public Safety, Division of Alaska Wildlife Troopers has on the proposals that are up for consideration at the January, 2012, Alaska Board of Game meetings in Anchorage.

In general, when the board considers seasons and or bag limit changes, the Alaska Wildlife Troopers request that every effort possible be made to align the season dates and bag limits with adjacent game management units and/or sub units. This is mainly due to enforceability of multiple seasons in multiple locations as well as consistency of the regulations for the public. When the board considers proposals having to do with allocation or biological concerns, AWT is generally neutral in position.

AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Further, all management plans rely upon public compliance with regulations to achieve success. Enforcement is a crucial element needed to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and man power and any new regulation scheme or area restrictions may place an additional burden on AWT.

Comments on specific proposals AWT favors or opposes are included in this letter.

Thank you for your time.

Bernard Chastain

Lieutenant, Alaska Wildlife Troopers
Anchorage Headquarters

Proposal Analysis-

Proposal 46

In general, AWT has **no recommendation** on this proposal. The justification for allowing the sale of these items is that Alaska Department of Fish and Game feels that the sale of big game trophies would not create a conservation concern through the harvest of specific animals. AWT feels that the sale of trophies and animal parts has been and currently is an enforcement concern. The current regulations are sufficiently complex. Items taken under one system or hunting regime are allowed to be sold while items taken under a different hunting regime are not. If the board decides to allow sale of trophies, AWT asks that the sale of all trophies be allowed.

Proposal 49

This is an AWT generated proposal and we recommend that the board **amend and adopt**. Amended language is provided in this document to give the public as much chance as possible to prepare their testimony for the January board meeting. Amended language and documentation will be submitted to the board by RC at the January meeting.

In March 2011, AWT brought this proposal before the board as proposal 220. The board deferred this proposal until the January 2012 statewide meeting. During the March 2011 meeting, the board also asked AWT to work with the Taxidermy industry to solicit additional input and come up with possible language that would work for both the industry and enforcement.

In May of 2011, AWT sent out priority mail letters to the 106 currently licensed taxidermists in the state. The letter outlined the proposed regulation change and listed the regulation proposed language. The letter asked that the taxidermist review the language and submit any comments back to AWT no later than August 15th, 2011. Alaska Wildlife Troopers received a total of nine comments back from taxidermists on this issue. Five comments were opposed to any regulation that required them to keep records that would be inspected. Four comments supported the requirement to keep a log of the animals in their shop or a variation of a state issued log sheet. One taxidermist who responded provided a log sheet that they currently keep and a tracking system that is very similar to AWT's proposal.

In August 2011, Fairbanks taxidermists scheduled a meeting to discuss this proposal, now proposal 49. Attending the meeting were approximately 10-12 taxidermists from the Fairbanks area, Senator Coghill, Representative Wilson, Commissioner of Public Safety Joe Masters and AWT representatives. The meeting served to air some of the concerns about this proposal. During the meeting, some industry members suggested that an alternative to keeping a state issued log sheet may be to provide AWT with the companies "business record". The suggestion stemmed from the desire of the taxidermist to not duplicate records within their business. AWT's impression after leaving the meeting was that some if not most of the industry members represented at the meeting could support the option of providing the business record instead of a separate state issued log sheet. After further discussion, AWT could also support this option and it is reflected in the amended language submitted to the board in this document.

The original proposal language asked the board to grant AWT authority to inspect the log sheet, state-issued sealing paperwork and animals within the business. Since the original proposal, AWT has refined the language and removed the request to inspect for animals within the business, but maintains the request to require the taxidermist to keep a record and have it available for inspection. AWT submits the following amended language to the board for consideration;

(a) A person licensed as a taxidermist in the state that performs any taxidermy on big game, small game or furbearers shall maintain an accurate and detailed record which specifies all big game, small game or furbearers acquired, possessed or stored for taxidermy purposes. Such record shall include at least the following:

- 1) The date, name and address of the person from whom each specimen was received.*
- 2) A description of each specimen or the description of the part received.*
- 3) The date, name and address of the person to whom each processed specimen is delivered.*

(b) Records required under (a) may be kept on a log provided by the department or on business records kept by the taxidermist.

(c) Upon receiving a specimen or part thereof, the information required in (a) shall be immediately recorded.

(d) The record required in (a) shall be retained for a period of five years.

(e) Department of Public Safety is authorized to conduct inspections for compliance with this section during normal business hours or between 9 a.m. to 5 p.m.

Under (a), the new language reflects that there is already a defined term for taxidermy contained within AS 16.05.940 (35). Therefore, there is no reason to further define this term. AWT is only requesting that the board grant inspection authority on records kept by the taxidermist on big game, small game and furbearers. Throughout the public comment period, AWT consistently heard that taxidermists may not be able to get the hunters hunting license number to add on the record. Examples were given that made it clear that hunters do not always drop off their own items to the taxidermist and adding the hunting license number of the person who shot the animal may not be easy. AWT has access to the hunting license number of the person if needed.

Under (b) AWT added the option of keeping this information on business records already maintained by the taxidermist. Many of the written and verbal comments received by AWT had to do with duplicity of record keeping. AWT listened to the comments and added this reasonable request. The remainder of the language remained the same.

Throughout the history of this proposal there have been many allegations as to the true purpose of this proposal. Further, there have been several concerns with the constitutionality surrounding AWT's request to inspect records at licensed taxidermy businesses. The Department of Public Safety and a Department of Law appointed attorney do not believe that there is any constitutional

issue with this proposal whatsoever. DPS will be providing documentation to the board in an RC which will reflect this belief. There is no hidden agenda with this proposal. If passed, this regulation will provide AWT with a tool to inspect records kept by a taxidermist which reflect the game they possess for taxidermy purposes. The ability to inspect these records will allow AWT to look for specific animals that AWT suspects have been taken illegally and document that they are located at the taxidermy shop so we can take additional investigative steps.

Proposal 55

AWT recommends the board **adopt** this proposal. By defining “crossbow” in regulation, it will clarify what a crossbow is and when it can be used. Alaska Wildlife Troopers support clear and understandable regulations.

Proposal 99

AWT has **no recommendation** on this proposal. This proposal asks the board to make it illegal for hunters to take game on the same day that they have been transported into the field by commercial transporters. If the board passed this regulation, it would need to consider the effects on vessel based and vehicle based transporters and how they would be allowed to operate. While on the surface, it may appear that it would make enforcement easier by eliminating vessels transiting through areas and taking animals while being transported, it would create enforcement concerns as well. If passed as written, AWT would be required to prove that the person was dropped off by the transporter and did not take that animal until the following day. While this is the standard for same day airborne with aircraft, it may still be difficult to prove.

Proposal 104

AWT has **no recommendation** on this proposal. This proposal asks the board to prohibit the use of deer or elk urine for hunting. AWT has concerns as to the enforceability of this regulation and feels that enforcing this regulation as written would be difficult due to several reasons. First, it would be difficult for AWT to detect that urine was either applied to plants or trees in the hunting area. Similarly, AWT Troopers would likely need to smell the clothing of the hunter to determine if the hunter had applied urine. Many times urine is applied to the soles of the boots. This may be problematic when trying to determine if urine was used in the field. Hunters often apply this at the vehicle or access point to the field. Second, if the regulation passes as written, AWT would have difficulty determining if the hunter had deer or elk urine in their possession. AWT cannot arbitrarily search backpacks, coat pockets or any other areas capable of concealing the urine. Finally, in the event that AWT felt that there was probable cause that the hunter was using deer or elk urine and the hunter denied the use, we would need to be able to articulate to a judge why we felt urine was used and apply for a search warrant to search the hunter’s belongings. There would be some anticipated problems with being able to establish the probable cause to make this viable.

Proposal 105

AWT has **no recommendation** on this proposal. However, enforcement of this regulation in general is difficult for AWT. Persons wishing to ignore this regulation and continue to hunt after wounding an animal will likely get away with this crime.

Proposal 111

AWT recommends **do not adopt** on this proposal. The current regulation specifies that only “sufficient portions of the external sex organs” need to be attached to determine conclusively the sex of the animal. This is enforceable for AWT.

Proposal 112

AWT recommends **do not adopt** on this proposal. This regulation is particularly important to AWT when the taking of an animal is restricted to one sex. The proposer suggests that AWT could retrieve a sample of meat from the hunter and test the DNA to determine the sex of the animal. While this is possible in the most serious cases; DNA testing is very expensive, takes many months to get the results and is simply not feasible in this situation. Further, the proposer suggests that this regulation has nothing to do with “legal harvest”. AWT strongly disagrees with this statement and feels that without the requirement to leave evidence of sex naturally attached; numerous illegal animals would be harvested ultimately affecting management goals.

Proposal 113

AWT was asked by Alaska Department of fish and Game to write the recommendation for this proposal due to the enforcement nexus.

EFFECT OF THE PROPOSAL: Remove the reference to Federal fish and Wildlife Agent under the transfer of possession regulation.

ALASKA WILDLIFE TROOPER RECCOMENDATION: **Do not adopt**

RATIONALE:

Wildlife enforcement is a difficult job anywhere, but the Alaska Wildlife Troopers face challenges not encountered by other law enforcement agencies in the U.S. One fifth the size of the contiguous U.S., Alaska consists of 586,412 square miles of diverse territory. The state is filled with rugged mountains, massive glaciers, tundra, forests, and more than 3,000 rivers, more than 3 million lakes and a coastline of 6,640 miles. The vast expanses of the state, combined with the terrain and weather, create a significant challenge for wildlife troopers. With 97 wildlife Troopers statewide, we are sometimes not able to cover all the areas of the state. Assistance from our federal partners in these situations is appreciated.

The Department of Public Safety issues commissions to some federal enforcement officers. These commissions allow some federal law enforcement personnel to enforce state law on state lands. Basically, they are commissioned state officers for the purposes of enforcing specific state titles and regulations. If the board elects to remove the reference to “Federal fish and Wildlife Agent” within this regulation, it would not change their enforcement authority. Since the

authority to enforce state law is given through the commission granted by the Commissioner of Department of Public Safety, the board of game cannot dictate when that authority is given or removed. Further, since this reference has been in regulation for a long time, the removal from regulation would only add to the confusion the public may have when figuring out who has the authority to enforce this regulation.

Proposal 125

AWT has **no recommendation** on this proposal. However, AWT has enforceability concerns when respect to the 72 hour trap check requirement. This will be very difficult for any law enforcement agency to enforce. Since traps can be checked at any time day or night, law enforcement would be required to set up a stake out or electronic monitoring to determine if the trapper returned at any time within the 72 hour period. This is time consuming and would require extensive resources to enforce.

Proposal 128

AWT has **no recommendation** on this proposal due to its allocative nature. AWT does however question the need for seasons and bag limits on furbearers if trappers are allowed to keep animals that they catch incidentally. If this proposal passes, trappers will be able to leave sets out that target specific animals and claim they were caught incidentally. Further, the trapper would be allowed to keep the animal if they brought it to ADF&G to be sealed. Trappers are very rarely cited by AWT for catching incidental furbearers. Usually, when they are cited it is due to catching and keeping the animal and not turning it in.

Alaska Board of Game Agenda Change Requests

Because of the volume of proposed regulatory changes, time constraints, and budget considerations, the boards must limit their agendas. The boards attempt to give as much advance notice as possible on what schedule subjects will be open for proposals. The following regulation specifies how the Board of Game considers agenda change requests (5 AAC 92.005):

BOARD OF GAME

5 AAC 92.005. The Board of Game, will, in its discretion, change its schedule for considering proposed regulatory changes in accordance with the following guidelines:

- (1) a request to consider a proposed regulatory change outside the board's published schedule must be in writing, and must specify the change proposed and the reason it should be considered out of sequence;
- (2) a request must be sent to the executive director of the boards support section at least 45 days before a scheduled meeting unless the board allows an exception to the deadline because of an emergency;
- (3) the executive director shall attempt to obtain comments on the request from as many board members as can reasonably be contacted; and
- (4) if a majority of the board members contacted approve the request, the executive director shall notify the public and the department of the agenda change.

5 AAC 96.625. JOINT BOARD PETITION POLICY

(a) Under AS 44.62.220, an interested person may petition an agency, including the Boards of Fisheries and Game, for the adoption, amendment, or repeal of a regulation. The petition must clearly and concisely state the substance or nature of the regulation, amendment, or repeal requested, the reason for the request, and must reference the agency's authority to take the requested action. Within 30 days after receiving a petition, a board will deny the petition in writing, or schedule the matter for public hearing under AS 44.62.190--44.62.210, which require that any agency publish legal notice describing the proposed change and solicit comment for 30 days before taking action. AS 44.62.230 also provides that if the petition is for an emergency regulation, and the agency finds that an emergency exists, the agency may submit the regulation to the lieutenant governor immediately after making the finding of emergency and putting the regulation into proper form.

(b) Fish and game regulations are adopted by the Alaska Board of Fisheries and the Alaska Board of Game. At least twice annually, the boards solicit regulation changes. Several hundred proposed changes are usually submitted to each board annually. The Department of Fish and Game compiles the proposals and mails them to all fish and game advisory committees, regional fish and game councils, and to over 500 other interested individuals.

(c) Copies of all proposals are available at local Department of Fish and Game offices. When the proposal books are available, the advisory committees and regional councils then hold public meetings in the communities and regions they represent, to gather local comment on the proposed changes. Finally, the boards convene public meetings, which have lasted as long as six weeks, taking department staff reports, public comment, and advisory committee and regional councils reports before voting in public session on the proposed changes.

(d) The public has come to rely on this regularly scheduled participatory process as the basis for changing fish and game regulations. Commercial fishermen, processors, guides, trappers, hunters, sport fishermen, subsistence fishermen, and others plan business and recreational ventures around the outcome of these public meetings.

(e) The Boards of Fisheries and Game recognize the importance of public participation in developing management regulations, and recognize that public reliance on the predictability of the normal board process is a critical element in regulatory changes. The boards find that petitions can detrimentally circumvent this process and that an adequate and more reasonable opportunity for public participation is provided by regularly scheduled meetings.

(f) The Boards of Fisheries and Game recognize that in rare instances circumstances may require regulatory changes outside the process described in (b) - (d) of this section. Except for petitions dealing with subsistence hunting or fishing, which will be evaluated on a case-by-case basis under the criteria in 5 AAC 96.615(a), it is the policy of the boards that a petition will be denied and not schedule for hearing unless the problem outlined in the petition justifies a finding of emergency. In accordance with state policy expressed in AS 44.62.270, emergencies will be held to a minimum and are rarely found to exist. In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future. (Eff. 9/22/85, Register 95; am 8/17/91, Register 119; readopt 5/15/93, Register 126)

Authority: AS 16.05.251, AS 16.05.255, AS 16.05.258

Board of Game
Kristy Tibbles, Executive Director
PO Box 115526
Juneau, AK 99811-5526

November 10, 2011

Board of Game
Agenda Change Request

The Naknek/Kvichak AC would like the BOG to consider an ACR concerning the brown bear hunting season and the moose season in Unit 9C due to unforeseen circumstances.

When consideration was made to create a problem bear permit hunt along the Naknek drainage there was no discussion of reducing the present brown bear hunting season in the Naknek River drainage. What happened was the elimination of the yearly spring / fall hunt in the Naknek River drainage. (Previously the brown bear season in the Naknek River drainage ran from May 1-June 30 and September 1-October 31). Reducing the bear hunting season is a step backwards in trying to correct the predator situation in Unit 9C. Because of Katmai National Park we are being over-run with bears as they spill out of the protected park.

When the Nak/Kvi AC supported an increase of five (5) days to the moose season we were led to believe that the moose population was healthy and sustaining. This is not the case. Harvest numbers indicate that a substantial number of bulls were taken after September 15th and that moose sightings and success numbers were down from previous figures (late 90's-early 2000's). An accurate count of moose numbers is needed immediately.

For brown bear we propose eliminating the Trophy Bear Area title and support the harvest of 1 brown bear every year in Unit 9.

For moose we propose to return to moose season September 1-15, one antlered bull.

Thank you for your consideration,

Nak?Kvi AC

William "Sonny" Regan, Co-chairman Nak/Kvi AC

Alaska Falconry Manual

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ALASKA FALCONRY MANUAL NO. 8



**Alaska Board of Game
Alaska Department of Fish and Game
July 1, 2008**



IMPORTANT DATES

January 10	Due date for annual falconry and raptor propagation reports. Date to request permit renewal (unless otherwise specified). Requests for renewal must be submitted <i>at least 20 days prior to expiration of the current permit.</i>
January 31	Date falconry and raptor propagation permits expire.
May 26 – August 5	Period when eyases may be taken.
August 15 – November 30	Period when passage birds, adult American kestrels and adult great horned owls may be taken.

IMPORTANT REMINDERS

Taking Raptors	Report to the regional falconry representative and nearest department office in the intended area of take <i>prior to and within 5 days after</i> taking a raptor from the wild. You must also report to both the ADF&G Permits Section and the USFWS (Form 3-186A) <i>within 5 days</i> of taking a raptor. Additional reporting requirements apply for peregrine falcons.
Markers	Upon taking a peregrine falcon or gyrfalcon, a USFWS marker (black band) must be attached; a department marker (red band) must be placed on any other raptor originating from the wild and possessed in Alaska.
Release/Loss/Death of Raptors	Notify the regional falconry representative <i>prior</i> to the intentional release of any raptor. Notify the ADF&G Permits Section and the USFWS (Form 3-186A) of the loss, escape, release, or death of any raptor <i>within 5 days</i> of such occurrence. Deliver the marker from a dead or released raptor to the regional falconry representative <i>within 15 days</i> of death or release.
Import/Export	<p>Prior written approval from the ADF&G Permits Section is required before any raptors may be <i>imported</i> into or permanently <i>exported</i> from Alaska.</p> <p>A person with a current permit for falconry from another state or province may import raptors and use them for falconry for up to 30 days under the terms of a temporary import permit issued by the ADF&G Permits Section.</p> <p>Raptors imported into Alaska must be accompanied by a health certificate issued within 30 days prior to the date of importation. A "health certificate" means a legible certification issued by an accredited veterinarian of the state of origin or the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture (APHIS-USDA) and executed on an official form of the state of origin or of the APHIS-USDA. Consult the State Veterinarian (Department of Environmental Conservation) or ADF&G Permits Section for current disease testing requirements before applying for an import permit.</p> <p>For raptors traveling through Canada or to or from a foreign country, please contact the U.S. Customs Service and the U.S. Fish and Wildlife Service to obtain information, appropriate declaration forms, and export/import permits or licenses.</p>

Cover illustration courtesy of William R. Tilton



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GENERAL INFORMATION

Purpose

Falconry is the sport of pursuing, capturing, or killing game using a trained raptor. Falconry is a lawful hunting method when practiced in compliance with state and federal regulations under the terms of a permit issued jointly by the Commissioner of Fish and Game and the U.S. Fish and Wildlife Service (USFWS). There are eleven species of raptors authorized for falconry in Alaska: sharp-shinned hawk (*Accipiter striatus*), northern goshawk (*Accipiter gentilis*), red-tailed or Harlan's hawk (*Buteo jamaicensis*), golden eagle (*Aquila chrysaetos*), American kestrel (*Falco sparverius*), merlin (*Falco columbarius*), gyrfalcon (*Falco rusticolus*), American peregrine falcon (*Falco peregrinus anatum*), arctic peregrine falcon (*Falco peregrinus tundrius*), Peale's peregrine falcon (*Falco peregrinus pealei*), great horned owl (*Bubo virginianus*), and hybrids of these species produced by a raptor breeder. Alaska regulations require that anyone taking, holding, or possessing one or more of these raptor species for falconry must first obtain a falconry permit.

State falconry regulations were adopted by the Alaska Board of Game to assist in the management of raptor populations and to maintain standards for the care of birds legally held for falconry purposes. This manual includes regulations that pertain to the taking, holding and possession of raptors for falconry and issuance of falconry permits. Whether you are a novice falconer or an experienced falconer who is new to Alaska, the application and reporting procedures may seem complex and are summarized for your convenience below. More detailed information is contained in the Standards section of this manual and is not repeated here; please refer to the Standards section before conducting your falconry activities. Statewide provisions for issuing falconry permits and promulgating regulations are contained in 5 AAC 92.037 and AS 16.05.255. Federal regulations on falconry can be found in the Code of Federal Regulations, Title 50, Part 21 (50 CFR §21.28 and §21.29).

Falconry Permits

A falconry permit, when accompanied by a current Alaska hunting license, authorizes you to hunt game with your falcon in compliance with applicable seasons, bag limits, and other provisions of law. You are responsible for the actions of your raptor while it is hunting. If your bird takes game illegally, you must leave the dead game where it lies, although your raptor may feed on the game before leaving the kill site.

Falconry permits are valid from the date issued through January 31 of the third calendar year following the year of issue (e.g., a permit issued on February 4, 2008 expires on January 31, 2011), unless a shorter period is prescribed on the permit. Not later than January 10 of each calendar year, a permittee must submit an annual report (Appendix B) to the ADF&G Permit Section.

Raptors legally possessed under an Alaska falconry permit may not be bred in captivity and birds taken from the wild under authority of a falconry permit may not be sold or bartered. Temporary



transfer of raptors between falconers requires proper notification of state and federal authorities. A permit from the ADF&G Permit Section is required to import a raptor into or permanently export a raptor from the state of Alaska. All raptors imported into Alaska must be accompanied by a health certificate and meet disease testing requirements as specified by the state veterinarian. You may not permanently export a raptor taken from the wild in Alaska unless you have legally possessed the bird in the state for at least one year.

There are three classes of falconry permits issued depending on your experience: apprentice (new falconers); general (at least two years experience as a practicing falconer); and master (at least five years experience as a practicing falconer). You must have a bird in possession to be considered a practicing falconer. The table below summarizes the permit conditions for each class of falconer:

Permit Condition	Apprentice	General	Master
Max no. of falconry birds in possession	1	2	3
Max no. of birds (including replacements) that may be obtained from all sources during any 12-month period	2	2	No limit
Max no. of birds that may be taken from the wild during any 12-month period	2	2	2
Authorized species	American kestrel northern goshawk red-tailed hawk Harlan's hawk	All except eagles (but only falconers with more than 2 yrs. experience at the general class level may take a peregrine falcon from the wild)	All
Possession of hybrids allowed?	No	Yes	Yes

Application Procedures

If you have never held a falconry permit in Alaska before, the basic application procedures are the same whether you are a new (apprentice) falconer or transferring a permit from another state. To apply, you must: (1) pass the Alaska falconry exam; (2) have your raptor facilities and equipment inspected and approved by ADF&G; and (3) submit an application form to the ADF&G Permit Section (new falconers must also include the application fee). Permits may be renewed by checking the renewal box on the annual report form and paying the application fee. Please contact the ADF&G Permits Section or USFWS for the current fee schedule. The application fee may be submitted with the application or mailed directly to the USFWS. Please make checks or money orders (no cash) payable to the U.S. Fish & Wildlife Service.

If you are transferring a permit from another state, you must submit photocopies of your current falconry permit, along with copies of your annual reports to document the requisite years of experience at the class level for which you are applying.

To be eligible for an apprentice class permit, you must be at least 14 years of age and be sponsored by a general or master class falconer (a falconer may not sponsor more than three apprentices at one time). Your sponsor will provide help and guidance to get started, but you should expect to invest considerable amounts of time on your own learning about raptors and falconry by reading and observing raptors in the wild. If you do not know any falconers who can serve as a sponsor, contact your regional falconry representative for recommendations or a list of active falconers in your area. You may have to travel long distances to meet with your sponsor. This requirement will not be waived under any circumstances, even if there are no falconers nearby who are willing and qualified to serve as your sponsor.

Falconry Examination

All new (apprentice) falconers and falconers who are transferring a permit from another state must take the Alaska falconry examination. This is to ensure that you are familiar with Alaska's falconry regulations and standards and are knowledgeable about caring for raptors in extreme climate conditions. The falconry examination is designed to test your knowledge of raptor identification, natural history of Alaska raptors, care of raptors in captivity, and Alaska falconry rules and regulations. The test will take a maximum of two hours, and it will be a supervised, closed book examination. You are required to answer correctly at least 80 percent of the questions to pass the test. A person who fails the examination may retake it after waiting at least 30 days, but an applicant may not take the examination more than twice during any six-month period. When you are ready to take the test, contact your regional falconry representative to make the necessary arrangements.

To prepare for the examination, study the falconry standards included in this manual carefully. You must have a thorough understanding of Alaska falconry regulations and standards. Become familiar with the natural history, care, and training of raptors and the art of falconry. Be sure you know how to care properly for raptors in extreme cold and/or wet conditions. References available at libraries or bookstores will acquaint you with caring for a raptor and explain how to train a bird for falconry. Suggested references on falconry and the natural history of raptors are listed below.

Falconry:

Beebe, F. L. and H. M. Webster. 1994. *North American Falconry and Hunting Hawks, 7th edition*. North American Falconry and Hunting Hawks, Denver, Colorado.

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- Haak, B. A. 1992. *The Hunting Falcon*. Hancock House, Surrey, British Columbia.
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Natural History of Raptors:

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- Fox, Nicholas. 1995. *Understanding the Bird of Prey*. Hancock House Publishers, Blaine, Washington.

- Johnsgard, P. A. 1990. *Hawks, Eagles, and Falcons of North America: Biology and Natural History*. Smithsonian Institution Press, Washington DC.
- Newton, I. N. 1979. *Population Ecology of Raptors*. Buteo Books, Vermillion, South Dakota.
- Palmer, R. S. 1962. *A Handbook of North American Birds*. Yale University Press, New Haven, Connecticut.
- Peterson, R. T. 1990. *Western Birds*. Houghton Mifflin Co., Boston.
- Poole, A. and F. Gill, eds. 1992-2001. *The Birds of North America*. American Ornithologists' Union, Washington, DC and Academy of Natural Sciences, Philadelphia.
- Weidensaul, S. 2000. *The Raptor Almanac: A Comprehensive Guide to Eagles, Hawks, Falcons, and Vultures*. Lyons Press, Guilford, Conn.
- Wheeler, B. K. and W. S. Clark. 1999. *A Photographic Guide to North American Raptors*. Academic Press, San Diego.

Facilities and Equipment

You are required to provide adequate facilities for holding a raptor in captivity. You are also required to possess proper equipment for practicing falconry before a permit will be issued. Your facilities and equipment must meet the federal standards set forth in 50 CFR §21.29; these standards are summarized for your convenience below. You should contact your regional falconry representative to make arrangements to have your raptor housing facilities and equipment inspected and approved before submitting your application.

The department has not established specifications for hawk houses or mews. Specifications are readily available in reliable falconry texts if a falconer wishes to construct such facilities. Raptors can be retained in captivity and properly cared for without recourse to construction of mews. Some falconers house their birds in the home or garage and utilize the backyard to meet the needs of their raptors. Consequently, this manual provides only a general description as to what constitutes adequate or inadequate facilities, *leaving final judgment to those who conduct the inspection*.

If mews are constructed for untethered raptors, the following general specifications should apply:

- Loft, house, pen or enclosure size:
- Large.....8' x 8' x 7'
(Gyr falcon, goshawk, red-tailed hawk, peregrine falcon)
- Small.....6' x 6' x 7'
(American kestrel, merlin, sharp-shinned hawk)

Mews shall have at least one window protected on the inside by vertical bars (dowels, tubing, etc.), spaced narrower than the width of the bird's body. Chicken wire or hardware cloth is unacceptable for covering windows. The door must be secure and easily closed. Artificial (plastic) grass (such as AstroTurf®) is recommended for the perching surface of blocks used for falcons; uncovered blocks are *not* recommended. Straw or sawdust/wood chips are *not* suitable for floors of mews due to the potential for harboring aspergillosis or other pathogens. Artificial (plastic) grass is easily cleaned and has proven to be good floor covering for mews.

Tethered raptors should be provided with a padded perch. When placed out-of-doors, raptors should be protected from cats, dogs, and wild predators, excessive exposure to wind, rain, snow or sun, and provided with water for drinking and bathing.

Poor physical condition of raptors (e.g., excessive broken tail and wing feathers, damage to cere and head, dirty appearance) is a sign/symptom of inadequate care. Examples of inadequate housing are:

- bird cage of the pet store variety;
- housing constructed of chicken wire, hardware cloth, or with exposed, sharp obstructions;
- housing with exposure to the elements; or
- unsanitary housing such as unclean chicken houses or pigeon lofts.

An applicant must possess the following falconry equipment before a permit will be issued:

1. Jesses, leashes, and swivels—At least 1 pair of Aylmeri or similar type jesses constructed of pliable, high-quality leather or suitable synthetic material must be used when any raptor is flown free. Traditional 1-piece jesses may be used on raptors when they are not being flown. At least 1 flexible and weather-resistant leash and 1 strong swivel of acceptable falconry design (e.g., Sampo or falconry swivel).
2. Bath container—For each raptor, at least 1 container suitable for drinking and bathing, 2 to 6 inches deep and wider than the length of the raptor.
3. Weighing device—A reliable scale or balance suitable for weighing the raptor(s) and graduated into increments of not more than 1/2 ounce (15 grams).

Applicants should have spare materials and the tools necessary to make additional leashes, jesses, grommets, etc. The size, strength, and type of equipment and facilities should be appropriate for the size and type of raptor being held.

Records and Reporting

Falconry permits are issued with a number of reporting conditions. Failure to comply with these conditions constitutes a violation of your permit and may result in your permit being revoked or your renewal being denied. You are required to file a report annually by January 10 that details the status of all falconry birds in your possession at any point during the preceding calendar year.

Report forms are mailed to falconers in November. Please notify the ADF&G Permits Section if you change your mailing address. You are required to file an annual report even if you do not receive a report form in the mail. Report forms are available on the ADF&G website or from the Permits Section. Please be sure to fill out all the requested information completely; reports with missing information will be returned to the falconer.

If you intend to take a raptor from the wild, you must first notify both the regional falconry representative and the nearest department office in the intended take area of your planned taking activities (including the species, location, and dates). Within 5 days of taking any raptor, you must notify the regional falconry representative in the take area of your completed taking activities, including the specific location and date of take, and the species, age (if known) and sex (if known) of the raptor taken, along with any other information required by the department. There are additional notification and reporting requirements for peregrine falcons; these are detailed in the Falconry Standards section (page 18). In addition, within 5 days of taking any raptor, you must submit USFWS Form 3-186A (Migratory Bird Acquisition/Disposition Report) to the ADF&G Permits Section and the USFWS. Form 3-186A is also used to inform the department and the USFWS in writing of any transfer, release, escape, or death of a raptor within *five days* of such occurrence.

You should always keep a copy of your falconry permits, annual reports, 3-186As, import and export permits and all other falconry-related records.

Markers

Before taking a raptor, you must possess a valid falconry permit and an appropriate USFWS or ADF&G marker (band) issued in your name. USFWS markers are black in color, and department markers are red. Requests for markers should be made *in writing* to the USFWS Migratory Birds Permit Section (black bands) or to your ADF&G regional falconry representative (red bands) well in advance of the date you anticipate needing them.

Immediately upon taking a raptor, you must attach the appropriate marker (see Banding section below). Federal markers (black bands) are used on only two species in Alaska; peregrine falcons and gyrfalcons. Department markers (red bands) are used on all other species (sharp-shinned hawk, northern goshawk, red-tailed or Harlan's hawk, American kestrel, merlin, golden eagle or great horned owl). Once attached, the marker must not be removed, except that the rear tab may be trimmed and any imperfections on the surface may be smoothed, provided that the integrity of the marker and numbering are not affected.

All markers (black and red) from dead or released raptors must be surrendered to the department within 15 days of death or release.

Banding

Applying a falconry marker to a raptor may be challenging, even to an experienced falconer. The paramount consideration in banding any bird is to ensure the marker fits properly on the tarsus

and is applied without injuring or causing undue stress to the raptor. The following guidelines and illustrations are provided to assist you in accomplishing this important task.

1. Record the marker number in your personal banding diary and on USFWS Form 3-186A (Migratory Bird Acquisition/Disposition Report).

Note: In Alaska, USFWS markers are used only on gyrfalcons and peregrine falcons. All other raptors require ADF&G markers.

2. Outfit the marker with protective tubing (figure 1). The installation of clear, plastic tubing over raptor markers serves to lessen the risk of injury to raptors by reducing marker abrasion to the tarsus and preventing accidental closure of the marker. Plastic tubing also protects the marker's identification number. The best choice of clear, plastic tubing is AWG Size #10 with standard 0.016" wall thickness, commonly used for electrical wire installation. It is usually available from the USFWS (inquire when requesting markers from USFWS) or may be purchased from hardware and electrical supply stores.

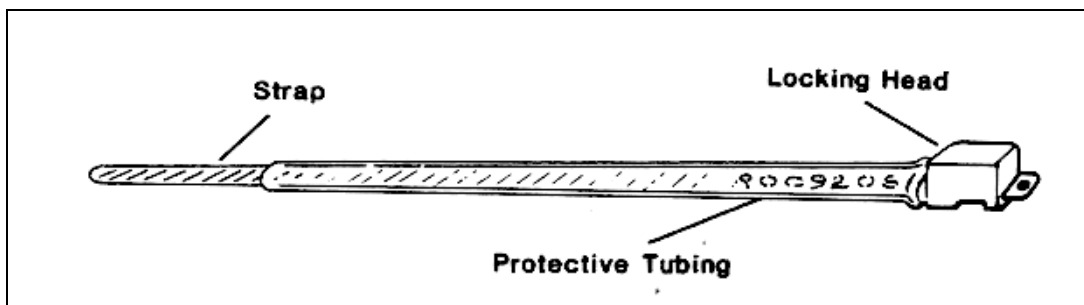


Figure 1

The length of protective tubing placed on the marker is very important since it limits how tightly a band may be closed on the tarsus. Use the following table to determine the length of tubing to apply to the marker:

Species (typical applications)	Length of Tubing (inches)	
	Male	Female
sharp-shinned hawk	3/4	7/8
goshawk	1-3/8	1-1/2
American kestrel	7/8	7/8
merlin	7/8	15/16
peregrine falcon	1-3/8	1-1/2
gyrfalcon	1-7/8	1-7/8
Harlan's hawk	1-7/8	1-7/8

Cut the tubing to length, ensuring the ends are square. Insert the marker strap into tubing as follows: hold the tube against a flat surface, push the strap through the tube until the tip is exposed, and grasp the strap tip and slide the tube solidly against the locking head.

Do not lubricate the strap or tube. Pliers are useful for longer tubes. The marker, fitted with protective tubing, is now ready to be placed on the raptor.

3. Attach the marker. Warm the marker in your hand while bending it into a circular form. Position the marker on the tarsus *above* the jess (figure 2). The marker should be placed on the raptor's left leg with the serial number right side up. This will tend to center the locking head in an outboard position if a nametag or bell is attached to the rear tab.

Insert the end of the strap through the locking head box (figure 3). Use pliers to pull the strap through and about an inch beyond the locking head. Slowly close the marker to the appropriate size by pulling the strap through the locking head. It should not be necessary to use pliers.

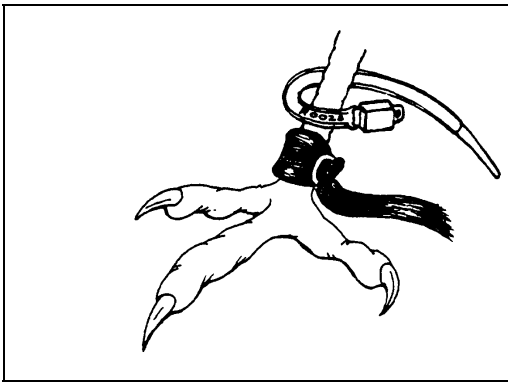


Figure 2

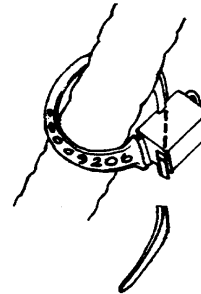


Figure 3

Use fingernail clippers or scissors to cut off the excess strap that extends beyond the locking head. It is important that the strap be cut flush with the surface of the locking head to prevent the bird from pulling at it.

Note: A properly fitted marker will move freely on the leg but be tight enough to prevent removal from an unjessed raptor.

Captive Breeding

Captive breeding or propagation of raptors may only be conducted by qualified falconers under the terms of special propagation permits issued by both the ADF&G Permits Section and the USFWS. For additional information about captive breeding of raptors in Alaska, or to apply for propagation permits, contact the ADF&G, Permit Section and the USFWS, Migratory Birds Permit Section.

FALCONRY REGULATIONS

5 AAC 92.029. Permits for possessing live game.

...

(f) ... the following species may be temporarily released for the purpose of hunting dog or falcon training, field trials, and tests:

(1) Pigeon (*Columba livia* Var.);

(2) Pheasant, Junglefowl, or *Coturnix* (Subfamily Phasianinae);

(3) any Guineafowl species (Subfamily Numidinae);

(4) any New World Quail species, including *Colinus*, [i.e., Bobwhite] (Subfamily Odontophorinae);

(5) any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service has determined does not require a federal permit for private ownership;

(6) Chukar partridge (*Alectoris chukar*).

(g) A person using live game listed in (f) of this section for the purpose of hunting dog or falcon training, field trials, or tests

(1) may release the game only on the day of use and shall make reasonable efforts to capture, kill, or recover the temporarily released live game;

(2) may take the live game in connection with hunting dog or falcon training, field trial, and test activities; and

(3) must legally acquire, hold, and dispose of the live game in accordance with all other applicable state statutes and regulations.

...

5 AAC 92.037. Permits for falconry. (a) A permit jointly issued by the department and the United States Fish and Wildlife Service is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the Alaska Falconry Manual No. 8, dated July 1, 2008; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (f) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

(b) A person may not permanently export a raptor taken from the wild in this state unless the person has legally possessed that raptor in this state for at least one year. Prior written approval

of the commissioner is required before a raptor may be exported from or imported into this state, except as follows:

(1) a raptor legally possessed by an Alaska falconer may be temporarily exported from this state for a period not to exceed 12 months;

(2) an individual with a permit for falconry in another state or province may temporarily import a raptor, and use it for falconry under the terms of a temporary permit issued by the commissioner; an individual moving into this state may import a raptor under authority of a temporary permit, but must apply for a falconry permit in this state within 30 days after the raptor arrives in this state.

(c) A falconer is liable for the actions of the raptor with respect to seasons, bag limits, and other applicable regulations. If a falconry bird takes game that may not be taken under established regulations, the falconer must leave the dead game where it lies, except that the raptor may feed upon the game before leaving the kill site.

(d) The commissioner may impose additional permit conditions as necessary.

(e) Before taking American or arctic peregrine falcons for the practice of falconry, a permittee must possess either an Alaska master class falconry permit or an Alaska general class falconry permit and have more than two years of experience in the practice of falconry at the general class level.

(f) In this section, "raptor" means any bird of the following species:

- (1) sharp-shinned hawk (*Accipiter striatus*);
- (2) northern goshawk (*Accipiter gentilis*);
- (3) red-tailed or Harlan's hawk (*Buteo jamaicensis*);
- (4) golden eagle (*Aquila chrysaetos*);
- (5) American kestrel (*Falco sparverius*);
- (6) merlin (*Falco columbarius*);
- (7) gyrfalcon (*Falco rusticolus*);
- (8) American peregrine falcon (*Falco peregrinus anatum*);
- (9) arctic peregrine falcon (*Falco peregrinus tundrius*);
- (10) Peale's peregrine falcon (*Falco peregrinus pealei*);

(11) great horned owl (*Bubo virginianus*);

(12) a hybrid of the species in this subsection that is produced by a raptor breeder.

Note: For regulations governing hunting of small game and migratory birds, including special seasons and/or restrictions for falconry (5 AAC 85.065), refer to the current **Alaska State Hunting Regulations or Alaska Migratory Bird Hunting Regulations**.



ALASKA FALCONRY STANDARDS

Definitions

1. For the purpose of the falconry standards:
 - a. “Falconry” means the sport of pursuing, capturing, or killing game by means of trained raptors.
 - b. “Take” means to trap or capture, or attempt to trap or capture any raptor.
 - c. “Raptor” means any bird of the following species: sharp-shinned hawk (*Accipiter striatus*), northern goshawk (*Accipiter gentilis*), red-tailed or Harlan’s hawk (*Buteo jamaicensis*), golden eagle (*Aquila chrysaetos*), American kestrel (*Falco sparverius*), merlin (*Falco columbarius*), gyrfalcon (*Falco rusticolus*), American peregrine falcon (*Falco peregrinus anatum*), arctic peregrine falcon (*Falco peregrinus tundrius*), Peale’s peregrine falcon (*Falco peregrinus pealei*), great horned owl (*Bubo virginianus*), and hybrids of these species produced by raptor breeders.
 - d. “Eyas” means a raptor from the wild in its first year that is not yet capable of flight.
 - e. “Passage bird” means a raptor from the wild in its first year that is capable of sustained flight.
 - f. “Permittee” means a person who takes, transports, or possesses a raptor for falconry or for the practice of falconry under a falconry permit issued in accordance with the falconry standards in this section of this manual.
 - g. “Transfer of raptor” means to transfer or change the possession of a raptor from one permittee to another permittee; transfer does not include the sale, barter, or exchange of a raptor for anything of value.

Falconry Permits

2. A person may not take, transport, or possess a raptor for falconry or for the practice of falconry in Alaska without possessing a valid falconry permit. A falconry permit shall be issued jointly by the department and a representative of the Alaska office of the U.S. Fish and Wildlife Service.
3. A falconry permit is nontransferable. When accompanied by a current Alaska hunting license issued to the permittee, a falconry permit authorizes the permittee to hunt game in compliance with seasons, bag limits, and other provisions of law.
4. A falconry permit is valid from the date issued through the 31st day of January of the third calendar year following the year of issue, unless the department specifies a shorter period on the permit.

5. A representative of the department may, at a time mutually agreed upon by the permittee and the department, inspect a permittee's raptor and raptor facilities. If an inspection reveals that a raptor is in poor condition as a result of the permittee's negligence, if facilities are determined to be inadequate under federal standards in 50 CFR §21.29, or if the permittee violates any other provision of the falconry standards in this section of this manual, the department may revoke the permit.
6. Falconry permits are issued for apprentice, general, and master class falconers.
 - a. Apprentice class permits are issued with the following conditions:
 - (1) A permittee may not possess more than one raptor at any time nor obtain more than one raptor for replacement during any 12-month period; and
 - (2) A permittee may take, transport, or possess only the following species, which must be taken from the wild: American kestrel, northern goshawk, and red-tailed or Harlan's hawk.
 - b. General class permits are issued with the following conditions:
 - (1) A permittee may not possess more than two raptors at any time nor obtain more than two raptors, whether for initial stocking or for replacement of raptors already possessed under a permit, during any 12-month period;
 - (2) A permittee may take, transport, or possess only the following species: American kestrel, merlin, northern goshawk, sharp-shinned hawk, red-tailed or Harlan's hawk, gyrfalcon, captive-bred peregrine falcon, great-horned owl, and hybrid raptor. A permittee with more than two years of experience in the practice of falconry at the general class level may also take, transport, or possess a Peale's peregrine falcon, American peregrine falcon and arctic peregrine falcon; and
 - (3) An interspecific hybrid raptor must be surgically sterilized and may not be flown free unless the permittee first attaches to the bird at least one radio transmitter designed to track the bird if it is lost.
 - c. Master class permits are issued with the following conditions:
 - (1) A permittee may not possess more than three raptors at any time. During any 12-month period, a permittee may not obtain more than two raptors taken from the wild. At any time, a permittee may replace a lawfully possessed raptor with a captive-bred raptor bearing a seamless band;
 - (2) A permittee may take, transport, or possess only the following species: American kestrel, merlin, northern goshawk, sharp-shinned hawk, red-tailed or Harlan's hawk, gyrfalcon, Peale's peregrine falcon, American peregrine falcon, arctic

peregrine falcon, golden eagle (federal regulations contain additional provisions and restrictions for golden eagles), great-horned owl, and hybrid raptor;

- (3) An interspecific hybrid raptor must be surgically sterilized and may not be flown free unless the permittee first attaches to the bird at least one radio transmitter designed to track the bird if it is lost.
7. The commissioner may add to a permit other conditions that the commissioner determines are necessary under the circumstances in order to protect raptors that are to be taken, transported, or possessed under the permit.

Falconry Permit Requirements and Application Procedures

8. Requirements and procedures for new (apprentice) falconers:
 - a. An applicant must be at least 14 years of age;
 - b. An applicant must be sponsored by a general or master class falconer;
 - c. An applicant must answer correctly at least 80% of the questions on a supervised examination administered by ADF&G staff; an applicant who fails the examination may retake a similar test after waiting at least 30 days, but an applicant may not take the examination more than twice during any six-month period;
 - d. An applicant's raptor housing facilities and equipment must be inspected by the ADF&G falconry representative for that region and be certified as meeting the federal standards set forth in 50 CFR §21.29; and
 - e. An applicant must submit a falconry permit application and any applicable fees to the ADF&G Permits Section. An application form is included in the Alaska Falconry Manual and forms are also available from the Permits Section or the regional offices of the department.
9. Requirements and procedures for renewing a permit:
 - a. To renew a falconry permit, a permittee must check the "Are you requesting renewal?" box on the annual report form and pay all applicable fees (please check with ADF&G Permits Section for a current fee schedule). A permit will not be renewed unless the permittee has complied with all reporting requirements and other provisions of the falconry standards in this manual.
 - b. Renewal permits are valid from the date issued through the 31st day of January of the third calendar year following the year of issue, unless the department specifies a shorter period on the permit.

10. Requirements and procedures for upgrading a permit:
 - a. To upgrade a falconry permit, a permittee must submit a written request for an upgrade to the ADF&G Permits Section. The request must specify the number of months of experience the applicant has in the practice of falconry and provide written documentation (annual reports) to support the request (only time with a bird in possession counts as experience). Apprentice falconers must also obtain a letter of recommendation from their sponsor supporting the upgrade.
 - b. A request for an upgrade will be granted at the discretion of the department. A request may be denied due to failure to comply with permit conditions and reporting requirements, substandard raptor housing facilities, birds that are in poor condition, or loss or deaths of raptors in the applicant's care.
 - c. An upgrade may be requested at any time and there is no fee to upgrade an existing permit. The existing permit will be re-issued at the higher class level and will retain the original expiration date.
11. Requirements and procedures to transfer a falconry permit from another state:
 - a. The procedures for transferring a permit from another state are the same as for new falconers, except that no sponsor is required and the falconer must submit a copy of his or her current falconry permit along with the application;
 - b. An Alaska falconry permit issued to a falconer from another state will be issued at the apprentice class level unless the falconer can provide copies of annual falconry reports documenting the requisite experience to qualify at a higher class level.

Temporary Facilities

12. A permittee shall provide all raptors being transported or held in a temporary facility with safe, humane housing and shall protect the raptors from extreme temperatures and excessive disturbance. A person may not hold a raptor in a temporary facility for longer than 30 days.

Annual Report

13. No later than January 10 of each year, a permittee shall submit to the ADF&G Permits Section an annual report that lists all raptors in the permittee's possession and all raptors held during the previous year. For each raptor, the permittee shall indicate the species, marker number, sex (if known), age (if known), date and location of acquisition, manner (escaped, released, or died) and date of disposition, location of escape or release or cause of death, and other information relating to the permittee's falconry activities, as required by the department.

Markers

14. Before taking a raptor, a permittee shall obtain a U.S. Fish and Wildlife Service or ADF&G marker issued in the permittee's name. Upon taking a peregrine falcon or gyrfalcon, a permittee shall immediately attach the U.S. Fish and Wildlife Service marker to the raptor. Upon taking a sharp-shinned hawk, northern goshawk, red-tailed or Harlan's hawk, American kestrel, merlin, golden eagle, or great horned owl, a permittee shall immediately attach the ADF&G marker to the raptor. The marker may not be removed, except that the rear tab may be removed and any imperfections on the surface may be smoothed if the integrity of the marker and numbering are not affected.

Taking of Raptors

15. An eyas may be taken only from May 26 through August 5. A passage bird, adult American kestrel, or adult great horned owl may be taken only from August 15 through November 30. Except for American kestrels and great-horned owls, a raptor that is over one year of age may not be taken. An eyas may be taken only by general or master class falconer; no more than two eyases may be taken during the specified period; and, at least one nestling must be left in any nest from which a bird is removed.
 - a. Peregrine falcon take requirements:
 - (1) An Alaska master class permittee, and an Alaska general class permittee with more than two years of experience in the practice of falconry at the general class level may take peregrine falcons; and
 - (2) Peregrine falcons may not be taken from a corridor extending one-half mile on either side of the Colville River, beginning at the mouth of the Etivluk River and extending downstream to Ocean Point, nor from a corridor extending one-half mile on either side of the Yukon River, beginning at the Alaska/Canada border and extending downstream to Circle, Alaska.
 - (3) The department may restrict the take of peregrine falcons from specific sites or general areas.
16. Permittees must comply with the following notification requirements when taking raptors for falconry:
 - a. Regional falconry representatives and department offices where permittees must report their planned and completed taking activities:
 - (1) Game Management Units 1 - 5: ADF&G, Division of Wildlife Conservation, Region I, 803 3rd Street, P.O. Box 110024, Douglas, AK 99824-0024;
 - (2) Game Management Units 6 - 17: ADF&G, Division of Wildlife Conservation, Region II, 333 Raspberry Road, Anchorage, AK 99518-1565;

- (3) Game Management Units 19 – 21, 24, 25, 26B, and 26C: ADF&G, Division of Wildlife Conservation, Region III, 1300 College Road, Fairbanks, AK 99701-1599;
 - (4) Game Management Units 18, 22, 23 and 26A: ADF&G, Division of Wildlife Conservation, Region V, Pouch 1148, Nome, AK 99762;
 - (5) State copy of form 3-186A: ADF&G, Permits Section, Division of Wildlife Conservation, 1255 West 8th Street, P.O. Box 115526, Juneau, AK 99811-5526; and
 - (6) Federal copy of form 3-186A: U.S. Fish and Wildlife Service, Migratory Birds Permit Office, 1011 East Tudor Road, Anchorage, AK 99503.
- b. Before taking any raptor from the wild, a permittee must notify:
- (1) the department regional falconry representative in the intended area of take of the permittee’s planned taking activities, including the area, species, and timing of take; and
 - (2) the nearest department office in the intended area of take of the permittee’s planned taking activities, including the area, species, and timing of take.
- c. Within five days after taking a raptor, excluding an American peregrine falcon or arctic peregrine falcon, a permittee must:
- (1) notify the department regional falconry representative in the area of take of the permittee’s completed taking activities, including the specific location, date, species, age (if known) and sex (if known) of take; and
 - (2) submit other information related to the taking, as requested by the department.
- d. Within five days after taking an American peregrine falcon or arctic peregrine falcon from the wild, a permittee must:
- (1) notify the department regional falconry representative in the area of take of the permittee’s completed taking activities, including the specific location of taking, date, species, age (if known), sex (if known), and the number of young in the nest at the time of taking (when eyas birds are taken);
 - (2) notify the department regional falconry representative in the area of take of the specific location of all American peregrine falcon or arctic peregrine falcon nests visited, the number of young in each nest visited, and other information requested by the department; and

- (3) submit to the department regional falconry representative in the area of take any leg band retrieved from an American peregrine falcon or arctic peregrine falcon removed from a nest.
- e. Within five days after taking any raptor, a permittee must submit copies of federal form 3-186A (Migratory Bird Acquisition/ Disposition Report) to the following locations:
 - (1) ADF&G Permits Section; and
 - (2) U.S. Fish and Wildlife Service Migratory Birds Permit Office.

Import/Export

17. Except for the temporary export of a raptor possessed under an Alaska falconry permit, a person shall obtain prior written approval from the ADF&G Permits Section before exporting a raptor from or importing a raptor into Alaska. A person may not permanently export a raptor taken from the wild in Alaska unless that person has legally possessed that raptor in Alaska for at least one year. If the department determines it to be necessary to conserve or protect raptors in the state, or if the person desiring to import or export a raptor has not fully complied with the conditions or requirements of the falconry standards in this section of this manual, the department may disapprove the import or export of a raptor.
18. A person with an Alaska falconry permit who legally possesses a raptor may temporarily export the raptor from Alaska for a period of not longer than 12 months. A permittee shall notify the regional falconry representative of the temporary export of a raptor at least five days before leaving Alaska, shall provide the date of departure and anticipated date of return, and shall notify the department's regional falconry representative within five days after returning the raptor to Alaska.
19. A person with a permit for falconry in another state or province may temporarily import a raptor and use it for falconry for up to 30 days after the date of import under that falconry permit. If a person who temporarily imports a raptor intends to keep the raptor in Alaska longer than 30 days after the date of import, the person must, within the 30-day period, apply for an Alaska falconry permit, deliver to the department any falconry permit issued for the raptor by another state or province, and certify in writing that the person intends to become a resident of Alaska.

Transfer of Raptors

20. A person may not sell, barter, or exchange for anything of value a raptor held under a falconry permit. A permittee shall notify the regional falconry representative not less than five days before permanently transferring a raptor to another permittee. A person who acquires or disposes of a raptor shall submit copies of federal form 3-186A (Migratory Bird Acquisition/Disposition Report) to both the ADF&G Permits Section and the U.S.

Fish and Wildlife Service within five days after the acquisition or disposal. A person may not permanently transfer possession of a raptor originally taken from the wild in Alaska to a person located outside of Alaska.

21. A person may care for a permittee's raptor if, during the time of care, the person holds a written authorization signed by the permittee. If the period of care will exceed 30 days, the permittee shall notify the regional falconry representative in writing within three days after transferring the raptor. The permittee shall inform the regional falconry representative of the location where the raptor will be held, the reason for the transfer, the name of the person who is caring for the raptor, and how many days the raptor will be in the transferee's care.

Release, Loss or Death of Raptors

22. Only a raptor originally taken from the wild in Alaska may be intentionally released to the wild. Before intentionally releasing a raptor to the wild, a permittee must notify the regional falconry representative and must remove the USFWS or ADF&G marker from the raptor. A permittee must submit copies of federal form 3-186A (Migratory Bird Acquisition/Disposition Report) to both the ADF&G Permits Section and the USFWS upon any loss, escape, release, or death of the permittee's raptor within five days after that event. A permittee must deliver the marker from a dead or released raptor to the regional falconry representative within 15 days after the death or release of the raptor to the wild.
23. A permittee may retrap a marked raptor that is lost to the wild through accident, within five days after its loss, without notifying the regional falconry representative. If the permittee intends to retrap the raptor more than five days after its loss, the permittee must notify the regional falconry representative that the raptor has been lost and that the permittee intends to recapture it. If a permittee recaptures the raptor, previously reported to the department as lost, the permittee must notify the department within 5 days after the recapture.

Imping

24. A permittee may retain or exchange feathers that are molted or feathers from raptors that die in captivity only for imping purposes.

Captive Breeding

25. Unless a person holds a propagation permit issued by the department, the person may not breed raptors in captivity for falconry. Propagation permits are issued under the following conditions:
 - a. The department may issue a propagation permit only to a person who:
 - 1) holds a federal raptor propagation permit,

- 2) holds an Alaska master class falconry permit, and
- 3) passes an inspection of facilities with the following guidelines:
 - i) adequate chamber size,
 - ii) double-door access to prevent escape,
 - iii) any window protected on the inside with vertical bars,
 - iv) adequate padded perches,
 - v) adequate roof covering of chain-link or welded wire material,
 - vi) adequate floor covering [straw and/or sawdust are not suitable],
 - vii) adequate protection from the elements.
- b. A propagation permittee may have no more than four individual raptors that originated from the wild; no more than two wild-origin birds may be acquired within a calendar year. A propagation permittee may have no more than 12 birds for breeding that include first-generation captive progeny and wild-origin birds. A propagation permittee will have no limit on the number of second or later generation captive-bred progeny held in captive propagation. A raptor held under a propagation permit does not count as one of the three raptors that may be held under a falconry permit.
- c. A propagation permittee may not sell, barter, or exchange for anything of value first generation captive-bred progeny of raptors and may only transfer first generation captive bred progeny to a person in Alaska who holds an Alaska falconry permit or to a person who holds an Alaska propagation permit. The propagation permittee may sell, barter, or exchange for anything of value second or later generation captive-bred progeny to any person holding a falconry license or raptor propagation permit within Alaska or outside of Alaska. The propagation permittee must dispose of captive-bred progeny within one year after hatching. Captive-bred progeny not sold or transferred as described in this subsection may be transferred or otherwise disposed of only with the written approval of the department.
- d. A propagation permittee may not possess a raptor produced by interspecific hybridization unless the raptor has been surgically sterilized.
- e. A raptor that originated from the wild in Alaska and is held under a propagation permit may not be exported from the state.

STATE OF ALASKA

ALASKA FALCONRY PERMIT APPLICATION

1. NAME

Last	First	M.I.
------	-------	------

2. MAILING ADDRESS

Street or P.O. Box		
City	State	Zip

3. TELEPHONE NUMBERS

Home	Business or Message
------	---------------------

4. EMAIL ADDRESS

--

5. ALASKA RESIDENT

<input type="checkbox"/> Yes <input type="checkbox"/> No Since _____
--

6. DATE OF BIRTH

--

7. LOCATION OF FACILITIES

Street	City
--------	------

8. DRIVER'S LICENSE OR I.D. NUMBER

State	Number
-------	--------

9. RAPTORS IN POSSESSION

Species	Sex	Age	Band Number	Date Acquired	Source (wild or captive-bred)

10A. PERMIT CLASS

<input type="checkbox"/> Apprentice
<input type="checkbox"/> General*
<input type="checkbox"/> Master*

10B. APPRENTICE'S SPONSOR

Last Name	First	Telephone
Address		Class

11. FALCONRY EXAM/APPROVAL

<input type="checkbox"/> Exam Passed Approved By _____ Date _____

12. MEWS INSPECTION/APPROVAL

<input type="checkbox"/> Mews Inspected Approved By _____ Date _____
--

13. CERTIFICATION

I have read and understand the Alaska Falconry Standards. Furthermore, I hereby certify that all information made on or in connection with this application is true and complete to the best of my knowledge and belief.	
Applicant's Signature _____	Date _____

*An applicant requesting a general or master class permit must submit a photocopy of the most recently held permit/license issued from any state or province AND annual falconry reports.

Please mail application and fees to:
ADF&G Wildlife Conservation, Permits Section, P.O. Box 115526, Juneau, AK 99811-5526



ALASKA FALCONRY REPORT

Name: _____ State Permit No.: _____

Mailing Address: _____ City: _____ Zip _____

Telephone No.: (home) _____ (work) _____

Email: _____ Location of Facilities: _____

Class (check one) Apprentice General Master

Permit expiration date: _____ Are you requesting renewal? Yes No

ANNUAL REPORT for _____ (year)

RAPTORS ON HAND AT BEGINNING OF PERMIT YEAR (January 1)

<u>Species</u>	<u>Marker Number</u>	<u>Sex</u>	<u>Year Hatched</u>	<u>Where (GMU subunit) or From Whom Obtained</u>	<u>Date Obtained month/day/year</u>
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___

RAPTORS ACQUIRED DURING 12 MONTHS ENDING DECEMBER 31

(Raptors acquired from the wild or another person)

<u>Species</u>	<u>Marker Number</u>	<u>Sex</u>	<u>Year Hatched</u>	<u>Where (GMU subunit) or From Whom Obtained</u>	<u>Date Obtained month/day/year</u>
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___

RAPTORS NO LONGER IN POSSESSION

(since previous annual report)

<u>Species</u>	<u>Marker Number</u>	<u>Sex</u>	<u>Year Hatched</u>	<u>Disposition*</u>	<u>Disposition Date month/day/year</u>
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___
_____	_____	_____	_____	_____	_/_/___

*Disposition (lost, transferred, died, released, stolen): Provide complete details, i.e., where lost or released, to whom transferred, cause of death, etc.

Signature: _____ Date: _____

**Annual falconry reports are due by January 10. Please mail this report to:
ADF&G Wildlife Conservation, Permits Section, P.O. Box 115526, Juneau, AK 99811-5526**



CONTACT INFORMATION

General requests for information about falconry, appointments to take the falconry examination or have your facilities inspected, applications for a falconry permit, requests for state markers (bands), and notification of take or intent to take a raptor from the wild are handled by the regional falconry representative at a regional office of the Alaska Department of Fish & Game, Division of Wildlife Conservation.

ADF&G/Wildlife
333 Raspberry Road
Anchorage, AK 99518-1599
Phone (907) 267-2257

ADF&G/Wildlife
1300 College Road
Fairbanks, AK 99701-1599
Phone (907) 459-7213

ADF&G/Wildlife
P.O. Box 240020
Douglas, AK 99824-0020
Phone (907) 465-4265

ADF&G/Wildlife
P.O. Box 1148
Nome, AK 99762-1148
Phone (907) 443-2271

Processing of falconry and state raptor propagation permits, submission of annual reports and 3-186A forms, and requests to import or permanently export a raptor are handled by the ADF&G Permit Section.

ADF&G/Wildlife Permit Section
P.O. Box 115526
Juneau, AK 99811-5526
Phone: (907) 465-4148
Email: dfg.dwc.permits@alaska.gov

For information about health certification and disease testing requirements for the importation of raptors, contact the state veterinarian.

Office of the State Veterinarian
Department of Environmental Conservation
500 S. Alaska, Suite A
Palmer, AK 99501
Phone (907) 375-8215

For information about federal regulations and permitting requirements, contact the U.S. Fish and Wildlife Service.

U.S. Fish and Wildlife Service
Migratory Bird Permits Office
1011 East Tudor Road
Anchorage, AK 99503
Phone (907) 786-3693

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write:

- ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526
- U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042, Arlington, VA 22203
- Office of Equal Opportunity, U.S. Department of the Interior, 1849 C Street NW MS 5230, Washington DC 20240.

The department's ADA Coordinator can be reached via phone at the following numbers:

- (VOICE) 907-465-6077
- (Statewide Telecommunication Device for the Deaf) 1-800-478-3648
- (Juneau TDD) 907-465-3646
- (FAX) 907-465-6078

For information on alternative formats and questions on this publication, please contact the following: Publications Specialist, ADF&G/Division of Wildlife Conservation, P.O. Box 115526, Juneau, AK 99811-5526, or call 907-465-4176





**ALASKA
FALCONRY MANUAL
NO. 9**



**Alaska Board of Game
Alaska Department of Fish and Game
July 1, 2012**



IMPORTANT DATES

January 10

Date to request permit renewal (unless otherwise specified). Requests for renewal must be submitted at least 20 days prior to expiration of current permits.

January 31

Falconry and raptor propagation permits expire.

Year-round

- Notify the department Permits section and regional falconry representative of acquisition, transfer, or disposal of a raptor using federal form 3-186A (Migratory Bird Acquisition/Disposition Report) within 10 days of occurrence.
- Notify the department Permits Section within 10 days of acquiring, transferring, rebanding, or microchipping a raptor; if a raptor is stolen; if a raptor is lost to the wild and not recovered for 30 days; or if a raptor dies, using federal form 3-186A (Migratory Bird Acquisition/Disposition Report).
- Notify the department office nearest the area of intended take and the regional falconry representative in the area of take at least 10 days before taking raptors from the wild.
- Notify the department Permits Section and the regional falconry representative in the area of take within 10 days of taking a raptor from the wild.
- Notify the department Permits Section at least 30 days prior to import or 10 days prior to export of a raptor.
- Report a marker or band that must be removed or is lost within 5 days of loss to the regional falconry representative.
- Notify and the regional falconry representative at least 5 days prior to intentional release of a raptor.
- Report to the regional falconry representative a dead, lost, or escaped raptor within 5 day of the occurrence;
- Report to the regional falconry representative the intentional release of a raptor within 10 days of occurrences;
- Report death or loss of a raptor temporarily outside the U.S. for falconry purposes to the department Permits Section immediately upon return to the state.
- Surrender to the regional falconry representative marker bands from a dead or released raptor within 15 business days of death or release.
- Notify regional falconry representative of intent to recapture raptors lost more than five days; report recovery of raptors reported as lost within 10 days of recapture (recapture within five days of loss requires no such notification).
- Notify the department regional falconry representative within 5 days of recapturing raptors wearing falconry equipment or captive-bred raptors.
- Notify the regional falconry representative at least 10 days before permanently transferring a raptor to another permittee.
- Notify the regional falconry representative within 3 days after transferring raptors for temporary care if the period of care will exceed 45 days.
- Notify the department within 5 business days of changing location of falconry facilities.
- A non-resident falconer must notify the department Permits Section at least 30 days prior to importing a falconry bird into Alaska to practice falconry under a non-Alaska falconry permit.
- A non-resident falconer must contact the department's permit section for procedures at least 30 days prior to the date of import if the falconer intends to keep imported birds in the state longer than 60 days.



IMPORTANT REMINDERS

Taking Raptors

Report, electronically, orally, or in writing, to the regional falconry representative and nearest department office in the intended area of take at least 10 days prior to and within 10 days after taking a raptor from the wild. You must also report to the ADF&G Permits Section using Form 3-186A within 10 days of taking a raptor.

Markers

Upon taking a peregrine falcon, gyrfalcon, goshawk, either from the wild or from a rehabilitator, a USFWS marker band must be attached, or an ISO-compliant (134.2 kHz) microchip implanted.

Release/Loss/Death of Raptors

Notify the regional falconry representative prior to the intentional release of any raptor. Hybrid raptors or species without breeding populations in Alaska may not be released. Notify the ADF&G Permits Section and the USFWS using Form 3-186A of the loss, escape, release, or death of any raptor within 5 days of such occurrence. Deliver the marker from a dead or released raptor to the regional falconry representative within 15 days of death or release.

Import/Export

Prior written approval from the ADF&G Permits Section is required before any raptor may be imported into or permanently exported from Alaska.

A person with a current permit for falconry from another state may temporarily import raptors and use them for falconry for up to 30 days. Oral, electronic, or written notification of the ADF&G Permits Section is required at least 30 business days before entering Alaska to practice falconry under a non-Alaska falconry permit. See Import Disease Testing Requirements below.

Raptors imported into Alaska must be accompanied by written authorization from the department and a health certificate issued within 30 days prior to the date of importation. A "health certificate" means a legible certification issued by an accredited veterinarian of the state of origin or the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture (APHIS-USDA) and executed on an official form of the state of origin or of the APHIS-USDA. Consult the State Veterinarian (Department of Environmental Conservation) or ADF&G Permits Section for the most current disease testing, vaccination, or other requirements before importation.

Current import disease testing requirements include:

West Nile Virus - a negative titer for West Nile Virus at a 1:10 dilution from a blood sample drawn within 30 days prior to the date of import, or a certificate indicating the raptor was vaccinated against West Nile virus by a licensed veterinarian. Test results or a certificate of vaccination should accompany the application for an import permit.

For raptors traveling through Canada or to or from a foreign country, please contact the U.S. Customs Service and the U.S. Fish and Wildlife Service to obtain information, appropriate declaration forms, and export/import permits or licenses.

Cover illustration courtesy of William R. Tilton



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GENERAL INFORMATION

Purpose

Falconry is the sport of pursuing, capturing, or killing game using trained raptors. Falconry is a lawful hunting method when practiced in compliance with state and federal regulations under the terms of a permit issued by the Commissioner of the Alaska Department of Fish and Game. The following species listed in Table 1 are authorized for falconry in Alaska and are a subset of the species described by the U.S. Fish and Wildlife Service in the Code of Federal Regulations, Title 50, Part 10 (50 CFR §10.12 and 50 CFR §10.13).

Table 1. Species authorized for falconry in Alaska.

northern harrier (*Circus cyaneus*),
sharp-shinned hawk (*Accipiter striatus*),
Cooper's hawk (*Accipiter cooperi*),
northern goshawk (*Accipiter gentilis*),
Harris' hawk (*Parabuteo unicinctus*),
Swainson's hawk (*Buteo swainsoni*),
red-tailed hawk (*Buteo jamaicensis*),
ferruginous hawk (*Buteo regalis*),
rough-legged hawk (*Buteo lagopus*),
golden eagle (*Aquila chrysaetos*),
American kestrel (*Falco sparverius*),
merlin (*Falco columbarius*),
peregrine falcon (*Falco peregrinus*),
gyrfalcon (*Falco rusticolus*),
prairie falcon (*Falco mexicanus*),
Aplomado falcon (*Falco femoral is*),
great horned owl (*Bubo virginianus*),
snowy owl (*Bubo scandiacus*),
northern hawk-owl (*Surnia ulula*),
barred owl (*Strix varia*),
great gray owl (*Strix nebulosa*),
any nonindigenous subspecies of northern goshawk (*Accipiter gentilis*) requires sterilization, except *Accipiter gentilis atricapillus* or *A.g. laingi*.
and
hybrids of these species produced by raptor breeders. [NOTE: There are no breeding populations of Cooper's hawk, Harris' hawk, Swainson's hawk, ferruginous hawk, or prairie falcons in Alaska.]

Alaska regulations require that anyone taking, holding, or possessing one or more of these raptor species for falconry must first obtain a falconry permit.

State falconry regulations were adopted by the Alaska Board of Game to assist in the management of raptor populations and to maintain standards for the care of birds legally held for falconry purposes. This manual includes regulations that pertain to the taking, holding and possession of raptors for falconry and issuance of falconry permits. Whether you are a novice falconer or an experienced

103 falconer new to Alaska, the application and reporting procedures may seem complex and are
104 summarized for your convenience below. More detailed information is contained in the Standards
105 section of this manual and is not repeated here; please refer to the Standards section before
106 conducting your falconry activities. Statewide provisions for issuing falconry permits and
107 promulgating regulations are contained in 5 AAC 92.037 and AS 16.05.255. Federal regulations on
108 falconry can be found in the Code of Federal Regulations, Title 50, Part 21 (50 CFR §21.29).
109

110 **Falconry Permits**

111
112 A falconry permit, when accompanied by a current Alaska hunting license, authorizes a falconer to
113 hunt game with his/her raptor(s) in compliance with applicable seasons, bag limits, and other
114 provisions of law.

115
116 Special or written permission is not required for falconry activities on public lands where it is
117 authorized, but permittees must comply with all applicable federal, state, territorial or tribal laws
118 regarding falconry activities, and/or hunting. Falconry permits do not authorize capture or release of
119 raptors or the practice of falconry on public lands if prohibited on those lands, or on private property,
120 without permission from the landowner or custodian.

121
122 Falconers must have their permit(s) or legible copies of them in their immediate possession when not
123 at the location of their falconry facilities or they are trapping, transporting, working with, or flying
124 falconry raptor(s).

125
126 Falconers are responsible for the actions of their raptors while hunting. If a falconry bird takes quarry
127 outside of a regular hunting season, the falconer must leave the dead quarry where it lies, although
128 the raptor may feed on the game before leaving the kill site. Falconers must report take of any
129 federally listed endangered or threatened species to the USFWS Ecological Services Field Office for
130 the location in which the take occurred. With a falconry bird, falconers may take any bird species
131 listed in 50 CFR §21.43, 21.44, 21.45, or 21.46 for which a depredation order is in place at any time,
132 in accordance with the conditions of the applicable depredation order, as long as the falconer is not
133 paid for doing so.

134
135 Falconry permits are valid from the date issued through January 31 of the third calendar year
136 following the year of issue (e.g., a permit issued on February 4, 2013 expires on January 31, 2016),
137 unless a shorter period is prescribed on the permit.

138
139 Raptors legally possessed under Alaska falconry permits may be bred in captivity only if authorized
140 by captive propagation permits. Birds taken from the wild under authority of falconry permits may
141 not be sold or bartered. Permanent transfer of raptors between falconers requires proper notification
142 of state authorities using Form 3-186A.

143
144 **Prior notification of the ADF&G Permit Section is required to import raptors into or export raptors**
145 **from the State of Alaska. All raptors imported into Alaska must be accompanied by a health**
146 **certificate and meet disease testing, vaccination, and other requirements as specified by the state**
147 **veterinarian and/or ADF&G. Permittees may not permanently export raptors taken from the wild in**
148 **Alaska unless; 1) those permittees have legally possessed the bird in the state for at least one year**

149 and 2) have met the definition of Alaska resident in AS 16.05.415 for at least one year prior to the
 150 export (i.e, resided in the state for two years).
 151

152 There are three classes of falconry permits issued depending on permittees' experience: apprentice
 153 (new falconers); general (at least two years experience as practicing falconers); and master (at least
 154 five years experience as practicing falconers at the general class level). Permittees must have birds
 155 in possession to be considered practicing falconers. Falconry school or educational program
 156 experience may not be substituted for active falconry experience for purposes of advancing to
 157 general or master class permits.
 158

159 **Table 2.** Summary of the permit conditions relative to numbers of birds and species for each class of
 160 falconer:
 161

Permit Condition	Apprentice	General	Master
Maximum number of falconry birds in possession	1	3	5 wild-taken, including up to 3 eagles; no limit on captive-bred birds, but all raptors must be trained in the pursuit of wild game and used in hunting.
Maximum number of birds (including replacements) that may be obtained from all sources during any 12-month period	2	2	No limit
Maximum number of birds that may be taken from the wild during any 12-month period	2	2	2
Authorized species	All except northern harrier (<i>Circus cyaneus</i>), Swainson's hawk (<i>Buteo swainsoni</i>), ferruginous hawk (<i>Buteo regalis</i>), golden eagle (<i>Aquila chrysaetos</i>), peregrine falcon (<i>Falco peregrinus</i>), prairie falcon (<i>Falco mexicanus</i>), Aplomado falcon (<i>Falco femoralis</i>)	All listed in Table 1.	All listed in Table 1.

Possession of hybrids allowed?	Yes	Yes	Yes
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Application Procedures

Applicants who reside in Alaska and have never held an Alaska falconry permit must: (1) correctly answer at least 80% pass the questions on the Alaska falconry exam, and (2) submit completed application forms including signatures of the ADF&G biologist who proctored the exam. At least 30 days prior to acquiring a falconry bird, permittees must have falconry facilities and equipment inspected and approved by ADF&G.

Permit Classes – When submitting an application for an Alaska Falconry Permit, applicants must designate the permit class for which they are applying. To be eligible for an Apprentice Class permit, applicants must be at least 12 years of age and submit at least one letter of sponsorship from a general or master class falconer who is at least 18 years old and holds a valid Alaska falconry permit. Falconers applying for General Class permits must be at least 16 years of age and be able to document the necessary experience with raptors in possession within the five years prior to applying for a General Class permit. Falconers applying for Master Class permits must be able to document the necessary experience with raptors in possession within 10 years prior to applying for a Master Class permit. Experience may be documented by submitting copies of Annual Reports or forms 3-186A with your application.

Sponsoring Apprentices – Individuals applying for Apprentice Class permits must be sponsored by a more experienced falconer. A Master or General Class falconer may sponsor up to three apprentices at one time. Applicants under 18 years of age must have a parent or legal guardian sign their applications stating they are legally responsible for the applicant’s activities. Sponsors will provide help and guidance to get started, but apprentices should expect to invest considerable amounts of time on their own learning about raptors and falconry by reading and observing raptors in the wild. Applicants who do not know falconers who can serve as sponsors should contact their regional falconry representatives for recommendations or a list of active falconers in the applicant’s area. Apprentices may have to travel long distances to meet with their sponsors. This requirement will not be waived under any circumstances, even if there are no falconers nearby who are willing and qualified to serve as sponsors.

Transferring Permits from Other States - Falconers transferring permits from other states must submit; 1) a completed Alaska Falconry Permit application including ADF&G inspection of facilities and equipment, 2) a copy of their current falconry permit, and 3) copies of annual reports or Forms 3-186A to document the requisite years of experience at the class level for which they are applying. Applicants holding current permits from other states need not pass the Alaska falconry exam.

Renewing Permits - Permits may be renewed by checking the renewal box on the when submitting the annual report. Requests for renewal must be submitted at least 20 days prior to expiration of current permits. Contact the ADF&G Permits Section for the current requirements.

206 **Falconry Examination**

207

208 All new (apprentice) falconers and falconers transferring permits from other states must pass the
209 Alaska falconry examination. This is to ensure they are familiar with Alaska’s falconry regulations
210 and standards and are knowledgeable about caring for raptors in extreme climate conditions. The
211 falconry examination is designed to test knowledge of raptor identification, natural history of Alaska
212 raptors, care of raptors in captivity, and Alaska falconry rules and regulations. The test will take a
213 maximum of two hours, and it will be a supervised, closed book examination. Applicants are
214 required to answer correctly at least 80 percent of the questions to pass the test. Applicants who fail
215 the examination may retake it after waiting at least 30 days, but may not take the examination more
216 than twice during any six-month period. Applicants ready to take the test should contact their
217 regional falconry representatives to make the necessary arrangements.

218

219 To prepare for the examination, applicants should study the falconry standards included in this
220 manual carefully. Applicants must 1) have a thorough understanding of Alaska falconry regulations
221 and standards, 2) become familiar with the natural history, care, and training of raptors and the art of
222 falconry, and 3) know how to care properly for raptors in extreme cold and/or wet conditions.
223 References available at libraries or bookstores will acquaint applicants with caring for a raptor and
224 explain how to train a bird for falconry. Suggested references on falconry and the natural history of
225 raptors are listed below.

226

227 Falconry:

228

229 Beebe, F. L. and H. M. Webster. 1994. *North American Falconry and Hunting Hawks, 7th*
230 *edition*. North American Falconry and Hunting Hawks, Denver, Colorado.

231

232 Beebe, F. L. 1984. *A Falconry Manual*. Hancock House, Surrey, British Columbia.

233

234 Evans, H. 1960. *Falconry for You*. John Gifford, Ltd., London.

235

236 Ford, E. 1992. *Falconry: Art and Practice*. Batsford, London.

237

238 Glasier, P. 1978. *Falconry and Hawking*. Batsford, London.

239

240 Haak, B. A. 1992. *The Hunting Falcon*. Hancock House, Surrey, British Columbia.

241

242 Mavrogordato, J. G. 1960. *A Hawk for the Bush*. H. F. & G. Witherby, Ltd., London.

243

244 Mavrogordato, J. G. 1966. *A Falcon in the Field*. Knightly Vernon, Ltd., London.

245

246 Mitchell, E. B. 1960. *The Art and Practice of Hawking*. C.T. Branford Co., Boston.

247

248 Oakes, W. C. 1994. *The Falconer’s Apprentice: A Guide to Training the Passage Red-tailed*
249 *Hawk*. Eaglewing Publishing, Roy, Utah.

250

251 Parry-Jones, J. 1994. *Training Birds of Prey*. David and Charles, Devon.

252



253 Peeters, H. J. and E. W. Jameson, Jr. 1970. *American Hawking: A General Account of Falconry*
 254 *in the New World*. Privately published, Oakside, Davis, California.
 255

256 Turner, R. and A. Haslen. 1991. *Gamehawk: Field and Moor*. Gallery Press, Lavenham, UK.
 257

258 Upton, R. 1991. *Falconry: Principles and Practice*. A. & C. Black, London.
 259

260 Woodford, M. H. 1977. *A Manual of Falconry, 3rd Edition*. Adam and Charles Black, London.
 261

262 Natural History of Raptors:
 263

264 Brown, L. 1977. *Birds of Prey: Their Biology and Ecology*. A. & W. Publishers, New York.
 265

266 Clark, W. S. and B. K. Wheeler. 1987. *A Field Guide to Hawks: North America*. Houghton
 267 Mifflin Co., Boston.
 268

269 Cornell Lab of Ornithology and American Ornithologist's Union. *The Birds of North America*
 270 *Online*. 26 June 2008. < <http://bna.birds.cornell.edu/bna>>.
 271

272 Dunne, P. and D. Sibley. 1988. *Hawks in Flight*. Houghton Mifflin Co., Boston.
 273

274 Ferguson-Lee, J. and D. A. Christie. 2001. *Raptors of the World*. Houghton Mifflin Co., Boston.
 275

276 Fox, Nicholas. 1995. *Understanding the Bird of Prey*. Hancock House Publishers, Blaine,
 277 Washington.
 278

279 Johnsgard, P. A. 1990. *Hawks, Eagles, and Falcons of North America: Biology and Natural*
 280 *History*. Smithsonian Institution Press, Washington DC.
 281

282 Newton, I. N. 1979. *Population Ecology of Raptors*. Buteo Books, Vermillion, South Dakota.
 283

284 Palmer, R. S. 1962. *A Handbook of North American Birds*. Yale University Press, New Haven,
 285 Connecticut.
 286

287 Peterson, R. T. 1990. *Western Birds*. Houghton Mifflin Co., Boston.
 288

289 Poole, A. and F. Gill, eds. 1992-2001. *The Birds of North America*. American Ornithologists'
 290 Union, Washington, DC and Academy of Natural Sciences, Philadelphia.
 291

292 Weidensaul, S. 2000. *The Raptor Almanac: A Comprehensive Guide to Eagles, Hawks, Falcons,*
 293 *and Vultures*. Lyons Press, Guilford, Conn.
 294

295 Wheeler, B. K. and W. S. Clark. 1999. *A Photographic Guide to North American Raptors*.
 296 Academic Press, San Diego.
 297
 298
 299

Facilities and Equipment

Permittees are required to provide adequate facilities for holding raptors in captivity in humane and healthful conditions. Facilities and equipment must be inspected and approved by the department at least 30 days before permittees may obtain raptors to use in falconry. Applicants should contact their regional falconry representatives to make arrangements to have raptor housing facilities and equipment inspected and approved before submitting their applications.

The department has not established specifications for raptor housing facilities. Specifications are readily available in reliable falconry texts if falconers wish to construct such facilities. Raptors may be retained in captivity and properly cared for without recourse to construction of permanent mews. Some falconers house their birds in homes or garages and use back yards to meet the needs of their raptors. Consequently, this manual provides only a general description as to what constitutes adequate or inadequate facilities, leaving final judgment to those who conduct inspections.

Permittees are responsible for the maintenance and security of the raptors they possess. Whether indoors (a “mews”), outdoors (a “weathering area”), or temporary facilities while traveling or hunting away from permanent housing, facilities must protect raptors from the elements, predators, domestic animals, and other dangers.

Poor physical condition of raptors (e.g., excessive broken tail and wing feathers, damage to ceres and heads, dirty appearance) is symptomatic of inadequate care. Examples of inadequate housing are:

- bird cages of the pet store variety;
- housing constructed of chicken wire, hardware cloth, or with exposed, sharp obstructions;
- housing with excessive exposure to the elements; or
- unsanitary housing, such as unclean chicken houses or pigeon lofts.

Indoor facilities must be large enough to allow easy access for the care and feeding of raptors kept therein. Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable, provided they offer the enclosed raptors with adequate protection and allow the maintenance of healthy plumage.

Mews shall provide healthy environments for raptors inside; each must have at least one opening for sunlight, protected on the inside by vertical bars (dowels, tubing, etc.), spaced narrower than the width of the birds’ bodies. Chicken wire or hardware cloth is unacceptable for covering windows. If untethered raptors are housed therein, all walls that are not solid must be protected on the inside in the same fashion as windows, although heavy-duty netting or similar materials may be used to cover the roofs and/or walls of enclosures. Doors must be secure and easily closed. Artificial (plastic) grass (such as AstroTurf ®) is recommended for the perching surfaces of blocks used for falcons; uncovered blocks are not recommended. Straw, sawdust, or wood chips are not suitable for floors of mews due to the potential for harboring *Aspergillus* spores or other pathogens. Artificial (plastic) grass is easily cleaned and has proven to be good floor covering for mews.

A mews must have at least one suitable perch for each raptor. Untethered raptors may be housed together if they are compatible. Untethered raptors must have sufficient space to fully extend their wings and fly. Each raptor must have a suitable container of clean water available for drinking and bathing.

347
348 If mews are constructed for untethered raptors, the following general specifications should apply:
349

350 Loft, house, pen or enclosure size:

351 Large.....8' x 8' x 7'
352 (Gyr Falcon, goshawk, red-tailed hawk, peregrine falcon)

353
354 Small.....6' x 6' x 7'
355 (American kestrel, merlin, sharp-shinned hawk)

356
357 Permittees may keep falconry raptors inside their places of residence provided birds have suitable
358 perches. If raptors are kept in permittees' homes, windows and other openings of the structure need
359 not be modified, but raptors must be tethered when not being moved into or out of locations where
360 they are kept.

361
362 **Outdoor facilities** are required. They must be fully enclosed, and may be made of heavy-gauge wire,
363 heavy-duty plastic mesh, slats, pipe, wood, or other suitable materials. Facilities must be covered
364 and have at least one covered perch for each raptor to protect them from predators and weather.
365 Facilities must be large enough to insure the birds cannot strike the enclosure when attempting to fly
366 from perches to which they are tethered. New or innovative types of housing facilities and/or
367 husbandry practices may be used as long as they satisfy the requirements above.

368
369 Weathering areas or other enclosures containing tethered raptors must provide suitable, preferably
370 padded, perches for each raptor. When placed out-of-doors, raptors should be protected from cats,
371 dogs, wild predators, and other dangers, as well as excessive exposure to wind, rain, snow or sun.
372 Tethered raptors must be able to fully extend their wings or bate (attempt to fly while tethered)
373 without damaging their feathers or contacting other raptors. Each raptor must have a suitable
374 container of clean water available for drinking and bathing.

375
376 Falconry raptors may be kept outside in the open as long as they are under watch, such as by
377 permittees or permittees' family members at any location or, for instance, by designated individuals
378 in weathering yards at falconry meets.

379
380 Permittees' facilities may be located on property owned by other persons where permittees reside, or
381 at different locations. Regardless of location, facilities must meet the standards above and any
382 additional conditions the department may require. For facilities on property not owned by
383 permittees, permittees must provide the department with a signed and dated statement demonstrating
384 the property owners' agreement that facilities, equipment, and raptors may be inspected by state
385 authorities, necessarily in the permittees' presence, at times mutually agreed upon by permittees and
386 state officials.

387
388 Permittees must notify the department within five business days of changing the location of
389 permanent falconry facilities.

390
391 **Temporary Facilities** - When transporting raptors or hunting away from home facilities, permittees
392 must provide raptors suitable perches and protection from predators and other dangers, the elements,
393 and excessive disturbance. So-called giant hoods or similar containers are acceptable housing for

394 raptors when transporting them or hunting away from home. Permittees may house raptors in
395 temporary facilities for no more than 60 consecutive days.

396
397 **Required Equipment** - Applicants must possess the following falconry equipment before permits
398 will be issued:

- 399
- 400 1. Jesses, leashes, and swivels—At least 1 pair of Aylmeri or similar type jesses constructed of
401 pliable, high-quality leather or suitable synthetic material must be used when any raptor is
402 flown free. Traditional 1-piece jesses may be used on raptors when they are not being flown.
403 At least 1 flexible and weather-resistant leash and 1 strong swivel of acceptable falconry
404 design (e.g., Sampo or falconry swivel).
 - 405
 - 406 2. Bath containers—For each raptor, at least 1 container suitable for drinking and bathing, 2 to
407 6 inches deep and wider than the length of the raptor.
 - 408
 - 409 3. Weighing devices—A reliable scale or balance suitable for weighing raptors and graduated
410 into increments of not more than 1/2 ounce (15 grams).

411
412 Applicants should have spare materials and the tools necessary to make additional leashes, jesses,
413 etc. The size, strength, and type of equipment and facilities should be appropriate for the size and
414 type of raptors being held.

415
416

417 **Records and Reporting**

418
419 Falconry permits are issued with a number of reporting conditions. Failure to comply with these
420 conditions constitutes violation of permit conditions and may result in falconers' permits being
421 revoked or renewals denied. Permittees must notify the ADF&G Permits Section if they change their
422 mailing addresses.

423
424 Permittees intending to take raptors from the wild must first notify both the regional falconry
425 representative and the nearest department office in the area of planned taking activities (including
426 the species, location, and dates) at least 10 days prior to the intended take. Within 10 days of taking
427 any raptor, permittees must notify the regional falconry representatives in the take areas of
428 completed taking activities, including the specific locations and dates of take, and the species, age (if
429 known) and sex (if known) of the raptors taken, along with any other information required by the
430 department. Within 10 days of taking any raptors, permittees must submit USFWS Form 3-186A
431 (Migratory Bird Acquisition/Disposition Report) to the ADF&G Permits Section. Form 3-186A is
432 also used to inform the department in writing of any transfers, releases, escapes, losses, or deaths of
433 raptors within 10 days of such occurrences.

434
435 Annual Reports – All falconers are required to submit annual reports each year on a form provided
436 by the department regardless of whether they possessed a bird. A report form is included in this
437 booklet or forms may be obtained by contacting the Permits Section or from the department's
438 website, <http://www.adfg.alaska.gov/index.cfm?adfg=otherlicense.possession>.

439

440 Permittees should always keep copies of their falconry permits, 3-186As, and all other falconry-
441 related records. Permittees must retain copies of all electronic database submissions documenting
442 take, transfer, loss, rebanding, or microchipping each falconry raptor until five years after
443 transferring or losing the raptor, or it has died.
444

445 **Markers**

446
447 Before taking a raptor, permittees must possess valid falconry permits and, if required, appropriate
448 USFWS marker bands issued in permittees' names. Permittees should request marker bands in
449 writing from the ADF&G Permit Section or their Regional Falconry Representative well in advance
450 of the date permittees anticipate needing them.
451

452 Immediately upon taking raptors of species requiring marker bands, permittees must attach
453 appropriate ADF&G provided markers. Once attached, marker bands must not be removed, except
454 that the rear tabs may be trimmed and any imperfections on the surfaces may be smoothed, provided
455 that the integrity of the marker bands and numbering are not affected. Permittees may not alter,
456 deface, or counterfeit marker bands, nor attach them to raptors other than the individuals to which
457 marker bands were initially attached.
458

459 Permittees may implant ISO (International Organization for Standardization)-compliant (i.e., 134.2
460 kHz) microchip in a raptor in addition to banding. Permittees must report marker band numbers
461 and/or microchip information when reporting acquisition of raptors.
462

463 If permittees document health or injury problems for raptors they possess that are caused by marker
464 bands, the state may provide an exemption to the banding requirement for those raptors.

465 Falconers must carry copies of exemption paperwork when flying exempted raptors. For exempted
466 wild-origin goshawks, peregrine falcons, and gyrfalcons, [and Harris's hawks,] bands must be
467 replaced by ISO-compliant microchips. In such cases, the USFWS will provide suitable microchips.
468

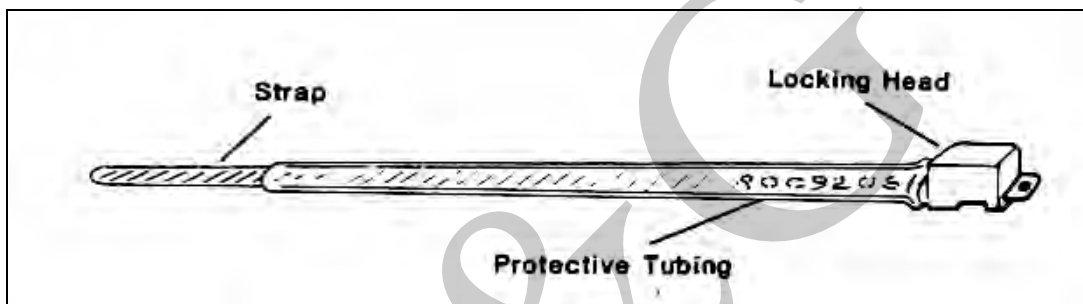
469 All marker bands from dead or released raptors must be surrendered to the department Regional
470 Falconry Representative within 15 days of death or release. Marker bands that must be removed or
471 marker bands lost from raptors in permittees' possession must be reported to the department within
472 five days of the loss.
473

474 **Banding**

475
476 Applying falconry marker bands to raptors may be challenging, even to experienced falconers. The
477 paramount consideration in banding birds is to ensure markers fit properly on the tarsi and are
478 applied without injuring or causing undue stress to the raptors. The following guidelines and
479 illustrations are provided to assist permittees in accomplishing this important task.
480

- 481 1. Record marker numbers in personal banding diaries and on USFWS Form 3-186A
482 (Migratory Bird Acquisition/Disposition Report).
483
484
- 485 2. Outfit markers with protective tubing (figure 1). The installation of clear plastic tubing over
486 raptor markers serves to lessen the risk of injury to raptors by reducing marker abrasion to

487 the tarsus and preventing accidental closure of the marker. Plastic tubing also protects
 488 markers' identification numbers. The best choice of clear, plastic tubing is AWG Size #10
 489 with standard 0.016" wall thickness, commonly used for electrical wire installation. It is
 490 usually available from the ADF&G (inquire when requesting marker bands) or may be
 491 purchased from hardware and electrical supply stores.
 492



493 Figure 1

494 The length of protective tubing placed on markers is very important since tubing limits how
 495 tightly bands may be closed on the tarsi. Use the following table to determine the length of
 496 tubing to apply to markers:
 497
 498

Example Species (typical applications)	Length of Tubing (inches)	
	Male	Female
sharp-shinned hawk	3/4	7/8
goshawk	1-3/8	1-1/2
American kestrel	7/8	7/8
merlin	7/8	15/16
peregrine falcon	1-3/8	1-1/2
gyrfalcon	1-7/8	1-7/8
red-tailed hawk	1-7/8	1-7/8

499 Cut tubing to length, ensuring the ends are square. Insert marker straps into tubing by
 500 holding the tubing against a flat surface, pushing straps through the tubing until the tips are
 501 exposed, and grasping the strap tips and sliding the tubing solidly against the locking heads.
 502 Do not lubricate straps or tubing. Pliers are useful for longer tubing. Marker bands, fitted
 503 with protective tubing, are now ready to be placed on raptors.
 504

- 505
- 506 3. Attach the markers. Warm markers in the hand while bending them into a circular form.
 507 Position markers on the tarsi above the jesses (Figure 2). Markers should be placed on the
 508 raptors' legs with serial numbers right side up. This tends to center the locking heads in an
 509 outboard position if nametags or bells are attached to rear tabs.
 510

511 Insert the ends of the straps through the locking head boxes (Figure 3). Use pliers to pull the
 512 straps through and about an inch beyond the locking heads. Slowly close markers to
 513 appropriate size by pulling straps through the locking heads. It should not be necessary to
 514 use pliers.

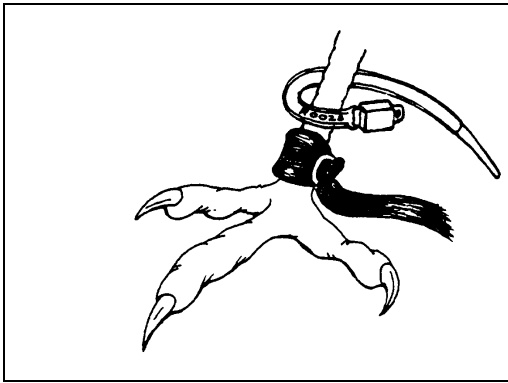


Figure 2

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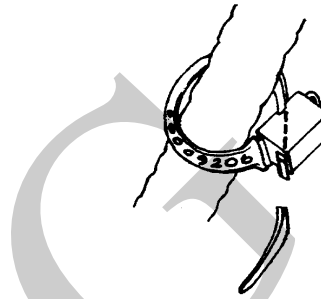


Figure 3

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Use fingernail clippers or scissors to cut off the excess straps extending beyond the locking heads. It is important that the straps be cut flush with the surface of the locking heads to prevent birds from pulling at them.

Note: Properly fitted markers will move freely on legs but be tight enough to prevent removal from unjessed raptors.

526 **Captive Propagation**

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Captive propagation of raptors may only be conducted by qualified falconers under the terms of special propagation permits issued by the ADF&G Permits Section. For additional information about captive breeding of raptors in Alaska, or to apply for propagation permits, read the Captive Propagation section of the Alaska Falconry Standards and contact the ADF&G Permit Section.

533 **Conservation Education**

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Permittees may use falconry raptors in conservation programs presented in public venues, but raptors held under a falconry permit must be primarily used for falconry. When giving educational presentations falconers must present information about falconry and the biology, ecological roles, and conservation needs of raptors and other migratory birds, although not all topics must be addressed in every presentation. Permittees may not present programs that do not address falconry and conservation education. Permittees may charge fees for presentation of conservation education programs, but fees may not exceed the permittee's costs for providing that educational presentation. Falconers are responsible for the costs of maintaining birds in their possession and may not solicit funds to help defray those costs. Apprentice class permittees may present conservation programs only under the supervision of a general or master falconer when doing so, and all permittees are responsible for any liability associated with conservation education activities undertaken.

547

548

549

Permittees may allow photography, filming, video recording, or other such uses of falconry raptors to make movies or other sources of information on the practice of falconry or on the biology, ecological roles, and conservation needs of raptors and other migratory birds, but may not be paid for such

550 activities. Falconry raptors may not be used in commercial ventures not related to falconry or
551 conservation education, nor used for entertainment, advertisements, promotions or endorsements of
552 any products, merchandise, goods, services, meetings, exhibitions, or fairs, or as representations of
553 any businesses, companies, corporations, or organizations.

554

555 **Rehabilitation**

556

557 General and master class falconry permittees may assist permitted migratory bird rehabilitators to
558 condition raptors in preparation for their release to the wild. Falconers may keep birds they are
559 helping to rehabilitate in their facilities.

560

561 a. Rehabilitators must provide falconers with letters of forms identifying the birds and
562 explaining that falconers are assisting in their rehabilitation.

563 b. Falconers need not meet rehabilitation facility standards, only the facility standards
564 for falconry permits; falconry permittees' facilities are not subject to inspection for
565 compliance with rehabilitation facility standards.

566 c. Raptors possessed for rehabilitation purposes need not be added to falconers'
567 permits; they remain under the rehabilitators' permits.

568 d. Through coordination with rehabilitators, falconers must release all raptors to the
569 wild or return them to rehabilitators for release within the 180-day timeframe in
570 which rehabilitators are authorized to possess the birds, unless the issuing office
571 authorizes retention and conditioning for longer than 180 days, or unless
572 rehabilitators permanently transfer birds to falconers under their falconry permits.

573 e. Raptors that cannot be released to the wild must be returned to rehabilitators for
574 placement within the 180-day timeframe in which rehabilitators are authorized to
575 possess the birds, unless the issuing office authorizes retention for longer than 180
576 days.

577

578 **Abatement**

579

580 Master class falconry permittees may conduct abatement activities with raptors possessed for
581 falconry only if they hold a Special Purpose Abatement permit issued by the USFWS. General class
582 falconry permittees may conduct abatement activities only as subpermittees of Special Purpose
583 abatement permit holders. Only Special Purpose Abatement permittees may receive payment for
584 abatement services.

FALCONRY REGULATIONS

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5 AAC 92.029. Permits for possessing live game.

...

(f) ... the following species may be temporarily released for the purpose of hunting dog or raptor training, field trials, and tests:

- (1) Pigeon (*Columba livia* Var.);
- (2) Pheasant, Junglefowl, or *Coturnix* (Subfamily Phasianinae);
- (3) any Guineafowl species (Subfamily Numidinae);
- (4) any New World Quail species, including *Colinus*, [i.e., Bobwhite] (Subfamily Odontophorinae);
- (5) any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service has determined does not require a federal permit for private ownership;
- (6) Chukar partridge (*Alectoris chukar*).

(g) A person using live game listed in (f) of this section for the purpose of hunting dog or raptor training, field trials, or tests

- (1) may release the game only on the day of use and shall make reasonable efforts to capture, kill, or recover the temporarily released live game;
- (2) may take the live game in connection with hunting dog or raptor training, field trial, and test activities; and
- (3) must legally acquire, hold, and dispose of the live game in accordance with all other applicable state statutes and regulations.

...

5 AAC 92.037. Permits for falconry.

(a) A permit and valid, current Alaska hunting license is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the Alaska Falconry Manual No. 9, dated July 1, 2012; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (f) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

631 (b) A person may not permanently export a raptor taken from the wild in this state unless the person
632 has legally possessed that raptor, under an Alaska falconry permit, in this state for at least one year.
633 Prior written approval of the commissioner is required before a raptor may be exported from or
634 imported into this state, except as follows:

635 (1) a raptor taken from the wild in Alaska and legally possessed under an Alaska falconry permit
636 may be temporarily exported from this state for a period not to exceed 12 months by an Alaska
637 falconer who has;

638 (A) met the definition of an Alaska resident in AS 16.05.415(a) for the previous two years, or

639 (B) legally possessed the raptor in Alaska for at least one year.

640 (2) an individual with a valid, current permit for falconry in another state or province may
641 temporarily import a raptor, and use it for falconry under the terms of a temporary authorization
642 issued by the commissioner; an individual moving into this state may import an approved raptor
643 species under authority of a temporary permit, but must apply for an Alaska falconry permit within
644 30 days after the raptor arrives in this state. Upon approval of the falconry permit, the permit
645 becomes valid with a hunting license. Conditions for the import of the raptor shall be determined by
646 the department as specified in the *Alaska Falconry Manual*.

647 (c) A falconer is liable for the actions of the raptor with respect to seasons, bag limits, and other
648 applicable regulations. If a falconry bird takes game that may not be taken under established
649 regulations, the falconer must leave the dead game where it lies, except that the raptor may feed
650 upon the game before leaving the kill site.

651 (d) The commissioner may impose additional permit conditions as necessary.

652 (f) In this section, "raptor" means any bird of the following species:

653 (1) sharp-shinned hawk (*Accipiter striatus*);

654 (2) northern goshawk (*Accipiter gentilis*);

655 (3) red-tailed or Harlan's hawk (*Buteo jamaicensis*);

656 (4) Swainson's hawk (*Buteo swainsoni*);

657 (5) Rough-legged hawk (*Buteo lagopus*);

658 (4) golden eagle (*Aquila chrysaetos*);

659 (5) American kestrel (*Falco sparverius*);

660 (6) merlin (*Falco columbarius*);

661 (7) gyrfalcon (*Falco rusticolus*);

662 (8) peregrine falcon (*Falco peregrinus*);

663 (9) great horned owl (*Bubo virginianus*);

664 (10) northern hawk-owl (*Surnia ulula*);
665 (11) snowy owl (*Bubo scandiacus*);
666 (12) a hybrid of the species in this subsection that is produced by a raptor breeder;
667 (13) the following nonindigenous species: Harris' hawk (*Parabuteo unicinctus*), Cooper's hawk
668 (*Accipiter cooperii*), Ferruginous hawk (*Bueto regalis*), prairie falcon (*Falco mexicanus*), Aplomado
669 falcon (*Falco femoralis*), and
670 (14) any nonindigenous subspecies of northern goshawk (*Accipiter gentilis*) requires sterilization,
671 except *Accipiter gentilis atricapillus* or *A.g., laingi*.
672 History: Eff. 7/5/85, Register 95; am 8/12/90, Register 115; am 2/28/96, Register 137; am 3/10/96,
673 Register 137; am 6/8/96, Register 138; am 3/30/2002, Register 161; am 7/1/2004, Register 170; am
674 12/30/2004, Register 172
675 Authority: AS 16.05.255
676 AS 16.05.270
677 AS 16.05.920
678
679
680

ALASKA FALCONRY STANDARDS

Definitions

1. For the purpose of the falconry standards:

- a. “Falconry” means the sport of pursuing, capturing, or killing game by means of trained raptors.
- b. “Take” means to trap or capture, or attempt to trap or capture any raptor.
- c. “Raptor” means a bird of any Accipitriform, Falconiform, or Strigiform species described by the U.S. Fish and Wildlife Service in the Code of Federal Regulations, Title 50, Part 10 (50 CFR §10.12 and 50 CFR §10.13), as restricted by the list contained in **5 AAC 92.037 and Table 1.**
- d. “Eyas” means a raptor from the wild in its first year that is not yet capable of flight.
- e. “Passage bird” means a raptor from the wild in its first year that is capable of sustained flight.
- f. “Permittee” means a person who takes, transports, or possesses a raptor for falconry or for the practice of falconry under a falconry permit issued in accordance with the falconry standards in this section of this manual.
- g. “Transfer of raptor” means to transfer or change the possession of a raptor from one permittee to another permittee; transfers include the sale, barter, or exchange of a raptor for anything of value.
- h. “Year” means any 12-month period for take defined by the state for determining possession and take of raptors for falconry.

Falconry Permits

2. A person may not take, transport, or possess a raptor for falconry or for the practice of falconry in Alaska without possessing a valid falconry permit issued by the department, or a valid falconry permit issued by another state or country for a maximum of 30 days after entering Alaska.
3. A falconry permit is nontransferable. When accompanied by a current Alaska hunting license issued to the permittee, a falconry permit authorizes the permittee to hunt game in compliance with seasons, bag limits, and other provisions of law. Special or written permission is not required for falconry activities on public lands where it is authorized, but permittees must comply with all applicable federal, state, territorial or tribal laws regarding falconry activities, including hunting. Falconry permits do not authorize capture or release of raptors or the practice of falconry on public lands if prohibited on those lands, or on private property, without permission from the landowner or custodian.

- 728
729 4. A falconry permit is valid from the date issued through the 31st day of January of the third
730 calendar year following the year of issue, unless the department specifies a shorter period on
731 the permit.
732
- 733 5. Representatives of the department may, during business hours on any day of the week, at
734 times mutually agreed upon by the state and permittees, and only in the presence of
735 permittees, inspect falconry raptor(s), facilities, equipment, and records. If inspections reveal
736 raptors in poor condition as a result of permittees' negligence, if facilities are determined
737 inadequate, or if permittees violate any other provisions of the falconry standards in this
738 section of this manual, the department may revoke permits.
739
- 740 6. Falconry permits are issued for apprentice, general, and master class falconers.
741
- 742 a. Apprentice class permits are issued with the following conditions:
743
- 744 (1) A permittee may not possess more than one raptor at any time, may not take a
745 nestling raptor from the wild, nor obtain more than one raptor for replacement during
746 any 12-month period; and
747
- 748 (2) A permittee may take, transport, or possess all authorized species and hybrids
749 contained in 5 AAC 92.037 and Table 1.
750
- 751 b. General class permits are issued with the following conditions:
752
- 753 (1) A permittee may not possess more than three raptors at any time nor obtain more
754 than two raptors, whether for initial stocking or for replacement of raptors already
755 possessed under a permit, during any 12-month period;
756
- 757 (2) A permittee may take, transport, or possess all authorized species contained in 5
758 AAC 92.037 and Table 1.
759
- 760 (3) An interspecific hybrid raptor may not be flown free unless the permittee first
761 attaches to the bird at least two radio transmitters designed to track the bird if it is
762 lost.
763
- 764 c. Master class permits are issued with the following conditions:
765
- 766 (1) A permittee may not possess more than five wild-taken raptors at any time, three of
767 which may be eagles, but may possess any number of captive-bred raptors. During
768 any 12-month period, a permittee may not obtain more than two raptors taken from
769 the wild;
770
- 771 (2) A permittee may take, transport, or possess all authorized species contained in 5
772 AAC 92.037 and Table 1.
773



774 (3) An interspecific hybrid raptor may not be flown free unless the permittee first
775 attaches to the bird at least two radio transmitters designed to track the bird if it is
776 lost.
777

778 7. Federal regulations contain additional provisions and restrictions for eagles:
779

780 a. Master falconers may possess up to 3 golden eagles.
781

782 b. The department must document the following before approving requests to possess
783 eagles for use in falconry:

784 (1) the applicant's experience in handling large raptors, including information
785 about the species handled and the type and duration of the activity claimed as
786 pertinent experience; and

787 (2) at least two letters of reference from people with experience handling
788 and/or flying large raptors such as eagles, ferruginous hawks (*Buteo regalis*),
789 goshawks (*Accipiter gentilis*), or great horned owls (*Bubo virginianus*). Each
790 letter must contain a concise history of the author's experience with large
791 raptors which may include, but is not limited to, rehabilitating large raptors,
792 scientific studies involving large raptors, or handling of raptors held by zoos
793 and/or rehabilitation operations. Each letter must also assess the applicant's
794 ability to care for eagles and fly them in falconry.
795

796 c. White-tailed eagles, Steller's sea-eagles, or golden eagles count as wild-taken
797 raptors permittees may possess. (Note – sea eagles are not permitted for take by
798 Alaska regulation).
799

800 d. Master falconers authorized to possess golden eagles may take one or two
801 immature or sub-adult golden eagles from the wild as provided in 50 CFR 22.23.
802

803 e. Permittees must send the entire bodies of falconry golden eagles that die, including
804 all feathers, talons, and other parts, to the National Eagle Repository.
805

806 8. Permittees must ensure falconry activities do not cause the take of federally listed threatened
807 or endangered wildlife. "Take" under the Endangered Species Act (50 CFR §3(18)) means
808 "to harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in
809 any such conduct." Within this definition, to "harass" means any act that may injure wildlife
810 by disrupting normal behavior, including breeding, feeding, or sheltering. To "harm" means
811 an act that actually kills or injures wildlife (50 CFR §17.3). Contact the department to obtain
812 information about endangered or threatened species in Alaska or on lands permittees wish to
813 practice falconry; contact the USFWS for information on federally listed species.
814

815 9. Hacking, or temporary release to the wild, is an allowable method of conditioning raptors for
816 falconry. Only general and master class falconers may hack raptors.
817

818 a. Raptors at hack count against permittees' possession limits.
819

819 b. Interspecific hybrid raptors and non-native species/subspecies shall not be placed
820 at hack.

821 c. Permittees may not hack falconry raptors near nesting areas of federally designated
822 threatened or endangered bird species, or in other locations where raptors are
823 likely to disturb, harm, or take federally listed threatened or endangered animal
824 species. Permittees should contact the department and/or the USFWS regional
825 office before hacking falconry birds to prevent adverse encounters with listed
826 wildlife.

827
828 10. Permittees may use acceptable falconry practices such as, but not limited to, the use of
829 creance (tethered) flying, lures, balloons, and kites in training and conditioning falconry
830 raptors. Permittees may fly falconry raptors at bird species not protected by the Migratory
831 Bird Treaty Act and at captive-raised animals subject to 5 AAC 92.029.

832
833 11. The commissioner may add to a permit other conditions the commissioner determines are
834 necessary under the circumstances in order to protect raptors that are to be taken, transported,
835 or possessed under the permit.

836
837
838 **Falconry Permit Requirements and Application Procedures**

839
840 12. All falconers must:

- 841
842 a. complete and submit an application form from the department, co-signed by a parent or
843 legal guardian if the applicant is under 18 years of age;
844
845 b. prove they have either passed the falconry examination administered by the department
846 or have previously held a falconry permit and held birds at the sought level.
847
848 c. present an original, signed certification of particular familiarity with 50 CFR §10.13 (the
849 list of migratory bird species to which the Migratory Bird Treaty Act applies, 50 CFR
850 §13 (general permit regulations), 50 CFR §21 (migratory bird permits), and 50 CFR §22
851 (eagle permits). This certification is incorporated into the department's application form
852 and is worded as follows:

853
854 *I certify that I have read and am familiar with the*
855 *regulations in title 50, part 13, of the Code of*
856 *Federal Regulations and the other applicable*
857 *parts in subchapter B of chapter 1 of title 50, and*
858 *that the information I have submitted is complete*
859 *and accurate to the best of my knowledge and*
860 *belief. I understand that any false statement*
861 *herein may subject me to the criminal penalties*
862 *of 18 U.S.C. 1001.*

- 863
864 d. at least 30 days before acquiring a bird, have their raptor housing facilities and
865 equipment inspected and approved by the ADF&G falconry representative for that
866 region; and
867

868 e. submit falconry permit applications to the ADF&G Permits Section. An application form
869 is included in the Alaska Falconry Manual and forms are also available from the Permits
870 Section or the regional offices of the department.

871
872 13. New (apprentice) falconers must:

- 873
874 a. be at least 12 years of age;
875
876 b. be sponsored by general or master class falconers who are at least 18 years old and have
877 at least 2 years' experience at the general falconer level;
878
879 c. answer correctly at least 80% of the questions on a supervised examination administered
880 by ADF&G staff (applicants failing the examination may retake a similar test after
881 waiting at least 30 days, but applicants may not take the examination more than twice
882 during any six-month period); and
883
884 d. provide a letter from a master or general class falconer 18 years of age or older stating he
885 or she has agreed to assist the applicant in learning about the husbandry and training of
886 raptors held for falconry and about relevant wildlife laws and regulations, and in deciding
887 what species of raptor is appropriate to possess while an apprentice.
888

889 14. Requirements and procedures for renewing a permit:

- 890
891 a. To renew a falconry permit, a permittee must request renewal and pay all applicable fees;
892 requests for renewal must be submitted at least 20 days prior to expiration of current
893 permits (by January 10th); check with ADF&G Permits Section for current fee schedule.
894 A permit will not be renewed unless the permittee has complied with all reporting
895 requirements and other provisions of the falconry standards in this manual.
896
897 b. Renewal permits are valid from the date issued through the 31st day of January of the
898 third calendar year following the year of issue, unless the department specifies a shorter
899 period on the permit.
900

901 15. Requirements and procedures for reinstating a lapsed permit:

- 902
903 a. If a permit has lapsed for fewer than 5 years, it may be reinstated at the level an applicant
904 held previously with proof of certification at that level.
905
906 b. If a permit has lapsed for 5 years or longer, an applicant must correctly answer at least 80
907 percent of the questions on an examination administered by the department. If the
908 applicant passes the exam, the permit may be reinstated at the level previously held. An
909 applicant's facilities must pass department inspection before a permittee may possess a
910 falconry bird.
911
912 c. If a permit has been revoked, the department may restore the person's permit at the end
913 of the revocation period upon request of the person whose permit was revoked.
914

- 915 16. Requirements and procedures for upgrading a permit:
916
917 a. To upgrade a falconry permit, a permittee must present a written request for an upgrade
918 to the ADF&G Permits Section. The request must include a summary of birds held
919 including species and number of months each was held and copies of Forms 3-186A
920 and/or Annual Reports to verify time with birds in possession (only time with a bird in
921 possession counts as experience). An apprentice falconer must also present a letter of
922 recommendation from his or her sponsor supporting the upgrade and attesting the
923 applicant has practiced falconry with raptors taken from the wild at the apprentice level
924 for at least two years, including maintaining, training, flying, and hunting the raptor(s)
925 for an average of six months per year, with at least four months in each year. General
926 class falconers must be at least 16 years of age. Applicants seeking upgrade to master
927 class must attest to having practiced falconry at the general level for at least five years.
928
929 b. Requests for upgrade will be granted at the discretion of the department. Requests may
930 be denied due to failure to comply with permit conditions and reporting requirements,
931 substandard raptor housing facilities, birds that are in poor condition, or losses or deaths
932 of raptors in the applicant's care.
933
934 c. Upgrades may be requested at any time and there is no fee to upgrade an existing permit.
935 The existing permit will be re-issued at the higher class level and will retain the original
936 expiration date.
937
938 17. Requirements and procedures to transfer falconry permits from other states:
939 a. The procedures for transferring permits from other states are the same as for new
940 falconers, except, that no sponsors are required for general and master class permittees,
941 and falconers must present copies of current falconry permits along with applications, to
942 be considered for a general or master class permit.
943
944 b. Alaska falconry permits issued to falconers from other states will be issued at the
945 apprentice class level unless falconers present documentation (Forms 3-186A or Annual
946 Reports) establishing the requisite experience to qualify at higher class levels.
947
948 18. Requirements and procedures for non-U.S. visitors practicing falconry in Alaska:
949 a. Non-U.S. visitors to Alaska who present valid falconry permits from their country of
950 origin may qualify for temporary falconry permits appropriate to their levels of
951 experience.
952 i. Temporary falconry permits may be valid for any period specified by the department.
953 ii. To demonstrate knowledge of U.S. and Alaska falconry laws and regulations, visitors
954 must correctly answer at least 80 percent of the questions on the Alaska falconry
955 exam administered by the department. If visitors pass the examination, the
956 department will determine the level of permit for which visitors are qualified, based
957 on visitors' documentation of their falconry experience.
958 iii. Persons holding temporary falconry permits may possess raptors for falconry if they
959 have approved falconry facilities and fly raptors held for falconry by permitted
960 falconers.

- 961 iv. Persons holding temporary falconry permits may not take birds from the wild to use
962 in falconry.
963
- 964 b. For the duration of their temporary falconry permits, visitors may use any birds for
965 falconry they possess legally in their countries of residence for that purpose, provided
966 import of those species to the U.S. is not prohibited, and provided they have met all
967 permitting requirements of their countries of residence, and all of the import/export
968 requirements.
969 i. Visitors must comply with the provisions of this Manual, the state of Alaska, and all
970 states through which they travel with falconry raptors.
971 ii. Visitors may transport registered raptors; visitors may need one or more additional
972 permits to bring raptors into the U.S. or to return home with them. Please see 50
973 CFR §14 (importation, exportation, and transportation of wildlife), 50 CFR §15
974 (Wild Bird Conservation Act), 50 CFR §17 (endangered and threatened species), 50
975 CFR §21 (migratory bird import and export permits), and 50 CFR §23 (endangered
976 species convention) for details.
977 iii. Unless visitors have the necessary permits to bring raptors into the U.S. and leave
978 them here, they must take the raptors brought into the country for falconry out of the
979 country when they leave. If raptors brought into the U.S. die or are lost while in this
980 country, visitors must document the losses before leaving the U.S. by reporting losses
981 to the department.
982 iv. When flown free, falconry raptors brought to the U.S. temporarily must wear two
983 functioning radio transmitters designed to track the birds if lost.
984 v. The commissioner may impose additional restrictions on non-U.S. residents
985 practicing falconry or importing raptors for falconry
986

987 19. Updating a falconry permit after a move:

- 988 a. If a permittee moves to a new state or outside the jurisdiction of the department and takes
989 falconry raptors along, the permittee must concurrently inform the department and the
990 permitting authority for the new place of residence of the address change. To obtain a
991 new falconry permit, permittees must follow the permit application procedures of the
992 authority under which the permittee wishes to acquire a new permit. Permittees may
993 keep falconry raptors while applying for a new falconry permit, although the new
994 jurisdiction into which the permittee moves may place restrictions on possession of
995 falconry raptors until the permittee meets local residency requirements.
996

997 **Temporary Facilities**

- 998
999 20. A permittee shall provide all raptors being transported or held in a temporary facility with
1000 safe, humane housing and shall protect the raptors from extreme temperatures and excessive
1001 disturbance. A person may not hold a raptor in a temporary facility for longer than 60 days.
1002

1003 **Markers**

- 1004
1005 21. a. Before taking a goshawk, Harris' hawk, peregrine falcon, or gyrfalcon from the wild, or
1006 acquiring one from a rehabilitator, a permittee shall first obtain a U.S. Fish and Wildlife
1007 Service marker band issued in the permittee's name. Upon taking a goshawk, Harris' hawk,



1008 peregrine falcon or gyrfalcon, a permittee shall immediately attach the U.S. Fish and Wildlife
1009 Service marker band to the raptor. The marker band may not be removed, except that the
1010 rear tab may be removed and any imperfections on the surface may be smoothed if the
1011 integrity of the marker and numbering are not affected.

1012
1013 b. In addition to banding, a permittee may purchase and implant an ISO (International
1014 Organization for Standardization)-compliant (134.2 kHz) microchip in a bird. A permittee
1015 must report the band number and/or microchip information when reporting acquisition of a
1016 bird.

1017
1018 c. A raptor bred in captivity must be banded with a seamless metal USFWS marker band or
1019 carry an implanted ISO-compliant microchip. If a permittee must remove a seamless band or
1020 if it is lost, the permittee must report it and request a replacement USFWS non-reusable
1021 marker, or implant an ISO-compliant microchip. Wild-origin raptors may not be banded
1022 with seamless metal USFWS marker bands.

1023
1024 d. If a marker band must be removed or is lost from a raptor in a permittee's possession, a
1025 permittee must report within five days, and do one of the following:

1026
1027 i. Request a USFWS non-reusable marker band from the department. The
1028 permittee must submit the required information immediately upon re-banding the
1029 raptor at <http://permits.fws.gov/186A> or by submitting a paper or electronic form
1030 3-186A to the department at dfg.dwc.permits@alaska.gov.

1031
1032
1033 ii. Purchase and implant an ISO-compliant (134.2 kHz) microchip in the raptor
1034 and report the microchip information at <http://permits.fws.gov/186A> or by
1035 submitting a paper form 3-186A to the department at
1036 dfg.dwc.permits@alaska.gov.

1037
1038
1039 e. Permittees may not alter, deface, or counterfeit marker bands, nor attach them to raptors
1040 other than the individuals to which marker bands were initially attached.

1041 1042 **Taking of Raptors**

1043
1044
1045 22. Take of any raptor species must be in compliance with these standards. Eyas and passage
1046 birds may be taken any day of the year. Except for American kestrels and great horned owls,
1047 raptors over one year of age may not be taken. Actively breeding birds, including those in
1048 immature plumage, may not be taken. An eyas may be taken only by general or master class
1049 falconers; at least one nestling must be left in any nest from which a bird is removed.
1050 Permittees may not intentionally capture raptor species not allowed by their classifications
1051 for possession for falconry. Permittees unintentionally or otherwise capturing raptors not
1052 allowed must immediately release them.

1053
1054 a. Permittees may take no more than two raptors from the wild each year for use in falconry;

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b. If a permittee transfers a raptor taken from the wild to another permittee in the same year in which the raptor was taken, that bird will count as a raptor the permittee took from the wild that year. It will not count as a raptor taken from the wild by the recipient permittee, but it will always be considered a wild-origin bird. No matter how long wild-taken raptors are held in captivity or whether they are transferred to other permittees or permit types, they are always considered as wild-taken birds. Such birds are considered taken from the wild only by the permittees who originally captured them, not by any subsequent permittees to whom they are legally transferred.

c. A permittee taking possession of a raptor for falconry purposes, who is present at the capture site, even if another person captures the raptor, is considered the person who removes the bird from the wild and is responsible for reporting that take.

d. If a permittee seeking possession of a falconry raptor is not at the immediate location where a raptor is taken from the wild, the person who removes the bird from the wild must be a general or master class permittee, and must report take of the bird, even if it is promptly transferred to the recipient permittee. When the permittee capturing the raptor transfers it to the absent permittee, both must report the transfer. The bird will count as one of the two raptors the permittee who took it from the wild is allowed to capture in any one year. The raptor will not count as a capture by the recipient permittee.

e. A permittee with a long-term physical disability preventing direct capture of a species allowed for falconry by that permittee may designate a general or master class falconer to take a raptor on their behalf. When a raptor is taken from the wild, the disabled permittee is responsible for reporting the take, and the bird will count as one of the two raptors he/she is allowed to capture in any one year.

f. General or master class permittees may take no more than one raptor of a threatened species from the wild each year as long as; 1) federal regulations allow take, 2) the permittee obtains a federal endangered species permit to do so, and 3) the permittee complies with applicable state, territorial, or tribal regulations regarding take of that species.

23. Permittees must comply with the following notification requirements when taking raptors for falconry:

a. Regional falconry representatives and department offices where permittees must report their planned and completed taking activities:

a) **Region I**, Game Management Units 1 - 5: ADF&G, Division of Wildlife Conservation, Region I, P.O. Box 110024, Douglas, AK 99811-0024;

(i) **Regional Falconry Rep:** Rich Lowell, ADF&G, P.O. Box 667 Petersburg, AK 99833, (907) 772-5235.

b) **Region II**, Game Management Units 6, 7, 8, 14(C), and 15: ADF&G, Division of Wildlife Conservation, Region II, 333 Raspberry Road, Anchorage, AK 99518-1599;



- 1101 (i) **Regional Falconry Rep:** Marian Snively, ADF&G, 333 Raspberry Rd.,
 1102 Anchorage, AK 99518, (907) 267-2893.
 1103
- 1104 c) **Region III**, Game Management Units 12, 19, 20, 21, 24, 25, 26B, and 26C: ADF&G,
 1105 Division of Wildlife Conservation, Region III, 1300 College Road, Fairbanks, AK
 1106 99701-1551;
 1107 (i) **Regional Falconry Rep:** Travis Booms, ADF&G 1300 College Rd.,
 1108 Fairbanks, AK 99701, (907) 459-7378.
 1109
- 1110 d) **Region IV**, Game Management Units 9, 10, 11, 13, 14(A), 14(B), 16, and 17:
 1111 ADF&G, Division of Wildlife Conservation, Region IV, 1800 Glenn Highway Suite
 1112 4, Palmer, AK 99645-6736;
 1113 (i) **Regional Falconry Rep:** Marian Snively, ADF&G, 333 Raspberry Rd.,
 1114 Anchorage, AK 99518, (907) 267-2893.
 1115
- 1116 e) **Region V**, Game Management Units 18, 22, 23 and 26A: ADF&G, Division of
 1117 Wildlife Conservation, Region V, Pouch 1148, Nome, AK 99762; and
 1118 (i) **Regional Falconry Rep:** Peter Bente, ADF&G, PO Box 1148, Nome, AK
 1119 99762, (907) 443-8188.
 1120
- 1121 f) **Headquarters Office**, State copy of form 3-186A: ADF&G, Permits Section,
 1122 Division of Wildlife Conservation, P.O. Box 115526, Juneau, AK 99811-5526.
 1123 (i) **Permits Section:** (907) 465-4148.
 1124
- 1125 b. At least 10 days before taking any raptor from the wild, a permittee must notify:
 1126
- 1127 (1) the department regional falconry representative in the intended area of take of the
 1128 permittee's planned taking activities, including the area, species, and timing of take;
 1129 and
 1130
- 1131 (2) the nearest department office in the intended area of take of the permittee's planned
 1132 taking activities, including the area, species, and timing of take.
 1133
- 1134 c. Within 10 days after taking any raptor, a permittee must:
 1135
- 1136 (1) notify the department regional falconry representative in the area of take of the
 1137 permittee's completed taking activities, including the specific location, date, species,
 1138 age (if known) and sex (if known) of take;
 1139
- 1140 (2) present other information related to the taking, as requested by the department;
 1141
- 1142 (3) and submit a completed federal form 3-186A (Migratory Bird Acquisition/
 1143 Disposition Report) to the ADF&G Permits Section in Juneau.
 1144
- 1145 d. Golden Eagle Take – Falconers desiring to take a golden eagle are advised to contact
 1146 both the department and USFWS at least 90 days prior to any planned take. There are
 1147 special provisions for take in designated areas that are administered by the USFWS.

1148

1149 24. Permittees may recapture raptors wearing seamless metal bands, transmitters, falconry
1150 equipment, or other items identifying them as falconry or captive-bred birds at any time,
1151 even if they are not allowed to possess the species. Birds will not count against permittees'
1152 possession limits, nor will their take count against permittees' annual wild take limits.
1153 Recaptures must be reported to the state no more than five business days after the recapture.
1154 Permittees must return recaptured falconry raptors to the permittees who lost them, if those
1155 people may legally possess them. Disposition of raptors whose legal possession cannot be
1156 determined will be at the discretion of the department. While permittees keeping birds for
1157 return to the permittees who lost them, those birds will neither count against permittees'
1158 possession limits nor limits on take of raptors from the wild, but permittees must report
1159 possession of such raptors to the department within five business days.

1160

1161 25. Permittees may take from the wild raptors of species they are authorized to possess that are
1162 banded with Federal Bird Banding Laboratory aluminum bands. However, permittees may
1163 not take banded peregrine falcons from the wild.

1164

1165 a. Permittees capturing peregrine falcons marked with research bands or research
1166 markings must immediately release them, except falcons wearing transmitters may be
1167 held for up to 30 days in order to contact researchers to determine if transmitters or
1168 batteries warrant replacement. Researchers may choose to replace transmitters or
1169 batteries, or remove transmitters. Researchers, their designees, or falconry
1170 permittees authorized by researchers may conduct this work. If researchers choose,
1171 transmitters may be removed and falcons transferred to permittees, who may keep
1172 such birds if captured in circumstances allowing capture of wild peregrines.

1173 b. If captured raptors have bands, research markings, or transmitters attached,
1174 permittees must promptly report band numbers and all relevant information to the
1175 Federal Bird Banding Laboratory at 1-800-327-2263.

1176 c. Permittees may contact researchers to determine if they wish to replace transmitters
1177 or batteries on captured birds. If so, permittees are authorized to possess such raptors
1178 for up to 30 days until the researchers, their designees, or authorized permittees
1179 completes the replacements. Disposition of such raptors will be at the discretion of
1180 the researchers and the department.

1181 d. Such birds held temporarily will not count against permittees' possession or annual
1182 wild take limits for falconry raptors.

1183

1184 26. Permittees are responsible for costs of care and rehabilitation of raptors injured by their
1185 trapping efforts.

1186

1187 a. Permittees may place raptors injured by trapping efforts on their falconry permits, and
1188 must report take to the department within 10 days using federal form 3-186A. After
1189 reporting, permittees may have birds treated by veterinarians or permitted wildlife
1190 rehabilitators. Such birds count against possession and annual wild take limits.

1191

1192 b. Permittees may give raptors injured by trapping efforts directly to veterinarians,
1193 permitted wildlife rehabilitators, or appropriate wildlife agency employees. Such birds
1194 do not count against possession and annual wild take limits.

1195
1196 27. Permittees may acquire raptors of any age of species they are allowed to possess directly from
1197 rehabilitators. Transfer to falconry permittees is at the discretion of the rehabilitators.

- 1198
1199 a. Permittees must report acquisitions from rehabilitators within 10 days of the
1200 transactions using federal form 3-186A.
1201
1202 b. Raptors acquired from rehabilitators count against possession and annual wild take
1203 limits.
1204

1205 **Import/Export**

1206
1207 28. A permit from ADF&G is required to permanently export a raptor and to temporarily or
1208 permanently import a raptor. A permittee shall contact the ADF&G Permits Section at least
1209 10 days before exporting a raptor and at least 30 days before importing a raptor into Alaska.
1210 Permittees may not permanently export raptors taken from the wild in Alaska unless; 1) those
1211 permittees have legally possessed the bird in the state for at least one year and 2) have met
1212 the definition of Alaska resident in AS 16.05.415 for at least one year prior to the export (i.e.,
1213 resided in the state for two years). If the department determines it necessary to conserve or
1214 protect raptors in the state, or if the person desiring to import or export a raptor has not fully
1215 complied with the conditions or requirements of the falconry standards in this manual, the
1216 department may disapprove the import or export of a raptor.
1217

1218 29. A person who legally possesses a raptor under an Alaska falconry permit and who has met
1219 the definition of Alaska Resident in AS 16.05.415 for at least one year may temporarily
1220 export the raptor from Alaska for a period of not longer than 12 months. A permittee shall
1221 notify the regional falconry representative of the temporary export of a raptor at least 10 days
1222 before leaving Alaska, shall provide the date of departure and anticipated date of return, and
1223 shall notify the department's regional falconry representative within 10 days after returning
1224 the raptor to Alaska.
1225

1226 30. An Alaska falconry permit authorizes a permittee who legally possesses a raptor for falconry
1227 and who has met the definition of Alaska Resident in AS 16.05.415 for at least one year to
1228 export and then import such a raptor for falconry to another country to use in falconry
1229 without an additional migratory bird import/export permit issued under 50 CFR §21.21,
1230 providing the permittee:

- 1231 a. meets any requirements in 50 CFR §14 subpart B;
1232 b. holds necessary additional permits to take a bird from the U.S. or return home with it
1233 (*see* 50 CFR §15 (Wild Bird Conservation Act), 50 CFR §17 (endangered and
1234 threatened species, and 50 CFR §23 (endangered species convention));
1235 c. brings any raptor taken out of the country for falconry back to the U.S. when he or she
1236 returns, unless he or she holds the necessary permit(s) to permanently export a raptor;
1237 d. covers each raptor with a CITES certificate of ownership issued under 50 CFR §23,
1238 holds full documentation of lawful origin of each raptor (e.g., a copy of a propagation
1239 report or federal form 3-186A), and identifies each raptor with a seamless numbered
1240 band, a permanent non-reusable, numbered USFWS leg band, or implanted microchip;
1241 and

1242 e. reports death or loss of a raptor immediately upon return to the U.S. and in the manner
1243 required by the department and in accordance with conditions of the CITES certificate.
1244 The permittee need not bring back the body of a dead raptor.
1245

1246 31. A person possessing a valid falconry permit issued by a U.S. state, territory, or tribe may
1247 possess and transport for falconry purposes a lawfully possessed raptor through other states
1248 or U.S. territories. Any state, territory, or tribe may further regulate such transport. A person
1249 with a permit for falconry in another state may temporarily import a raptor into Alaska
1250 subject to an import permit issued by ADF&G and use it for falconry for up to 60 days after
1251 the date of import under that falconry permit. If a person who temporarily imports a raptor
1252 intends to keep that raptor in Alaska longer than 60 days after the date of import, the person
1253 must, within 30 days of the date of import, apply for an Alaska falconry permit, deliver to the
1254 department any falconry permit issued for the raptor by another state, and certify in writing
1255 that the person intends to become a resident of Alaska.
1256

1257 **Transfer of Raptors**

1258

1259 32. A person may not sell, barter, or exchange for anything of value a wild-taken raptor held
1260 under a falconry permit. A permittee may sell, purchase, or barter, or offer to sell, purchase
1261 or barter a captive-bred raptor marked with a seamless band to another permittee authorized
1262 to possess it. A permittee shall notify the regional falconry representative at least 10 days
1263 before permanently transferring a raptor to another permittee. There is no restriction on the
1264 number of wild-taken or captive-bred raptors transferred to a permittee, except permittees
1265 may not exceed possession or annual wild take limits. A person who acquires or disposes of a
1266 raptor shall submit federal form 3-186A (Migratory Bird Acquisition/Disposition Report) to
1267 the ADF&G Permits Section within 10 days after the acquisition or disposal. A person may
1268 not permanently transfer possession of a raptor originally taken from the wild in Alaska to a
1269 person located outside of Alaska.
1270

1271 33. Under some circumstances, permittees may transfer a raptor to another permit type if the
1272 recipient permittee holds the necessary permits for the other activity and is authorized to
1273 possess the bird. Transfers must be reported within 10 days to the department using federal
1274 form 3-186A.
1275

1276 a. Permittees may transfer wild-taken falconry birds to raptor propagation permits after
1277 birds have been used in falconry for at least two years, or at least one year for sharp-
1278 shinned hawks, Cooper's hawks, merlins, or American kestrels. When transferring such
1279 birds, permittees must provide a copy of the federal form 3-186A documenting acquisition
1280 of the bird by propagators to the federal migratory bird permit office administering the
1281 propagation permits.
1282

1283 b. Permittees may transfer wild-taken raptors to other permit types in less than two years,
1284 or one year for sharp-shinned hawks, Cooper's hawks, merlins, or American kestrels, if
1285 the birds have been injured and veterinarians or permitted wildlife rehabilitators have
1286 determined the birds can no longer be flown in falconry.
1287

- 1288 i. When transferring birds, permittees must provide copies of the federal forms
1289 3-186A documenting acquisition of the birds to the federal migratory bird permit
1290 office administering the propagation permits.
1291
1292 ii. When transferring birds, permittees must provide copies of the certifications from
1293 veterinarians or permitted wildlife rehabilitators who have determined the birds can
1294 no longer be flown in falconry to the federal migratory bird permit office
1295 administering the propagation permits.
1296
1297 c. Permittees may transfer captive-bred falconry raptors to holders of other permit types if
1298 they are authorized to possess the birds.
1299

- 1300 34. A person may care for a permittee's raptor if, during the time of care, the person holds a
1301 written authorization signed by the permittee. Raptors must remain on the permittee's
1302 falconry permit and remain in the permittee's facilities. Care may be extended indefinitely in
1303 extenuated circumstances such as illness, family emergency, and military service. The
1304 person providing care may not fly permitted raptors for any reason. If the period of care will
1305 exceed 45 days, the permittee shall notify the regional falconry representative in writing
1306 within three days after transferring care of the raptor. The permittee shall inform the regional
1307 falconry representative of the location where the raptor will be held, the reason for the
1308 transfer, the name of the person who is caring for the raptor, and how many days the raptor
1309 will be in the transferee's care.
1310
1311 35. A surviving spouse, executor, administrator, or other legal representative of a deceased
1312 falconry permittee may transfer any bird held by the permittee to another authorized
1313 permittee within 90 days of the death of the falconry permittee. After 90 days, disposition of
1314 any bird held under the permit is at the discretion of the department.
1315

1316 **Release, Loss or Death of Raptors**

1317

- 1318 36. **Release** - Only a raptor originally taken from the wild in Alaska may be intentionally
1319 released to the wild. Before intentionally releasing a raptor to the wild, a permittee must
1320 notify the regional falconry representative and must remove the USFWS or ADF&G marker
1321 from the raptor. Permittees must release birds back to the wild only at appropriate times of
1322 year and in appropriate locations. A permittee must submit federal form 3-186A (Migratory
1323 Bird Acquisition/Disposition Report) to the ADF&G Permits Section upon any loss, escape,
1324 release, or death of the permittee's raptor within 10 days after that event. A permittee must
1325 deliver the marker from a dead or released raptor to the regional falconry representative
1326 within 15 days after the death or release of the raptor to the wild.
1327
1328 37. **Loss** - A permittee may retrap a marked raptor that is accidentally lost to the wild within five
1329 days after its loss without notifying the regional falconry representative. If the permittee
1330 intends to retrap the raptor more than five days after its loss, the permittee must notify the
1331 regional falconry representative that the raptor has been lost and that the permittee intends to
1332 recapture it. If a permittee recaptures the raptor, previously reported to the department as
1333 lost, the permittee must notify the department within 10 days after the recapture.
1334 Recapturing marked raptors is not considered take of a bird from the wild.

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Theft - Thefts of raptors must be reported to the department on federal form 3-186A and to the USFWS regional law enforcement office within 10 days of the theft.

38. **Record Keeping** - Permittees acquiring, transferring, rebanding, microchipping raptors or reporting loss to the wild (>30 days), theft, or death of a falconry raptor must retain copies of all electronic database submissions (forms 3-186A etc.) documenting the event for at least five years after the event.
39. **Use/Disposal of Raptors that Die** - For falconry raptors that die, permittees may donate the bodies or feathers of any species (except eagles) to persons or institutions authorized by permit to acquire and possess such parts or feathers or to persons or institutions exempt under 50 CFR §21.12. The bodies, feathers, talons, and other parts of golden eagles possessed under falconry permits must be sent to the National Eagle Repository.
- a. Permittees may keep the bodies of raptors banded or microchipped prior to death, except those of golden eagles. Bodies may be kept so feathers are available for imping. Bodies may be mounted by taxidermists for use in presenting conservation education programs. Marker bands must remain in place on the bodies of birds that were banded; microchips must remain in place in birds with implanted microchips.
 - b. Permittees not wishing to donate bird bodies or keep them themselves must burn, bury, or otherwise destroy them within 10 days of death or after final veterinary examination to determine cause of death. Because carcasses of euthanized raptors could pose a risk of secondary poisoning of eagles and other scavengers, permittees must take appropriate precautions to avoid such poisonings.
 - c. Permittees may possess flight feathers of falconry raptors that die for as long as they hold valid falconry permits. Permittees may not buy, sell, or barter such feathers and must keep paperwork documenting the acquisition of the birds from which they came.

Imping

40. A permittee may retain or exchange feathers that are molted or feathers from raptors that die in captivity only for imping purposes under the following conditions:
- a. permittees may possess flight feathers for each species of raptor they possess or previously held for as long as they hold valid falconry permits;
 - b. permittees may receive feathers for imping from other permitted falconers, wildlife rehabilitators, or raptor propagators in the United States, and may give feathers to them;
 - c. permittees may not buy, sell, or barter imping feathers;
 - d. permittees may donate feathers from falconry birds, except golden eagle feathers, to any persons or institutions with valid permits to have them, or to anyone exempt from the permit requirement under 50 CFR §21.12;
 - e. except for primary or secondary flight feathers or rectrices from golden eagles, permittees are not required to gather feathers molted or otherwise lost by falconry birds. Permittees may leave feathers where they fall, store them for imping, or destroy them;
 - f. permittees must collect molted primary and secondary flight feathers and rectrices from golden eagles;
 - g. molted primary and secondary flight feathers and rectrices from golden eagles not kept for imping must be sent to the National Eagle Repository at this address: U.S. Fish and

1382 Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal, Building 128,
1383 Commerce City, CO 80022. The telephone number at the Repository is 303-287-2110;
1384 h. permittees are asked, but are not required to, send all other feathers, including body
1385 feathers, collected from falconry golden eagles and not needed for imping, to the
1386 National Eagle Repository; and
1387 i. if falconry permits expire or are revoked, permittees must donate the feathers of any
1388 species of falconry raptor except golden eagle to any persons or institutions authorized by
1389 permit to acquire and possess the feathers, or are exempt from the permit requirement
1390 under 50 CFR §21.12. Feathers not donated must be burned, buried, or otherwise
1391 destroyed.

1392 **Captive Propagation**

- 1393
- 1394
- 1395 41. Unless a person holds a propagation permit issued by the department, the person may not
1396 breed raptors in captivity for falconry. Propagation permits are issued under the following
1397 conditions:
- 1398
- 1399 a. The department may issue a propagation permit only to a person who:
- 1400 1) holds a federal raptor propagation permit,
1401 2) holds an Alaska master class falconry permit, and
1402 3) passes an inspection of facilities with the following guidelines:
- 1403 i) adequate chamber size,
1404 ii) double-door access to prevent escape,
1405 iii) any window protected on the inside with vertical bars,
1406 iv) adequate padded perches,
1407 v) adequate roof covering of chain-link or welded wire material,
1408 vi) adequate floor covering [straw and/or sawdust are not suitable],
1409 vii) adequate protection from the elements.
- 1410
- 1411 b. A propagation permittee may acquire no more than two wild-origin birds within a calendar
1412 year. A propagation permittee may have no more than 12 birds for breeding that include
1413 first-generation captive progeny and wild-origin birds. A propagation permittee will
1414 have no limit on the number of second or later generation captive-bred progeny held in
1415 captive propagation. A raptor held under a propagation permit does not count as one of
1416 the three raptors that may be held under a falconry permit.
- 1417
- 1418 c. Raptors possessed for falconry may be used in captive propagation if falconry permittees
1419 or permitted raptor propagators hold the necessary permits. Falconry raptors need not be
1420 transferred to propagation permits if used in captive propagation fewer than eight months
1421 in a year, but must be transferred if permanently used in captive propagation.
- 1422
- 1423 d. The propagation permittee may sell, barter, or exchange for anything of value first or later
1424 generation captive-bred progeny to any person holding a falconry license or raptor
1425 propagation permit within Alaska or outside of Alaska. The propagation permittee must
1426 dispose of captive-bred progeny within one year after hatching. Captive-bred progeny
1427 not sold or transferred as described in this subsection may be transferred or otherwise
1428 disposed of only with the written approval of the department.

1429
1430 e. A raptor that originated from the wild in Alaska and is held under a propagation permit
1431 may not be exported from the state.
1432

1433 **Conservation Education**

- 1434
1435 42. Permittees may use falconry raptors in conservation programs presented in public venues,
1436 under the following conditions:
1437
- 1438 a. raptors must be used primarily for falconry;
 - 1439 b. permittees must present information about falconry and the biology, ecological roles, and
1440 conservation needs of raptors and other migratory birds, although not all topics must be
1441 addressed in every presentation;
 - 1442 c. permittees may not present programs that do not address falconry and conservation
1443 education;
 - 1444 d. apprentice class permittees may present conservation programs only under the direct
1445 supervision of a general or master falconer;
 - 1446 e. permittees may charge fees for presentation of conservation education programs, but fees
1447 may not exceed amounts to recoup costs associated with attending the presentation; and
 - 1448 f. permittees are responsible for all liability associated with conservation education
1449 activities undertaken.
- 1450
1451 43. Permittees may allow photography, filming, video recording, or other such uses of falconry
1452 raptors to make movies or other sources of information on the practice of falconry or on the
1453 biology, ecological roles, and conservation needs of raptors and other migratory birds, under
1454 the following conditions:
1455
- 1456 a. permittees may not be paid for such activities;
 - 1457 b. falconry raptors may not be used to make movies, commercials, or in other commercial
1458 ventures that are not related to falconry or conservation education; and
 - 1459 c. falconry raptors may not be used for entertainment, advertisements, promotions or
1460 endorsements of any products, merchandise, goods, services, meetings, exhibitions, or
1461 fairs, or as representations of any businesses, companies, corporations, or organizations.

1462 **Rehabilitation**

- 1463
1464
1465 44. General and master class falconry permittees may assist permitted migratory bird
1466 rehabilitators to condition raptors in preparation for their release to the wild and may keep
1467 birds they are helping to rehabilitate in their facilities, under the following conditions:
1468
- 1469 a. rehabilitators must provide falconers with letters of forms identifying the birds and
1470 explaining that falconers are assisting in their rehabilitation;
 - 1471 b. falconry permittees need not meet rehabilitation facility standards, only the facility
1472 standards for falconry permits; falconry permittees' facilities are not subject to inspection
1473 for compliance with rehabilitation facility standards;
 - 1474 c. raptors possessed for rehabilitation purposes need not be added to falconers' permits; they
1475 remain under the rehabilitators' permits;

- 1476 d. through coordination with rehabilitators, falconers must release all raptors to the wild or
1477 return them to rehabilitators for release within the 180-day timeframe in which
1478 rehabilitators are authorized to possess the birds, unless the issuing office authorizes
1479 retention and conditioning for longer than 180 days, or unless rehabilitators permanently
1480 transfer birds to falconers under their falconry permits; and
- 1481 e. raptors that cannot be released to the wild must be returned to rehabilitators for placement
1482 within the 180-day timeframe in which rehabilitators are authorized to possess the birds,
1483 unless the issuing office authorizes retention for longer than 180 days.
1484

1485 **Abatement**

- 1486
- 1487 45. Master class falconry permittees may conduct abatement activities with raptors possessed for
1488 falconry only if they hold Special Purpose Abatement permits. General class falconry
1489 permittees may conduct abatement activities only as subpermittees of Special Purpose
1490 abatement permit holders. Only Special Purpose Abatement permittees may receive payment
1491 for abatement services.

ADFE
DRAFT

ALASKA FALCONRY PERMIT APPLICATION

1. NAME

Last	First	M.I.
------	-------	------

2. MAILING ADDRESS

Street or P.O. Box		
City	State	Zip

3. TELEPHONE NUMBERS

Home	Business or Message
------	---------------------

4. EMAIL ADDRESS

--

5. ALASKA RESIDENT

<input type="checkbox"/> Yes <input type="checkbox"/> No Since _____
--

6. DATE OF BIRTH

--

7. LOCATION OF FACILITIES

Street	City
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8. DRIVER'S LICENSE OR I.D. NUMBER

State	Number
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9. RAPTORS IN POSSESSION

Species	Sex	Age	Band Number	Date Acquired	Source (wild or captive-bred)

10A. PERMIT CLASS

<input type="checkbox"/> Apprentice
<input type="checkbox"/> General*
<input type="checkbox"/> Master*

10B. APPRENTICE'S SPONSOR

Last Name	First	Telephone
Address		Class

11. FALCONRY EXAM/APPROVAL

<input type="checkbox"/> Exam Passed	Approved By _____	Date _____
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12. MEWS INSPECTION/APPROVAL

<input type="checkbox"/> Mews Inspected	Approved By _____	Date _____
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13. CERTIFICATION

I have read and understand the Alaska Falconry Standards. I certify that I have read and am familiar with the regulations in title 50, part 13, of the Code of Federal Regulations and the other applicable parts in subchapter B of chapter 1 of title 50, and that the information I have submitted is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.

Applicant's Signature _____ Date _____

*An applicant requesting a general or master class permit must submit a photocopy of the most recently held permit/license issued from any state or province AND annual falconry reports.

Please mail application and fees to:
ADF&G Wildlife Conservation, Permits Section, P.O. Box 115526, Juneau, AK 99811-5526



ALASKA FALCONRY ANNUAL REPORT FORM

Name: _____ State Permit No.: _____

Mailing Address: _____ City: _____ Zip _____

Telephone No.: (home) _____ (work) _____

Email: _____ Location of Facilities: _____

Class (check one) Apprentice General Master

Permit expiration date: _____ Are you requesting renewal? Yes No

ANNUAL REPORT for 20____

RAPTORS ON HAND AT BEGINNING OF PERMIT YEAR (January 1)

Species	Marker Number	Sex	Year Hatched	Where (GMU subunit) or From Whom Obtained	Date Obtained month/day/year
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_

RAPTORS ACQUIRED DURING 12 MONTHS ENDING DECEMBER 31

(Raptors acquired from the wild or another person)

Species	Marker Number	Sex	Year Hatched	Where (GMU subunit) or From Whom Obtained	Date Obtained month/day/year
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_

RAPTORS NO LONGER IN POSSESSION

(since previous annual report)

Species	Marker Number	Sex	Year Hatched	Disposition*	Disposition Date month/day/year
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_
_____	_____	_____	_____	_____	_/_/_

*Disposition (lost, transferred, died, released, stolen): Provide complete details, i.e., where lost or released, to whom transferred, cause of death, etc.

Signature: _____ Date: _____

Annual falconry reports are due by January 10. Please mail this report to:
ADF&G Wildlife Conservation, Permits Section, P.O. Box 115526, Juneau, AK 99817



CONTACT INFORMATION

General requests for information about falconry, appointments to take the falconry examination or have your facilities inspected, applications for a falconry permit, requests for state markers (bands), and notification of take or intent to take a raptor from the wild are handled by the regional falconry representative at a regional office of the Alaska Department of Fish & Game, Division of Wildlife Conservation.

ADF&G/Wildlife Conservation
P.O. Box 115526
Juneau, AK 99811-5526
Phone (907) 465-4190

ADF&G/Wildlife Conservation
P.O. Box 240020
Douglas, AK 99824-0020
Phone (907) 465-4265

ADF&G/Wildlife Conservation
333 Raspberry Road
Anchorage, AK 99518-1599
Phone (907) 267-2257

ADF&G/Wildlife Conservation
1300 College Road
Fairbanks, AK 99701-1599
Phone (907) 459-7213

ADF&G/Wildlife Conservation
1800 Glenn Highway, Suite 4
Palmer, AK 99645-6736
Phone (907) 745-6300

ADF&G/Wildlife Conservation
P.O. Box 1148
Nome, AK 99762-1148
Phone (907) 443-2271

Processing of falconry and state raptor propagation permits, submission of 3-186A forms, requests to import or permanently export raptors, and information about health certification, disease testing, vaccination, and other requirements for the importation of raptors are handled by the ADF&G Permit Section.

ADF&G/Wildlife Permit Section
P.O. Box 115526
Juneau, AK 99811-5526
Phone: (907) 465-4148
Email: dfg.dwc.permits@alaska.gov

For information about federal regulations and permitting requirements, contact the U.S. Fish and Wildlife Service.

U.S. Fish and Wildlife Service
Migratory Bird Permits Office
1011 East Tudor Road
Anchorage, AK 99503
Phone (907) 786-3693



The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write:

- ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526
- U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042, Arlington, VA 22203
- Office of Equal Opportunity, U.S. Department of the Interior, 1849 C Street NW MS 5230, Washington DC 20240.

The department's ADA Coordinator can be reached via phone at the following numbers:

- (VOICE) 907-465-6077
- (Statewide Telecommunication Device for the Deaf) 1-800-478-3648
- (Juneau TDD) 907-465-3646
- (FAX) 907-465-6078

For information on alternative formats and questions on this publication, please contact the following: Publications Specialist, ADF&G/Division of Wildlife Conservation, P.O. Box 115526, Juneau, AK 99811-5526, or call 907-465-4176

ADF&G
DRAFT



**ALASKA
FALCONRY MANUAL
NO. 98**



**Alaska Board of Game
Alaska Department of Fish and Game
July 1, 201208**



CHANGES FROM ALASKA FALCONRY MANUAL NO. 8

General Information

Throughout this new Manual, all references to falconers and their raptors are now expressed in the singular, as per the preference of the USFWS.

Purpose

Falconry Permits

1. A falconry permit is issued solely by the Commissioner of the Alaska Department of Fish and Game, not jointly with the U.S. Fish and Wildlife Service.

2. A falconry permit must be accompanied by a valid, current Alaska hunting license; a falconry permittee may not take a raptor from the wild without first possessing a valid, current falconry permit and a valid, current Alaska hunting license.

3. A falconry raptor or raptors, facilities, equipment, and records may be inspected only in the presence of the permittee, during business hours on any day of the week, and at a time mutually agreed upon by the state and the permittee.

4. A general or master class permittee may hack, or temporarily release to the wild, a raptor to condition it for falconry.

5. A permittee may use creance (tethered) flying, a lure, balloon, or kite in training and conditioning a falconry raptor, and may fly a falconry raptor at bird species not protected by the Migratory Bird Treaty Act and at captive-raised animals.

6. A master falconer may hold a maximum of five wild-taken raptors, including up to three eagles, with no limit on number of captive-bred raptors held [present maximum is three birds total].

7. An interspecific hybrid raptor or a raptor of a species not indigenous to Alaska may not be flown free, including flying at hack, unless the permittee first attaches to the bird at least two radio transmitters designed to track the bird if it is lost.

8. A person may not practice falconry with a raptor of a species not covered by federal and state falconry regulations without first obtaining an Alaska falconry permit.

Application Procedures

Falconry Examination

9. A falconer moving to Alaska and wishing to acquire an Alaska falconry permit or visiting Alaska and wishing to acquire a temporary falconry permit must pass an Alaska falconry



47 examination. A falconer who previously held an Alaska falconry permit need not pass the
48 Alaska falconry examination.

49
50 10. Added Ronald Stevens's *Observations On Modern Falconry* to the list of references.

51
52 **Facilities and Equipment**

53
54 11. Raptor housing includes indoor facilities (mews), outdoor enclosures (weathering area) and a
55 permittee's residence, provided facilities offer protection from predators and other dangers,
56 adequate shelter from the elements, appropriate perches, and availability of clean water. Outdoor
57 facilities are required.

58
59 12. A falconry raptor may be kept outside in the open if it is under watch by a permittee, one of
60 his or her family members, or, for instance, by a designated individual in a weathering yard at a
61 falconry meet.

62
63 13. A permittee may keep a falconry raptor inside his or her place of residence provided the bird
64 has a suitable perch and is tethered when not being moved into or out of the permittee's home.

65
66 14. A permittee must notify the department within five business days of changing the location of
67 his or her permanent falconry facilities.

68
69 **Records and Reporting**

70
71 15. Annual reports are no longer required.

72
73 16. Notification of authorities before and after taking a raptor, reporting a lost or dead raptor,
74 reporting a lost, damaged, or removed marker band, a change in location of housing facilities, a
75 change in contact information, and any other official notification of activity carried out under a
76 falconry permit may be made electronically, orally, or in writing. A completed form 3-186A
77 may be filed electronically or in writing on a paper form. A permittee must retain a copy of each
78 electronic database submission documenting take, transfer, loss, rebanding, or implanting a
79 microchip in a falconry raptor until five years after transferring or losing the raptor, or it has
80 died. A permittee acquiring a raptor; transferring, rebanding, or implanting a microchip in a
81 raptor; if a permittee's raptor is stolen; if a raptor lost to the wild is not recovered within 30 days;
82 or if a raptor possessed for falconry dies; a permittee must report to the department within 10
83 days using federal form 3-186A. These and other notification deadlines are as follows:

- 84
85
- 86 • Acquisition/transfer/disposal of a raptor – within 10 days to the department (using federal
 - 87 form 3-186A (Migratory Bird Acquisition/Disposition Report)) – hereafter, “the
 - 88 department” means Permits Section at ADF&G headquarters unless otherwise noted;
 - 89 • Intent to take a raptor from the wild – at least 10 days prior to the department office
 - 90 nearest area of intended take and the regional falconry representative in the area of take;
 - 91 • Take of a raptor from the wild – within 10 days to the department and the regional
 - 92 falconry representative in the area of take;
 - 93 • Import of a raptor – at least 30 days prior to the department, except at least 10 days for
 - 94 the return of a raptor of Alaska origin from temporary export;



- Export of a raptor – at least 10 days prior to the department;
- A marker band is lost or had to be removed – within five days to the department;
- Intentional release of a raptor – prior notification to the regional falconry representative;
- Death, loss, escape, or intentional release of a raptor – within 10 days to the department, or immediately upon return to the country for death or loss of a raptor temporarily outside the U.S. for falconry purposes, using federal form 3-186A;
- Surrender of the marker band from a dead or released raptor – within 15 business days to the department;
- Intent to recapture a raptor lost more than five days – to the regional falconry representative;
- Recovery of a raptor reported as lost – within 10 days of recapture to the regional falconry representative;
- Recapture of a raptor wearing falconry equipment or a captive-bred raptor – within five business days of recapture to the department;
- Permanent transfer of a raptor to another permittee – at least 10 days before the transfer to the regional falconry representative;
- Intent to transfer a raptor for temporary care for a period of care to exceed 45 days – within three days after transfer to the regional falconry representative;
- Changed location of falconry facilities – within five business days to the department;
- Non-resident falconer entering Alaska to practice falconry under a non-Alaska falconry permit – at least 10 days prior to the department; and
- Non-resident falconer importing a raptor if he or she intends to keep an imported bird in the state longer than 60 days – within 30 days of the date of import to the department.

Markers

Banding

Captive Propagation

Conservation Education

Rehabilitation

Abatement

Falconry Standards

Definitions

17. For determining possession and take of a raptor for falconry, a regulatory year is any 12-month period defined by the state.

18. Defines “permittee” to include a person who holds a valid, current Alaska falconry permit [the previous definition limited “permittee” to one who actually holds a raptor under the authority of a falconry permit].



141 19. Defines “resident” using the language in the Alaska Hunting Regulations: “a person
142 (including an alien) who is physically present in Alaska with the intent to remain indefinitely and
143 make a home in Alaska, has maintained that person’s domicile in Alaska for the 12 consecutive
144 months immediately preceding application for a license, and is not claiming residency or
145 obtaining benefits under a claim of residency in another state, territory, or country; or a member
146 of the military service or U.S. Coast Guard who has been stationed in Alaska for the 12
147 consecutive months immediately preceding application for a license; or a dependent of a resident
148 member of the military service or U.S. Coast Guard who has lived in Alaska for the 12
149 consecutive months immediately preceding application for a license. A person who does not
150 otherwise qualify as a resident may not qualify by virtue of an interest in an Alaska business.”

151
152 20. Raptors authorized by the U.S. Fish and Wildlife Service, including all subspecies thereof,
153 and authorized for falconry use in Alaska include: turkey vulture (*Cathartes aura*); osprey
154 (*Pandion haliaetus*); bald eagle (*Haliaeetus leucocephalus*); white-tailed eagle (*Haliaeetus*
155 *albicilla*); Steller's sea-eagle (*Haliaeetus pelagicus*); northern harrier (*Circus cyaneus*); Asiatic
156 sparrow hawk (*Accipiter gularis*); sharp-shinned hawk (*Accipiter striatus*); Cooper's hawk
157 (*Accipiter cooperii*); northern goshawk (*Accipiter gentilis*); Harris's hawk (*Parabuteo*
158 *unicinctus*); Swainson's hawk (*Buteo swainsoni*); red-tailed hawk (*Buteo jamaicensis*);
159 ferruginous hawk (*Buteo regalis*); rough-legged hawk (*Buteo lagopus*); golden eagle (*Aquila*
160 *chrysaetos*); Eurasian kestrel (*Falco tinnunculus*); American kestrel (*Falco sparverius*); merlin
161 (*Falco columbarius*); aplomado falcon (*Falco femoralis*); peregrine falcon (*Falco peregrinus*);
162 gyrfalcon (*Falco rusticolus*); prairie falcon (*Falco mexicanus*); western screech-owl (*Otus*
163 *kennicottii*); great horned owl (*Bubo virginianus*); snowy owl (*Bubo scandiacus*); northern hawk-
164 owl (*Surnia ulula*); northern pygmy-owl (*Glaucidium gnoma*); barred owl (*Strix varia*); great
165 gray owl (*Strix nebulosa*); long-eared owl (*Asio otus*); short-eared owl (*Asio flammeus*); boreal
166 owl (*Aegolius funereus*); northern saw-whet owl (*Aegolius acadicus*); and hybrids of these
167 species produced by raptor breeders. [NOTE: Cooper’s hawk, Harris’s hawk, ferruginous hawk,
168 aplomado falcon, and prairie falcon are not indigenous to Alaska, and may be flown free only
169 with at least two radio transmitters attached.]

170
171 21. The definition of an animal taken outside of regular hunting seasons is changed from “game”
172 to “quarry” to cover inadvertent take of both game and non-game animals.

173
174 22. Release of live game under terms of 5 AAC 92.029, “Permits for possessing live game,” is
175 allowed for training of “raptors” [present language specifies only “falcons”].

176
177 23. A permittee must ensure his or her falconry activities do not cause the take of federally listed
178 threatened or endangered wildlife.

179
180 24. A permittee must report take by a falconry bird of any federally listed endangered or
181 threatened species to the USFWS Ecological Services Field Office for the location in which the
182 take occurred.

183
184 25. A permittee may use a falconry raptor take any bird species for which a depredation order is
185 in place at any time in accordance with the conditions of the order, but may not be compensated
186 for doing so.

188 **Falconry Permits**

189
190 26. The list of legal falconry species now includes the new order Accipitriformes.

191
192 27. A person may not take, transport, or possess a raptor, including Accipitriform, Falconiform,
193 and Strigiform birds not identified as raptors in these standards, for falconry or for the practice of
194 falconry in Alaska without possessing a valid falconry permit issued by the department.
195 Someone whose permit was revoked or canceled by the department would not be able to
196 continue the practice of falconry with an “exotic” raptor not listed as a falconry species, as has
197 occurred elsewhere. Given Alaska’s tight restrictions on non-indigenous wildlife, this is
198 extremely unlikely, but this closes a potential loophole.

199
200 28. Specifies a raptor held under any level of falconry permit must be trained in the pursuit of
201 wild game and used in hunting [that requirement was previously included only in the language
202 allowing master class falconers an unlimited number of birds].

203
204 29. Deleted “general class falconers may possess up to 3 golden eagles (*Aquila chrysaetos*)” as
205 per federal restrictions.

206
207 30. Regulations allowing master falconers to possess and take golden eagles from the wild are
208 adopted by reference to 50 CFR 22.23 and 22.24 rather than citing the specific language, in order
209 to accommodate expected changes at the federal level.

210
211 31. A permittee may not sell, barter, or exchange for anything of value a wild-taken raptor held
212 under a falconry permit, but may do so with a captive-bred raptor marked with a seamless band.

213
214 32. A non-U.S. visitor to Alaska may qualify for a temporary falconry permit appropriate to his
215 or her level of experience.

216
217 **Falconry Permit Requirements and Application Procedures**

218
219 33. Application and permit fees are payable to ADF&G, not USFWS.

220
221 34. ADF&G Region IV contact information added.

222
223 35. Additional language is added to the certification block of the permit application: “I certify
224 that I have read and am familiar with the regulations in title 50, part 13, of the Code of Federal
225 Regulations and the other applicable parts in subchapter B of chapter 1 of title 50, and that the
226 information I have submitted is complete and accurate to the best of my knowledge and belief. I
227 understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C.
228 1001.”

229
230 **New (apprentice) falconers**

231
232 36. An apprentice falconer must be at least 12 years old [present minimum age is 14], may hold
233 only one bird at any time, may not possess a wild-taken eyas, nor a bird imprinted on humans.
234 An apprentice may hold all authorized species except bald eagle (*Haliaeetus leucocephalus*).



235 white-tailed eagle (*Haliaeetus albicilla*), Steller's sea-eagle (*Haliaeetus pelagicus*), northern
236 harrier (*Circus cyaneus*), Swainson's hawk (*Buteo swainsoni*), ferruginous hawk (*Buteo regalis*),
237 golden eagle (*Aquila chrysaetos*), peregrine falcon (*Falco peregrinus*), prairie falcon (*Falco*
238 *mexicanus*), short-eared owl (*Asio flammeus*), and hybrids of these species produced by raptor
239 breeders.

240
241 An applicant must be sponsored by a master or general class falconer who is at least 18 years old
242 and has at least two years of experience at the general falconer level. A parent or legal guardian
243 of an apprentice under 18 years of age must sign the falconry permit application and is legally
244 responsible for the permittee's activities.

Renewing a permit

245
246
247
248 37. A permittee who allows his or her permit to lapse may reinstate the permit at the same level
249 of the previously held permit by applying to reinstate the permit within five years of its
250 expiration, paying any appropriate fee, and presenting proof of certification at that level. An
251 applicant's facilities must also pass department inspection before the permittee may possess a
252 falconry bird. The permittee need not pass the Alaska falconry examination.

253
254 38. A permittee who allows his or her permit to lapse for five years or longer must pass the
255 Alaska falconry examination to reinstate the permit. If he or she passes the examination, the
256 permit will be reinstated at the level previously held after the permittee pays any appropriate fee
257 and presents proof of certification at that level. An applicant's facilities must also pass
258 department inspection before the permittee may possess a falconry bird.

259
260 39. A revoked permit may be restored at the end of the revocation period upon request of the
261 person whose permit was revoked.

Upgrading a permit

262
263
264
265 40. A permit upgrade request must include a summary of species held and how long each bird
266 was held. An apprentice falconer must also present a letter of recommendation from his or her
267 sponsor supporting the upgrade and attesting the applicant has practiced falconry with a raptor
268 taken from the wild at the apprentice level for at least two years, including maintaining, training,
269 flying, and hunting the raptor for an average of six months per year, with at least four months in
270 each year. An applicant seeking upgrade to master class must attest to having practiced falconry
271 at the general level for at least five years.

272
273 41. A general falconer must be at least 16 years of age [no change from existing minimum age],
274 may hold a maximum of three raptors, and may hold all authorized species except bald eagle
275 (*Haliaeetus leucocephalus*), white-tailed eagle (*Haliaeetus albicilla*), Steller's sea-eagle
276 (*Haliaeetus pelagicus*), and golden eagle (*Aquila chrysaetos*). General class falconers with less
277 than two years of experience may take peregrine falcons from the wild [not allowed by present
278 regulation]. The application of a general class falconer under 18 years of age must be signed by
279 a parent or legal guardian accepting legal responsibility for the falconer's activities.

281 42. Falconry school or educational program experience may not be substituted for active falconry
282 experience for purposes of advancing to a general or master class permit.

283
284 **Transferring a permit from another state or country**

285
286 43. An applicant with a valid, current permit from another state or U.S. territory must pass the
287 Alaska falconry examination, unless he or she previously held an Alaska falconry permit.

288
289 44. A non-resident wishing to hunt with a raptor in Alaska for 60 days or less may be issued a
290 temporary falconry permit. A temporary permittee may not take a bird from the wild.

291
292 45. A falconer moving to Alaska from a non-U.S. jurisdiction or wishing to practice falconry
293 temporarily in Alaska is required to demonstrate familiarity with U.S. and Alaska law by passing
294 an examination. A permits will be issued at the apprentice level unless the applicant documents
295 experience qualifying him or her for a higher-level permit.

296
297 **Updating a permit after a move**

298
299 46. A permittee moving from Alaska must notify the department and the permitting authority of
300 the new place of residence within 30 days. A permittee may continue to hold a falconry raptor
301 while applying for a new permit, but the jurisdiction into which permittee has moved may place
302 restrictions on possession of a falconry bird until residency requirements in the new jurisdiction
303 are met.

304
305 **Temporary Facilities**

306
307 47. A raptor may be held in temporary facilities for up to 45 days [present maximum is 30 days].

308
309 **Markers**

310
311 48. A red ADF&G marker band is no longer required; a black USFWS marker band issued by
312 the department is required for a wild-taken goshawk, Harris's hawk, peregrine falcon, or
313 gyrfalcon; a captive-bred raptor must wear a seamless metal USFWS marker band. An ISO-
314 compliant (i.e., 134.2 kHz) microchip may be implanted in addition to using the USFWS marker
315 band. A wild-origin raptor may not be banded with a seamless metal USFWS marker band.

316
317 49. A microchip may be implanted in a raptor in addition to, but not in place of, banding.

318
319 50. The state may provide an exemption to banding requirements if a health or injury problem
320 caused by a marker band is documented. A falconer must carry a copy of exemption paperwork
321 when flying an exempted raptor. For an exempted wild-origin peregrine falcon, gyrfalcon,
322 Harris's hawk, or goshawk, a band must be replaced by an ISO-compliant microchip. In such a
323 case, the USFWS will provide a suitable microchip.

324
325 51. A marker band may not be attached to a raptor other than the individual to which the marker
326 band was originally attached.



Taking of Raptors

328 52. Only an Alaska resident may take a raptor from the wild in Alaska. The definition of
329 “resident” is the same as published in the Alaska Hunting Regulations and is included in the
330 definitions section of Alaska Falconry Manual No. 9.

331
332
333
334 53. Take of any raptor species must be in compliance with these standards.

- 335
336 a. A permittee may not intentionally capture a raptor of a species not allowed by his or her
337 classification for possession for falconry. A permittee capturing a raptor not allowed
338 must release it immediately.
- 339
340 b. A permittee may take no more than two raptors from the wild each year for use in
341 falconry.
- 342
343 c. If a permittee transfers a raptor taken from the wild to another permittee in the same year
344 in which it was taken, that bird will count as one of the raptors the permittee is allowed to
345 take from the wild that year; it will not count as a capture by the recipient permittee, but
346 will always be considered a wild-origin bird.
- 347
348 d. A permittee taking possession of a raptor for falconry purposes, who is present at the
349 capture site, even if another person captures the raptor, is considered the person who
350 removes the bird from the wild and is responsible for reporting that take.
- 351
352 e. If a permittee seeking possession of a falconry raptor is not at the immediate location
353 where a raptor is taken from the wild, the person who removes the bird from the wild
354 must be a general or master class permittee, and must report take of the bird, even if it is
355 promptly transferred to the recipient permittee. When that person transfers the raptor to
356 the absent permittee, both must report the transfer. The bird will count as one of the two
357 raptors the permittee who took it from the wild is allowed to capture in any one year.
358 The raptor will not count as a capture by the recipient permittee.
- 359
360 f. If a permittee has a long-term physical impairment preventing direct capture of a species
361 allowed for falconry use by that permittee, a general or master class permittee may take a
362 raptor for that person. When a raptor is taken from the wild, the recipient permittee is
363 then responsible for reporting the take, and the bird will count as one of the two raptors
364 he or she is allowed to capture in any one year.
- 365
366 i. A permittee with a long-term physical disability is defined as a permittee who
367 provides the department with either 1) written proof that the person receives at least
368 70 percent disability compensation from a government agency for a physical
369 disability or 2) an affidavit signed by a physician licensed to practice medicine in
370 the state, stating that the person is at least 70 percent disabled.

371
372 54. Restrictions on dates when an eyas or passage raptor may be taken from the wild are
373 eliminated; a raptor may be taken any day of the year. A breeding bird, including one in
374 immature plumage, may not be taken.



375
376 55. Peregrine falcons, including all subspecies thereof, are considered the same as other raptors
377 available for falconry use. There are no special requirements for taking or reporting take of a
378 peregrine falcon, nor are there restrictions on where peregrines may be taken. Previously closed
379 corridors on the Colville and Upper Yukon Rivers are now open to peregrine take.

380
381 56. A permittee may retrap a marked raptor or a raptor wearing falconry equipment lost to the
382 wild at any time and within five days after its loss without notifying the regional falconry
383 representative. Recapturing such a raptor is not considered take from the wild. A permittee must
384 return a recaptured falconry raptor to the permittee who lost it, if that person may legally possess
385 it. Disposition of a raptor whose legal possession cannot be determined will be at the discretion
386 of the department. While a permittee is keeping a bird for return to the permittee who lost it, the
387 bird will neither count against the permittee's possession limit nor the limit on take of raptors
388 from the wild, but the permittee must report possession of such a raptor to the department within
389 five business days of capture.

390
391 57. A falconer may acquire a bird from a rehabilitator. A raptor acquired from a rehabilitator
392 must be capable of being flown at wild quarry.

393
394 58. An interspecific hybrid raptor need not be surgically sterilized.

395
396 59. An interspecific hybrid raptor or a raptor of a species not indigenous to Alaska at hack or
397 flown free must wear at least two radio transmitters designed to track the bird if it is lost..

398
399 60. A permittee may take from the wild a raptor he or she is authorized to possess if the bird is
400 banded with a Federal Bird Banding Laboratory aluminum band, except a permittee may not take
401 a banded peregrine falcon from the wild. A permittee capturing a peregrine falcon marked with
402 a research band or a research marking must immediately release it, except a falcon wearing a
403 transmitter may be held for up to 30 days in order to contact a researcher to determine if the
404 transmitter or battery warrants replacement. A researcher may choose to replace a transmitter or
405 battery, or remove a transmitter. A researcher, his or her designee, or a falconry permittee
406 authorized by the researcher may conduct this work. If the researcher chooses, the transmitter
407 may be removed and the falcon transferred to the permittee, who may keep such a bird if
408 captured in circumstances allowing capture of a wild peregrine.

- 409
410
 - 411 • If a captured raptor has a band, a research marking, or a transmitter attached, the
412 permittee must promptly report the band number and all relevant information to the
413 Federal Bird Banding Laboratory at 1-800-327-2263.
 - 414
 - 415 ○ A permittee may contact a researcher to determine if he or she wishes to replace a
416 transmitter or battery on a captured bird. If so, a permittee is authorized to
417 possess such a raptor for up to 30 days until the researcher, his or her designee, or
418 an authorized permittee completes the replacement. Disposition of such a raptor
419 will be at the discretion of the researcher and the department.
 - 420 ○ Such a bird held temporarily will not count against a permittee's possession or
421 annual wild take limits for falconry raptors.

422
423 61. A permittee is responsible for the cost of care and rehabilitation of a raptor injured by his or
424 her trapping efforts. A permittee may place a raptor injured by trapping efforts on his or her
425 falconry permit, report the take to the department within 10 days using federal form 3-186A, and
426 have the bird treated by a veterinarian or a permitted wildlife rehabilitator; such a bird counts
427 against possession and annual wild take limits. A permittee may also give such a raptor directly
428 to a veterinarian, permitted wildlife rehabilitator, or appropriate wildlife agency employee; such
429 a bird does not count against possession and annual wild take limits.

430
431 62. A master falconer authorized to possess a golden eagle may take one or two immature or sub-
432 adult golden eagles from the wild only in a livestock depredation area during the time the
433 depredation area is in effect, as follows. A livestock depredation area is declared by USDA
434 Wildlife Services or upon the request of a state governor. A permittee meeting the conditions
435 outlined in 50 CFR §21.29 (c)(3)(iv) and who has a state permit to possess a golden eagle is
436 considered sufficiently authorized for the purposes of the Bald and Golden Eagle Protection Act
437 (16 U.S.C. 668-668d), subject to the requirement that take of golden eagles for falconry is
438 compatible with the preservation of the golden eagle. Under present federal regulations, a
439 permittee:

- 440
441 a. may capture a nestling golden eagle, or take a nestling from its nest, in a
442 livestock depredation area if a biologist representing the agency
443 responsible for declaring the depredation area has determined that the
444 adult eagle is preying on livestock;
- 445
446 b. must determine the location of the livestock depredation areas; neither the
447 state, USDA Wildlife Services, nor the USFWS will notify permittees
448 about them;
- 449
450 c. must inform the USFWS regional law enforcement office of capture plans
451 in person, in writing, or via facsimile or e-mail to
452 lawenforcement@fws.gov at least three business days before beginning
453 trapping activities;
- 454
455 d. must meet all requirements of the state, territory, or tribe in which or on
456 whose lands trapping activities are intended;
- 457
458 e. must have permission from the landowner to capture an eagle or, if
459 capture is intended on public land, the responsible agency must allow it;
460 and
- 461
462 f. may receive a golden eagle from a government employee who has trapped
463 it under federal, state, or tribal authority in a livestock depredation area
464 declared by USDA Wildlife Services or a state governor if the employee is
465 unable to release the bird in an appropriate location.

466
467 **Import/Export**



469 63. A written permit to import or permanently export a raptor is no longer required, but oral,
470 electronic, or written notification must be made to the ADF&G Permits Section at least 10 days
471 prior to temporary or permanent export or 30 business days prior to importation, except
472 notification must be given at least 10 days before the return of a raptor of Alaska origin from
473 temporary export.

474
475 64. A permittee must either have held a bird for a year or maintained Alaska residency for two
476 consecutive years prior to the date of export before temporarily or permanently exporting a
477 falconry raptor. A falconer who has maintained Alaska residency continuously for at least two
478 years may temporarily or permanently export a raptor held under falconry permits even if he or
479 she has not held the bird for a full year.

480
481 65. Requirements for importation of raptors specify “vaccination, or other requirements” in
482 addition to “disease testing,” and designate both state and provincial entities as acceptable
483 authorities for certification of good health.

484
485 66. A person possessing a valid falconry permit issued by a U.S. state, territory, or tribe may
486 possess and transport for falconry purposes a lawfully possessed raptor through other states or
487 U.S. territories. Any state, territory, or tribe may further regulate such transport.

488
489 67. A non-resident may import a raptor and use it for falconry in Alaska for up to 60 [formerly
490 30] days on the authority of the falconry permit issued by his or her home state. A temporary
491 Alaska falconry permit is no longer required, but a non-resident must notify the ADF&G Permits
492 Section at least 10 business days prior to entering the state.

493
494 68. A permittee legally possessing a raptor for falconry may export and then import such a raptor
495 for falconry to other countries to use in falconry without additional migratory bird import/export
496 permits issued under 50 CFR §21.21.

497 **Transfer of Raptors**

498
499
500 69. Only permanent, not temporary, transfer requires notification of state and federal authorities
501 using form 3-186A. “Transfer of raptor” means to transfer or change the possession of a raptor
502 from one permittee to another permittee. Transfer includes the sale, barter, or exchange of a
503 raptor for anything of value [present language does not consider these transactions as transfers].
504 Short-term handling, such as letting another person hold or practice flying a raptor held under a
505 falconry permit, is not considered possession if the permittee is present and supervising the
506 person working with his or her raptor.

507
508 70. A permittee may transfer a raptor to captive propagation and other permit types.

509
510 71. A person other than a permittee may temporarily care for a permitted raptor for up to 45
511 days, provided the raptor remains on the permittee’s falconry permit and remains in the
512 permittee’s facilities. Care may be extended indefinitely in extenuated circumstances such as
513 illness, family emergency, and military service. If a period of temporary care will exceed 45
514 days, the permittee shall notify the regional falconry representative in writing within 10

515 [previously three] days after transferring the raptor. A person providing care may not fly a
516 permitted raptor for any reason.

517
518 72. A survivor/legal representative of a deceased falconry permittee may transfer a bird held by
519 the permittee to another authorized permittee within 90 days of death. After 90 days, disposition
520 of a bird is at the discretion of the department.

521 **Release, Loss or Death of Raptors**

522
523
524 73. A permittee must notify the regional falconry representative at least five days before
525 intentionally releasing a raptor to the wild.

526
527 74. A permittee may keep the body of a raptor banded or with a microchip implanted prior to
528 death, except that of a golden eagle. A body may be kept so feathers are available for imping. A
529 body may be mounted by a taxidermist for use in presenting conservation education programs.
530 A dead raptor preserved by taxidermy must permanently retain its marker band and/or microchip.
531 A permittee not wishing to donate a bird body or keep it him or herself must burn, bury, or
532 otherwise destroy it within 10 days of death or after final veterinary examination to determine
533 cause of death. A permittee must take appropriate precautions to avoid secondary poisoning of
534 eagles and other scavengers via a carcass of a euthanized raptor. A permittee may possess flight
535 feathers of a falconry raptor that died for as long as the permittee holds a valid falconry permit.
536 A permittee may not buy, sell, or barter such feathers and must keep paperwork documenting the
537 acquisition of the bird from which the feathers came.

538
539 75. A permittee must send the entire body of a falconry golden eagle that dies, including all
540 feathers, talons, and other parts, to the National Eagle Repository.

541 **Imping**

542
543
544 76. For imping purposes, a permittee may retain or exchange feathers from each species of raptor
545 he or she possesses or previously held for as long as he or she holds a valid, current falconry
546 permit; may receive feathers from another permittee and may give feathers to him or her; may
547 not buy, sell, or barter imping feathers; may donate feathers from a falconry bird, except golden
548 eagle feathers, to a permitted or exempted person or institution. Except for primary or secondary
549 flight feathers or rectrices from golden eagles, a permittee is not required to gather feathers from
550 a falconry bird; golden eagle feathers not kept for imping must be sent to the National Eagle
551 Repository. If a falconry permit expires or is revoked, a permittee must donate feathers of any
552 species of falconry raptor except golden eagle to a person or an institution authorized by permit
553 to acquire and possess the feathers or are exempt from the permit requirement under 50 CFR
554 §21.12, or burn, bury, or otherwise destroy them.

555 **Captive Propagation**

556
557
558 77. A raptor held under a falconry permit may be bred in captivity under the authority of a
559 captive propagation permit. A raptor possessed for falconry may be used in captive propagation
560 only in Alaska.



562 78. Propagation permittees are no longer required to dispose of captive-bred progeny within one
563 year after hatching.

564
565 79. A falconry raptor may be used in captive propagation for less than eight months in a year
566 without transferring it to a propagation permit. Permanent use in propagation programs requires
567 a permit transfer.

568
569 80. There is no limit on the number of wild-origin birds held under a captive propagation permit;
570 no more than two wild-origin birds may be acquired in a calendar year.

571
572 81. A captive propagator may sell, barter, or exchange for anything of value first or later
573 generation captive-bred progeny [present regulations limit such disposal to second generation or
574 later progeny].

575
576 82. A permittee moving from the state may permanently export a raptor held under a propagation
577 permit if the permittee has legally possessed that raptor in Alaska for at least one year and retains
578 possession of the raptor at his or her new place of residence, except a raptor held less than one
579 full year may be exported permanently if the propagation permittee holding it has maintained
580 Alaska residency continuously for at least two years immediately prior to the date of export.

581 582 **Conservation Education**

583
584 83. A permittee may use a falconry raptor in a conservation program presented in a public venue.

585 586 **Rehabilitation**

587
588 84. A general or master class falconry permittee may assist a permitted migratory bird
589 rehabilitator to condition a raptor in preparation for its release to the wild and may keep a bird he
590 or she is helping to rehabilitate in his or her facilities.

591 592 **Abatement**

593
594 85. A master class falconry permittee may conduct and receive payment for abatement activities
595 with a raptor possessed for falconry if he or she holds a Special Purpose Abatement permit; a
596 general class falconry permittee may conduct abatement activities only as a subpermittee of a
597 Special Purpose Abatement permit holder.

IMPORTANT DATES

January 11~~0~~

~~Last due date for annual falconry and raptor propagation reports.~~

~~Date to request permit renewal (unless otherwise specified). Requests for renewal must be submitted at least 20 days prior to expiration of the current permits.~~

January 31

~~Date falconry and raptor propagation permits expire.~~

~~**Year-round**
May 26
August 5~~

- ~~Notify the department of acquisition, transfer, rebanding, or disposal of a raptor, implanting a microchip in a raptor, or if a raptor is stolen, is lost to the wild and not recovered for 30 days, or dies, using federal form 3-186A (Migratory Bird Acquisition/Disposition Report) within 10 days of occurrence.~~
- ~~Notify the department office nearest the area of intended take and the regional falconry representative in the area of take at least 10 days before taking a raptor from the wild.~~
- ~~Notify the department Permits Section and the regional falconry representative in the area of take within 10 days of taking a raptor from the wild.~~
- ~~Notify the department at least 10 days prior to export or 30 days prior to import of a raptor, except notification must be given at least 10 days before the return of a raptor of Alaska origin from temporary export.~~
- ~~Notify the department of a marker band that must be removed or is lost within five days of removal or loss.~~
- ~~Notify the regional falconry representative at least five days prior to intentional release of a raptor.~~
- ~~Report to the department a dead, lost, escaped, or intentionally released raptor within 10 days of occurrence; report death or loss of a raptor temporarily outside the U.S. for falconry purposes immediately upon return to the country.~~
- ~~Notify the department and the USFWS Regional Law Enforcement office of a stolen raptor within 10 days of the theft.~~
- ~~Surrender marker band from a dead or released raptor within 15 business days of death or release, except a raptor preserved by taxidermy must permanently retain its marker band and/or microchip.~~
- ~~Notify regional falconry representative of intent to recapture a raptor lost more than five days; report recovery of a raptor reported as lost within 10 days of recapture (recapture within five days of loss requires no such notification).~~
- ~~Notify the department within five days of recapturing a raptor wearing falconry equipment or a captive-bred raptor.~~
- ~~Notify the regional falconry representative at least 10 days before permanently transferring a raptor to another permittee.~~
- ~~Notify the regional falconry representative within three days after transferring a raptor for temporary care if the period of care will exceed 45 days.~~
- ~~Notify the department within five business days of changing location of falconry facilities.~~
- ~~A non-resident falconer must notify the department at least 10 days prior to entering Alaska to practice falconry under a non-Alaska falconry permit.~~
- ~~A non-resident falconer must notify the department within 30 days of the date of import if intending to keep an imported raptor longer than 60 days in the state.~~
- ~~Period when eyases may be taken.~~

~~**August 15** — **November 30**~~

~~Period when passage birds, adult American kestrels and adult great horned owls may be taken.~~



601
602

IMPORTANT REMINDERS

Taking Raptors

Report electronically, orally, or in writing to the regional falconry representative and nearest department office in the intended area of take at least 10 days prior to and within 105 days after taking a raptor from the wild. You must also report to ~~both~~ the ADF&G Permits Section ~~and the USFWS using (Form 3-186A)~~ within 105 days of taking a raptor. Additional reporting requirements apply for peregrine falcons.

Markers

Upon taking a peregrine falcon, ~~or~~ gyrfalcon, goshawk, or Harris's hawk, either from the wild or from a rehabilitator, a USFWS marker (~~black-band~~) must be attached, or an ISO-compliant (134.2 kHz) microchip implanted; ~~a department marker (red band) must be placed on any other raptor originating from the wild and possessed in Alaska.~~

Release/Loss/Death of Raptors

Notify ~~the~~ regional falconry representative at least five days prior to the intentional release of any raptor. Notify the ADF&G Permits Section and the USFWS using (Form 3-186A) of the loss, escape, release, or death of any raptor within 105 days of such occurrence. Notify the department and the USFWS Regional Law Enforcement office of a stolen raptor within 10 days of the theft. Surrender/Deliver the marker from a dead or released raptor to ~~the~~ regional falconry representative within 15 days of death or release.

Import/Export

~~Prior written approval from~~ Oral, electronic, or written notification of the ADF&G Permits Section is required at least 10 business days before a raptor is exported from or 30 business days before any raptor is ~~may be~~ imported into ~~or permanently exported from~~ Alaska, except notification must be given at least 10 business days before the return of a raptor of Alaska origin from temporary export.-

A person with a current permit for falconry from another state ~~or province~~ may import a raptors and use ~~them~~ for falconry for up to 30 days. Oral, electronic, or written notification of the ADF&G Permits Section is required at least 10 business days before entering Alaska to practice falconry under a non-Alaska falconry permit under the terms of a temporary import permit issued by the ADF&G Permits Section.

A rRaptors imported into Alaska must be accompanied by a health certificate issued within 30 days prior to the date of importation. A "health certificate" means a legible certification issued by an accredited veterinarian of the jurisdictionstate of origin or the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture (APHIS-USDA) and executed on an official form of the state of origin or of the APHIS-USDA. Consult the State Veterinarian (Alaska Department of Environmental Conservation) or ADF&G Permits Section for ~~current~~ disease testing, vaccination, or other requirements before importation applying for an import permit.

For a raptors traveling through Canada or to or from a foreign country, ~~please~~ contact the U.S. Customs Service and the U.S. Fish and Wildlife Service to obtain information, appropriate declaration forms, and export/import permits or licenses.

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APPENDIX

DRAFT



GENERAL INFORMATION

Purpose

Falconry is the sport of pursuing, capturing, or killing game using ~~a~~ trained raptor. Falconry is a lawful hunting method when practiced in compliance with state and federal regulations under the terms of a permit issued ~~jointly~~ by the Commissioner of the Alaska Department of Fish and Game ~~and the U.S. Fish and Wildlife Service (USFWS)~~. The following species of raptors described by the U.S. Fish and Wildlife Service in the Code of Federal Regulations, Title 50, Part 10 (50 CFR §10.12 and 50 CFR §10.13), including all subspecies thereof, are authorized for falconry in Alaska: turkey vulture (*Cathartes aura*); osprey (*Pandion haliaetus*); bald eagle (*Haliaeetus leucocephalus*); white-tailed eagle (*Haliaeetus albicilla*); Steller's sea-eagle (*Haliaeetus pelagicus*); northern harrier (*Circus cyaneus*); Asiatic sparrow hawk (*Accipiter gularis*); sharp-shinned hawk (*Accipiter striatus*); Cooper's hawk (*Accipiter cooperii*); northern goshawk (*Accipiter gentilis*); Harris's hawk (*Parabuteo unicinctus*); Swainson's hawk (*Buteo swainsoni*); red-tailed hawk (*Buteo jamaicensis*); ferruginous hawk (*Buteo regalis*); rough-legged hawk (*Buteo lagopus*); golden eagle (*Aquila chrysaetos*); Eurasian kestrel (*Falco tinnunculus*); American kestrel (*Falco sparverius*); merlin (*Falco columbarius*); aplomado falcon (*Falco femoralis*); peregrine falcon (*Falco peregrinus*); gyrfalcon (*Falco rusticolus*); prairie falcon (*Falco mexicanus*); western screech-owl (*Otus kennicottii*); great horned owl (*Bubo virginianus*); snowy owl (*Bubo scandiacus*); northern hawk-owl (*Surnia ulula*); northern pygmy-owl (*Glaucidium gnoma*); barred owl (*Strix varia*); great gray owl (*Strix nebulosa*); long-eared owl (*Asio otus*); short-eared owl (*Asio flammeus*); boreal owl (*Aegolius funereus*); northern saw-whet owl (*Aegolius acadicus*); and hybrids of these species produced by raptor breeders. ~~There are eleven species of raptors authorized for falconry in Alaska: sharp-shinned hawk (*Accipiter striatus*), northern goshawk (*Accipiter gentilis*), red-tailed or Harlan's hawk (*Buteo jamaicensis*), golden eagle (*Aquila chrysaetos*), American kestrel (*Falco sparverius*), merlin (*Falco columbarius*), gyrfalcon (*Falco rusticolus*), American peregrine falcon (*Falco peregrinus anatum*), arctic peregrine falcon (*Falco peregrinus tundrius*), Peale's peregrine falcon (*Falco peregrinus pealei*), great horned owl (*Bubo virginianus*), and hybrids of these species produced by a raptor breeder.~~ Alaska regulations require that anyone taking, holding, or possessing one or more raptors of these ~~raptor~~ species for falconry must first obtain a falconry permit. A person may not practice falconry in Alaska with a raptor of a species not covered by federal and state falconry regulations without first obtaining an Alaska falconry permit.

State falconry regulations were adopted by the Alaska Board of Game to assist in the management of raptor populations and to maintain standards for the care of birds legally held for falconry purposes. This manual includes regulations that pertain to the taking, holding and possession of raptors for falconry and issuance of falconry permits. Whether ~~you are~~ a novice falconer or an experienced falconer ~~who is~~ new to Alaska, the application and reporting procedures may seem complex and are summarized for ~~your~~ convenience below. More detailed information is contained in the Standards section of this manual and is not repeated here; please refer to the Standards section before conducting ~~your~~ falconry activities. Statewide provisions for issuing falconry permits and promulgating regulations are contained in 5 AAC 92.037 and AS 16.05.255. Federal regulations on falconry can be found in the Code of Federal Regulations, Title 50, Part 21 (~~50 CFR §21.28 and 50 CFR §21.29~~).



705

706 **Falconry Permits**

707

708 A falconry permit, ~~which must always~~ be accompanied by a ~~current~~ valid, current Alaska
 709 hunting license, authorizes ~~a permittee~~ you to hunt game with ~~your raptor~~ falcon in compliance
 710 with applicable seasons, bag limits, and other provisions of law. Special or written permission is
 711 not required for falconry activities on public lands where it is authorized, but a permittee must
 712 comply with all applicable federal, state, territorial, or tribal laws regarding falconry activities,
 713 including hunting. A falconry permit does not authorize capture or release of a raptor or the
 714 practice of falconry on public lands if prohibited on those lands, or on private property, without
 715 permission from the landowner or custodian. A permittee must have his or her permit or a legible
 716 copy of it in his or her immediate possession if not at the location of the permittee’s falconry
 717 facilities and he or she is trapping, transporting, working with, or flying a falconry raptor. You
 718 permittee is ~~are~~ responsible for the actions of ~~his or her~~ your raptor while ~~it is~~ hunting. If ~~a~~
 719 permittee’s ~~your~~ bird takes ~~quarry~~ game outside of a regular hunting season ~~game illegally, he or~~
 720 ~~she~~ you must leave the dead ~~quarry~~ game where it lies, although ~~the~~ your raptor may feed on the
 721 ~~quarry~~ game before leaving the kill site. A permittee must report take of any federally listed
 722 endangered or threatened species to the USFWS Ecological Services Field Office for the location
 723 in which the take occurred. With a falconry bird, a permittee may take any bird species listed in
 724 50 CFR §21.43, 21.44, 21.45, or 21.46 for which a depredation order is in place at any time in
 725 accordance with the conditions of the applicable depredation order, as long as a permittee is not
 726 paid for doing so.

727

728

729 Falconry permits are valid from the date issued through January 31 of the third calendar year
 730 following the year of issue (e.g., a permit issued on February 4, 2010~~38~~ expires on January 31,
 731 201~~61~~), unless a shorter period is prescribed on the permit. ~~Not later than January 10 of each~~
 732 ~~calendar year, a permittee must submit an annual report (Appendix B) to the ADF&G Permit~~
 733 ~~Section.~~

734

735

736 ~~A r~~ Raptors legally possessed under ~~an an~~ Alaska falconry permit may ~~not~~ be bred in captivity
 737 only if authorized by captive propagation permit. A band ~~birds~~ taken from the wild under
 738 authority of ~~a a~~ falconry permit may not be sold or bartered. ~~Permanent~~ Temporary transfer of ~~a~~
 739 ~~raptors~~ between falconers requires proper notification of state ~~and federal~~ authorities using Form
 740 3-186A. Prior notification ~~A permit from of~~ the ADF&G Permit Section is required to import ~~a a~~
 741 ~~raptor~~ into or ~~permanently~~ export ~~a a~~ raptor from the state of Alaska. ~~All~~ raptors imported into
 742 Alaska must be accompanied by a health certificate and meet disease testing, vaccination, and
 743 other requirements as specified by the state veterinarian and/or ADF&G. A permittee ~~You~~ may
 744 not temporarily or permanently export ~~aa r~~ raptor taken from the wild in Alaska unless the
 745 permittee ~~you~~ has ~~ve~~ 1) legally possessed the bird in the state for at least one year, or 2)
 746 maintained continuous Alaska residency for at least two consecutive years immediately prior to
 747 the date of export.

748

749 There are three classes of falconry permits issued depending on a permittee’s ~~your~~ experience:
 750 apprentice (new falconers); general (at least two years experience as ~~a a~~ practicing falconer); and

751 master (at least five years experience as a practicing falconer at the general class level). A
 752 permittee ~~You~~ must have a bird in possession to be considered a practicing falconer. Falconry
 753 school or educational program experience may not be substituted for active falconry experience
 754 for purposes of advancing to general or master class permits.

755
 756 -The table below summarizes the permit conditions for each class of falconer:
 757

Permit Condition	Apprentice	General	Master
Maximum number of falconry birds in possession	<u>one</u>	<u>three</u>	<u>five wild-taken, including up to three eagles; no limit on captive-bred birds, but all raptors must be trained in the pursuit of wild game and used in hunting.</u>
Maximum number of birds (including replacements) that may be obtained from all sources during any 12-month period	<u>two</u>	<u>two</u>	No limit
Maximum number of birds that may be taken from the wild during any 12-month period	<u>two</u>	<u>two</u>	<u>two</u>
Authorized species	<u>All except bald eagle (<i>Haliaeetus leucocephalus</i>), white-tailed eagle (<i>Haliaeetus albicilla</i>), Steller's sea-eagle (<i>Haliaeetus pelagicus</i>), northern harrier (<i>Circus cyaneus</i>), Swainson's hawk (<i>Buteo swainsoni</i>), ferruginous hawk (<i>Buteo regalis</i>), golden eagle (<i>Aquila chrysaetos</i>), peregrine falcon (<i>Falco</i></u>	<u>All except bald eagle (<i>Haliaeetus leucocephalus</i>), white-tailed eagle (<i>Haliaeetus albicilla</i>), Steller's sea-eagle (<i>Haliaeetus pelagicus</i>), and golden eagle (<i>Aquila chrysaetos</i>). eagles (but only falconers with more than 2 yrs. experience at the general</u>	<u>All except bald eagle (<i>Haliaeetus leucocephalus</i>).</u>

	<u>peregrinus</u>), <u>prairie falcon</u> <u>(Falco</u> <u>mexicanus)</u> , and <u>short-eared owl</u> <u>(Asio flammeus)</u> . American kestrel northern goshawk red-tailed hawk Harlan's hawk	class level may take a peregrine falcon from the wild)	
Possession of hybrids allowed?	<u>Yes</u> No	Yes	Yes

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Application Procedures

~~An applicant who is If you a resident of Alaska and has~~ never held a a falconry permit in Alaska ~~before, the basic application procedures are the same whether you are a new (apprentice) falconer or transferring a permit from another state. To apply, you~~ must: (1) pass the Alaska falconry examination; (2) have his or her raptor facilities and equipment inspected and approved by ADF&G; ~~and~~ (3) submit an application form to the ADF&G Permit Section; ~~and~~ (4) pay any applicable ~~(new falconers must also include the application fee). Permits may be renewed by checking the renewal box on the annual report form and paying the application fee. Please contact the ADF&G Permits Section or USFWS for the current fee schedule. The application fee may be submitted with the application or mailed directly to the USFWS. Please make checks or money orders (no cash) payable to the U.S. Fish & Wildlife Service.~~

~~If you are transferring a permit from another state, you must submit photocopies of your current falconry permit, along with copies of your annual reports to document the requisite years of experience at the class level for which you are applying.~~

To be eligible for an apprentice class permit, an applicant you must be at least 14 years of age and submit a letter of ~~be~~ shiped from by a general or master class falconer who is at least 18 years of age and holds a valid, current Alaska falconry permit. A general class falconer must be at least 16 years of age. A (a falconer may not sponsor more than three apprentices at one time). ~~An applicant under 18 years of age must have a parent or legal guardian sign his or her application, stating the parent or guardian is legally responsible for the applicant's activities. A s~~ Your sponsor will provide help and guidance to get started, but the apprentice you should expect to invest considerable ~~amounts of~~ time on his or her own, learning about raptors and falconry by reading and observing raptors in the wild. An applicant who ~~If you~~ does not know a ~~any~~ falconers who can serve as his or her a sponsor should; contact his or her regional falconry representative for recommendations or a list of active falconers in the applicant's ~~your~~ area. An apprentice You may have to travel long distances to meet with his or her sponsor. ~~This~~ sponsorship requirement will not be waived under any circumstances, even if there are no falconers nearby who are willing and qualified to serve as a ~~your~~ sponsor.



A falconer transferring a permit from another state must submit a photocopy of his or her valid, current falconry permit, along with copies of annual reports or other documentation of the requisite years of experience at the class level for which he or she is applying. An applicant holding a valid, current permit from another state must pass the Alaska falconry examination, unless he or she previously held an Alaska falconry permit.

A permit may be renewed by requesting renewal and paying any applicable fee. A request for renewal must be submitted at least 20 days prior to expiration of the existing permit. Contact the ADF&G Permits Section for the current fee schedule. The application fee may be submitted with the application or mailed directly to ADF&G. Make a check or a money order payable to the State of Alaska; cash will not be accepted.

Falconry Examination

All new (apprentice) falconers ~~and falconers who are transferring a permit from another state~~ must take the Alaska falconry examination. This is to ensure ~~he or she is~~that you are familiar with Alaska's falconry regulations and standards and ~~is~~are knowledgeable about caring for raptors in Alaska's extreme climate conditions. The falconry examination is designed to test ~~your~~ knowledge of raptor identification, natural history of Alaska raptors, care of raptors in captivity, and Alaska falconry rules and regulations. The test will take a maximum of two hours, and ~~it will~~ be a supervised, closed book examination. An applicant is~~You are~~ required to answer correctly at least 80 percent of the questions to pass the test. An applicant~~person~~ who fails the examination may retake it after waiting at least 30 days, but ~~an applicant~~ may not take the examination more than twice during any six-month period. An applicant~~When you are~~ ready to take the test should, contact ~~his or her~~your regional falconry representative to make the necessary arrangements.

To prepare for the examination, an applicant should carefully study the falconry standards included in this manual ~~carefully~~. An applicant~~You~~ must 1) have a thorough understanding of Alaska falconry regulations and standards, 2) b. Become familiar with the natural history, care, and training of raptors and the art of falconry, and 3) .-Be sure you know how to care properly for raptors in extreme cold and/or wet conditions. References available at libraries or bookstores will acquaint an applicant~~you~~ with caring for a raptor and explain how to train a bird for falconry. Suggested references on falconry and the natural history of raptors are listed below.

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900

901 **Facilities and Equipment**

902
903 A permittee is ~~You are~~ required to provide adequate facilities for holding a ~~a~~ raptor in captivity in
904 humane and healthful conditions. A permittee is ~~You are~~ also required to possess proper
905 equipment for practicing falconry before a ~~falconry a~~ permit will be issued. Facilities and
906 equipment must be inspected and approved by the department before a permittee may obtain a
907 raptor to use in falconry. An applicant ~~Your facilities and equipment must meet the federal~~
908 standards set forth in 50 CFR §21.29; these standards are summarized for your convenience
909 below. You should contact his or her ~~your~~ regional falconry representative to make arrangements
910 to have your raptor housing facilities and equipment inspected and approved before submitting
911 any ~~your~~ application.

912
913 The department has not established specifications for raptor housing facilities ~~hawk houses or~~
914 mews. Specifications are readily available in reliable falconry texts if a ~~a~~ falconer wish ~~es~~
915 to construct such facilities. A ~~r~~ Raptors may ~~ean~~ be retained in captivity and properly cared for
916 without recourse to construction of permanent mews. Outdoor facilities are required. A ~~Some~~
917 falconer ~~s~~ may house ~~at their birds raptor~~ in his or her ~~the~~ home and/or garage and use ~~utilize~~ his or
918 her ~~the~~ backyard to meet the needs of his or her ~~their~~ raptors. Consequently, this manual provides
919 only a general description as to what constitutes adequate or inadequate facilities, leaving final
920 judgment to those who conduct ~~the~~ inspections.

921
922 A permittee is responsible for the maintenance and security of the raptor(s) possessed. Whether
923 indoors (a “mews”), ~~–~~ outdoors (a “weathering area”), or temporary facilities while traveling or
924 hunting away from permanent housing, facilities must protect raptors from the elements,
925 predators, domestic animals, and other dangers.

926
927 Poor physical condition of raptors (e.g., excessive broken tail and wing feathers, damage to ceres
928 and heads, dirty appearance) is symptomatic of inadequate care. Examples of inadequate housing
929 are:

- bird cages of the pet store variety;
- housing constructed of chicken wire, hardware cloth, or with exposed, sharp obstructions;
- housing with excessive exposure to the elements; or
- unsanitary housing, such as unclean chicken houses or pigeon lofts.

Indoor Facilities

Indoor facilities must be large enough to allow easy access for the care and feeding of a raptor kept therein. Acceptable indoor facilities include shelf perch enclosures where multiple raptors are tethered side by side. Other innovative housing systems are acceptable, provided they offer the enclosed raptor(s) with adequate protection and allow the maintenance of healthy plumage.

If mews are constructed for untethered raptors, the following general specifications should apply:

- _____ Loft, house, pen or enclosure size:
- _____ Large.....8' x 8' x 7'
- _____ (Gyrfalcon, goshawk, red-tailed hawk, peregrine falcon)
- _____ Small.....6' x 6' x 7'
- _____ (American kestrel, merlin, sharp-shinned hawk)

A mews shall provide a healthy environment for a raptor inside; each must have at least one opening for sunlight, window protected on the inside by vertical bars (dowels, tubing, etc.), spaced narrower than the width of the bird's body. Chicken wire or hardware cloth is unacceptable for covering windows. If an untethered raptor is housed therein, all walls that are not solid must be protected on the inside in the same fashion as windows, although heavy duty netting or similar material may be used to cover the roof and/or walls of the enclosure. The doors must be secure and easily closed. Artificial or (plastic) grass (such as AstroTurf®) is recommended for the perching surfaces of blocks used for falcons; uncovered blocks are not recommended. Straw, or sawdust, or wood chips are not suitable for the floors of a mews due to the potential for harboring aspergillosis Aspergillus spores or other pathogens. Artificial or (plastic) grass is easily cleaned and has proven to be good floor covering for a mews.

A mews must have at least one suitable perch for each raptor. Multiple untethered raptors may be housed together if they are compatible. An untethered raptor must have sufficient space to fully extend its wings and fly. Each raptor must have a suitable container of clean water available for drinking and bathing.

If mews are constructed for untethered raptors, the following general specifications should apply:

- _____ Loft, house, pen or enclosure size:
- _____ Large.....8' x 8' x 7'
- _____ (Gyrfalcon, goshawk, red-tailed hawk, peregrine falcon)
- _____ Small.....6' x 6' x 7'
- _____ (American kestrel, merlin, sharp-shinned hawk)

976 A permittee may keep a falconry raptor inside his or her place of residence provided the bird has
977 at least one suitable perch. If a raptor is kept in a permittee's home, windows and other openings
978 of the structure need not be modified, but the raptor must be tethered when not being moved into
979 or out of locations where it is kept.
980

981
982 Outdoor Facilities

983
984 Outdoor facilities are required and must be fully enclosed, and may be made of heavy-gauge
985 wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable materials. Facilities must be
986 covered and have at least one covered perch for each raptor, providing protection from predators
987 and weather. Facilities must be large enough to insure the birds cannot strike the enclosure when
988 attempting to fly from perches to which they are tethered. New or innovative types of housing
989 facilities and/or husbandry practices may be used as long as they satisfy the requirements above.

990
991 A weathering area or other enclosure containing a tethered raptor must should be provided with
992 it a suitable, preferably a padded, perch. When placed out-of-doors, a raptor should be protected
993 from cats, dogs, and wild predators, and other dangers, as well as excessive exposure to wind,
994 rain, snow or sun. A tethered raptor must be able to fully extend its wings or bate (attempt to fly
995 while tethered) without damaging its feathers or contacting other raptors. Each raptor must have
996 a suitable container of, and provided with clean water available for drinking and bathing.

997
998 A falconry raptor may be kept outside in the open as long as it is under watch, such as by a
999 permittee or a permittee's family member at any location or, for instance, by a designated
1000 individual in a weathering yard at a falconry meet.

1001
1002
1003 A poor physical condition of raptors (e.g., excessive broken tail and wing feathers, damage to
1004 ere and head, dirty appearance) is a sign/symptom of inadequate care. Examples of inadequate
1005 housing are:

- 1006
- 1007 •bird cage of the pet store variety;
- 1008 •housing constructed of chicken wire, hardware cloth, or with exposed, sharp obstructions;
- 1009 •housing with exposure to the elements; or
- 1010 •unsanitary housing such as unclean chicken houses or pigeon lofts.

1011 ermittee's facilities may be located on property owned by another person where a permittee
1012 resides, or at a different location. Regardless of location, facilities must meet the standards
1013 above and any additional conditions the department may require. For facilities on property not
1014 owned by a permittee, the permittee must provide the department with a signed and dated
1015 statement demonstrating the property owner's agreement that facilities, equipment, and raptor(s)
1016 may be inspected by a state official, necessarily in the permittee's presence, at a time mutually
1017 agreed upon by the permittee and the state.

1018
1019 A permittee must notify the department within five business days of changing the location of
1020 permanent falconry facilities.
1021



1022 Temporary Facilities

1023
1024 When transporting a raptor or hunting away from home facilities, a permittee must provide the
1025 raptor with a suitable perch and protection from predators and other dangers, the elements, and
1026 excessive disturbance. A so-called giant hood or similar container is acceptable housing for a
1027 raptor when transporting it or hunting away from home. A permittee may house a raptor in
1028 temporary facilities for no more than 120 consecutive days.

1029
1030 An ~~an~~ applicant must possess the following falconry equipment before ~~a~~ permit will be issued:

- 1031
- 1032 1. Jesses, leashes, and swivels—At least one pair of Aylmeri or similar type jesses
1033 constructed of pliable, high-quality leather or suitable synthetic material must be used
1034 when any raptor is flown free. Traditional one-piece jesses may be used on a raptor
1035 when ~~it they are is~~ not being flown. At least one flexible and weather-resistant leash and
1036 one strong swivel of acceptable falconry design (e.g., Sampo or falconry swivel);
 - 1037
 - 1038 2. Bath container—For each raptor, at least one container suitable for drinking and
1039 bathing, two to six inches deep and wider than the length of the raptor; and
 - 1040
 - 1041 3. Weighing device—A reliable scale or balance suitable for weighing a the raptor(s) and
1042 graduated into increments of not more than 1/2 ounce (15 grams).
 - 1043

1044 An applicants should have spare materials and the tools necessary to make additional leashes,
1045 jesses, ~~grommets,~~ etc. The size, strength, and type of equipment and facilities should be
1046 appropriate for the size and type of each raptor ~~being~~ held.

1047
1048 **Records and Reporting**

1049
1050 Falconry permits are issued with a number of reporting conditions. Failure to comply with these
1051 conditions constitutes ~~a~~ violation of ~~your~~ permit conditions and may result in ~~a falconer's~~ your
1052 permit being revoked or ~~your~~ renewal ~~being~~ denied. A permittee must ~~n~~ You are required to file a
1053 report annually by January 10 that details the status of all falconry birds in your possession at
1054 any point during the preceding calendar year. Report forms are mailed to falconers in November.
1055 Please ~~n~~ notify the ADF&G Permits Section if ~~he or she~~ you changes ~~his or her~~ your mailing
1056 address. You are required to file an annual report even if you do not receive a report form in the
1057 mail. Report forms are available on the ADF&G website or from the Permits Section. Please be
1058 sure to fill out all the requested information completely; reports with missing information will be
1059 returned to the falconer.

1060
1061
1062 A permittee ~~If you~~ intending to take ~~a~~ raptor from the wild, ~~you~~ must first notify both the
1063 regional falconry representative and the nearest department office in the ~~intended take~~ area of
1064 ~~your~~ planned taking activities (including the species, location, and dates) at least 10 days prior to
1065 the intended take. Within 105 days of taking any raptor, a permittee ~~you~~ must notify the regional
1066 falconry representative in the take area of ~~your~~ completed taking activities, including the specific
1067 location and date of take, and the species, age (if known) and sex (if known) of the raptor taken,

1068 | along with any other information required by the department. ~~There are additional notification~~
1069 | ~~and reporting requirements for peregrine falcons; these are detailed in the Falconry Standards~~
1070 | ~~section (page 18).~~ ~~W~~In addition, within 105 days of taking any raptor, ~~a you~~permittee must
1071 | submit USFWS Form 3-186A (Migratory Bird Acquisition/Disposition Report) to the ADF&G
1072 | Permits Section ~~and the USFWS~~. Form 3-186A is also used to inform the department ~~and the~~
1073 | ~~USFWS~~ in writing of any transfer, release, escape, loss, or death of ~~a a~~raptor within 10 days five
1074 | days of such occurrence.

1075 |
1076 | A permittee~~You~~ should always keep a acopy of ~~your~~ falconry permits, annual reports, 3-
1077 | 186As, ~~import and export permits~~ and all other falconry-related records. A permittee must retain
1078 | a copy of all electronic database submissions documenting take, transfer, loss, rebanding, or
1079 | implanting a microchip in a falconry raptor until five years after transferring or losing the raptor,
1080 | or it has died.

1082 | **Markers**

1083 |
1084 | Before taking a raptor, ~~a you~~permittee must possess ~~a a~~ valid falconry permit and, if required, an
1085 | an appropriate USFWS ~~or ADF&G~~ marker (band) issued in the permittee's your name. A
1086 | permittee should r~~USFWS~~ markers are black in color, and department markers are red. Requests
1087 | a for marker bands should be made in writing ~~from to~~ the ADF&G USFWS Migratory Birds
1088 | Permits Section ~~(black bands)~~ or to ~~your~~ ADF&G regional falconry representative ~~(red bands)~~
1089 | well in advance of the date the permittee you anticipates needing them.

1090 |
1091 | Immediately upon taking ~~a a~~raptor of a species requiring a marker band, the ~~permittee you~~ must
1092 | attach an the appropriate marker band (see Banding section below). Federal markers (black
1093 | bands) are used on only two species in Alaska; peregrine falcons and gyrfalcons. Department
1094 | markers (red bands) are used on all other species (sharp-shinned hawk, northern goshawk, red-
1095 | tailed or Harlan's hawk, American kestrel, merlin, golden eagle or great horned owl). Once
1096 | attached, a the marker band must not be removed, except that the rear tab may be trimmed and
1097 | any imperfections on the surface may be smoothed, provided that the integrity of the marker
1098 | band and numbering are not affected. A permittee may not alter, deface, or counterfeit a marker
1099 | band, nor attach it to a raptor other than the individual to which the marker band was initially
1100 | attached.

1101 |
1102 | A permittee may implant an ISO (International Organization for Standardization)-compliant (i.e.,
1103 | 134.2 kHz) microchip in a raptor in addition to banding. A permittee must report the marker
1104 | band number and/or microchip information when reporting acquisition of a raptor.

1105 |
1106 | If a permittee documents health or injury problems for a raptor he or she possesses caused by a
1107 | marker band, the state may provide an exemption to the banding requirement for the raptor.
1108 | A permittee must carry a copy of exemption paperwork when flying an exempted raptor. For an
1109 | exempted wild-origin goshawk, peregrine falcon, gyrfalcon, or Harris's hawk, the marker band
1110 | must be replaced by an ISO-compliant microchip. In such a case, the USFWS will provide a
1111 | suitable microchip.

1112 |
1113 |

1114 | A ~~H~~-marker ~~bands (black and red)~~ from a dead or released raptors must be surrendered to the
 1115 | department within 15 days of death or release. A marker band that must be removed or a marker
 1116 | band lost from a raptor in a permittee's possession must be reported to the department within five
 1117 | days of the removal or loss.
 1118 |

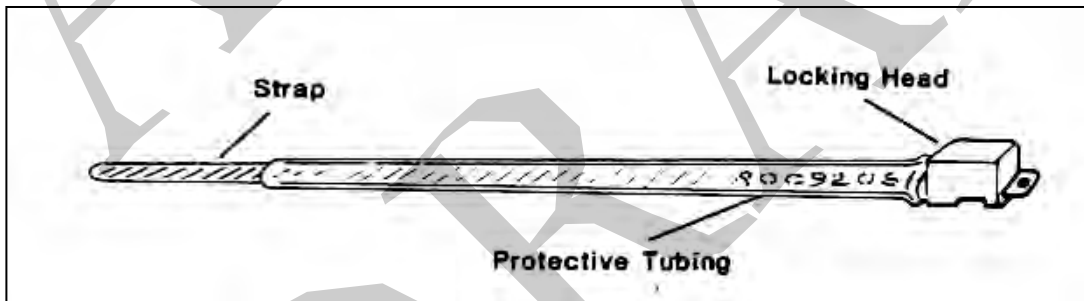
1119 | **Banding**
 1120 |

1121 | Applying a falconry marker ~~band~~ to a raptor may be challenging, even to an experienced
 1122 | falconer. The paramount consideration in banding a bird is to ensure a marker fits
 1123 | properly on the tarsus
 1124 | and is applied without injuring or causing undue stress to the raptor. The following guidelines
 1125 | and illustrations are provided to assist a permittee in accomplishing this important task.
 1126 |

1127 | 1. Record the marker number in the permittee's personal banding diary and on
 1128 | USFWS Form 3-186A (Migratory Bird Acquisition/Disposition Report).

1129 | **Note:** In Alaska, USFWS markers are used only on gyrfalcons and peregrine falcons.
 1130 | All other raptors require ADF&G markers.
 1131 |

1132 | 2. Outfit the marker ~~band~~ with protective tubing (figure 1). The installation of clear, plastic
 1133 | tubing over a raptor marker bands serves to lessen the risk of injury to a raptor by reducing marker
 1134 | abrasion to the tarsus and preventing accidental closure of the marker. Plastic tubing also protects
 1135 | the marker band's identification number. The best choice of clear, plastic tubing is AWG
 1136 | Size #10 with standard 0.016" wall thickness, commonly used for electrical wire installation. It is
 1137 | usually available from the ADF&G USFWS (inquire when requesting a marker bands from
 1138 | USFWS) or may be purchased from a hardware and electrical supply stores.
 1139 |



1140 | Figure 1
 1141 |

1142 | The length of protective tubing placed on a marker band is very important since tubing limits
 1143 | how tightly a marker band may be closed on the tarsus. Use the following table to determine
 1144 | the length of tubing to apply to a marker band:
 1145 |

Species (typical applications)	Length of Tubing (inches)	
	Male	Female
sharp-shinned hawk	3/4	7/8
goshawk	1-3/8	1-1/2
American kestrel	7/8	7/8

merlin	7/8	15/16
peregrine falcon	1-3/8	1-1/2
gyrfalcon	1-7/8	1-7/8
red-tailedHarlan's hawk	1-7/8	1-7/8

1146
 1147 Cut ~~the the~~ tubing to length, ensuring the ends are square. Insert ~~the the~~ marker band strap into ~~the~~
 1148 tubing ~~byas follows:-~~ holding the tubinge against a flat surface, pushing ~~the the~~ strap through the
 1149 tubinge until the tip ~~i~~ is exposed, and grasping the strap tip and slidinge the tubinge solidly against
 1150 the locking head. Do not lubricate ~~the~~ strap or tubinge. Pliers are useful for longer tubinges. ~~The~~
 1151 ~~m~~The marker band, fitted with protective tubing, ~~is~~ is now ready to be placed on ~~the the~~ raptor.

1152
 1153 3. Attach the marker band. Warm ~~the the~~ marker band in ~~theyour~~ hand while bending ~~it~~ it into a
 1154 circular form. Position ~~the the~~ marker band on the tarsusus above the jess (figure 2). ~~The m~~The
 1155 marker band should be placed on the raptor's ~~s~~ left leg with ~~the the~~ serial number right side up.
 1156 This ~~will~~ tends to center the locking head in an outboard position if ~~a a~~ nametag or bell ~~is is~~
 1157 attached to ~~the the~~ rear tab.

1158
 1159 Insert the end of the strap through the locking head box (figure 3). Use pliers to pull the strap
 1160 through and about an inch beyond the locking head. Slowly close ~~the the~~ marker band to ~~the the~~
 1161 appropriate size by pulling ~~the the~~ strap through the locking head. It should not be necessary to
 1162 use pliers.

1163

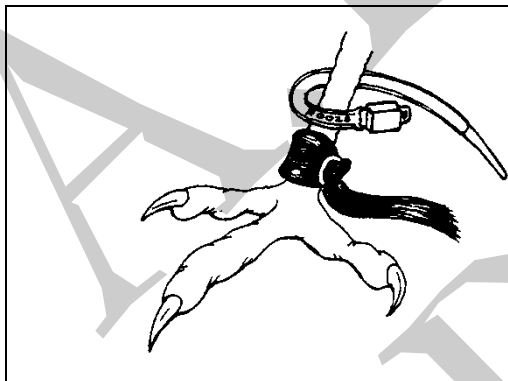


Figure 2

1164

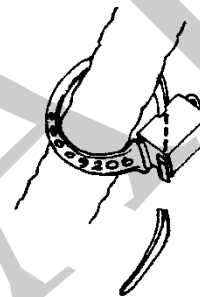


Figure 3

1165
 1166 —Use a fingernail clippers or scissors to cut off the excess strap ~~that~~ extendings beyond the locking
 1167 head. It is important ~~that~~ the strap be cut flush with the surface of the locking head to prevent a
 1168 ~~raptor~~the bird from pulling at ~~it~~ it.

1169
 1170 —**Note:-** A pA properly fitted marker band will move freely on a raptor's ~~the~~ leg but be tight
 1171 enough to prevent removal from an an unjessed raptor.

1172

1173 **Captive PropagationBreeding**

1174

1175 Captive ~~breeding or~~ propagation of raptors may only be conducted by a qualified falconers under
 1176 the terms of a special propagation permits issued by ~~both~~ the ADF&G Permits Section ~~and the~~

1177 ~~USFWS~~. For additional information about captive breeding of raptors in Alaska, or to apply for
1178 a propagation permits, contact the ADF&G, Permits Section ~~and the USFWS, Migratory Birds~~
1179 ~~Permit Section~~.

1180
1181 **Conservation Education**

1182
1183 A permittee may use a falconry raptor in a conservation program presented in a public venue, but
1184 the raptor must be used primarily for falconry. A permittee must present information about
1185 falconry and the biology, ecological roles, and conservation needs of raptors and other migratory
1186 birds, although not all topics must be addressed in every presentation. A permittee may not
1187 present a program that does not address falconry and conservation education. A permittee may
1188 charge a fee for presentation of a conservation education program, but the fee may not exceed
1189 the amount to recoup costs. An apprentice class permittee may present a conservation program
1190 only under the supervision of a general or master falconer. A permittee is responsible for any
1191 liability associated with conservation education activities undertaken.

1192
1193 A permittee may allow photography, filming, video recording, or other such uses of a falconry
1194 raptor to make a movie or another source of information on the practice of falconry or on the
1195 biology, ecological roles, and conservation needs of raptors and other migratory birds, but may
1196 not be paid for such activities. A falconry raptor may not be used in a commercial venture not
1197 related to falconry or conservation education, nor used for entertainment, advertisement,
1198 promotion, or endorsement of any product, merchandise, good, service, meeting, exhibition, or
1199 fair, or as a representation of any business, company, corporation, or organization.

1200
1201 **Rehabilitation**

1202
1203 A general or master class falconry permittee may assist a permitted migratory bird rehabilitator
1204 to condition a raptor in preparation for its release to the wild. A falconer may keep a bird he or
1205 she is helping to rehabilitate in his or her facilities.

- 1206
1207 a. A rehabilitator must provide the falconer with a letter or form identifying the
1208 raptor and explaining that the falconer is assisting in its rehabilitation.
1209
1210 b. A falconer need not meet rehabilitation facility standards, only the facility
1211 standards for a falconry permit; a falconry permittee's facilities are not subject to
1212 inspection for compliance with rehabilitation facility standards.
1213
1214 c. A raptor possessed for rehabilitation purposes need not be added to a falconer's
1215 permit; it remains under the rehabilitator's permit.
1216
1217 d. Through coordination with a rehabilitator, a falconer must release the raptor to
1218 the wild or return it to the rehabilitator for release within the 180-day timeframe
1219 in which a rehabilitator is authorized to possess a bird, unless the issuing office
1220 authorizes retention and conditioning for longer than 180 days, or unless the
1221 rehabilitator permanently transfers the bird to the falconer under his or her
1222 falconry permit.

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e. A raptor that cannot be released to the wild must be returned to the rehabilitator for placement within the 180-day timeframe in which the rehabilitator is authorized to possess the raptor, unless the issuing office authorizes retention for longer than 180 days.

Abatement

A master class falconry permittee may conduct abatement activities with a raptor possessed for falconry only if he or she holds a federal Special Purpose Abatement permit. A general class falconry permittee may conduct abatement activities only as a subpermittee of a Special Purpose abatement permit holder. Only a Special Purpose Abatement permittee may receive payment for abatement services.

ABATEMENT



FALCONRY REGULATIONS

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5 AAC 92.029. Permits for possessing live game.

...

(f) ... the following species may be temporarily released for the purpose of hunting dog or ~~raptor~~~~falcon~~ training, field trials, and tests:

- (1) Pigeon (*Columba livia* Var.);
- (2) Pheasant, Junglefowl, or *Coturnix* (Subfamily Phasianinae);
- (3) any Guineafowl species (Subfamily Numidinae);
- (4) any New World Quail species, including *Colinus*, [i.e., Bobwhite] (Subfamily Odontophorinae);
- (5) any duck, goose, swan, or other migratory waterfowl which the U.S. Fish and Wildlife Service has determined does not require a federal permit for private ownership;
- (6) Chukar partridge (*Alectoris chukar*).

(g) A person using live game listed in (f) of this section for the purpose of hunting dog or ~~raptor~~~~falcon~~ training, field trials, or tests

- (1) may release the game only on the day of use and shall make reasonable efforts to capture, kill, or recover the temporarily released live game;
- (2) may take the live game in connection with hunting dog or ~~raptor~~~~falcon~~ training, field trial, and test activities; and
- (3) must legally acquire, hold, and dispose of the live game in accordance with all other applicable state statutes and regulations.

...

5 AAC 92.037. Permits for falconry. (a) A permit ~~jointly~~ issued by the department ~~and a valid, current Alaska hunting license and the United States Fish and Wildlife Service~~ is required for taking, transporting, or possessing a raptor for falconry or for practicing falconry in this state. The permit will be issued under standards, procedures, and conditions set out in the Falconry Standards section of the Alaska Falconry Manual No. 98, dated July 1, 2012~~08~~; that section of the falconry manual is hereby adopted by reference. Only a bird defined in (g) of this section as a raptor may be taken, transported, imported, exported, held, or possessed for falconry.

1281 (b) A permittee must have the permit or a legible copy of it in his or her immediate possession
1282 if not at the location of his or her falconry facilities and is trapping, transporting, working with,
1283 or flying a falconry raptor.

1284
1285 (c) A falconry permit must always be accompanied by a valid, current Alaska hunting license.
1286

1287 (db)- A person may not temporarily or permanently export a raptor taken from the wild in this
1288 state unless the person has legally possessed that raptor under an Alaska falconry permit in this
1289 state for at least one year, except a raptor held less than one full year may be exported
1290 temporarily or permanently if the falconer holding it has maintained Alaska residency
1291 continuously for at least two years immediately prior to the date of export. Prior oral, electronic,
1292 or written notification written approval of the department commissioner is required before a raptor
1293 may be exported from or imported into this state, except including as follows:

1294
1295 –(1) a raptor legally possessed by an Alaska falconer may be temporarily exported from
1296 this state for a period not to exceed 12 months. A permittee shall notify the regional
1297 falconry representative of the temporary export of a raptor at least 10 days before leaving
1298 Alaska, shall provide the date of departure and anticipated date of return, and shall notify
1299 the department’s regional falconry representative within 10 days after returning the raptor
1300 to Alaska; and

1301
1302 –(2) an individual with a valid, current permit for falconry in another state or province
1303 may temporarily import a raptor, and use it for falconry for up to 60 days under the terms
1304 of Alaska Falconry Manual No. 9a temporary permit issued by the commissioner; an
1305 individual moving into this state may import an allowed raptor species under authority of
1306 a current falconry temporary permit from the home state, but must notify the department
1307 at least 30 days before the date of import and apply for an Alaska falconry permit in this
1308 state within 30 days after the raptor arrives in this state. Upon approval, the falconry
1309 permit becomes valid with a valid, current Alaska hunting license. Conditions for the
1310 import of the raptor shall be determined by the department as specified in Alaska
1311 Falconry Manual No. 9.

1312
1313 (ee) A falconer is liable for the actions of the raptor with respect to seasons, bag limits, and
1314 other applicable regulations. If a falconry bird takes quarry game that may not be taken under
1315 established regulations, the falconer must leave the dead quarry game where it lies, except that
1316 the raptor may feed upon the game before leaving the kill site. A falconer must report take of
1317 any federally listed endangered or threatened species to the USFWS Ecological Services Field
1318 Office for the location in which the take occurred. With a falconry bird, a falconer may take any
1319 bird species listed in 50 CFR §21, 50 CFR §43, 50 CFR §44, 50 CFR §45, or 50 CFR §46 for
1320 which a depredation order is in place at any time in accordance with the conditions of the
1321 applicable depredation order, but may not be paid for doing so.

1322
1323
1324 (fd) The commissioner may impose additional permit conditions as necessary.
1325

1326 ~~(e) Before taking American or arctic peregrine falcons for the practice of falconry, a permittee~~
1327 ~~must possess either an Alaska master class falconry permit or an Alaska general class falconry~~
1328 ~~permit and have more than two years of experience in the practice of falconry at the general class~~
1329 ~~level.~~

1330
1331 (gf) In this section, "raptor" means a bird of any Accipitriform, Falconiform, or Strigiform
1332 species described by the U.S. Fish and Wildlife Service in the Code of Federal Regulations, Title
1333 50, Part 10 (50 CFR §10.12 and 50 CFR §10.13), including all subspecies thereof, including:

- 1334 (1) turkey vulture (*Cathartes aura*);
- 1335 (2) osprey (*Pandion haliaetus*);
- 1336 (3) bald eagle (*Haliaeetus leucocephalus*);
- 1337 (4) white-tailed eagle (*Haliaeetus albicilla*);
- 1338 (5) Steller's sea-eagle (*Haliaeetus pelagicus*);
- 1339 (6) northern harrier (*Circus cyaneus*);
- 1340 (7) Asiatic sparrow hawk (*Accipiter gularis*);
- 1341 (8) sharp-shinned hawk (*Accipiter striatus*);
- 1342 (9) Cooper's hawk (*Accipiter cooperii*);
- 1343 (10) northern goshawk (*Accipiter gentilis*);
- 1344 (11) Harris's hawk (*Parabuteo unicinctus*);
- 1345 (12) Swainson's hawk (*Buteo swainsoni*);
- 1346 (13) red-tailed hawk (*Buteo jamaicensis*);
- 1347 (14) ferruginous hawk (*Buteo regalis*);
- 1348 (15) rough-legged hawk (*Buteo lagopus*);
- 1349 (16) golden eagle (*Aquila chrysaetos*);
- 1350 (17) Eurasian kestrel (*Falco tinnunculus*);
- 1351 (18) American kestrel (*Falco sparverius*);
- 1352 (19) merlin (*Falco columbarius*);
- 1353 (20) aplomado falcon (*Falco femoralis*);
- 1354 (21) peregrine falcon (*Falco peregrinus*);
- 1355 (22) gyrfalcon (*Falco rusticolus*);
- 1356 (23) prairie falcon (*Falco mexicanus*);
- 1357 (24) western screech-owl (*Otus kennicottii*);
- 1358 (25) great horned owl (*Bubo virginianus*);
- 1359 (26) snowy owl (*Bubo scandiacus*);
- 1360 (27) northern hawk-owl (*Surnia ulula*);
- 1361 (28) northern pygmy-owl (*Glaucidium gnoma*);
- 1362 (29) barred owl (*Strix varia*);
- 1363 (30) great gray owl (*Strix nebulosa*);
- 1364 (31) long-eared owl (*Asio otus*);
- 1365 (32) short-eared owl (*Asio flammeus*);
- 1366 (33) boreal owl (*Aegolius funereus*);
- 1367 (34) northern saw-whet owl (*Aegolius acadicus*); and
- 1368 (35) hybrids of these species produced by raptor breeders.

1369 ~~bird of the following species:~~
1370
1371

- 1372 ~~— (1) sharp-shinned hawk (*Accipiter striatus*);~~
- 1373 ~~— (2) northern goshawk (*Accipiter gentilis*);~~
- 1374 ~~— (3) red-tailed or Harlan's hawk (*Buteo jamaicensis*);~~
- 1375 ~~— (4) golden eagle (*Aquila chrysaetos*);~~
- 1376 ~~— (5) American kestrel (*Falco sparverius*);~~
- 1377 ~~— (6) merlin (*Falco columbarius*);~~
- 1378 ~~— (7) gyrfalcon (*Falco rusticolus*);~~
- 1379 ~~— (8) American peregrine falcon (*Falco peregrinus anatum*);~~
- 1380 ~~— (9) arctic peregrine falcon (*Falco peregrinus tundrius*);~~
- 1381 ~~— (10) Peale's peregrine falcon (*Falco peregrinus pealei*);~~
- 1382 ~~— (11) great horned owl (*Bubo virginianus*);~~
- 1383 ~~— (12) a hybrid of the species in this subsection that is produced by a raptor breeder.~~

1384
1385 Note: For regulations governing hunting of small game and migratory birds, including special
1386 seasons and/or restrictions for falconry (5 AAC 85.065), refer to the current Alaska State
1387 Hunting Regulations or Alaska Migratory Bird Hunting Regulations.

ALASKA FALCONRY STANDARDS

Definitions

1. For the purpose of the falconry standards:

a. "Falconry" means the sport of pursuing, capturing, or killing game by means of a trained raptors.

b. "Take" means to trap or capture, or attempt to trap or capture any raptor.

c. ~~e.~~ "Raptor" means any bird of the following species described by the U.S. Fish and Wildlife Service in the Code of Federal Regulations, Title 50, Part 10 (50 CFR §10.12 and 50 CFR §10.13), including all subspecies thereof: turkey vulture (Cathartes aura); osprey (Pandion haliaetus); bald eagle (Haliaeetus leucocephalus); white-tailed eagle (Haliaeetus albicilla); Steller's sea-eagle (Haliaeetus pelagicus); northern harrier (Circus cyaneus); Asiatic sparrow hawk (Accipiter gularis); sharp-shinned hawk (Accipiter striatus); Cooper's hawk (Accipiter cooperii); northern goshawk (Accipiter gentilis); Harris's hawk (Parabuteo unicinctus); Swainson's hawk (Buteo swainsoni); red-tailed hawk (Buteo jamaicensis); ferruginous hawk (Buteo regalis); rough-legged hawk (Buteo lagopus); golden eagle (Aquila chrysaetos); Eurasian kestrel (Falco tinnunculus); American kestrel (Falco sparverius); merlin (Falco columbarius); aplomado falcon (Falco femoralis); peregrine falcon (Falco peregrinus); gyrfalcon (Falco rusticolus); prairie falcon (Falco mexicanus); western screech-owl (Otus kennicottii); great horned owl (Bubo virginianus); snowy owl (Bubo scandiacus); northern hawk-owl (Surnia ulula); northern pygmy-owl (Glaucidium gnoma); barred owl (Strix varia); great gray owl (Strix nebulosa); long-eared owl (Asio otus); short-eared owl (Asio flammeus); boreal owl (Aegolius funereus); northern saw-whet owl (Aegolius acadicus); and hybrids of these species produced by raptor breeders. ~~any bird of the following species: sharp-shinned hawk (Accipiter striatus), northern goshawk (Accipiter gentilis), red-tailed or Harlan's hawk (Buteo jamaicensis), golden eagle (Aquila chrysaetos), American kestrel (Falco sparverius), merlin (Falco columbarius), gyrfalcon (Falco rusticolus), American peregrine falcon (Falco peregrinus anatum), arctic peregrine falcon (Falco peregrinus tundrius), Peale's peregrine falcon (Falco peregrinus pealei), great horned owl (Bubo virginianus), and hybrids of these species produced by raptor breeders.~~

d. "Eyas" means a raptor from the wild in its first year that is not yet capable of flight.

e. "Passage bird" means a raptor from the wild in its first year that is capable of sustained flight.

1433 f. “Permittee” means a person who holds a valid, current Alaska falconry permit and a
1434 valid, current Alaska hunting license, or who takes, transports, or possesses a raptor
1435 for ~~falconry or for~~ the practice of falconry under a falconry permit issued in
1436 accordance with the falconry standards in this section of this manual.

1437
1438 g. “Resident” means a person (including an alien) who is physically present in Alaska
1439 with the intent to remain indefinitely and make a home in Alaska, has maintained that
1440 person’s domicile in Alaska for the 12 consecutive months immediately preceding
1441 application for a license, and is not claiming residency or obtaining benefits under a
1442 claim of residency in another state, territory, or country; or a member of the military
1443 service or U.S. Coast Guard who has been stationed in Alaska for the 12 consecutive
1444 months immediately preceding application for a license; or a dependent of a resident
1445 member of the military service or U.S. Coast Guard who has lived in Alaska for the
1446 12 consecutive months immediately preceding application for a license. A person
1447 who does not otherwise qualify as a resident may not qualify by virtue of an interest
1448 in an Alaska business.

1449
1450 g.h. “Transfer of raptor” means to transfer or change the possession of a raptor from one
1451 permittee to another permittee; transfers ~~does not~~ include the sale, barter, or exchange
1452 of a raptor for anything of value.

1453
1454 i. “Year” means any 12-month period defined by the state for determining possession
1455 and take of raptors for falconry.

1456 Falconry Permits

1457
1458
1459 2. A person may not take, transport, or possess a raptor, including Accipitriform,
1460 Falconiform, and Strigiform birds not identified as raptors in these standards, for falconry
1461 or for the practice of falconry in Alaska without possessing a valid, current falconry
1462 permit. ~~A falconry permit shall be issued jointly by the department and a valid, current~~
1463 Alaska hunting license and a representative of the Alaska office of the U.S. Fish and
1464 Wildlife Service. A raptor held under a falconry permit must be trained in the pursuit of
1465 wild game and used in hunting.

1466
1467 3. A falconry permit is nontransferable. When accompanied by a ~~current~~ valid, current
1468 Alaska hunting license issued to the permittee, a falconry permit authorizes the permittee
1469 to hunt game in compliance with seasons, bag limits, and other provisions of law. Special
1470 or written permission is not required for falconry activities on public lands where it is
1471 authorized, but a permittee must comply with all applicable federal, state, territorial or
1472 tribal laws regarding falconry activities, including hunting. A falconry permit does not
1473 authorize capture or release of a raptor or the practice of falconry on public lands if
1474 prohibited on those lands, or on private property, without permission from the landowner
1475 or custodian.

- 1477 4. A falconry permit is valid from the date issued through the 31st day of January of the
 1478 third calendar year following the year of issue, unless the department specifies a shorter
 1479 period on the permit.
 1480
- 1481 5. ~~A rA~~ representative of the department may, during business hours on any day of the
 1482 week, at a time mutually agreed upon by the state and a permittee, and only in the
 1483 presence of the permittee, inspect falconry raptor(s), facilities, equipment, and records. ~~at~~
 1484 ~~a time mutually agreed upon by the permittee and the department, inspect a permittee's~~
 1485 ~~raptor and raptor facilities.~~ If an inspection reveals ~~as that a~~ raptor is in poor condition as
 1486 a result of ~~the permittee~~ permittee's negligence, if facilities are determined ~~to be~~
 1487 inadequate ~~under federal standards in 50 CFR §21.29~~, or if ~~a the~~ permittee violates ~~ss any~~
 1488 ~~other~~ provision of the falconry standards in this section of this manual, the department
 1489 may revoke ~~a the~~ permit.
 1490
- 1491 6. Falconry permits are issued for apprentice, general, and master class falconers.
 1492
- 1493 a. Apprentice class permits are issued with the following conditions:
 1494
- 1495 (1) A permittee may not possess more than one raptor at any time, may not take a
 1496 nestling raptor from the wild, nor obtain more than one raptor for replacement
 1497 during any 12-month period; ~~and~~
- 1498
- 1499 (2) (2)A permittee may take, transport, or possess all authorized only the following
 1500 species, except bald eagle (*Haliaeetus leucocephalus*), white-tailed eagle
 1501 (*Haliaeetus albicilla*), Steller's sea-eagle (*Haliaeetus pelagicus*), northern harrier
 1502 (*Circus cyaneus*), Swainson's hawk (*Buteo swainsoni*), ferruginous hawk (*Buteo*
 1503 *regalis*), golden eagle (*Aquila chrysaetos*), peregrine falcon (*Falco peregrinus*),
 1504 prairie falcon (*Falco mexicanus*), short-eared owl (*Asio flammeus*), and hybrids of
 1505 these species produced by raptor breeders; and ~~which must be taken from the wild:~~
 1506 ~~American kestrel, northern goshawk, and red-tailed or Harlan's hawk~~
- 1507
- 1508 (3) An interspecific hybrid raptor or raptor of a species not indigenous to Alaska may
 1509 not be flown free unless the permittee first attaches to the bird at least two radio
 1510 transmitters designed to track the bird if it is lost.
 1511
 1512 =
- 1513
- 1514 b. General class permits are issued with the following conditions:
 1515
- 1516 (1) A permittee may not possess more than ~~three~~ two raptors at any time nor obtain
 1517 more than two raptors, whether for initial stocking or for replacement of raptors
 1518 already possessed under a permit, during any 12-month period;
 1519
- 1520 (2) A permittee may take, transport, or possess ~~all authorized only the following~~
 1521 species except bald eagle (*Haliaeetus leucocephalus*), white-tailed eagle
 1522 (*Haliaeetus albicilla*), Steller's sea-eagle (*Haliaeetus pelagicus*), and golden eagle

1523 ~~(*Aquila chrysaetos*): American kestrel, merlin, northern goshawk, sharp-shinned~~
1524 ~~hawk, red-tailed or Harlan's hawk, gyrfalcon, captive-bred peregrine falcon,~~
1525 ~~great-horned owl, and hybrid raptor. A permittee with more than two years of~~
1526 ~~experience in the practice of falconry at the general class level may also take,~~
1527 ~~transport, or possess a Peale's peregrine falcon, American peregrine falcon and~~
1528 ~~arctic peregrine falcon; and~~

- 1529
1530 (3) An interspecific hybrid raptor or raptor of a species not indigenous to Alaska must
1531 be surgically sterilized and may not be flown free unless the permittee first
1532 attaches to the bird at least twone radio transmitters designed to track the bird if it
1533 is lost.

1534
1535 c. Master class permits are issued with the following conditions:

- 1536
1537 (1) A permittee may not possess more than five wild-taken~~three~~ raptors at any time,
1538 three of which may be eagles, but may possess any number of captive-bred
1539 raptors. During any 12-month period, a permittee may not obtain more than two
1540 raptors taken from the wild. ~~At any time, a permittee may replace a lawfully~~
1541 ~~possessed raptor with a captive-bred raptor bearing a seamless band;~~

- 1542
1543 (2) A permittee may take, transport, or possess all authorized~~only the following~~
1544 species ~~except bald eagle (*Haliaeetus leucocephalus*): American kestrel, merlin,~~
1545 ~~northern goshawk, sharp-shinned hawk, red-tailed or Harlan's hawk, gyrfalcon,~~
1546 ~~Peale's peregrine falcon, American peregrine falcon, arctic peregrine falcon,~~
1547 ~~golden eagle (federal regulations contain additional provisions and restrictions for~~
1548 ~~golden eagles), great-horned owl, and hybrid raptor; and~~

- 1549
1550 (3) An interspecific hybrid raptor or raptor of a species not indigenous to Alaska must
1551 be surgically sterilized and may not be flown free unless the permittee first
1552 attaches to the bird at least twone radio transmitters designed to track the bird if it
1553 is lost.

1554
1555 7. Federal regulations contain additional provisions and restrictions for eagles:

1556
1557 a. A master falconer may possess up to three eagles of the following species:
1558 white-tailed eagle (*Haliaeetus albicilla*), Steller's sea-eagle (*Haliaeetus*
1559 pelagicus), and golden eagle (*Aquila chrysaetos*).

1560
1561 b. The department must document the following before approving requests to
1562 possess eagles for use in falconry:

1563
1564 1) an applicant's experience in handling large raptors, including information
1565 about the species handled and the type and duration of the activity claimed
1566 as pertinent experience; and
1567

1568 2) at least two letters of reference from people with experience handling
1569 and/or flying large raptors such as eagles, ferruginous hawks (*Buteo*
1570 *regalis*), goshawks (*Accipiter gentilis*), or great horned owls (*Bubo*
1571 *virginianus*). Each letter must contain a concise history of the author’s
1572 experience with large raptors which may include, but is not limited to,
1573 rehabilitating large raptors, scientific studies involving large raptors, or
1574 handling of raptors held by zoos and/or rehabilitation operations. Each
1575 letter must also assess the applicant’s ability to care for eagles and fly them
1576 in falconry.

1577
1578 c. White-tailed eagles, Steller’s sea-eagles, or golden eagles count as wild-taken
1579 raptors a permittee may possess.

1580
1581 d. A master falconer authorized to possess golden eagles may take one or two
1582 immature or sub-adult golden eagles from the wild as provided in 50 CFR 22.23
1583 and 22.24.

1584
1585 e. A permittee must send the entire body of a falconry golden eagle that dies,
1586 including all feathers, talons, and other parts, to the National Eagle Repository.

1587
1588 8. A permittee must ensure falconry activities do not cause the take of federally listed
1589 threatened or endangered wildlife. “Take” under the Endangered Species Act (50 CFR
1590 §3(18)) means “to harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect or
1591 attempt to engage in any such conduct.” Within this definition, to “harass” means any act
1592 that may injure wildlife by disrupting normal behavior, including breeding, feeding, or
1593 sheltering. To “harm” means an act that actually kills or injures wildlife (50 CFR §17.3).
1594 Contact the department to obtain information about endangered or threatened species in
1595 Alaska or on lands where a permittee wishes to practice falconry; contact the USFWS for
1596 information on federally listed species.

1597
1598 9. Hacking, or temporary release to the wild, is an allowable method of conditioning a
1599 raptor for falconry. Only a general or master class falconer may hack a raptor.

1600
1601 a. A raptor at hack counts against a permittee’s possession limit.

1602
1603 b. An interspecific hybrid raptor or a raptor of a species not indigenous to Alaska
1604 must have attached at least two functioning radio transmitters during hacking.

1605
1606 c. A permittee may not hack a falconry raptor near nesting areas of federally
1607 designated threatened or endangered bird species, or in other locations where
1608 raptors are likely to disturb, harm, or take federally listed threatened or
1609 endangered animal species. A permittee should contact the department and/or
1610 the USFWS regional office before hacking a falconry bird to prevent adverse
1611 encounters with listed wildlife.

1612

1613 10. A permittee may use acceptable falconry practices such as, but not limited to, the use of
1614 creance (tethered) flying, a lure, a balloon, or a kite in training and conditioning a
1615 falconry raptor. A permittee may fly a falconry raptor at any bird species not protected
1616 by the Migratory Bird Treaty Act and at captive-raised animals.

1617
1618 7.11. The commissioner may add to a permit other conditions ~~that~~ the commissioner
1619 determines are necessary under the circumstances in order to protect raptors that are to be
1620 taken, transported, or possessed under the permit.

1622 **Falconry Permit Requirements and Application Procedures**

1623
1624 12. A falconer must:

1625
1626 a. complete and submit an application form from the department, co-signed by a parent
1627 or legal guardian if the applicant is under 18 years of age;

1628
1629 b. prove he or she has either passed the falconry examination administered by the
1630 department or has previously held an Alaska falconry permit at the sought level.

1631
1632 c. present an original, signed certification of particular familiarity with 50 CFR §10.13
1633 (the list of migratory bird species to which the Migratory Bird Treaty Act applies, 50
1634 CFR §13 (general permit regulations), 50 CFR §21 (migratory bird permits), and 50
1635 CFR §22 (eagle permits). This certification is incorporated into the department's
1636 application form and is worded as follows:

1637
1638 *I certify that I have read and am familiar with*
1639 *the regulations in title 50, part 13, of the Code*
1640 *of Federal Regulations and the other*
1641 *applicable parts in subchapter B of chapter 1*
1642 *of title 50, and that the information I have*
1643 *submitted is complete and accurate to the best*
1644 *of my knowledge and belief. I understand that*
1645 *any false statement herein may subject me to*
1646 *the criminal penalties of 18 U.S.C. 1001.*

1647
1648 d. have his or her raptor housing facilities and equipment inspected by the ADF&G
1649 falconry representative for that region and certified as meeting the standards set forth
1650 in this manual; and

1651
1652 e. submit a falconry permit application and pay any applicable fee to the ADF&G
1653 Permits Section. An application form is included in the Alaska Falconry Manual;
1654 forms are also available from the Permits Section and the regional offices of the
1655 department.

1656
1657 138. A nRequirements and procedures for new (apprentice) falconers must:

- 1659 | a. ~~An applicant must~~ be at least 124 years of age;
- 1660 |
- 1661 | b. ~~An applicant must~~ be sponsored by a general or master class falconer who is at least
- 1662 | 18 years old and has at least two years' experience at the general falconer level;
- 1663 |
- 1664 | c. ~~An applicant must~~ answer correctly at least 80% of the questions on a supervised
- 1665 | examination administered by ADF&G staff (~~an a; an applicant who fails failing~~ the
- 1666 | examination may retake a similar test after waiting at least 30 days, but an an
- 1667 | applicant may not take the examination more than twice during any six-month
- 1668 | period); and
- 1669 |
- 1670 | d. provide a letter from a master or general class falconer 18 years of age or older stating
- 1671 | he or she has agreed to assist the applicant in learning about the husbandry and
- 1672 | training of raptors held for falconry and about relevant wildlife laws and regulations,
- 1673 | and in deciding what species of raptor is appropriate to possess while an apprentice.
- 1674 |
- 1675 |
- 1676 |
- 1677 | ~~d.—An applicant's raptor housing facilities and equipment must be inspected by the~~
- 1678 | ~~ADF&G falconry representative for that region and be certified as meeting the federal~~
- 1679 | ~~standards set forth in 50 CFR §21.29; and~~
- 1680 |
- 1681 | ~~e.—An applicant must submit a falconry permit application and any applicable fees to the~~
- 1682 | ~~ADF&G Permits Section. An application form is included in the Alaska Falconry~~
- 1683 | ~~Manual and forms are also available from the Permits Section or the regional offices~~
- 1684 | ~~of the department.~~

1685 |

1686 | 149. Requirements and procedures for renewing a permit:

1687 |

- 1688 | a. To renew a falconry permit, a permittee must ~~check the "Are you requesting renewal~~
- 1689 | ~~?" box on the annual report form and pay anyH applicable fees; a request for renewal~~
- 1690 | ~~must be submitted at least 20 days prior to expiration of the current permit; (please~~
- 1691 | ~~check with ADF&G Permits Section for a current fee schedule). A permit will not be~~
- 1692 | ~~renewed unless the permittee has complied with all reporting requirements and other~~
- 1693 | ~~provisions of the falconry standards in this manual.~~
- 1694 |
- 1695 | b. ~~A r~~Renewal permit ~~is are~~ valid from the date issued through the 31st day of January
- 1696 | of the third calendar year following the year of issue, unless the department specifies
- 1697 | a shorter period on the permit.
- 1698 |

1699 | 15. Requirements and procedures for reinstating a lapsed permit:

1700 |

- 1701 | a. If a permit has lapsed for fewer than five years, it may be reinstated at the level an
- 1702 | applicant held previously with proof of certification at that level.
- 1703 |

1704 b. If a permit has lapsed for five years or longer, an applicant must correctly answer at
1705 least 80 percent of the questions on an examination administered by the department.
1706 If the applicant passes the exam, the permit may be reinstated at the level previously
1707 held. An applicant's facilities must pass department inspection before a permittee
1708 may possess a falconry bird.

1709
1710 c. If a permit has been revoked, the department may restore the person's permit at the
1711 end of the revocation period upon request of the person whose permit was revoked.
1712

1713 **160.** Requirements and procedures for upgrading a permit:
1714

1715 a. To upgrade a falconry permit, a permittee must ~~present~~submit a written request for an
1716 upgrade to the ADF&G Permits Section. The request must specify the number of
1717 months of experience the applicant has in the practice of falconry and provide written
1718 documentation (~~annual reports~~) to support the request (only time with a bird in
1719 possession counts as experience). Documentation must include a summary of species
1720 held and how long each bird was held. An apprentice falconers must also
1721 ~~present~~obtain a letter of recommendation from ~~his or her~~their sponsor supporting the
1722 upgrade and attesting the applicant has practiced falconry with a raptor(s) taken from
1723 the wild at the apprentice level for at least two years, including maintaining, training,
1724 flying, and hunting the raptor(s) for an average of six months per year. A general
1725 class falconer must be at least 16 years of age. An applicant seeking upgrade to
1726 master class must attest to having practiced falconry at the general level for at least
1727 five years.
1728

1729 b. ~~A rA r~~A request for ~~an~~an upgrade will be granted at the discretion of the department. ~~A rA r~~A rA
1730 ~~r~~r request may be denied due to failure to comply with permit conditions and reporting
1731 requirements, substandard raptor housing facilities, birds that are in poor condition, or
1732 loss or deaths of raptors in the applicant's care.
1733

1734 c. ~~An uAn u~~An u upgrade may be requested at any time and there is no fee to upgrade an
1735 existing permit. If the upgrade is approved, tThe existing permit will be re-issued at
1736 the higher class level and will retain the original expiration date.
1737

1738 **171.** Requirements and procedures to transfer ~~a~~a falconry permits from ~~an~~another states or
1739 countries:
1740 ÷
1741

1742 a. The procedures for transferring ~~a a~~a permit from ~~an~~another state ~~is~~are the same as for
1743 ~~a~~a new falconers, except ~~that~~no sponsor ~~is~~is required for a general or master class
1744 permittee, and a the falconer must ~~present~~submit ~~a a~~a copy of ~~his or her~~his or her
1745 ~~current~~valid, current falconry permit along with ~~his or her~~his or her application. A
1746 permittee from another state who previously held an Alaska falconry permit need not
1747 pass the Alaska falconry examination.;
1748

- 1749 b. ~~An~~ Alaska falconry permit issued to ~~a~~ falconer from ~~an~~ other ~~state~~ will be
1750 issued at the apprentice class level unless ~~the~~ falconer ~~can present~~ provide copies
1751 of ~~annual falconry reports~~ documentation establishing the requisite experience to
1752 qualify at ~~a~~ higher class level.

1753 18. Requirements and procedures for visitors practicing falconry in Alaska:

- 1754 a. A U.S. visitor to Alaska may qualify for a temporary falconry permit appropriate to
1755 his or her level of experience.
- 1756 *i.* A temporary falconry permit may be valid for any period specified by the
1757 department.
- 1758 *ii.* To demonstrate knowledge of Alaska falconry laws and regulations, a U.S. visitor
1759 must correctly answer at least 80 percent of the questions on a supervised
1760 examination for falconers administered by the department. If a U.S. visitor passes
1761 the examination, the department will determine the level of permit for which the
1762 visitor is qualified, based on the visitor's documentation of his or her falconry
1763 experience.
- 1764 *iii.* A person holding a temporary falconry permit may possess a raptor for falconry if
1765 he or she has approved falconry facilities and may fly a raptor held for falconry
1766 by a permitted falconer.
- 1767 *iv.* A person holding a temporary falconry permit may not take a bird from the wild
1768 to use in falconry.
- 1769 b. For the duration of his or her temporary falconry permit, a U.S. visitor may use any
1770 birds for falconry he or she possesses legally in his or her state of residence for that
1771 purpose, provided import of those species to Alaska is not prohibited, and provided
1772 he or she has met all permitting requirements of his or her state of residence.
- 1773 *i.* A U.S. visitor must comply with the provisions of this Manual, the state of
1774 Alaska, and all states, territories, provinces, and other jurisdictions through which
1775 he or she travels with a falconry raptor.
- 1776 *ii.* A U.S. visitor may transport a registered raptor. See 50 CFR §14 (importation,
1777 exportation, and transportation of wildlife), 50 CFR §15 (Wild Bird Conservation
1778 Act), 50 CFR §17 (endangered and threatened species), 50 CFR §21 (migratory
1779 bird import and export permits), and 50 CFR §23 (endangered species
1780 convention) for details.
- 1781 *iii.* Unless a U.S. visitor has the necessary permit to bring a raptor into Alaska and
1782 leave it here, he or she must take the raptor brought into the state for falconry out
1783 of Alaska when he or she leaves. If a raptor brought into Alaska dies or is lost
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1794 while in this state, a U.S. visitor must document the loss before leaving Alaska by
1795 reporting said loss to the department.

1796
1797 iv. When flown free, a falconry raptor brought to Alaska temporarily must wear two
1798 functioning radio transmitters designed to track the bird if lost.

1799
1800 v. The commissioner may impose additional restrictions on U.S. residents practicing
1801 falconry or importing a raptor for falconry.

1802
1803 c. A non-U.S. visitor to Alaska may qualify for a temporary falconry permit appropriate
1804 to his or her level of experience.

1805
1806 i. A temporary falconry permit may be valid for any period specified by the
1807 department.

1808
1809 ii. To demonstrate knowledge of U.S. and Alaska falconry laws and regulations, a
1810 non-U.S. visitor must correctly answer at least 80 percent of the questions on a
1811 supervised examination for falconers administered by the department. If a non-
1812 U.S. visitor passes the examination, the department will determine the level of
1813 permit for which the non-U.S. visitor is qualified, based on the non-U.S. visitor's
1814 documentation of his or her falconry experience.

1815
1816 iii. A non-U.S. visitor holding a temporary falconry permit may possess a raptor for
1817 falconry if he or she has approved falconry facilities and may fly a raptor held for
1818 falconry by a permitted falconer.

1819
1820 iv. A non-U.S. visitor holding a temporary falconry permit may not take a bird from
1821 the wild to use in falconry.

1822
1823 d. For the duration of his or her temporary falconry permit, a non-U.S. visitor may use
1824 any birds for falconry he or she possesses legally in his or her country of residence for
1825 that purpose, provided import of those species to the U.S. and Alaska is not
1826 prohibited, and provided he or she has met all permitting requirements of his or her
1827 country of residence.

1828
1829 i. A non-U.S. visitor must comply with the provisions of this Manual, the state of
1830 Alaska, and all states, territories, provinces, and other jurisdictions through which
1831 he or she travels with a falconry raptor.

1832
1833 ii. A non-U.S. visitor may transport a registered raptor; a non-U.S. visitor may need
1834 one or more additional permits to bring a raptor into Alaska and the U.S. or to
1835 return home with it. See 50 CFR §14 (importation, exportation, and
1836 transportation of wildlife), 50 CFR §15 (Wild Bird Conservation Act), 50 CFR
1837 §17 (endangered and threatened species), 50 CFR §21 (migratory bird import and
1838 export permits), and 50 CFR §23 (endangered species convention) for details.

1839

- 1840 iii. Unless a non-U.S. visitor has the necessary permit to bring a raptor into Alaska
1841 and the U.S. and leave it here, he or she must take the raptor brought into the
1842 country for falconry out of the country when he or she leaves. If a raptor brought
1843 into the U.S. dies or is lost while in this country, a non-U.S. visitor must
1844 document the loss before leaving the U.S. by reporting said loss to the
1845 department.
- 1846
- 1847 iv. When flown free, a falconry raptor brought to Alaska and the U.S. temporarily
1848 must wear two functioning radio transmitters designed to track the birds if lost.
- 1849
- 1850 v. The commissioner may impose additional restrictions on non-U.S. residents
1851 practicing falconry or importing a raptor for falconry.
- 1852

1853 19. Updating a falconry permit after a move:

1854

- 1855 a. If an Alaska permittee moves to a new state or outside the jurisdiction of the
1856 department and takes a falconry raptor along, the permittee must inform the
1857 department and the permitting authority for the new place of residence of the address
1858 change. To obtain a new falconry permit, a permittee must follow the permit
1859 application procedures of the authority under which the permittee wishes to acquire a
1860 new permit. A permittee may keep a falconry raptor held while applying for a new
1861 falconry permit, although the new jurisdiction into which the permittee moves may
1862 place restrictions on possession of falconry raptors until the permittee meets local
1863 residency requirements.
- 1864

1865 **Temporary Facilities**

1866

- 1867 2012. A permittee shall provide all raptors being transported or held in a temporary facility with
1868 safe, humane housing and shall protect the raptors from extreme temperatures and
1869 excessive disturbance. A person may not hold a raptor in a temporary facility for longer
1870 than 4530 days.
- 1871

1872 **Annual Report**

1873

- 1874 ~~13. — No later than January 10 of each year, a permittee shall submit to the ADF&G Permits~~
1875 ~~Section an annual report that lists all raptors in the permittee's possession and all raptors~~
1876 ~~held during the previous year. For each raptor, the permittee shall indicate the species,~~
1877 ~~marker number, sex (if known), age (if known), date and location of acquisition, manner~~
1878 ~~(escaped, released, or died) and date of disposition, location of escape or release or cause~~
1879 ~~of death, and other information relating to the permittee's falconry activities, as required~~
1880 ~~by the department.~~
- 1881

1882

1883 **Markers**

1884

1885 2114. Before taking a goshawk, Harris's hawk, peregrine falcon, or gyrfalcon
1886 from the wild raptor, or acquiring one from a rehabilitator, a permittee shall obtain a U.S.
1887 Fish and Wildlife Service or ADF&G marker band issued by the department in the
1888 permittee's name. Upon taking a goshawk, Harris's hawk, peregrine falcon or gyrfalcon,
1889 a permittee shall immediately attach the U.S. Fish and Wildlife Service marker band to
1890 the raptor. ~~Upon taking a sharp-shinned hawk, northern goshawk, red-tailed or Harlan's~~
1891 ~~hawk, American kestrel, merlin, golden eagle, or great horned owl, a permittee shall~~
1892 ~~immediately attach the ADF&G marker to the raptor.~~ The marker band may not be
1893 removed, except that the rear tab may be removed and any imperfections on the surface
1894 may be smoothed if the integrity of the marker and numbering are not affected.

1895
1896 b. A permittee may purchase and implant an ISO (International Organization for
1897 Standardization) -compliant (134.2 kHz) microchip in a bird in addition to banding. A
1898 permittee must report the band number and any microchip information when reporting
1899 acquisition of a bird.

1900
1901 c. A raptor bred in captivity must be banded with a seamless metal USFWS marker band
1902 or carry an implanted ISO-compliant microchip. If a permittee must remove a seamless
1903 band or if it is lost, the permittee must report it and request a replacement USFWS non-
1904 reusable marker, or implant an ISO-compliant microchip. A wild-origin raptor may not
1905 be banded with seamless metal USFWS marker bands.

1906
1907 d. If a marker band must be removed or is lost from a raptor in a permittee's possession, a
1908 permittee must notify the department Permits Section within five days, and request a
1909 USFWS non-reusable marker band from the department. The permittee must submit the
1910 required information immediately upon re-banding the raptor at
1911 <http://permits.fws.gov/186A> or by submitting a paper form 3-186A to the department.
1912 The permittee may purchase and implant an ISO-compliant (134.2 kHz) microchip in the
1913 raptor in addition to banding and report the microchip information at
1914 <http://permits.fws.gov/186A> or by submitting a paper form 3-186A to the department.

1915
1916 e. A permittee may not alter, deface, or counterfeit a marker band, nor attach it to a raptor
1917 other than the individual to which the marker band was initially attached.

1918 1919 **Taking of Raptors**

1920
1921 2215. Take of any raptor species must be in compliance with these standards. Only an Alaska
1922 resident holding a valid, current falconry permit and a valid, current Alaska hunting
1923 license may take a raptor from the wild in Alaska. An ~~e~~ ~~An~~ ~~eyas~~ or passage bird may be
1924 taken any day of the year only from May 26 through August 5. A passage bird, adult
1925 American kestrel, or adult great horned owl may be taken only from August 15 through
1926 November 30. Except for American kestrels and great-horned owls, a raptors ~~that is~~ over
1927 one year of age may not be taken. Actively breeding birds, including those in immature
1928 plumage, may not be taken. An ~~e~~ ~~An~~ ~~eyas~~ may be taken only by a general or master class
1929 falconer; ~~no more than two eyases may be taken during the specified period; and,~~ at least
1930 one nestling must be left in any nest or eyrie from which a bird is removed. A permittee

1931 may not intentionally capture a raptor of a species not allowed by his or her classification
1932 for possession for falconry. A permittee unintentionally or otherwise capturing a raptor
1933 not allowed must release it immediately.

1934
1935
1936 a. A permittee may take no more than two raptors from the wild each year for use in
1937 falconry.

1938
1939 b. If a permittee transfers a raptor taken from the wild to another permittee in the same
1940 year in which it was taken, that bird will count as a raptor the permittee is allowed to take
1941 from the wild that year; it will not count as a capture by the recipient permittee, but will
1942 always be considered a wild-origin bird. No matter how long a wild-taken raptor is held
1943 in captivity or whether it is transferred to another permittee or permittees or permit types,
1944 it is always considered a wild-taken bird. Such a bird is considered taken from the wild
1945 only by the permittee who originally captured it, not by any subsequent permittee or
1946 permittees to whom it is legally transferred.

1947
1948 c. A permittee taking possession of a raptor for falconry purposes, who is present at the
1949 capture site, even if another person captures the raptor, is considered the person who
1950 removes the bird from the wild and is responsible for reporting that take.

1951
1952 d. If a permittee seeking possession of a falconry raptor is not at the immediate location
1953 where a raptor is taken from the wild, the person who removes the bird from the wild
1954 must be a general or master class permittee, and must report take of the bird, even if it is
1955 promptly transferred to the recipient permittee. When that person transfers the raptor to
1956 the absent permittee, both must report the transfer. The bird will count as one of the two
1957 raptors the permittee who took it from the wild is allowed to capture in any one year.
1958 The raptor will not count as a capture by the recipient permittee.

1959
1960 e. If a permittee has a long-term physical impairment (i.e., a permittee who provides the
1961 department with either 1) written proof that the person receives at least 70 percent
1962 disability compensation from a government agency for a physical disability or 2) an
1963 affidavit signed by a physician licensed to practice medicine in the state, stating that the
1964 person is at least 70 percent disabled) preventing direct capture of a species allowed for
1965 falconry use by that permittee, a general or master class permittee may take a raptor for
1966 that person. When a raptor is taken from the wild, the recipient permittee is then
1967 responsible for reporting the take, and the bird will count as one of the two raptors he or
1968 she is allowed to capture in any one year.

1969
1970 f. A general or master class permittee may take no more than one raptor of a threatened
1971 species from the wild each year if 1) federal regulations allow take, 2) the permittee
1972 obtains federal endangered species permits to do so, and 3) the permittee complies with
1973 applicable state, territorial, or tribal conditions regarding take of a listed species.

1974 a. — Peregrine falcon take requirements:
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~~(1) An Alaska master class permittee, and an Alaska general class permittee with more than two years of experience in the practice of falconry at the general class level may take peregrine falcons; and~~

~~(2) Peregrine falcons may not be taken from a corridor extending one-half mile on either side of the Colville River, beginning at the mouth of the Etivluk River and extending downstream to Ocean Point, nor from a corridor extending one-half mile on either side of the Yukon River, beginning at the Alaska/Canada border and extending downstream to Circle, Alaska.~~

~~(3) The department may restrict the take of peregrine falcons from specific sites or general areas.~~

2316. A permittees must comply with the following notification requirements when taking a raptors for falconry:

a. Regional falconry representatives and department offices where the permittees must report his or her~~their~~ planned and completed taking activities:

(1) Game Management Units 1 - 5: ADF&G, Division of Wildlife Conservation, Region I, ~~803 3rd Street~~, P.O. Box 110024, Douglas, AK 998~~1124~~-0024;

(2) Game Management Units ~~6, 7, 8, 14(C), and 15—17~~: ADF&G, Division of Wildlife Conservation, Region II, 333 Raspberry Road, Anchorage, AK 99518-~~159965~~;

(3) Game Management Units ~~12, 19, 20—, 21—, 24, 25, 26B, and 26C~~: ADF&G, Division of Wildlife Conservation, Region III, 1300 College Road, Fairbanks, AK 99701-15~~5199~~;

~~(4)~~ (4) Game Management Units 9, 10, 11, 13, 14(A), 14(B), 16, and 17: ADF&G, Division of Wildlife Conservation, Region IV, 1800 Glenn Highway Suite 4, Palmer, AK 99645-6736;

~~(4)~~ (5) Game Management Units 18, 22, 23 and 26A: ADF&G, Division of Wildlife Conservation, Region V, Pouch 1148, Nome, AK 99762; and

~~(5)~~ State copy of form 3-186A: ADF&G, Permits Section, Division of Wildlife Conservation, ~~1255 West 8th Street~~, P.O. Box 115526, Juneau, AK 99811-5526; and

~~(6)~~ Federal copy of form 3-186A: U.S. Fish and Wildlife Service, Migratory Birds Permit Office, 1011 East Tudor Road, Anchorage, AK 99503.

b. At least 10 days ~~b~~efore taking any raptor from the wild, a permittee must notify:

- 2022 (1) the department regional falconry representative in the intended area of take of the
 2023 permittee's planned taking activities, including the area, species, and timing of
 2024 take; and
 2025
- 2026 (2) the nearest department office in the intended area of take of the permittee's
 2027 planned taking activities, including the area, species, and timing of take.
 2028
- 2029 c. Within 10five days after taking any raptor, ~~excluding an American peregrine falcon~~
 2030 ~~or arctic peregrine falcon~~, a permittee must:
 2031
- 2032 (1) notify the department regional falconry representative in the area of take of the
 2033 permittee's completed taking activities, including the specific location, date,
 2034 species, age (if known) and sex (if known) of take; ~~and~~
 2035
- 2036 (2) present~~submit~~ other information related to the taking, as requested by the
 2037 department.; ~~and~~
 2038
- 2039 (3) submit a completed federal form 3-186A (Migratory Bird Acquisition/ Disposition
 2040 Report) to the ADF&G Permits Section.
 2041
- 2042 24. A permittee may recapture a raptor wearing a seamless metal band, transmitter, falconry
 2043 equipment, or any other item identifying it as a falconry or captive-bred bird at any time,
 2044 even if he or she is not allowed to possess the species. Such a bird will not count against
 2045 a permittee's possession limit, nor will its take count against a permittee's annual wild
 2046 take limit. A recapture must be reported to the state no more than five business days after
 2047 the occurrence. A permittee must return a recaptured falconry raptor to the permittee
 2048 who lost it, if that person may legally possess it. Disposition of a raptor whose legal
 2049 possession cannot be determined will be at the discretion of the department. While a
 2050 permittee is keeping a bird for return to the permittee who lost it, that bird will neither
 2051 count against the permittee's possession limit nor the limit on take of raptors from the
 2052 wild, but the permittee must report possession of such a raptor to the department within
 2053 five business days.
 2054
- 2055 25. A permittee may take a raptor he or she is authorized to possess from the wild if the bird
 2056 is banded with a Federal Bird Banding Laboratory aluminum band, except a permittee
 2057 may not take a banded peregrine falcon from the wild.
 2058
- 2059 a. A permittee capturing a peregrine falcon marked with a research band or another
 2060 research marking must immediately release it, except a falcon wearing a
 2061 transmitter may be held for up to 30 days in order to contact the researcher to
 2062 determine if a transmitter or battery warrants replacement. A researcher may
 2063 choose to replace a transmitter or battery, or remove a transmitter. A researcher,
 2064 his or her designee, or a falconry permittee authorized by the researcher may
 2065 conduct this work. If the researcher chooses, a transmitter may be removed and
 2066 the falcon transferred to the permittee, who may keep such a bird if captured in
 2067 circumstances allowing capture of a wild peregrine.

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b. If a captured raptor has a band, research marking, or transmitter attached, a permittee must promptly report the band number and all relevant information to the Federal Bird Banding Laboratory at 1-800-327-2263.

i. A permittee may contact the researcher to determine if he or she wishes to replace a transmitter or battery on a captured bird. If so, a permittee is authorized to possess such a raptor for up to 30 days until the researcher, his or her designee(s), or authorized permittee completes the replacement. Disposition of such a raptor will be at the discretion of the researcher and the department.

ii. Such a bird held temporarily will not count against a permittee's possession or annual wild take limits for falconry raptors.

26. A permittee is responsible for costs of care and rehabilitation of a raptor injured by his or her trapping efforts.

a. A permittee may place a raptor injured by trapping efforts on his or her falconry permit, and must report take to the department within 10 days using federal form 3-186A. After reporting, a permittee may have a bird treated by a veterinarian or permitted wildlife rehabilitator. Such a bird counts against a permittee's possession and annual wild take limits.

b. A permittee may give a raptor injured by trapping efforts directly to a veterinarian, permitted wildlife rehabilitator, or appropriate wildlife agency employee. Such a bird does not count against possession or annual wild take limits.

27. A permittee may acquire a raptor of any age of a species he or she is allowed to possess directly from a rehabilitator, provided the raptor is capable of being flown at wild quarry. Transfer to a falconry permittee is at the discretion of the rehabilitator.

a. A permittee must report an acquisition from a rehabilitator within 10 days of the transaction using federal form 3-186A.

b. A raptor acquired from a rehabilitator counts against possession and annual wild take limits.

~~d. Within five days after taking an American peregrine falcon or arctic peregrine falcon from the wild, a permittee must:~~

~~(1) notify the department regional falconry representative in the area of take of the permittee's completed taking activities, including the specific location of taking, date, species, age (if~~

2113 | ~~known), sex (if known), and the number of young in the nest at the time of taking (when eyes~~
2114 | ~~birds are taken);~~

2115 |
2116 | ~~(2)notify the department regional falconry representative in the area of take of the specific~~
2117 | ~~location of all American peregrine falcon or arctic peregrine falcon nests visited, the number of~~
2118 | ~~young in each nest visited, and other information requested by the department; and~~

2119 |
2120 | ~~(3)submit to the department regional falconry representative in the area of take any leg band~~
2121 | ~~retrieved from an American peregrine falcon or arctic peregrine falcon removed from a nest.~~

2122 |
2123 | ~~e. Within five days after taking any raptor, a permittee must submit copies of federal form~~
2124 | ~~3-186A (Migratory Bird Acquisition/Disposition Report) to the following locations:~~

2125 |
2126 | ~~(1)ADF&G Permits Section; and~~

2127 |
2128 | ~~(2)U.S. Fish and Wildlife Service Migratory Birds Permit Office.~~

2129 |

2130 | **Import/Export**

2131 |

2132 | ~~2817. A permittee~~ Except for the temporary export of a raptor possessed under an Alaska
2133 | ~~falconry permit, a person shall notify~~ obtain prior written approval from the ADF&G
2134 | Permits Section at least 10 days before exporting a raptor from or at least 30 days before
2135 | importing a raptor into Alaska except notification must be given at least 10 days before
2136 | the return of a raptor of Alaska origin from temporary export. -A person may not
2137 | temporarily or permanently export a raptor taken from the wild in Alaska unless that
2138 | person has legally possessed that raptor in Alaska for at least one year and, in the case of
2139 | permanent export, retains possession of the raptor at his or her new place of residence,
2140 | except a raptor held less than one full year may be exported temporarily or permanently if
2141 | the falconer holding it has maintained Alaska residency continuously for at least two
2142 | years immediately prior to the date of export.- If the department determines it ~~to be~~
2143 | necessary to conserve or protect raptors in the state, or if the person desiring to import or
2144 | export a raptor has not fully complied with the conditions or requirements of the falconry
2145 | standards in this ~~section of this~~ manual, the department may disapprove the import or
2146 | export of a raptor.

2147 |
2148 | ~~2918.~~ A person ~~holding with~~ an Alaska falconry permit who legally possesses a raptor may
2149 | temporarily export the raptor from Alaska for a period of not longer than 12 months. A
2150 | permittee shall notify the regional falconry representative of the temporary export of a
2151 | raptor at least ~~10~~ five days before leaving Alaska, shall provide the date of departure and
2152 | anticipated date of return, and shall notify the department's regional falconry
2153 | representative within ~~10~~ five days after returning the raptor to Alaska.

2154 |
2155 | ~~30.~~ An Alaska falconry permit authorizes a permittee who legally possesses a raptor for
2156 | falconry to export and then import such a raptor to and from another country to use in
2157 | falconry without an additional migratory bird import/export permit issued under 50 CFR
2158 | §21.21, providing the permittee:

- 2159
- 2160 a. meets any requirements in 50 CFR §14 subpart B;
- 2161
- 2162 b. holds necessary additional permits to take a bird from the U.S. or return home with it
- 2163 (see 50 CFR §15 (Wild Bird Conservation Act), 50 CFR §17 (endangered and
- 2164 threatened species, and 50 CFR §23 (endangered species convention));
- 2165
- 2166 c. brings any raptor taken out of the country for falconry back to the U.S. when he or
- 2167 she returns, unless he or she holds the necessary permit(s) to permanently export a
- 2168 raptor;
- 2169
- 2170 d. covers each raptor with a Convention on International Trade in Endangered Species
- 2171 (CITES) certificate of ownership issued under 50 CFR §23, holds full documentation
- 2172 of lawful origin of each raptor (e.g., a copy of a propagation report or federal form 3-
- 2173 186A), and identifies each raptor with a seamless numbered band, a permanent non-
- 2174 reusable, numbered USFWS leg band, or implanted microchip; and
- 2175
- 2176 e. reports death or loss of a raptor immediately upon return to the U.S. and in the
- 2177 manner required by the department and in accordance with conditions of the CITES
- 2178 certificate. The permittee need not bring back the body of a dead raptor.
- 2179

2180 3149. A person possessing a valid falconry permit issued by Alaska, another U.S. state, U.S.

2181 territory, or tribe may possess and transport for falconry purposes a lawfully possessed

2182 raptor through Alaska, other states, and U.S. or tribal territories. Any state, territory, or

2183 tribe may further regulate such transport. A person with a permit for falconry in another

2184 state ~~or province~~ may temporarily import a raptor into Alaska and use it for falconry for

2185 up to ~~630~~ days after the date of import under that falconry permit and an Alaska

2186 temporary falconry permit. If a person who temporarily imports a raptor intends to keep

2187 the raptor in Alaska longer than ~~630~~ days after the date of import, the person must, within

2188 ~~the 30_ days of the date of import period~~, apply for an Alaska falconry permit, deliver to

2189 the department any falconry permit issued for the raptor by another state ~~or province~~, and

2190 certify in writing that the person intends to become a resident of Alaska.

2191

2192 **Transfer of Raptors**

2193

2194 3220. A person may not sell, barter ~~for~~, or exchange ~~for~~ anything of value for a wild-taken

2195 raptor held under a falconry permit. A permittee may sell, purchase, barter for, or

2196 exchange anything of value for, or offer to sell, purchase, barter for, or exchange

2197 anything of value for a captive-bred raptor marked with a seamless band to another

2198 permittee authorized to possess it. A permittee shall notify the regional falconry

2199 representative not less than ~~10~~five days before permanently transferring a raptor to

2200 another permittee. There is no restriction on the number of wild-taken or captive-bred

2201 raptors transferred to a permittee, except a permittee may not exceed possession or annual

2202 wild take limits. A person who acquires or disposes of a raptor shall submit ~~copies of~~

2203 federal form 3-186A (Migratory Bird Acquisition/Disposition Report) to ~~both~~ the

2204 ADF&G Permits Section ~~and the U.S. Fish and Wildlife Service~~ within 10five days after

2205 the acquisition or disposal. A person may not permanently transfer possession of a raptor
2206 originally taken from the wild in Alaska to a person located outside of Alaska.

2207
2208 33. Under some circumstances, a permittee may transfer a raptor to another permit type if the
2209 recipient permittee holds the necessary permit for the other activities and is authorized to
2210 possess the bird. A transfer must be reported within 10 days to the department using
2211 federal form 3-186A.

2212
2213 a. A permittee may transfer a wild-taken falconry bird to a raptor propagation permit
2214 after the bird has been used in falconry for at least two years, or at least one year for a
2215 sharp-shinned hawk, Cooper's hawk, merlin, or American kestrel. When transferring
2216 such a bird, a permittee must provide a copy of the federal form 3-186A documenting
2217 acquisition of the bird by the propagator to the federal migratory bird permit office
2218 administering the propagation permit.

2219
2220 b. A permittee may transfer a wild-taken raptor to another permit type in less than two
2221 years, or less than one year for a sharp-shinned hawk, Cooper's hawk, merlin, or
2222 American kestrel, if the bird has been injured and a veterinarian or permitted wildlife
2223 rehabilitator has determined the bird can no longer be flown in falconry.

2224
2225 i. When transferring such a bird, the permittee must provide a copy of the federal
2226 form 3-186A documenting acquisition of the bird to the federal migratory bird
2227 permit office administering the propagation permit.

2228
2229 ii. When transferring such a bird, the permittee must provide a copy of the
2230 certification from the veterinarian or permitted wildlife rehabilitator who
2231 determined the bird can no longer be flown in falconry to the federal migratory
2232 bird permit office administering the propagation permit.

2233
2234 c. A permittee may transfer a captive-bred falconry raptor to a holder of another permit
2235 type if the recipient permittee is authorized to possess the bird.

2236
2237 3421. A person may care for a permittee's raptor if, during the time of care, the person holds a
2238 written authorization signed by the permittee. The raptor must remain on the permittee's
2239 falconry permit and remain in the permittee's facilities. Care may be extended
2240 indefinitely in extenuated circumstances such as illness, family emergency, and military
2241 service. The person providing care may not fly permitted raptors for any reason. If the
2242 period of care will exceed ~~45~~30 days, the permittee shall notify the regional falconry
2243 representative in writing within ~~10~~three days after transferring the raptor. The permittee
2244 shall inform the regional falconry representative of the location where the raptor will be
2245 held, the reason for the transfer, the name of the person who is caring for the raptor, and
2246 how many days the raptor will be in the transferee's care.

2247
2248 35. A surviving spouse, executor, administrator, or other legal representative of a deceased
2249 falconry permittee may transfer any bird held by the permittee to another authorized

2250 permittee within 90 days of the death of the falconry permittee. After 90 days,
2251 disposition of any bird held under the permit is at the discretion of the department.
2252

2253 **Release, Loss or Death of Raptors**

2254
2255 3622. Only a raptor originally taken from the wild in Alaska may be intentionally released to
2256 the wild in Alaska. At least five days before intentionally releasing a raptor to the wild,
2257 a permittee must ~~notify~~notify the regional falconry representative and must remove the
2258 USFWS ~~or ADF&G~~ marker band from the raptor immediately prior to release. A
2259 permittee may release a bird back to the wild only at an appropriate time of year and in an
2260 appropriate location. A permittee must submit ~~copies of~~ federal form 3-186A (Migratory
2261 Bird Acquisition/Disposition Report) to ~~both~~ the ADF&G Permits Section and the
2262 USFWS upon any loss, escape, release, or death of the permittee's raptor within 10~~five~~
2263 days after that event. A permittee must deliver the marker band from a dead or released
2264 raptor to the regional falconry representative within 15 days after the death or release of
2265 the raptor to the wild, except a dead raptor preserved by taxidermy shall permanently
2266 retain its marker band.
2267

2268 3723. A permittee may retrap a marked raptor that is lost to the wild through accident at any
2269 time and within five days after its loss, without notifying the regional falconry
2270 representative. If the permittee intends to retrap the raptor more than five days after its
2271 loss, the permittee must notify the regional falconry representative that the raptor has
2272 been lost and that the permittee intends to recapture it. If a permittee recaptures at the
2273 raptor, previously reported to the department as lost, the permittee must notify the
2274 department within 105 days after the recapture. Recapturing a marked raptor is not
2275 considered take of a bird from the wild.
2276

2277 38. If a permittee acquires a raptor; transfers, rebands, or implants a microchip in a raptor; if
2278 a permittee's raptor is stolen; if a raptor lost to the wild is not recovered within 30 days;
2279 or if a raptor possessed for falconry dies; the permittee must report to the department
2280 within 10 days using federal form 3-186A. Theft of a raptor must be reported to the
2281 department and the USFWS regional law enforcement office within 10 days of the
2282 occurrence. A permittee must retain copies of all electronic database submissions
2283 documenting take, transfer, loss, rebanding, or implanting a microchip in a falconry
2284 raptor until five years after transferring or losing the raptor, or it has died.
2285

2286 39. For a falconry raptor that dies, a permittee may donate the body or feathers of any species
2287 to a person or institution authorized by permit to acquire and possess such parts or
2288 feathers or to a person or institution exempt under 50 CFR §21.12, except a falconry
2289 golden eagle, the body, feathers, talons, and other parts of which must be sent to the
2290 National Eagle Repository.
2291

2292 a. A permittee may keep the body of a raptor banded or implanted with a microchip
2293 prior to death, except that of a golden eagle. A body may be kept so feathers are
2294 available for imping. A body may be mounted by a taxidermist for use in presenting
2295 conservation education programs. A marker band must remain in place on the body of

2296 a mounted bird that was banded; a microchip must remain in place in a bird with an
2297 implanted microchip.

2298
2299 b. A permittee not wishing to donate a bird body or keep it himself or herself must
2300 burn, bury, or otherwise destroy it within 10 days of death or after final veterinary
2301 examination to determine cause of death. Because a carcass of a euthanized raptor
2302 could pose a risk of secondary poisoning to eagles and other scavengers, a permittee
2303 must take appropriate precautions to avoid such poisonings.

2304
2305 c. A permittee may possess flight feathers of a falconry raptor that dies for as long as
2306 he or she holds a valid, current falconry permit. A permittee may not buy, sell, or
2307 barter such feathers and must keep paperwork documenting the acquisition of the bird
2308 from which they came.

2310 Imping

2311
2312 4024. A permittee may retain or exchange feathers that are molted or feathers from raptors that
2313 die in captivity ~~only~~ for imping purposes: under the following conditions:

2314
2315 a. a permittee may possess flight feathers for each species of raptor he or she possesses
2316 or previously held for as long as he or she holds a valid, current falconry permit;

2317
2318 b. a permittee may receive feathers for imping from another permitted falconer, wildlife
2319 rehabilitator, or raptor propagator in the United States, and may give feathers to such
2320 individuals;

2321
2322 c. a permittee may not buy, sell, or barter imping feathers;

2323
2324 d. a permittee may donate feathers from a falconry bird, except golden eagle feathers, to
2325 any person or institution holding a valid, current permit to have them, or to anyone
2326 exempt from the permit requirement under 50 CFR §21.12;

2327
2328 e. except for primary or secondary flight feathers or rectrices from a golden eagle, a
2329 permittee is not required to gather feathers molted or otherwise lost by a falconry
2330 bird. A permittee may leave such feathers where they fall, store them for imping, or
2331 destroy them;

2332
2333 f. a permittee must collect molted primary and secondary flight feathers and rectrices
2334 from a golden eagle possessed for falconry;

2335
2336 g. molted primary and secondary flight feathers and rectrices from a golden eagle not
2337 kept for imping must be sent to the National Eagle Repository at this address: U.S.
2338 Fish and Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal,
2339 Building 128, Commerce City, CO 80022. The telephone number at the Repository is
2340 303-287-2110;

2342 h. a permittee is asked but not required to send all other feathers, including body feathers,
2343 collected from a falconry golden eagle and not needed for imping, to the National
2344 Eagle Repository; and

2346 i. if his or her falconry permit expires, is relinquished, or revoked, a permittee must
2347 properly dispose of feathers of any species of falconry raptor except golden eagle,
2348 either by donating them to any person or institution authorized by permit to acquire
2349 and possess the feathers, or are exempt from the permit requirement under 50 CFR
2350 §21.12, or by burning, burying, or otherwise destroying them.

2351
2352
2353
2354 **Captive PropagationBreeding**

2355
2356 **4125.** Unless a person holds a propagation permit issued by the department, the person may not
2357 breed raptors in captivity for falconry. Propagation permits are issued under the following
2358 conditions:

2359
2360
2361 a. The department may issue a propagation permit only to a person who:

2362
2363 1) holds a federal raptor propagation permit;⁵

2364
2365 2) holds a valid, current Alaska master class falconry permit;⁵ and

2366
2367 3) passes an inspection of facilities with the following guidelines:

2368
2369 ~~i) .~~ adequate chamber size;⁵

2370
2371 ~~ii) .~~ double-door access to prevent escape;⁵

2372
2373 ~~iii) .~~ any window protected on the inside with vertical bars;⁵

2374
2375 ~~iv) .~~ adequate padded perches;⁵

2376
2377 ~~v) .~~ adequate roof covering of chain-link or welded wire material;⁵

2378
2379 ~~vi) .~~ adequate floor covering (~~if~~straw and/or sawdust are not suitable);⁵ and

2380
2381 ~~vii) .~~ adequate protection from the elements.

2382
2383 b. A propagation permittee may ~~acquire~~have no more ~~than four individual raptors that~~
2384 ~~originated from the wild; no more~~ than two wild-origin birds ~~may be acquired~~ within
2385 a calendar year. A propagation permittee may have no more than 12 birds for
2386 breeding that include first-generation captive progeny and wild-origin birds. A
2387 propagation permittee will have no limit on the number of second or later generation

2388 captive-bred progeny held in captive propagation. A raptor held under a propagation
2389 permit does not count as one of the ~~three~~ raptors that may be held under a falconry
2390 permit.

2391
2392 c. A raptor possessed for falconry may be used in captive propagation only in Alaska
2393 and if the falconry permittee or permitted raptor propagator holds the necessary
2394 permits. A falconry raptor need not be transferred to a propagation permit if used in
2395 captive propagation fewer than eight months in a year, but must be transferred if
2396 permanently used in captive propagation.

2397
2398 ~~e.d. A propagation permittee may not sell, barter, or exchange for anything of value~~
2399 ~~first generation captive-bred progeny of raptors and may only transfer first generation~~
2400 ~~captive-bred progeny to a person in Alaska who holds an Alaska falconry permit or to~~
2401 ~~a person who holds an Alaska propagation permit. The propagation permittee may~~
2402 sell, barter, or exchange for anything of value ~~first~~second or later generation captive-
2403 bred progeny to any person holding a falconry license or raptor propagation permit
2404 within Alaska or outside of Alaska. ~~The propagation permittee must dispose of~~
2405 ~~captive-bred progeny within one year after hatching.~~ Captive-bred progeny not sold
2406 or transferred as described in this subsection may be transferred or otherwise disposed
2407 of only with the written approval of the department.

2408
2409 ~~d.e. A propagation permittee may not possess a raptor produced by interspecific~~
2410 ~~hybridization unless the raptor has been surgically sterilized.~~

2411
2412 A raptor that originated from the wild in Alaska and ~~is~~ held under a propagation permit
2413 may not be exported from the state unless the propagation permittee is moving from
2414 the state and has legally possessed that raptor in Alaska for at least one year and
2415 retains possession of the raptor at his or her new place of residence, except a raptor
2416 held less than one full year may be exported permanently if the propagation permittee
2417 holding it has maintained Alaska residency continuously for at least two years
2418 immediately prior to the date of export. A propagation permittee shall notify the
2419 ADF&G Permits Section at least 10 days before exporting a raptor from Alaska. If
2420 the department determines it necessary to conserve or protect raptors in the state, or if
2421 the propagation permittee desiring to export a raptor has not fully complied with the
2422 conditions or requirements of the falconry standards in this manual, the department
2423 may disapprove the import or export of a raptor.

2424 e-

2425 Conservation Education

2426
2427
2428 42. A permittee may use a falconry raptor in a conservation program presented in a public
2429 venue, under the following conditions:

2430
2431 a. the raptor must be used primarily for falconry;
2432

- 2433 b. a permittee must present information about falconry and the biology, ecological roles,
2434 and conservation needs of raptors and other migratory birds, although not all topics
2435 must be addressed in every presentation;
- 2436
- 2437 c. a permittee may not present a program that does not address falconry and
2438 conservation education;
- 2439
- 2440 d. an apprentice class permittee may present a conservation program only under the
2441 supervision of a general or master falconer when doing so;
- 2442
- 2443 e. a permittee may charge a fee for presentation of a conservation education program,
2444 but the fee may not exceed the amount to recoup costs; and
- 2445
- 2446 f. a permittee is responsible for all liability associated with conservation education
2447 activities undertaken.
- 2448

2449 43. A permittee may allow photography, filming, video recording, or other such uses of a
2450 falconry raptor to make a movie or another source of information on the practice of falconry or
2451 on the biology, ecological roles, and conservation needs of raptors and other migratory birds,
2452 under the following conditions:

- 2453
- 2454 a. a permittee may not be paid for such activities;
- 2455
- 2456 b. a falconry raptor may not be used to make a movie or commercial, or in another
2457 commercial venture not related to falconry or conservation education; and
- 2458
- 2459 c. a falconry raptor may not be used for entertainment, advertisement, promotion or
2460 endorsement of any product, merchandise, good, service, meeting, exhibition, or fair,
2461 or as a representation of any business, company, corporation, or organization.
- 2462

Rehabilitation

2463

2464

2465 44. A general or master class falconry permittee may assist a permitted migratory bird
2466 rehabilitator to condition a raptor in preparation for release to the wild and may keep a bird he or
2467 she is helping to rehabilitate in his or her facilities, under the following conditions:

- 2468
- 2469 a. a rehabilitator must provide a falconer with a letter or form identifying the bird
2470 and explaining the falconer is assisting in the bird's rehabilitation;
- 2471
- 2472 b. a falconry permittee need not meet rehabilitation facility standards, only the
2473 facility standards for falconry permits; a falconry permittee's facilities are not
2474 subject to inspection for compliance with rehabilitation facility standards;
- 2475
- 2476 c. a raptor possessed for rehabilitation purposes need not be added to a falconer's
2477 permit; the bird remains under the rehabilitator's permit;
- 2478

2479 d. through coordination with a rehabilitator, a falconer must release a raptor to the
2480 wild or return it to the rehabilitator for release within the 180-day time frame in
2481 which a rehabilitator is authorized to possess the bird, unless the issuing office
2482 authorizes retention and conditioning for longer than 180 days, or unless the
2483 rehabilitator permanently transfers a bird to a falconer under his or her falconry
2484 permit; and

2485
2486 e. a raptor that cannot be released to the wild must be returned to a rehabilitator for
2487 placement within the 180-day time frame in which the rehabilitator is authorized
2488 to possess the bird, unless the issuing office authorizes retention for longer than
2489 180 days.

2490
2491 **Abatement**

2492
2493 45. A master class falconry permittee may conduct abatement activities with a raptor possessed
2494 for falconry only if he or she holds a federal Special Purpose Abatement permit. A general class
2495 falconry permittee may conduct abatement activities only as a subpermittee of a Special Purpose
2496 Abatement permit holder. Only a Special Purpose Abatement permittee may receive payment for
2497 abatement services.

STATE OF ALASKA ALASKA FALCONRY PERMIT APPLICATION

1. NAME

Last	First	M.I.
------	-------	------

2. MAILING ADDRESS

Street or P.O. Box		
City	State	Zip

3. TELEPHONE NUMBERS

Home	Business or Message
------	---------------------

4. EMAIL ADDRESS

--

5. ALASKA RESIDENT

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Since _____
------------------------------	-----------------------------	-------------

6. DATE OF BIRTH

--

7. LOCATION OF FACILITIES

Street	City
--------	------

8. DRIVER'S LICENSE OR I.D. NUMBER

State	Number
-------	--------

9. RAPTORS IN POSSESSION

Species	Sex	Age	Band Number	Date Acquired	Source (wild or captive-bred)

10A. PERMIT CLASS

<input type="checkbox"/> Apprentice	<input type="checkbox"/> General*
<input type="checkbox"/> Mast	

	er*
--	-----

10B. APPRENTICE'S SPONSOR

Last Name	First	Telephone
Address	Class	

11. FALCONRY EXAMINATION/APPROVAL

<input type="checkbox"/> Examination Passed	Approved By _____	Date _____
---	-------------------	------------

12. MEWS INSPECTION/APPROVAL

<input type="checkbox"/> Mews Inspected	Approved By _____	Date _____
---	-------------------	------------

13. CERTIFICATION

I have read and understand the Alaska Falconry Standards. ~~Furthermore, I hereby certify that all information made on or in connection with this application is true and complete to the best of my knowledge and belief. I certify that I have read and am familiar with the regulations in title 50, part 13, of the Code of Federal Regulations and the other applicable parts in subchapter B of chapter 1 of title 50, and that the information I have submitted is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.~~

Applicant's Signature _____ Date _____

*An applicant requesting a general or master class permit must submit a photocopy of the most recently held permit/license issued from any state ~~or province~~ **AND annual falconry reports.**

Please mail application **and fees** to:

ADF&G Wildlife Conservation, Permits Section, P.O. Box 115526, Juneau, AK 99811-5526

APPROPRIATE



ALASKA FALCONRY REPORT

Name: _____ State Permit No.: _____

Mailing Address: _____ City: _____ Zip _____

Telephone No.: (home) _____ (work) _____

Email: _____ Location of Facilities: _____

Class (check one) Apprentice General Master

Permit expiration date: _____ Are you requesting renewal? Yes No

ANNUAL REPORT for _____ (year)

RAPTORS ON HAND AT BEGINNING OF PERMIT YEAR (January 1)

Species	Marker Number	Sex	Year Hatched	Where (GMU subunit) or From Whom Obtained	Date Obtained month/day/year
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___

RAPTORS ACQUIRED DURING 12 MONTHS ENDING DECEMBER 31

(Raptors acquired from the wild or another person)

Species	Marker Number	Sex	Year Hatched	Where (GMU subunit) or From Whom Obtained	Date Obtained month/day/year
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___

RAPTORS NO LONGER IN POSSESSION

(since previous annual report)

Species	Marker Number	Sex	Year Hatched	Disposition*	Disposition Date month/day/year
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___
_____	_____	_____	_____	_____	___/___/___

*Disposition (lost, transferred, died, released, stolen): Provide complete details, i.e., where lost or released, to whom transferred, cause of death, etc.

Signature: _____ Date: _____

**Annual falconry reports are due by January 10. Please mail this report to:
ADF&G Wildlife Conservation, Permits Section, P.O. Box 115526, Juneau, AK 99811-5526**



CONTACT INFORMATION

General requests for information about falconry, appointments to take the falconry examination, or have ~~your~~ facilities inspected, applications for a falconry permit, requests for state markers (bands), and notification of take or intent to take a raptor from the wild are handled by the regional falconry representative at a regional office of the Alaska Department of Fish & Game, Division of Wildlife Conservation.

[ADF&G/Wildlife Conservation](#)
[P.O. Box 115526](#)
[Juneau, AK 99811-5526](#)
[Phone \(907\) 465-4190](#)

[ADF&G/Wildlife Conservation](#)
[P.O. Box 240020](#)
[Douglas, AK 99824-0020](#)
[Phone \(907\) 465-4265](#)

[ADF&G/Wildlife Conservation](#)
[333 Raspberry Road](#)
[Anchorage, AK 99518-1599](#)
[Phone \(907\) 267-2257](#)

[ADF&G/Wildlife Conservation](#)
[1300 College Road](#)
[Fairbanks, AK 99701-1599](#)
[Phone \(907\) 459-7213](#)

[ADF&G/Wildlife Conservation](#)
[1800 Glenn Highway, Suite 4](#)
[Palmer, AK 99645-6736](#)
[Phone \(907\) 745-6300](#)
[ADF&G/Wildlife](#)
[333 Raspberry Road](#)
[Anchorage, AK 99518-1599](#)
[Phone \(907\) 267-2257](#)

[ADF&G/Wildlife Conservation](#)
[P.O. Box 1148](#)
[Nome, AK 99762-1148](#)
[Phone \(907\) 443-2271](#)
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[1300 College Road](#)
[Fairbanks, AK 99701-1599](#)
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[P.O. Box 240020](#)
[Douglas, AK 99824-0020](#)
[Phone \(907\) 465-4265](#)

[ADF&G/Wildlife](#)
[P.O. Box 1148](#)
[Nome, AK 99762-1148](#)
[Phone \(907\) 443-2271](#)

Processing of falconry and state raptor propagation permits, submission of ~~annual reports and~~ 3-186A forms, and requests to import or temporarily or permanently export a raptor are handled by the ADF&G Permit Section.

ADF&G/Wildlife Permit Section
P.O. Box 115526
Juneau, AK 99811-5526
Phone: (907) 465-4148
Email: dfg.dwc.permits@alaska.gov

For information about health certification, ~~and~~ disease testing, vaccination, and other requirements for the importation of raptors, contact the state veterinarian.

Office of the State Veterinarian
Department of Environmental Conservation
500 S. Alaska, Suite A
Palmer, AK 99501
Phone (907) 375-8215

[Phone \(907\) 786-3693](#)



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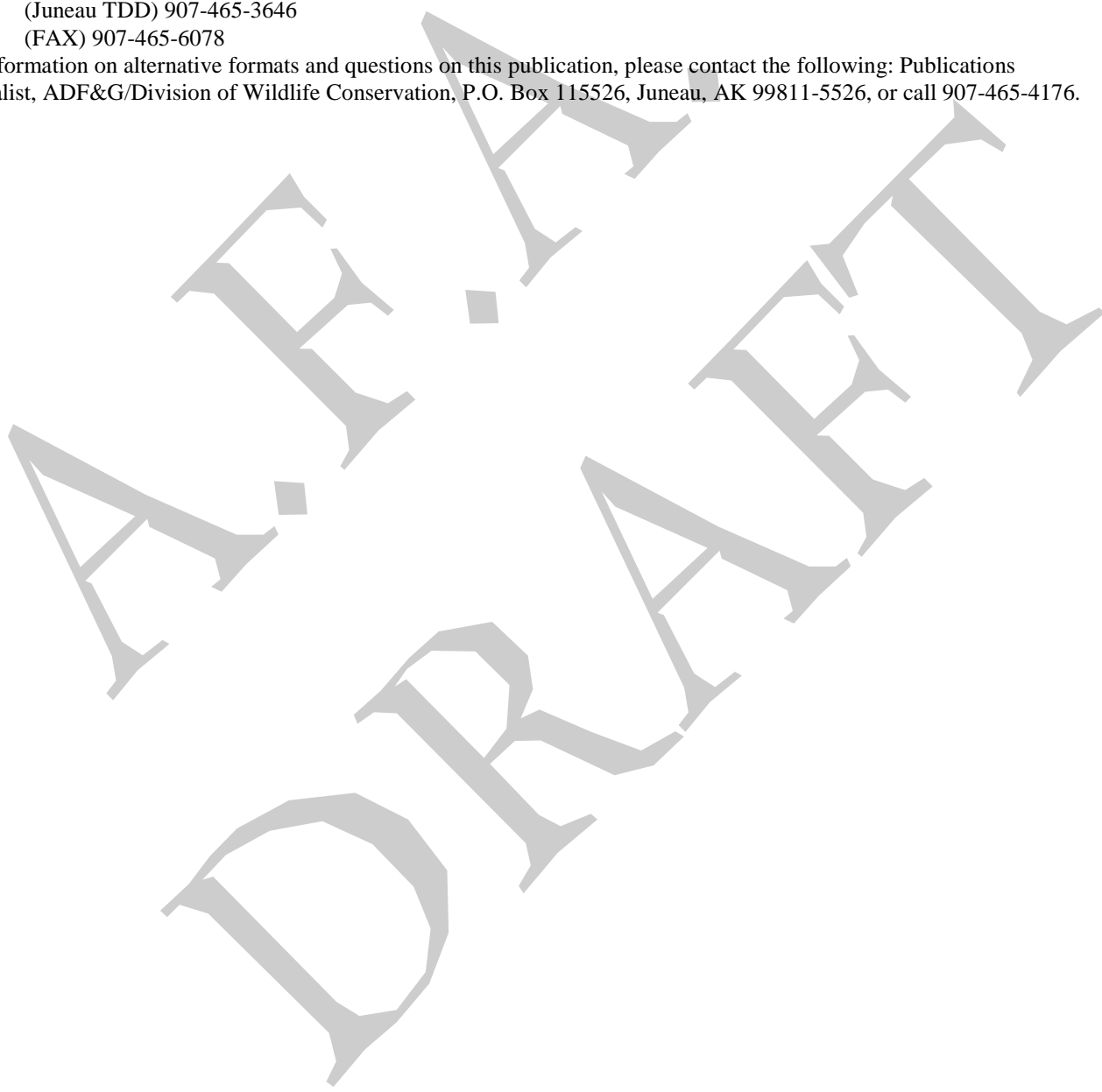
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- ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526
- U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042, Arlington, VA 22203
- Office of Equal Opportunity, U.S. Department of the Interior, 1849 C Street NW MS 5230, Washington DC 20240.

The department's ADA Coordinator can be reached via phone at the following numbers:

- (VOICE) 907-465-6077
- (Statewide Telecommunication Device for the Deaf) 1-800-478-3648
- (Juneau TDD) 907-465-3646
- (FAX) 907-465-6078

For information on alternative formats and questions on this publication, please contact the following: Publications Specialist, ADF&G/Division of Wildlife Conservation, P.O. Box 115526, Juneau, AK 99811-5526, or call 907-465-4176.



This proposal was considered by the Board of Game at the November, 2011 meeting. It was amended to apply statewide and deferred to the Statewide Regulations meeting scheduled for January, 2012.

PROPOSAL 14 - 5 AAC 84.270 Furbearer trapping. Close nonresident trapping seasons for certain species within the Arctic Region Units.

For species defined in 5 AAC 99.025(13)(a) – (m) amend 5 AAC 84.270 as follows:

Units 18, 22, 23, & 26A

Nonresidents: No open season

ISSUE: Nonresident harvest opportunity under a trapping license for furbearers and fur animals with a positive customary and traditional use finding and a 100 percent harvestable surplus amount needed for subsistence (ANS) finding statewide [5AAC 99.025 (13) (a) – (m)].

WHAT WILL HAPPEN IF NOTHING IS DONE? The Board of Game will continue to illegally authorize nonresident trapping harvest opportunity for furbearers and fur animals with a positive C&T and an ANS finding of 100 percent of the harvestable surplus.

The amount needed for subsistence findings must consider historical harvest rates of all resident Alaskans. The Alaska Constitution guarantees fair and equal access to Alaska's wildlife resources for all Alaskans.

Alaska Constitution, Article 8, Section 3 "Common Use": "Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use".

Traditional harvest of wolves in these Units therefore must include the traditional use levels of all Alaskans that have harvested wolves in these Units if the amount needed for subsistence is to reflect the needs of all Alaskans, the intent of AS 16.05.258, the findings of the Alaska Superior Court, and the Alaska Constitution.

"A requirement that one must reside in a rural area in order to participate in subsistence hunting and fishing, violates the Alaska Constitution, art. VIII, sec. 3, 15 & 17 - McDowell vs. State, 785 P. 2D 1 (Alaska 1989).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, protecting the sustained yield for the subsistence take of furbearers and fur animals by residents of Alaska is the highest priority for the management of Alaska's resources, for upholding Alaska's constitution, and the legislative intent for establishing the Board of Game to make recommendations to the ADF&G regarding the management of Alaska's wildlife resources.

WHO IS LIKELY TO BENEFIT? Residents that support the management of fur bearers and fur animals based on the sustained yield principle that prioritizes harvest for residents. Alaskan's have a long history of relying on furbearer and fur animal pelts to support their subsistence lifestyle.

WHO IS LIKELY TO SUFFER? Those that would prefer to allocate furbearer and fur animal harvest opportunity under a trapping license to nonresidents when the Board of Game has determined 100 percent of the harvestable surplus is the amount residents need to meet their subsistence needs.

OTHER SOLUTIONS CONSIDERED: The Alaska Constitution requires it. No other option exists.

PROPOSED BY: Science Now Project!

LOG NUMBER: EG052611506

The Board of Game deferred Proposal 18 as amended from the November 2011 the Arctic/Western Region meeting. The following information includes the original proposal, the amendment adopted by the board, and the additional regulations affected by the proposal that the board intends to consider at the January 2012 Statewide Regulations meeting.

PROPOSAL 18 - 5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.

Clarify when a violation has occurred concerning incidental take by trappers.

Original Language Proposal in 18:

Continuing to take, or attempting to take, furbearers at a site where a moose, caribou, or deer has been taken incidentally is a violation. Any moose, caribou or deer that dies as a result of being caught in a trap or snare, whether found dead or euthanized, becomes the property of the regional management agency. The trapper should salvage edible meat and surrender it to the appropriate agency. **A person who salvages and surrenders the edible meat in accordance with this regulation will not be subject to citation.** If such an incidental take occurs, the trapper must move all active traps and snares at least 300 feet from the site for the remainder of the regulatory year **(July 1 through June 30), and after the ending of the July 1 – June 30 regulatory year, may reset again in the same place or area during subsequent trapping seasons.**

Board action from the November 2011 meeting in Barrow:

The Board amended one portion of 5 AAC 92.095 to read:

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions. (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

(12) by placing or leaving an active trap or snare set on land **or ice** that is within 300 feet of the site at which a moose, caribou, or deer was taken using a trap or snare; this prohibition applies for the duration of the regulatory year in which the moose, caribou, or deer was taken using the trap or snare.

Other Regulations for Consideration: The original language in the proposal is a paraphrase of the existing regulations and does not make apparent the changes for those regulations. Several regulations are involved concerning incidental trapping of moose, caribou and deer, the subsequent reporting and salvage requirements, and property rights to the harvested animal. The following is an explanation of the relationship between existing regulations.

1. Under existing regulations, if a trapper takes a moose, caribou or deer with a trap or snare, the traps and snares must be moved 300 feet away from the site. This is in effect until the following June 30 (end of regulatory year).

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions. (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

...

(12) by placing or leaving an active trap or snare set on land that is within 300 feet of the site at which a moose, caribou, or deer was taken using a trap or snare; this prohibition applies for the duration of the regulatory year in which the moose, caribou, or deer was taken using the trap or snare.

2. The trapper already has an affirmative defense for possession and transportation if he salvages and surrenders that animal or animals to the Department of Fish and Game or the Alaska Wildlife Troopers.

5 AAC 92.140. Unlawful possession or transportation of game. (a) A person may not possess, transport, give, receive, or barter game or parts of game that the person knows or should know were taken in violation of AS 11.61.210, AS 16 or a regulation adopted under AS 16.

...

(d) Notwithstanding (a) of this section; it is an affirmative defense to the crime of unlawful possession or transportation of game, if the person who possesses and transports game or parts of game taken in violation of AS 16 or a regulation adopted under AS 16 is doing so for the sole purpose of salvaging that game or parts of game as required by 5 AAC 92.220, immediately salvaging that game or parts of game from the field and immediately surrendering that game or parts of game to a representative of the state located at the nearest office of the Department of Fish and Game (ADF&G) or Department of Public Safety (DPS).

3. When moose, deer or caribou are taken with a trap or snare, which is not a legal method or means for these animals, the animals are considered to be taken illegally and are property of the state.

5 AAC 92.220. Salvage of game meat, furs, and hides.

...

(h) A game animal taken in violation of Alaska Statute 16 or a regulation adopted under AS 16 is the property of the state.

4. In addition to the language already amended, the Board indicated a desire to clarify salvage requirements in these cases, citing concerns about frozen, unusable animals and hardships to trappers required to transport animals long distances, in addition to moving traps and snares.

5 AAC 92.220. Salvage of game meat, furs, and hides.

(d) A person taking game... shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990.

5 AAC 92.990 (24).Definitions.

...

(24) "edible meat" means, in the case of a big game animal, ..the meat of the ribs, neck, brisket, front quarters as far as the distal joint of the radius - ulna (knee), hindquarters as far as the distal joint of the tibia - fibula (hock), and the meat along the backbone between the front and hindquarters; "edible meat" of big game or wild fowl does not include meat of the head, meat that has been damaged and made inedible by the method of taking, bones,

sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

ISSUE: Clarifying language is needed so that trappers will not be cited for an incidental catch of non-target species the following year if it occurs in the same area as the previous year.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current language is unclear to some individuals (both enforcement officers and trappers) regarding the difference between the regulatory year and the calendar year, and unnecessary citations (subsequently dismissed after court time and legal fee expenditures) have been issued as a result. Also, trappers should be made clear that trappers will not be subjected to further hardship in their good faith efforts to comply with the law.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Not applicable.

WHO IS LIKELY TO BENEFIT? Trappers would gain more buy-in and faith in fairness of the management system. Enforcement should not feel compelled to issue questionable or unnecessary citations from misapplication or misinterpretation in this current “grey area”.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED:

PROPOSED BY: Lower Kuskokwim Advisory Committee and Orutsararmiut Native Council

LOG NUMBER: EG050211428

This proposal was considered by the Board of Game at the November, 2011 meeting. It was amended to apply statewide and deferred to the Statewide Regulations meeting scheduled for January, 2012.

PROPOSAL 19 - 5 AAC 85.060 Hunting seasons and bag limits for fur animals. Close nonresident fur animal hunting seasons for certain species in Arctic Region Units.

For species defined in 5 AAC 99.025 (13)(a) – (m) amend 5 AAC 85.060 Hunting seasons and bag limits for fur animals as follows:

Units 18, 22, 23, & 26A

Nonresidents: No open season

ISSUE: Nonresident hunting opportunity under a hunting license for fur animals with a positive and customary traditional use finding and a 100 percent harvestable surplus amount needed for subsistence (ANS) finding statewide [(5AAC 99.025 (13) (a) – (m)].

WHAT WILL HAPPEN IF NOTHING IS DONE? The Board of Game will continue to illegally authorize nonresident hunting harvest opportunity for fur animals with a positive C & T and an ANS finding of 100 percent of the harvestable surplus.

The amount needed for subsistence findings must consider historical harvest rates of all resident Alaskans. The Alaskan constitution guarantees fair and equal access to Alaska’s wildlife resources for all Alaskans.

Alaska Constitution, Article 8, Section 3 “Common Use”

“Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.”

Traditional harvest of furbearers in these Unit’s therefore must include the traditional use levels of all Alaskans that have harvested wolves in these Unit’s if the amount needed for subsistence is to reflect the needs of all Alaskans, the intent of AS 16.05.258, the findings of the Alaska Superior court, and the Alaska Constitution.

“A requirement that one must reside in a rural area in order to participate in subsistence hunting and fishing, violates the Alaska Constitution, art. VIII, secs. 3, 15, & 17 – McDowell v. State, 785 P. 2d1 (Alaska 1989)

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, protecting the sustained yield for the subsistence take of fur animals by residents of Alaska is the highest priority for the management of Alaska’s resources, for upholding Alaska’s constitution, and the legislative intent for establishing the Board of Game to make recommendations to the ADF&G regarding the management of Alaska’s wildlife resources.

WHO IS LIKELY TO BENEFIT? Residents that support the management of fur animals based on the sustained yield principle that prioritizes harvest for residents. Alaskan’s have long history of relying on fur animal pelts to support their subsistence lifestyle.

WHO IS LIKELY TO SUFFER? Those that would prefer to allocate fur animal harvest opportunity under a hunting license to nonresidents when the Board of Game has determined 100 percent of the harvestable surplus is the amount residents need to meet their subsistence needs.

OTHER SOLUTIONS CONSIDERED: The Alaska Constitution requires it. No other option exists.

PROPOSED BY: Science Now Project!

LOG NUMBER: EG052611507

This proposal was considered by the Board at the November, 2011 meeting and was deferred to the Statewide Regulations meeting scheduled for January, 2012. This proposal includes the updated language provided by the Department of Fish and Game prior to the November, 2011 meeting. The ADF&G feasibility study for Unit 15A is also available on Board of Game homepage at www.BoardOfGame.ADFG.Alaska.gov.

PROPOSAL 35 - 5 AAC 92.125. Intensive management implementation plan. Approve an intensive management plan for moose in Unit 15A.

(x) **Unit 15A Wolf Predation Control Area.** Notwithstanding any other provisions in this title, and based on the following information contained in this section, the commissioner or the commissioner's designee may conduct a wolf population reduction or wolf population regulation program in Unit 15(A):

- 1) the Unit 15A Predation Control Area is established and consists of all lands within Unit 15(A);
- 2) the Intensive Management population and harvest objectives for moose in Unit 15(A) are 3000–3500 and 180–350, respectively; the sustained yield of moose is currently below objectives; the goal is to reduce calf mortality to reverse the long term decline of the bull:cow ratio and increase calf survival; a March 2010 survey estimated 41–45 wolves in Unit 15(A); annual productivity will likely raise the wolf population the fall of 2011 to 55–60 wolves; wolf control objectives are to remove 25–40 wolves from the population through trapping, hunting, and wolf control activities and retain at least 15 wolves; wolf surveys will be conducted to determine the current wolf population size and the level of take that will ensure the minimum population objective is met;
- 3) the discussion of wildlife populations and human use information is as follows:
 - a) the moose population and harvest information in Unit 15(A) is as follows:
 - i) the moose population size was estimated in 2008 at 2088 moose (95% confidence interval=264); while this estimate is not statistically different from estimates calculated in 1995 or 2001, it does show a 40% statistically significant decline from the 1990 estimate (3432 moose [95% confidence interval=511]);
 - ii) the average yearly harvest during the past decade (2001–2010) has been 140 moose; this is a lower harvest compared to the previous decade (1991–2000) where the average yearly harvest was 194 moose and lower than the harvest during the decade from 1981–1991 where the average yearly harvest was 240 moose; the entire area is a non-subsistence use area so there is no Amount Necessary for Subsistence for 15A;
 - b) declining habitat quality is the main limiting factor affecting low moose densities in Unit 15(A); there has not been a fire of significant size in the unit for over 40 years; studies from 1987–1992 showed 96% of cows aged 2–15 were pregnant whereas 73% of cows in the same age group were pregnant in 2006; twinning rates calculated in 1983 in an area that burned in 1969 showed a 72% twinning rate whereas twinning rates calculated in the unit for 2011 were at 16%; the moose population was thought to be at or above carrying capacity in the early 1990s and declined at a rate of 9% per year during the 1990s; research on calf mortality from predators in the late 1970s in the unit showed 49% of

- calves dying from predation, 6% was caused by wolves, 6% was caused by brown bears, 34% was caused by black bears, and 2% undetermined predation from wolves or bears; each wolf pack over 2 wolves in size took on average 1 moose every 4.7 days in the winter; while habitat is limiting, wolf predation has been shown to limit calf and adult moose survival in the unit; predation rates by these three primary predators may have changed due to changes in prey availability however, all three predator species are still relatively abundant in the unit;
- c) with limited habitat, reducing predation will allow for possible reallocation of moose from predators to harvest; the program will initially focus on wolves due to potential effectiveness of aerial wolf control; additional black bear take will be considered if improvements in calf survival and recruitment are not sufficient to meet objectives; due to the potential effectiveness of aerial wolf control and the logistical constraints for black bear control activities given the land ownership patterns;
 - d) the wolf harvest over the past decade in Unit 15(A) has ranged between 4–16 wolves taken each year with a mean of 11 wolves; the post-winter wolf population was estimated at 41–45 wolves in March 2010; the harvest has been inadequate to reduce wolf numbers considering yearly growth; additional active management methods are necessary to further reduce the wolf population; assuming a pre-winter population of 55-60 wolves, the wolf harvest would likely need to be over 25 wolves per year from all methods (trapping, hunting, and wolf control) to reduce the annual wolf population growth and result in a reduction in predation rates on moose; the hunting season and bag limit for wolves has remained unchanged since 1989 but the bag limit on the Kenai National Wildlife Refuge, which was limited to 2 wolves per year on the refuge, was liberalized to 5 wolves per year in 2011; the trapping season and bag limits have been the same since 1997.
 - e) roughly 79% of Unit 15(A) is Federal land, 18% is private land, and 3% is state/borough land; wolf control will be initiated pending authorization by land managers/owners; and
 - f) with current harvest levels well below Intensive Management objectives, any increase in sustainable harvest will benefit Alaska residents;
- 4) the authorized methods and means used to take wolves include: hunting and trapping of wolves by the public in Unit 15(A) during the term of the management program as provided in the hunting and trapping regulations; the commissioner may issue public aerial shooting permits, public land and shoot permits, or allow agents of the state, or department employees to conduct aerial, land and shoot, or ground-based shooting as a method of wolf removal under AS 16.05.783, including the use of any type of aircraft; prey harvest may include bull-only harvests with variable combinations of antler restrictions, any-bull hunts, and/or antlerless harvest;
- a) Factors described in Section 3 and other considerations unique to the situation indicate that aerial shooting of wolves by members of the public under permit is the most feasible option to reduce predation in the management area described in Section 1 to a level sufficient to improve survival of moose and the potential for population growth.
 - b) Based on measured response of biological parameters indicating less than sufficient improvement in survival of moose, methods to improve moose survival will include same day airborne shooting of wolves by members of the public under permit, and airborne shooting of wolves by the Department;

- 5) the anticipated time frame, schedule for update and reevaluation and conditions for termination of the plan are as follows:
 - a) this plan is for 5 years (January 2012–January 2017) unless renewed;
 - b) annually the department shall, to the extent practicable, provide to the board a report of program activities conducted during the preceding 12 months, including implementation activities, the status of the moose and wolf populations, and recommendations for changes, if necessary to achieve the objectives of the plan;
 - c) Predator control activities shall be terminated;
 - i) when the intensive management objectives for the moose population size and harvest are obtained; or
 - ii) upon expiration of the period during which the commissioner is authorized to reduce predator numbers in the predator control plan area;

- 6) the program will be reviewed and suspended if one of the following conditions are met:
 - a) if there is no detectable difference in calf:cow ratios (e.g., at least 2 standard deviations above the 20-year mean, pre-wolf control) after 3 years of the program, indicating that there is no significant improvement in calf survival;
 - b) when one or more measure of nutritional stress (e.g., pregnancy rates, rump fat, age at first reproduction, short yearling weights, or twinning rates) shows a decline in 3 consecutive years;
 - c) if after 3 years, any measure consistent with significant levels of nutritional stress [e.g., twinning rates less than 20%, adult female (greater than 2 years old) pregnancy rates less than 80%] fails to improve to levels no longer showing significant levels of nutritional stress [e.g., twinning rates greater than or equal to 20%, adult female (greater than 2 years old) pregnancy rates greater than or equal to 80%];
 - d) if the wolf population falls below 15 wolves at any time during the program estimated from one or more of the following techniques: population survey, population census, modeling, harvest, or pilot and trapper interviews;

- 7) Supporting and implementing documentation for this IM Plan are found in the Operational Plan for Intensive Management of Moose in Game Management Unit 15A, 2012-2017; October 2011, and the Feasibility Assessment for Moose in Game Management Unit 15A, 2012-2017; October 2011.

ISSUE: In January 2010, the Board of Game (board) approved a habitat based intensive management plan for moose in Unit 15A. Due to slight errors in several of the statistics provided in the proposal and also due to an administrative oversight, the plan did not go into codified regulation. At the March 2011 meeting, the board did not take action on the revised intensive management plan proposed by the department, but rather asked the department to draft a different plan that also considered aerial wolf control for consideration at the November, 2011 meeting. Because the time constraints between the March 2011 meeting and the proposal deadline for the statewide meeting did not allow for completion of a revised plan, the department provides this proposal as a placeholder. Department staff will present a feasibility assessment and a revised intensive management plan at the November 2011 regional meeting in Barrow.

The full plan will be posted on the department web site: www.BoardOfGame.ADFG.Alaska.gov prior to the November, 2011 meeting.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is mandated to address intensive management, as well as conditions that would preclude it, outlined in AS 16.05.255 (f)(1).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A successful intensive management plan will improve the moose population, which would in turn increase the harvestable surplus benefitting hunters that rely on this population. A feasibility assessment will be presented that will describe the effectiveness of an intensive management program towards meeting intensive management objectives.

WHO IS LIKELY TO BENEFIT? Hunters who rely on moose from Unit 15A for food.

WHO IS LIKELY TO SUFFER? Individuals who do not approve of intensive management of wildlife populations.

OTHER SOLUTIONS CONSIDERED? The department is working with major land owners in GMU 15A to accomplish habitat enhancement projects.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG042811K

This proposal was considered by the Board at the November, 2011 meeting and was deferred to the Statewide Regulations meeting scheduled for January, 2012. This proposal includes the updated language provided by the Department of Fish and Game prior to the November, 2011 meeting. The ADF&G feasibility study for Unit 15C is also available on Board of Game homepage at www.BoardOfGame.ADFG.Alaska.gov.

PROPOSAL 36A - 5 AAC 92.125. Intensive management implementation plan. Approve an intensive management plan for moose in Unit 15C.

(x) **Unit 15C Wolf Predation Control Area.** Notwithstanding any other provisions in this title, and based on the following information contained in this section, the commissioner or the commissioner's designee may conduct a wolf population reduction or wolf population regulation program in Unit 15(C):

- 1) the Unit 15C Predation Control Area is established and consists of all lands within Unit 15(C) north of Kachemak Bay including the Fox River Flats (1171 square miles);
- 2) the Intensive Management population and harvest objectives for moose in Unit 15(C) are 2500–3500 and 200–350, respectively; while the past harvest has been within intensive management objectives, the goal is to reduce calf mortality to reverse the long-term decline of the bull:cow ratio; with improved calf survival, the sustained yield would be within harvest objectives; three major predators, brown bears, black bears and wolves occur in the unit; reducing wolves will be the initial focus; with the wolf population likely numbering between 40-75 wolves, wolf control objectives will be to remove 25-60 wolves from the population through trapping, hunting, and wolf control activities but retain at least 15 wolves; wolf surveys will be conducted to determine the current wolf population size and the level of take that will ensure the minimum population objective is met;
- 3) the discussion of wildlife populations and human use information is as follows:
 - a) the moose population and harvest information in Unit 15(C) is as follows:
 - i) the moose population size was estimated in 2010 at 2919 moose (95% confidence interval=277) and at 2079 moose (95% confidence interval=439) in 1992; this shows a 40% increase in the moose population between 1992 and 2010; the moose population is currently within intensive management objectives for population size;
 - ii) as a result of conservation concerns the board reduced the moose bag limit for moose and the preliminary 2011 harvest is 29 cows and only 12 bulls; the average yearly harvest during the past decade (2001-2010) has been 275 moose; compared to the average yearly harvest of 260 moose the previous decade (1991-2000) and an average yearly harvest 198 moose during the decade from 1981-1991; the harvest has been within intensive management objectives and generally higher than harvest from the 1980s but harvest restrictions adopted by the board in 2011 will reduce the harvest below intensive management objectives in 2011 and in 2012;
 - b) the moose population in 2011 showed a 30% twinning rate and does not appear greatly limited by habitat; fall surveys in 2010 showed 19 calves:100 cows; at a predicted calving rate of 80% with 30% twinning, spring 2010 calf ratios may have yielded 104 calves:100

- cows where 85 calves:100 cows were assumed lost from approximately June to November likely due to predation;
- c) a reduction of predation can reasonably be expected to aid in continuing to meet the intensive management harvest objectives at a higher level than have previously been achieved through both bull and antlerless harvest; if temporary antler restrictions in place through the 2012 season are eliminated at the 2013 board meeting, the future sustainable harvest of moose in Unit 15(C) is predicted to remain below intensive management objectives;
 - d) the wolf harvest over the past decade in Unit 15(C) has ranged between 10–21 wolves taken each year with a mean of 14 wolves; the wolf population in Unit 15(C) is likely between 40-75 wolves, the harvest of wolves has been inadequate to reduce wolf numbers considering yearly growth; assuming a pre-winter population of 40-75 wolves, based on managers experience in this area harvest must be greater than 50% of the wolf population per year from all methods (trapping, hunting, and wolf control) to reduce annual wolf population growth and result in a reduction in predation rates on moose; the past hunting and trapping harvest of wolves has not been adequate at reducing the wolf population; based on past trapping and hunting harvest, additional efforts are needed to reduce the wolf population; the hunting season and bag limit for wolves has remained unchanged since 1989 but the bag limit on the Kenai National Wildlife Refuge, which was limited to 2 wolves per year on the refuge, was liberalized to 5 wolves per year in 2011; the trapping season and bag limits have been the same since 1997; additional active management methods are necessary to further reduce the wolf population;
 - e) roughly 25% of the portion of Unit 15(C) described in (1) is Federal land, 40% is private land, and 35% is state/borough land; wolf control will be initiated pending authorization by land managers/owners; and
 - ⌘ with current harvest levels well below Intensive Management objectives, any increase in sustainable harvest will benefit Alaska residents;
- 4) the authorized methods and means used to take wolves include: hunting and trapping of wolves by the public in Unit 15(C) during the term of the management program as provided in the hunting and trapping regulations; the commissioner may issue public aerial shooting permits, public land and shoot permits, or allow agents of the state, or department employees to conduct aerial, land and shoot, or ground-based shooting as a method of wolf removal under AS 16.05.783, including the use of any type of aircraft; prey harvest may include bull-only harvests with variable combinations of antler restrictions, any-bull hunts, and/or antlerless harvest;
 - a) Factors described in Section 3 and other considerations unique to the situation indicate that aerial shooting of wolves by members of the public under permit is the most feasible option to reduce predation in the management area described in Section 1 to a level sufficient to improve survival of moose and the potential for population growth.
 - b) Based on measured response of biological parameters indicating less than sufficient improvement in survival of moose to reach the upper levels of intensive management objectives for harvest, methods to improve moose survival will include same day airborne shooting of wolves by members of the public under permit, and airborne shooting of wolves by the Department;

- 5) the anticipated time frame, schedule for update and reevaluation and conditions for termination of the plan are as follows:
 - a) this plan is for 5 years (January 2012–January 2017) unless renewed;
 - b) annually the department shall, to the extent practicable, provide to the board a report of program activities conducted during the preceding 12 months, including implementation activities, the status of the moose and wolf populations, and recommendations for changes, if necessary to achieve the objectives of the plan;
 - c) predator control activities shall be terminated;
 - i) when the intensive management objectives for the moose population size and harvest are obtained; or
 - ii) upon expiration of the period during which the commissioner is authorized to reduce predator numbers in the predator control plan area;

- 6) the program will be reviewed and suspended if one of the following conditions are met:
 - a) if the moose population exceeds 3.0 moose per square mile;
 - b) when one or more measure of nutritional stress (e.g., pregnancy rates, rump fat, age at first reproduction, short yearling weights, or twinning rates) shows a decline in 3 consecutive years;
 - c) if after 3 years, any measure consistent with significant levels of nutritional stress [e.g., twinning rates less than 20%, adult female (greater than 2 years old) pregnancy rates less than 80%] fails to improve to levels no longer showing significant levels of nutritional stress [e.g., twinning rates greater than or equal to 20%, adult female (greater than 2 years old) pregnancy rates greater than or equal to 80%];
 - d) if the wolf population falls below 15 wolves at any time during the program as estimated from one or more of the following techniques: population survey, population census, modeling, harvest, or pilot and trapper interviews;

- 7) Supporting and implementing documentation for this IM Plan are found in the Operational Plan for Intensive Management of Moose in Game Management Unit 15A, 2012-2017; October 2011, and the Feasibility Assessment for Moose in Game Management Unit 15A, 2012-2017; October 2011.

ISSUE: At the March 2011 meeting, the Board of Game requested the department to draft an intensive management plan for moose in Unit 15C that would include aerial wolf control for consideration at the November, 2011 meeting. Because the time constraints between the March 2011 meeting and the April 29 proposal deadline the department did not have sufficient time to complete a plan. Therefore, the department is submitting this as a placeholder proposal. Department staff will present a feasibility assessment and an intensive management plan at the November regional meeting in Barrow.

The full plan will be posted on the department web site: www.BoardOfGame.ADFG.Alaska.Gov prior to the November, 2011 meeting.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is mandated to address intensive management, as well as conditions that would preclude it, as outlined in AS 16.05.255 (f)(1).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A successful intensive management plan will improve the moose population, which would in turn increase the harvestable surplus, benefitting hunters that rely on this population. A feasibility assessment will be presented that will evaluate the potential effectiveness of an intensive management program.

WHO IS LIKELY TO BENEFIT? Hunters who rely on Unit 15A moose for food.

WHO IS LIKELY TO SUFFER? Individuals who do not approve of intensive management of wildlife populations.

OTHER SOLUTIONS CONSIDERED? The department is working with major land owners in GMU 15C to accomplish habitat enhancement projects.

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFG042811L

Note: The issue statement for this proposal was incorrectly entered. The proposal has been updated with the issue statement that was originally submitted.

PROPOSAL 101 – 5AAC 92.095. Unlawful methods of taking furbearers; exceptions; and 92.090. Unlawful methods of taking fur animals; exceptions. Allow same day airborne taking of coyotes statewide.

You may take coyotes the same day you have been airborne with no restriction on the distance you are from the aircraft.

ISSUE: Rapidly expanding population of coyotes in Alaska that have become major predators of Alaska’s wildlife.

WHAT WILL HAPPEN IF NOTHING IS DONE? A continuation of the reduction in populations of sheep, fox, hare, grouse and other wildlife in Alaska

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Reduces the population of coyotes which have become major predators of wildlife in Alaska

WHO IS LIKELY TO BENEFIT? All who enjoy hunting and viewing Alaska's wildlife.

WHO IS LIKELY TO SUFFER? Those who would prefer to view coyotes only.

OTHER SOLUTIONS CONSIDERED: Coyote control program by ADF&G - rejected for financial and political reasons.

PROPOSED BY: Delta Fish and Game Advisory Committee

LOG NUMBER: EG050611478

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the Statewide, 2012 meeting.

PROPOSAL 257 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions. Amend 5 AAC 92.095(a)(16)(A) to allow the use of larger snares for trapping wolves in a portion of Unit 1C, provided the snare is designed with a breakaway system and a diverter wire.

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions. (a) The following methods and means of taking furbearers under a trapping license are prohibited, in addition to the prohibitions in 5 AAC 92.080:

(16) in Unit 1C, that portion west of Excursion Inlet and north of Icy Passage, by using

(A) a snare with a cable diameter of 1/32 inch or larger that is set out of water, **unless the snare cable is severed at a point that is 10.0 inches to 10.5 inches from the cable end stop and then reattached with a double ferrule, and the snare has a wire designed to divert non-target species that is attached to the snare so that the diverter wire extends at least 28 inches from the snare loop and is perpendicular to the loop;**

ISSUE: At the November, 2010 Southeast Region meeting, the Board of Game authorized wolf trapping in Unit 1C with the use a specific type of breakaway snare with a diverter wire for the purpose of diverting non-target species. At the Barrow meeting in November 2011, the board repealed the new regulations, and asked the department for modified language to address the issue in Gustavus.

With the repeal of this regulation, trappers in Gustavus will no longer be able to use snares > 1/32” out of water to pursue wolves as of July 1, 2012.

In the Southeast Board meeting in 2002, the Board passed a proposal that prevented the use of snares > 1/32” set out of water at Gustavus because of concerns about incidental moose trapping. The new regulation eliminated the opportunity for trappers to snare wolves in the area. At public meetings with the residents of Gustavus during that time frame, the Department agreed to support future proposals to allow wolf snaring if and when a snare was designed that either prevented moose from being caught, or, if caught, allowed them to break free.

With the recent development and testing of this type of snare, a trapper in Gustavus submitted a proposal at the November 2010 SE meeting to once again allow snaring of wolves in the Gustavus area. The board passed that proposal and the opportunity to snare wolves became available, with the stipulations of the breakaway type snare and diverter wire. If this regulation isn’t reinstated, or a similar regulation adopted, the opportunity for snaring wolves in and around Gustavus will be lost to trappers in the future.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trappers in Gustavus will not be able to use the larger snares needed for wolf trapping.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The moose population in Gustavus will benefit from the harvest of additional wolves.

WHO IS LIKELY TO BENEFIT? Trappers will benefit from being allowed to use snares to take wolves, and moose will be able to escape from the modified snares.

WHO IS LIKELY TO SUFFER? Trappers may have to modify existing snares to comply with the breakaway requirements.

OTHER SOLUTIONS CONSIDERED? Do not require breakaway snares and diverter wires, which would mean use of snares for wolf trapping in the area would be prohibited..

PROPOSED BY: Alaska Department of Fish and Game

LOG NUMBER: ADFGBOG257

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the Statewide, 2012 meeting.

PROPOSAL 258 - 5 AAC 85.020. Seasons and bag limits for brown bear. Change the brown bear hunt structure in Units 7 and 15.

Replace the current limited-permit draw hunt with an open registration hunt for Units 7 and 15. The proposed season is September 15 to November 30, and harvest will be regulated by an established quota and short reporting period.

ISSUE: The Kenai/Soldotna Advisory Committee and others on the Kenai Peninsula, have requested the local Department of Fish and Game staff to increase the number of permits issued or implement a registration hunt for hunting brown bears for years, with no success. In every advisory committee meeting concerning game issues, the concern for too many brown bears comes up, resulting in many heated discussions over nothing being done by the department. Brown bear density has increased on the Kenai Peninsula but hunting opportunities have not. In recent years, the majority of the bears killed locally were killed as defense of life and property or by department staff for public safety concerns. We believe licensed-hunters should have an opportunity to take these bears instead of department staff or being killed in defense of life or property.

Further, the current permit hunt has not resulted in an adequate harvest, nor would it be, given the current quota set by the department, even if all 100 permits were issued. Likewise, the fall portion of the permit hunt has been unnecessary due to the quota being met or close to it.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued loss of hunting opportunity for brown bear in Units 7 and 15.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Hunters in Units 7 and 15 and the moose population.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Kenai/Soldotna Fish and Game Advisory Committee

LOG NUMBER: ADFGBOG258

Note: The Board of Game approved an Agenda Change Request to consider this proposal at the Statewide, 2012 meeting.

PROPOSAL 259 - 5 AAC 92.010. Harvest tickets and reports; 92.165. Sealing of bear skins and skulls; and 92.220. Salvage of game meat, furs, and hides. Streamline the reporting, sealing and salvage of black bears.

5AAC 92.010. Harvest tickets and reports.

...

(l) For black bear, a person may not hunt black bear in Units 1-5[7, 11-17, 19(D), AND 20], except when a permit is required, unless the person has in possession a harvest ticket for the species and has obtained a harvest report (issued with the harvest ticket); **in Units 6-26 a person must first obtain a harvest report card (harvest tickets are not required).**

5 AAC 92.165. Sealing of bear skins and skulls. (a) Sealing is required for brown bear taken in any unit in the state, black bear of any color variation **need not be sealed unless sealing is required in designated areas for biological purposes by ADF&G area staff** [TAKEN IN UNITS 1 - 7, 11, 13 - 17, AND 20(B)], and a bear skin or skull before the skin or hide is sold. A seal must remain on the skin until the tanning process has commenced. A person may not possess or transport the untanned skin or skull of a bear taken in a unit where sealing is required, or export from the state the untanned skin or skull of a bear taken anywhere in the state, unless the skin and skull have been sealed by a department representative within 30 days after the taking, or a lesser time if requested by the department, except that

5 AAC 92.220. Salvage of game meat, furs, and hides. (a) Subject to additional requirements in 5 AAC 84 - 5 AAC 85, a person taking game shall salvage the following parts for human use:

...

(3) statewide from January 1 through May 31, the hide[, SKULL,] and edible meat as defined in 5 AAC 92.990, from June 1 through December 31, **either** the hide **or meat must be salvaged, in addition, the** skull of a black bear taken in a game management unit in which sealing is required, [AND FROM JUNE 1 - DECEMBER 31, THE SKULL AND EITHER THE HIDE OR EDIBLE MEAT OF A BLACK BEAR TAKEN IN UNIT 20(B);]

ISSUE: These changes are intertwined enough that we decided they should all be included in a single proposal even though they address three separate regulations. There are currently areas of the state that require sealing but not harvest reports or tickets; harvest tickets/reports but not sealing; some require both; and some require neither. There are also varying salvage requirements. These changes will not eliminate all reporting and salvage differences across all regions and units but it will greatly simplify the requirements to the public. Public compliance with regulations and reporting will be increased due to simplified regulations. This regulation change will clean up the current disparity in salvage, sealing, and harvest ticket/reporting.

Reporting: Black bear hunting in greater Alaska (GMU 6-26) will require a harvest report card but not harvest tickets. Sealing will be required only in those areas in which ADF&G area staff need biological data that can only be obtained by sealing. Units 1-5 will not change.

Salvage: Salvage requirements will be standardized statewide to require salvage of meat, and hide January 1-May 31 and meat or hide June 1-December 31. Skulls only need to be salvaged in areas where sealing is required.

This Proposal consists of several consensus items from a black bear resource users' group held at the March 2011 Board of Game meeting. All of these suggestions were approved by ALL members of the group. We have not included any items or suggestions that were not supported by all members of the group.

The intent of this group is to clarify and remove complicated or excessively restrictive regulations and ADF&G discretionary provisions pertaining to black bear hunting in Alaska Statewide but especially Greater Alaska. Over the years bear hunting and baiting regulations have accumulated many unnecessary restrictions. We realize Southeast Alaska has unique issues pertaining to black bear hunting. Many of our suggestions are intended to be statewide. If Southeast is intended to be excluded we will state a specific area for the regulation (unit 6-26, etc.).

WHAT WILL HAPPEN IF NOTHING IS DONE? Hunters will continue to be confused by the sealing/harvest ticket/none situation in greater Alaska. Hunters will be required to salvage poor quality hides while meat hunting in the late spring, summer and fall.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? Possibly; a hunter that is not required to salvage a hide and skull may be able to take better care of bear meat.

WHO IS LIKELY TO BENEFIT? Bear hunters will have less confusing regulations and more options as to the salvage of their animals.

WHO IS LIKELY TO SUFFER? No one

OTHER SOLUTIONS CONSIDERED? Allow the salvage of the meat OR hide year-round. Require sealing statewide but no harvest ticket/report.

PROPOSED BY: The Greater Alaska Black Bear Committee

LOG NUMBER: ADFGBOG259
