

Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Kristy Tibbles, Department of Fish and Game

FROM: April Simpson, Office of the Lieutenant Governor
465.4081

A handwritten signature in blue ink, likely belonging to April Simpson, is written over the "FROM:" line.

DATE: June 28, 2023

RE: Filed Permanent Regulations: Board of Fisheries

Board of Game regulations re: Southcentral Region, Board Meeting March 2023 (5 AAC 84.270 - 5 AAC 92.550)

Attorney General File:	2022200301
Regulation Filed:	6/28/2023
Effective Date:	7/28/2023
Print:	247, October 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

June 23, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: 5 AAC 84.270 - 5 AAC 92.550; Board of Game - Southcentral Region,
Board Meeting March 2023

Our file: 2022200301

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed regulations adopted by the Board of Game during its Southcentral Region meeting of March 17 - 22, 2023 against the statutory standards of the Administrative Procedure Act.

The regulations concern Title 5 of the Alaska Administrative Code, specifically 5 AAC 84.270 - 5 AAC 92.550, and relate to regulation of the use and taking of game including trapping seasons, hunting seasons, bag limits, methods and means, restricted areas, intensive management and predator control plans, and related departmental procedures.

The regulations are approved in part and disapproved in part under AS 44.62.060(b). The following regulation changes are disapproved as unconstitutional and lacking statutory authority and were therefore removed from the enclosed approved regulations:

1. Those portions of adopted changes to 5 AAC 85.045(a)(12) pertaining to establishment of an antlerless moose hunt in Unit 14(C), that portion known

as the Anchorage Management Area, in Kincaid Park, by drawing permit by bow and arrow, shotgun, or crossbow only; and

2. Adopted changes to 5 AAC 92.530(B)(i) that would limit moose hunting in Kincaid Park to persons with physical disabilities.

The disapproved sections were referred to in Board of Game proceedings as Proposal 203.¹ Through adoption of Proposal 203, the Board of Game sought to establish a moose hunt in Kincaid Park for persons with physical disabilities. Our conclusion is that the establishment of a hunt limited to persons with physical disabilities is unconstitutional because it violates the equal access clauses of Article VIII of the Alaska Constitution.² The equal access clauses prohibit the state from granting exclusive or special privileges to take fish and wildlife.³ Proposal 203 also violates the plain language of the common use clause⁴ and the attendant duty of the Board of Game to manage the wildlife resources of the state for all Alaskans.⁵ Additionally, the Board of Game lacks specific statutory authority to establish a moose hunt in Kincaid Park for persons with physical disabilities.⁶

The remainder of the adopted regulations are approved. This letter constitutes written approval under AS 44.62.060(b) and (c) that authorizes your office to file the enclosed regulations.

¹ See Alaska Board of Game, *Notice of Proposed Changes in the Regulations of the Alaska Board of Game*, Anchorage Daily News, December 19, 2022; Preliminary Actions on Proposals, Alaska Board of Game, Southcentral Region Meeting (March 17-22, 2023), https://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2022-2023/sc/soa_3-24-23.pdf.

² *McDowell v. State*, 785 P.2d 1, 6 - 9 (Alaska 1989) (construing Article VIII, Section 3, 15, and 17 to prohibit the granting of exclusive or special privileges with respect to fish and game).

³ *Id.* at 6.

⁴ The common use clause provides: "Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use." Alaska Const. art. 8, § 3.

⁵ See *Owsichek v. State, Guide Licensing & Control Bd.*, 763 P.2d 488, 495 - 496 (Alaska 1988) (holding that common use clause prohibited grant of exclusive guide areas to hunting guides).

⁶ Compare AS 16.05.255(i) (allowing the Board of Game to establish annual big game hunts for Alaska resident children accompanied by resident family members).

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are incorporated into the enclosed copy of the regulations.

The December 19, 2022 public notice and the June 23, 2023 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2023.06.23
15:18:33 -08'00'

CC w/enclosure: Doug Vincent-Lang, Commissioner
Department of Fish and Game

Benjamin Mulligan, Deputy Commissioner
Department of Fish and Game

Kristy Tibbles, Executive Director
Department of Fish and Game

Natalie Weber, Program Coordinator
Department of Fish and Game

Cheryl Brooking, Senior Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE ALASKA BOARD OF GAME


The attached 62 pages of regulations, dealing with the use and taking of game, are certified to be a correct copy of the regulation changes that the Board of Game adopted at its March 17-22, 2023 meeting, under the authority of AS 16.05.255 and 16.05.258 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Alaska Board of Game paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 6/23/2023

DocuSigned by:

Benjamin Mulligan, Deputy Commissioner
Department of Fish and Game

Anita Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

June 28, 2023 at 1:28 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Anita Simpson
for Nancy Dahlstrom, Lieutenant Governor

Effective: July 28, 2023

Register: 247, October 2023

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Note to Publisher: When a subsection, paragraph, subparagraph, etc. is indicated by the appropriate number or letter and no text follows that symbol, then the omitted text is the same as that set out in the previous register containing the section. Amended text to be added is bolded and underlined. Amended text to be deleted is capitalized and enclosed in brackets.

Title 5. Fish and Game.

Part 3. Game.

Chapter 84. Trapping.

Article 07. Trapping Seasons and Bag Limits.

5 AAC 84.270(1) is amended to read:

Species and Units	Open Season	Bag Limit
(1) Beaver		
...		
Units 7 and 15	<u>Nov. 10 - Apr. 30</u> [OCT. 15 - APR. 30]	20 per season.
...		

5 AAC 84.270(2) is amended to read:

Species and Units	Open Season	Bag Limit
(2) Coyote		
...		
Units 7 and 15	<u>Nov. 10 - Mar. 31</u> [OCT. 15 - MAR. 31]	No limit.

...

5 AAC 84.270(13) is amended to read:

Species and Units	Open Season	Bag Limit
(13) Wolf		

...

Units 7 and 15	<u>Nov. 10 - Mar. 31</u>	No limit.
	[OCT. 15 - MAR. 31]	

...

(In effect before 1980; am 7/4/80, Register 75; am 9/30/81, Register 79; am 7/17/82, Register 83; am 6/30/83, Register 86; am 6/30/84, Register 90; am 6/23/85, Register 94; am 8/29/85, Register 95; am 4/24/88, Register 106; am 7/14/88, Register 107; am 8/12/90, Register 115; am 7/1/92, Register 122; am 10/1/93, Register 127; am 7/9/95, Register 135; am 7/16/95, Register 135; am 6/28/96, Register 138; am 7/1/97, Register 142; am 7/27/97, Register 143; am 7/1/98, Register 146; add'l am 7/1/98, Register 146; am 7/1/99, Register 150; am 7/17/99, Register 151; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/1/2001, Register 158; add'l am 7/1/2001, Register 158; am 12/28/2001, Register 160; am 7/1/2002, Register 162; am 7/1/2003, Register 166; add'l am 7/1/2003, Register 166; am 7/1/2004, Register 170; add'l am 7/1/2004, Register 170; am 7/1/2005, Register 174; add'l am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register 178; am 7/1/2007, Register 182; add'l am 7/1/2007, Register 182; am 7/1/2008, Register 186; add'l am 7/1/2008, Register 186; am 7/1/2009, Register 190; add'l am 7/1/2009, Register 190; am 7/1/2010, Register 194; 1st add'l am 7/1/2010, Register 194; 2nd add'l am 7/1/2010, Register 194; em am 5/27/2010 - 9/23/2010, Register 194; am 5/14/2011,

Register 247, October 2023 FISH AND GAME

Register 198; am 7/1/2011, Register 198; 1st add'l am 7/1/2011, Register 198; 2nd add'l am 7/1/2011, Register 198; am 7/1/2012, Register 202; add'l am 7/1/2012, Register 202; am 7/1/2013, Register 206; 1st add'l am 7/1/2013, Register 206; 2nd add'l am 7/1/2013, Register 206; am 7/1/2014, Register 210; 7/1/2015, Register 214; 1st add'l am 7/1/2015, Register 214; 2nd add'l am 7/1/2015, Register 214; am 7/1/2017, Register 222; am 7/1/2018, Register 226; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 7/1/2020, Register 234; am 6/23/2022, Register 242; add'l am 6/23/2022, Register 242; am 7/28/2023, Register 247;)

Authority: AS 16.05.060 AS 16.05.255 AS 16.05.270

Chapter 85. Hunting Seasons and Bag Limits.

Article 2. Seasons and Bag Limits.

5 AAC 85.015(a)(3) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(3)		
...		
Unit 14(C), that portion known as the Anchorage Management Area	Sept. 1 - May 31 (General hunt only)	
1 bear by drawing permit only, shotgun, [OR] muzzleloader [ONLY],		

Register 247, October 2023 FISH AND GAME

or bow and arrow only;

weekdays only; up to 20 per-

mits may be issued in the

McHugh Creek area and up

to 20 permits may be issued

in the Upper Campbell

Creek area

...

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 8/10/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 7/1/92, Register 122; am 5/13/93, Register 126; am 7/7/94, Register 131; am 8/25/94, Register 131; am 8/4/95, Register 135; am 7/1/2001, Register 158; add'l am 7/1/2001, Register 158; am 7/1/2002, Register 162; am 8/23/2002, Register 163; am 5/1/2003, Register 166; am 7/1/2005, Register 174; am 7/1/2006, Register 178; am 8/14/2007, Register 183; am 7/1/2008, Register 186; am 7/1/2009, Register 190; am 7/1/2011, Register 198; add'l am 7/1/2011, Register 198; am 11/25/2011, Register 200; am 7/1/2012, Register 202; am 7/1/2013, Register 206; add'l am 7/1/2013, Register 206; am 7/1/2014, Register 210; am 7/1/2015, Register 214; add'l am 7/1/2015, Register 214; am 7/1/2017, Register 222; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 6/23/2022, Register 242; add'l am 6/23/2022, Register 242; am 7 / 28 / 2023, Register 247)

Authority: AS 16.05.060 AS 16.05.258 AS 16.05.330

AS 16.05.255

5 AAC 85.020(a)(6) is amended to read:

**Resident
Open Season**

Units and Bag Limits	(Subsistence and General Hunts)	Nonresident Open Season
(6)		
Unit 7		
1 bear every	<u>Aug. 10 - June 30</u>	<u>Aug. 10 - June 30</u>
regulatory year by	[SEPT. 1 - MAY 31]	[SEPT. 1 - MAY 31]
registration permit only	(General hunt only)	

5 AAC 85.020(a)(13) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(13)		
Unit 14(A)	Sept. 1 – May 31	Sept. 1 – May 31
1 bear every regulatory year	(General hunt only)	
[REMAINDER OF UNIT 14(C)	[SEPT. 1 - MAY 31	[SEPT. 1 - MAY 31]
1 BEAR EVERY REGULATORY	(GENERAL HUNT ONLY)]	
YEAR]		
Unit 14(B)	Aug. 10 – May 31	Aug. 10 – May 31
1 bear every regulatory year		
Unit 14(C), Chugach State	Sept. 1 - May 31	Sept. 1 - May 31
Park Management Area and	(General hunt only)	

Register 24th, October 2023 FISH AND GAME

that portion of the Eagle River
drainage above the Icicle
Creek drainage

1 bear every regulatory year,
by drawing permit only; up to
15 permits may be issued

Unit 14(C), that portion of the
Eklutna Lake Management
Area within Chugach State
Park

Sept. 1 - May 31
(General hunt only)

Sept. 1 - May 31

1 bear every regulatory year,
by drawing permit only; by
bow and arrow only; up to 25
permits may be issued

Unit 14C, all drainages into
McHugh Creek, in that portion
of the Anchorage Management
Area

1 bear every regulatory year,

Oct. 1 – Oct 31

Oct. 1 – Oct. 31

Register 247, October 2023 FISH AND GAME

by drawing permit only, (General hunt only)

by shotgun, muzzleloader,

or bow and arrow only; week

days only, up to 5 permits may

be issued

Remainder of Unit 14(C)

Sept. 1 – June 15

Sept. 1 – June 15

1 bear every regulatory year

(General hunt only)

5 AAC 85.020(a)(14) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(14)		
Unit 15		
1 bear every	<u>Aug. 10-June 30</u>	<u>Aug. 10-June 30</u>
regulatory year by	[SEPT. 1 - MAY 31]	[SEPT. 1 - MAY 31]
registration permit only	(General hunt only)	

((Publisher: The remainder of 5 AAC 85.020(a)(14) is unchanged.)))

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 9/18/91, Register 119; am 7/1/92, Register 122; add'l am 7/1/92, Register 122; am/readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 7/1/94, Register 130; am 7/7/94, Register 131; am 8/25/94, Register 131; am 7/16/95, Register 135; am 8/4/95, Register 135; am

Register 247, October 2023 FISH AND GAME

6/28/96, Register 138; am 7/1/96, Register 138; am 7/1/97, Register 142; am 7/26/97, Register 143; am 7/1/98, Register 146; add'l am 7/1/98, Register 146; am 7/1/99, Register 150; add'l am 7/1/99, Register 150; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/1/2001, Register 158; add'l am 7/1/2001, Register 158; am 12/28/2001, Register 160; am 7/1/2002, Register 162; add'l am 7/1/2002, Register 162; am 5/1/2003, Register 166; am 7/1/2003, Register 166; add'l am 7/1/2003, Register 166; am 7/1/2004, Register 170; add'l am 7/1/2004, Register 170; am 7/1/2005, Register 174; add'l am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register 178; am 7/1/2007, Register 182; am 7/1/2008, Register 186; add'l am 7/1/2008, Register 186; am 7/1/2009, Register 190; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; em am 8/6/2010 - 12/3/2010, Register 195; am 2/4/2011, Register 197; am 7/1/2011, Register 198; am 7/1/2012, Register 202; 1st add'l am 7/1/2012, Register 202; 2nd add'l am 7/1/2012, Register 202; am 7/1/2013, Register 206; 1st add'l am 7/1/2013, Register 206; 2nd add'l am 7/1/2013, Register 206; am 7/1/2014, Register 210; am 7/1/2015, Register 214; add'l am 7/1/2015, Register 214; am 7/1/2016, Register 218; am 7/1/2017, Register 222; add'l am 7/1/2017, Register 222; am 7/1/2018, Register 226; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 7/1/2020, Register 234; add'l am 7/1/2020, Register 230; am 8/20/2020, Register 235; am 8/26/2020, Register 235; am 6/23/2022, Register 242; add'l am 6/23/2022, Register 242; am 7 / 28 / 2023, Register 247)

Authority: AS 16.05.060 AS 16.05.258 AS 16.05.407
AS 16.05.255 AS 16.05.330

5 AAC 85.025(a)(2) is amended to read:

**Resident
Open Season**

Units and Bag Limits	(Subsistence and General Hunts)	Nonresident Open Season
(2)		
Unit 8	[AUG. 1-JAN. 31]	[AUG. 1-JAN. 31]

RESIDENT HUNTERS:

1 caribou by registration Aug. 1 - Jan. 31
permit only

NONRESIDENT HUNTERS:

1 bull by registration permit Aug. 1 – Jan. 31
only

5 AAC 85.025(a)(8) is amended to read:

Unit 13

<u>1 caribou by Tier II</u>	<u>Aug. 10 - Sept. 20</u>	<u>No open season.</u>
<u>permit only; up to</u>	<u>(Subsistence hunt only)</u>	
<u>1,000 permits may be issued; or</u>	<u>Oct. 21 - Mar. 31</u>	
	<u>(Subsistence hunt only)</u>	

...

((Publisher: the remainder of 5 AAC 85.025(a)(8) is unchanged.))

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 8/10/90, Register 115; am 12/27/90, Register 116; em am 12/17/90 - 4/15/91, Register 117; am 6/16/91, Register 118; am 8/10/91, Register 119; am 2/29/92, Register 121; em am 4/14/92 - 8/11/92, Register 122; am 7/1/92, Register 122; am 4/1/93, Register 125; em am 3/15/93 - 7/22/93, Register 126; am/readopt

Register 247, October 2023 FISH AND GAME

5/13/93, Register 126; am 7/1/93, Register 126; am 8/25/94, Register 131; em am 10/28/94 - 2/24/95, Register 132; em am 11/8/94 - 3/7/95, Register 132; em am 12/14/94 - 4/12/95, Register 133; am 7/16/95, Register 135; am 8/4/95, Register 135; am 10/27/95, Register 136; am 6/28/96, Register 138; am 10/30/96, Register 140; em am 11/12/96 - 3/11/97, Register 140; em am 11/22/96 - 3/21/97, Register 140; am 7/26/97, Register 143; am 7/1/98, Register 146; am 8/20/98, Register 147; am 7/1/99, Register 150; em am 9/24/99 - 1/21/2000, Register 152; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 1/1/2001, Register 156; am 3/17/2001, Register 157; am 7/1/2001, Register 158; em am 3/19/2002 - 3/29/2002, Register 162; am 7/1/2002, Register 162; add'l am 7/1/2002, Register 162; em am 7/24/2002 - 8/2/2002, Register 163; am 7/1/2003, Register 166; am 7/1/2004, Register 170; add'l am 7/1/2004, Register 170; am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register 178; am 7/1/2007, Register 182; am 7/1/2008, Register 186; add'l am 7/1/2008, Register 186; am 7/1/2009, Register 190; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; am 8/2/2010, Register 195; am 7/1/2011, Register 198; am 7/1/2012, Register 202; am 7/1/2013, Register 206; 1st add'l am 7/1/2013, Register 206; 2nd add'l am 7/1/2013, Register 206; am 7/1/2014, Register 210; add'l am 7/1/2014, Register 210; am 7/1/2015, Register 214; add'l am 7/1/2015, Register 214; am 7/1/2016, Register 218; em am 2/24/2017 - 6/23/2017, Register 221; am 7/1/2017, Register 222; 1st add'l am 7/1/2017, Register 222; 2nd add'l am 7/1/2017, Register 222; am 7/1/2018, Register 226; am 7/1/2019, Register 230; am 7/1/2020, Register 234; add'l am 7/1/2020, Register 234; am 6/23/2022, Register 242; add'l am 6/23/2022, Register 242; am 7/18/2023, Register 247)

Authority: AS 16.05.060 AS 16.05.258 AS 16.05.330
AS 16.05.255

5 AAC 85.030(a)(6) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(6)		
...		
Remainder of Unit 8	[AUG. 1-DEC. 31]	[AUG. 1-DEC. 31]

RESIDENT HUNTERS:

3 deer; however, only bucks
may be taken before Oct. 1

Aug. 1 - Dec. 31

NONRESIDENT HUNTERS:

1 buck

Aug. 1 - Dec. 31

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 8/10/91, Register 119; am 8/7/92, Register 123; am/readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 8/25/94, Register 131; am 7/9/95, Register 135; am 8/4/95, Register 135; am 7/1/97, Register 142; am 7/26/97, Register 143; am 7/1/99, Register 150; em am 12/3/99 - 3/31/2000, Register 154; am 7/1/2001, Register 158; add'l am 7/1/2001, Register 158; am 7/1/2003, Register 166; add'l am 7/1/2003, Register 166; am 7/1/2007, Register 182; am 7/1/2009, Register 190; am 7/1/2011, Register 198; am 7/1/2013, Register 206; add'l am 7/1/2013, Register 206; am 7/1/2019, Register 230; am 7/28/2023, Register 247;)

Register 247, October 2023 FISH AND GAME

Authority: AS 16.05.255 AS 16.05.258

5 AAC 85.035(a)(2) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(2)		
Unit 8, Raspberry Island	[OCT. 1 - OCT. 22] [(GENERAL HUNT ONLY)]	[OCT. 1 - OCT. 22]

RESIDENT HUNTERS:

1 bull elk by drawing permit only; up to 100 permits will be issued <u>in</u> <u>combination with the</u> <u>nonresident hunt</u>	<u>Oct. 1 - Oct. 22</u> <u>(General hunt only)</u>
---	---

1 antlerless elk by <u>registration</u> [DRAWING] permit only; [UP TO 200 PERMITS WILL BE ISSUED]	Oct. 23 - Nov. 30 (General hunt only)
--	--

NONRESIDENT HUNTERS:

1 bull elk by drawing

Oct. 1 - Oct. 22

permit only; up to 100

permits will be issued in

combination with the

resident hunt

1 antlerless elk by drawing

Oct. 23 - Nov. 30

permit only; up to 200

permits will be issued

...

Unit 8, Eastern Afognak, that
portion of Afognak Island east
of the main north-south log-
ging road (1100 road) from the
Danger Bay logging camp at

58° 08.20' [58 ° 08.2'] N. lat., 152 ° 32.98 W.

long., north to its terminus at

Discoverer Bay at **58° 19.60'** [58 ° 19.6'] N.

lat., **152° 21.80'** [152 ° 21.8'] W. long., and

Register 247, October 2023

FISH AND GAME

adjacent islands west of Mar-
mot Strait

1 elk by drawing permit

Sept. 25 - Oct. 22

Sept. 25 - Oct. 22

only; up to 500

(General hunt only)

permits may be issued; or

1 elk by registration permit

Sept. 25 – Oct. 22

No open season.

only; or

(General hunt only)

1 elk by registration

Oct. 23 - Nov. 30

Oct. 23 - Nov. 30

permit only

(General hunt only)

Remainder of Unit 8

1 elk by drawing permit

Sept. 25 - Oct. 22

Sept. 25 - Oct. 22

only; up to 500

(General hunt only)

permits may be issued; or

1 elk by registration permit

Sept. 25 – Oct. 22

No open season.

only; or

(General hunt only)

Register 247, October 2023 FISH AND GAME

1 elk by registration Oct. 23 - Nov. 30 Oct. 23 - Nov. 30
permit only (General hunt only)

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 7/1/93, Register 126; am 7/9/95, Register 135; am 7/1/97, Register 142; am 7/26/97, Register 143; am 7/1/99, Register 150; am 7/1/2001, Register 158; am 7/1/2003, Register 166; add'l am 7/1/2003, Register 166; am 7/1/2005, Register 174; am 7/1/2013, Register 206; am 7/1/2019, Register 230; am 7 / 28 / 2023, Register 247;))

Authority: AS 16.05.255 AS 16.05.258

5 AAC 85.040(a)(3) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(3)		

Unit 15(C), that portion beginning at the mouth of Jakolof Creek, then southwesterly along the shore of Kachemak Bay to the mouth of the Port Graham River, then southeasterly up the Port Graham River approximately 6 miles, then southerly up the south fork to the divide, then easterly across

Register 247, October 2023

FISH AND GAME

the divide to the main drainage that flows into Windy Bay, then southeasterly down the creek to Windy Bay, then easterly along the shoreline to the mouth of Rocky River, then northerly up the Rocky River and Windy River to the divide separating Windy River from Jakolof Creek, then across that divide to Jakolof Creek, then down Jakolof Creek to the point of origin

1 goat by drawing permit only; however, if a nanny is taken in either season, the hunter is prohibited from taking a goat on the Kenai Peninsula for 5 regulatory years; the taking of nannies with kids is prohibited; or

Aug. 10 - Oct. 15
(General hunt only)

No open season.

1 goat by registration

Aug. 10 - Oct. 15

No open season.

permit only; however, if a nanny

is taken in either season, the

hunter is prohibited from

taking a goat on the Kenai

Peninsula for 5 regulatory

years; the taking of nannies

with kids is prohibited; or

1 goat by registration permit

Nov. 1 - Nov. 30

No open season.

only; however, if a nanny

is taken in either season, the

hunter is prohibited from

taking a goat on the Kenai

Peninsula for 5 regulatory

years; the taking of nannies

with kids is prohibited

Unit 15(C), that portion begin-

ning; at the mouth of the Port

Graham River, then southeast-

erly up the Port Graham River

approximately 6 miles, then

southerly up the south fork to

Register 247, October 2023

FISH AND GAME

the divide, then easterly across
the divide to the main drain-
age that flows into Windy Bay,
then southeasterly down the
creek to Windy Bay, then along
the southern shore of Windy
Bay, then westerly along the
shore of the Gulf of Alaska and
around the tip of the Kenai
Peninsula and easterly to the
point of origin

1 goat by registration

Aug. 10 - Oct. 15

Aug. 10 - Oct. 15

permit only; however, if a nanny

Nov. 1 - Nov. 30

No open season.

is taken in either season, the

hunter is prohibited from

taking a goat on the Kenai

Peninsula for 5 regulatory

years; the taking

of nannies with kids is

prohibited

...

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 8/10/91, Register 119; am 5/13/93, Register 126; am 7/1/93, Register 126; am 8/25/94, Register 131; am 7/9/95, Register 135; am 7/16/95, Register 135; am 8/4/95, Register 135; am 7/1/97, Register 142; am 7/26/97, Register 143; am 7/1/99, Register 150; am 7/1/2001, Register 158; add'l am 7/1/2001, Register 158; am 7/1/2003, Register 166; add'l am 7/1/2003, Register 166; am 7/1/2005, Register 174; add'l am 7/1/2005, Register 174; am 7/1/2007, Register 182; add'l am 7/1/2007, Register 182; am 12/1/2007, Register 184; am 7/1/2009, Register 190; add'l am 7/1/2009, Register 190; am 1/1/2010, Register 192; am 7/1/2011, Register 198; 1st add'l am 7/1/2011, Register 198; 2nd add'l am 7/1/2011, Register 198; am 11/25/2011, Register 200; am 12/22/2011, Register 200; am 7/1/2013, Register 206; am 7/1/2015, Register 214; 1st add'l am 7/1/2015, Register 214; 2nd add'l am 7/1/2015 [2/1/2015], Register 214; am 7/1/2016, Register 218; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 6/23/2022, Register 242; am 7 / 28 / 2023, Register 247.)

Authority: AS 16.05.255 AS 16.05.258

5 AAC 85.045(a)(4) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
----------------------	---	----------------------------

(4)

...

Unit 6(C)

1 moose per regulatory year,

only as follows:

1 <u>moose</u> [BULL] by drawing permit	Sept. 1 - Oct. 31	No open season.
only; up to 40 permits	(General hunt only)	

for bulls and up to 20

permits for antlerless

moose may be issued; or

1 <u>moose</u> [BULL] by registration	Nov. 1 - Dec. 31	No open season.
permit only		

((Publisher: The remainder of 5 AAC 85.045(a)(4) is unchanged.)))

5 AAC 85.045(a)(12) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(12)		

...

Remainder of Unit 14(C)

1 moose per regulatory year,
only as follows:

<u>1 bull with spike-fork</u>	<u>Aug. 22 - Aug. 29</u>	<u>Aug. 22 - Aug. 29</u>
-------------------------------	--------------------------	--------------------------

antlers or 50-inch antlers

(General hunt only)

or antlers with 3 or more

brow tines on one side, by

bow and arrow only; or

1 bull with spike-fork

Sept. 1 - Sept. 30

Sept. 1 - Sept. 30

antlers or 50-inch

(General hunt only)

antlers or antlers with 3 or

more brow tines on one side; or

1 antlerless moose by

Sept. 1 - Sept. 30

No open season.

drawing permit only;

(General hunt only)

up to 60 permits may be is-

sued; or

1 bull by drawing permit only,

Oct. 20 - Nov. 15

No open season.

by bow and arrow only; up to

(General hunt only)

10 permits may be issued

5 AAC 85.045(a)(13) is amended to read:

(13) hunting seasons and bag limits for moose in Unit 15 are as follows:

Resident

Open Season

(Subsistence and

Nonresident

Units and Bag Limits	General Hunts)	Open Season
...		
Unit 15(C), that portion southwest of a line from Point Pogibshi to the point of land between Rocky Bay and Windy Bay	<u>Sept. 1 - Sept. 25</u> [AUG. 25 - SEPT. 30] (Subsistence hunt only) <u>Nov. 1 - Nov. 30</u> <u>(Subsistence hunt only)</u>	No open season.
1 bull by Tier II subsistence hunting permit		
Unit 15(C), that portion <u>from the mouth of Deep Creek</u> <u>easterly along the south bank of</u> <u>Deep Creek to N 59° 55.183',</u> <u>W 151° 8.155'; then southeasterly</u> <u>in a straight line to the unnamed</u> <u>creek at N 59° 54.342',</u> <u>W 151° 6.459'; and easterly down</u> <u>the south bank of this stream to</u> <u>Caribou Lake and easterly along</u> <u>the south shore to the outlet of Fox</u>		

Creek, then south along the west
bank of Fox Creek to the mouth of
Fox Creek, and along the mean
high tide line to the point of origin

[SOUTH OF THE SOUTH
FORK OF THE ANCHOR RIVER
AND NORTHWEST OF
KACHEMAK BAY]

RESIDENT HUNTERS:

1 bull with spike or 50-inch
antlers or antlers with 3 or
more brow tines on one side, by
bow and arrow only; or

Aug. 22 - Aug. 29
(General hunt only)

1 bull with spike or
50-inch antlers or
antlers with 3 or more brow
tines on one side; or

Sept. 1 - Sept. 25
(General hunt only)

1 antlerless moose by drawing
permit only; the taking of

Oct. 20 - Nov. 20

calves, and females accompanied by calves, is prohibited; up to 100 permits may be issued in combination with the nonresident drawing hunt; or

1 bull by drawing permit

Sept. 1 - Sept. 25

only; or

1 moose by targeted permit

Oct. 15 - Mar. 31

only;

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers or antlers with 3 or more brow tines on one side; or

Sept. 1 - Sept. 25

1 antlerless moose by drawing permit only; the taking of calves, and females accompanied by calves, is prohibited; up to 100 permits may be is-

Oct. 20 - Nov. 20

Register 297, October 2023

FISH AND GAME

sued in combination with the
resident drawing hunt

Remainder of Unit 15(C)

RESIDENT HUNTERS:

1 bull with spike or 50-inch

Aug. 22 - Aug. 29

antlers or antlers with 3 or

(General hunt only)

more brow tines on one side, by

bow and arrow only; or

1 bull with spike or 50-inch

Sept. 1 - Sept. 25

antlers or antlers with 3 or

(General hunt only)

more brow tines on one side; or

1 bull by drawing permit

Sept. 1 - Sept. 25

only; or

1 moose by targeted permit

Oct. 15 - Mar. 31

only,

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers
or antlers with 3 or more brow
tines on one side;

Sept. 1 - Sept. 25

5 AAC 85.045(a)(17) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
----------------------	---	----------------------------

**(A) before July 1, 2024, the hunting seasons and bag limits for moose in Unit 19 are
as follows:**

Unit 19(A)

RESIDENT HUNTERS:

1 antlered bull by Tier II
permit only; up to 300 permits
may be issued

Sept. 1 - Sept. 20

NONRESIDENT HUNTERS:

No open season.

Unit 19(B) within the Nonresi-
dent Closed Area

RESIDENT HUNTERS:

1 bull with spike-fork or 50-
inch antlers or antlers with 4
or more brow tines on one side

Sept. 1 - Sept. 20

NONRESIDENT HUNTERS:

No open season.

Remainder of Unit 19(B)

RESIDENT HUNTERS:

1 bull with spike-fork or 50-
inch antlers or antlers with 4
or more brow tines on one side

Sept. 1 - Sept. 20

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers
or antlers with 4 or more brow
tines on one side

Sept. 5 - Sept. 20

Unit 19(C), that portion west
of the South Fork of the

Register 247, October 2023

FISH AND GAME

Kuskokwim River, east of
the Windy Fork of the
Kuskokwim River and
north of a line between
62° 24.00' N. lat., 154° 7.00' W.
long and 62° 30.00' N. lat.,
153° 32.00' W. long.

RESIDENT HUNTERS:

1 bull with spike-fork or
50-inch antlers or antlers
with 4 or more brow tines
on one side by registration
permit only; or

Sept. 1 - Sept. 20

1 bull by registration permit
only

Feb. 1 - Last day of Feb.

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers or
antlers with 4 or more brow

Sept. 1 - Sept. 20

Register 247, October 2023

FISH AND GAME

tines on one side by registra-
tion permit only

Remainder of Unit 19(C)

RESIDENT HUNTERS:

1 bull with spike-fork or
50-inch antlers or antlers with
4 or more brow tines on one
side; or

Sept. 1 - Sept. 20

1 bull by registration
permit only

Feb. 1 - Last day of Feb.

NONRESIDENT HUNTERS:

1 bull with 50-inch
antlers or antlers with 4 or
more brow tines on one side

Sept. 1 - Sept. 20

Unit 19(D), that portion in the
Upper Kuskokwim Controlled

Register 247, October 2023

FISH AND GAME

Use Area

1 antlered bull by registration
permit

Sept. 1 - Sept. 25

No open season.

Unit 19(D), that portion be-
tween and including
Cheeneetnuk and Gagaryah
River drainages, excluding that
portion within 2 miles of the
Swift River

RESIDENT HUNTERS:

1 antlered bull; or

Sept. 1 - Sept. 20

1 antlered bull by registration
permit

Sept. 1 - Sept. 25

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers or
antlers with 4 or more brow

Sept. 1 - Sept. 20

Register 247, October 2023 FISH AND GAME

tines on one side

Unit 19(D), that portion up-
stream of the Selatna River,
excluding the Black River

1 moose by registration permit
only, a person may not take a
cow accompanied by a calf

Feb. 1 - Last day of Feb.

No open season.

Remainder of Unit 19(D)

1 antlered bull; or

Sept. 1 - Sept. 20

No open season.

1 antlered bull by registration
permit

Sept. 1 - Sept. 25

No open season.

Unit 19(E), that portion
within the Lime Village
Management Area

2 bulls per regulatory
year; up to 28 bulls

Aug. 10 - Sept. 25
(Subsistence hunt

No open season.

Register 247, October 2023

FISH AND GAME

may be taken by Tier II	only)
subsistence hunting permit	Nov. 20 - Mar. 31
only; up to 14 permits	(Subsistence hunt
may be issued	only)

Remainder of Unit 19(E)

1 antlered bull by registration	Sept. 1 - Sept. 5	No open season.
permit only; up to 75 permits may		
be issued		

(B) on or after July 1, 2024, the hunting seasons and bag limits for moose in Unit 19 are as follows:

Unit 19(A)

RESIDENT HUNTERS:

<u>1 antlered bull by Tier II</u>	<u>Sept. 1 - Sept. 20</u>
<u>permit only; up to 300 permits</u>	
<u>may be issued</u>	

NONRESIDENT HUNTERS:

No open season.

Register 247, October 2023

FISH AND GAME

Unit 19(B) within the Nonresi-
dent Closed Area

RESIDENT HUNTERS:

1 bull with spike-fork or 50-
inch antlers or antlers with 4
or more brow tines on one side

Sept. 1 - Sept. 20

NONRESIDENT HUNTERS:

No open season.

Remainder of Unit 19(B)

RESIDENT HUNTERS:

1 bull with spike-fork or 50-
inch antlers or antlers with 4
or more brow tines on one side

Sept. 1 - Sept. 20

NONRESIDENT HUNTERS:

1 bull with 50-inch antlers
or antlers with 4 or more brow
tines on one side

Sept. 5 - Sept. 20

Register 247, October 2023 FISH AND GAME

Unit 19(C), that portion west
of the South Fork of the
Kuskokwim River, east of
the Windy Fork of the
Kuskokwim River and
north of a line between
62° 24.00' N. lat., 154° 7.00' W.
long and 62° 30.00' N. lat.,
153° 32.00' W. long.

RESIDENT HUNTERS:

1 bull with spike-fork or
50-inch antlers or antlers
with 4 or more brow tines
on one side by registration
permit only; or

Sept. 1 - Sept. 20

1 bull by registration permit
only

Feb. 1 - Last day of Feb.

NONRESIDENT HUNTERS:

Register 247, October 2023

FISH AND GAME

1 bull with 50-inch antlers or
antlers with 4 or more brow
tines on one side by drawing
permit only, up to 100 permits
may be issued

Sept. 1 - Sept. 20

Remainder of Unit 19(C)

RESIDENT HUNTERS:

1 bull with spike-fork or
50-inch antlers or antlers with
4 or more brow tines on one
side; or

Sept. 1 - Sept. 20

1 bull by registration
permit only

Feb. 1 - Last day of Feb.

NONRESIDENT HUNTERS:

1 bull with 50-inch
antlers or antlers with 4 or
more brow tines on one side

Sept. 1 - Sept. 20

Register 247, October 2023

FISH AND GAME

Unit 19(D), that portion in the
Upper Kuskokwim Controlled
Use Area

1 antlered bull by registration
permit

Sept. 1 - Sept. 25

No open season.

Unit 19(D), that portion be-
tween and including
Cheeneetnuk and Gagaryah
River drainages, excluding that
portion within 2 miles of the
Swift River

RESIDENT HUNTERS:

1 antlered bull; or

Sept. 1 - Sept. 20

1 antlered bull by registration
permit

Sept. 1 - Sept. 25

NONRESIDENT HUNTERS:

Register 247, October 2023

FISH AND GAME

1 bull with 50-inch antlers or
antlers with 4 or more brow
tines on one side

Sept. 1 - Sept. 20

Unit 19(D), that portion up-
stream of the Selatna River,
excluding the Black River

1 moose by registration permit
only, a person may not take a
cow accompanied by a calf

Feb. 1 - Last day of Feb.

No open season.

Remainder of Unit 19(D)

1 antlered bull; or

Sept. 1 - Sept. 20

No open season.

1 antlered bull by registration
permit

Sept. 1 - Sept. 25

No open season.

Unit 19(E), that portion
within the Lime Village
Management Area

Register 247, October 2023

FISH AND GAME

2 bulls per regulatory

Aug. 10 - Sept. 25

No open season.

year; up to 28 bulls

(Subsistence hunt

may be taken by Tier II

only)

subsistence hunting permit only;

Nov. 20 - Mar. 31

up to 14 permits

(Subsistence hunt

may be issued

only)

Remainder of Unit 19(E)

1 antlered bull by registration

Sept. 1 - Sept. 5

No open season.

permit only; up to 75 permits

may be issued

(Eff. 8/20/89, Register 111; am 12/30/89, Register 112; am 8/9/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 8/10/91, Register 119; am 6/26/92, Register 123; am 7/1/92, Register 122; am 7/17/92, Register 123; am/readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 11/10/93, Register 128; am 7/7/94, Register 131; am 8/25/94, Register 131; em am 9/23/94 - 1/20/95, Register 131; em am 11/9/94 - 3/8/95, Register 132; am 7/16/95, Register 135; am 8/4/95, Register 135; em am 2/14/96 - 6/13/96, Register 137; am 6/28/96, Register 138; am 8/1/96, Register 139; am 7/26/97, Register 143; am 7/1/98, Register 146; add'l am 7/1/98, Register 146; em am 8/31/98 - 12/28/98, Register 147; em am 2/17/99 - 6/16/99, Register 149; am 7/1/99, Register 150; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 1/1/2001, Register 156; em am 9/28/2000 - 1/25/2001, Register 156; am 7/1/2001, Register 158;

add'l am 7/1/2001, Register 158; am 8/22/2001, Register 159; am 10/26/2001, Register 160; em
 am 9/27/2001 - 10/6/2001, Register 160; am 7/1/2002, Register 162; add'l am 7/1/2002, Register
 162; em am 8/23/2002 - 12/20/2002, Register 163; am 12/5/2002, Register 164; am 7/1/2003,
 Register 166; add'l am 7/1/2003, Register 166; am 7/1/2004, Register 170; add'l am 7/1/2004,
 Register 170; am 11/1/2004, Register 172; am 12/30/2004, Register 172; am 7/1/2005, Register
 174; add'l am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register
 178; am 12/1/2006, Register 180; am 7/1/2007, Register 182; add'l am 7/1/2007, Register 182;
 em am 2/22/2008 – 3/2/2008, Register 185; am 7/1/2008, Register 186; add'l am 7/1/2008,
 Register 186; em am 7/3/2008 – 10/30/2008, Register 187; am 7/1/2009, Register 190; add'l am
 7/1/2009, Register 190; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; em am
 8/22/2010 – 11/29/2010, Register 195; am 7/1/2011, Register 198; 1st add'l am 7/1/2011,
 Register 198; 2nd add'l am 7/1/2011, Register 198; am 12/25/2011, Register 200; am 2/11/2012,
 Register 201; am 7/1/2012, Register 202; am 7/1/2013, Register 206; 1st add'l am 7/1/2013,
 Register 206; 2nd add'l am 7/1/2013, Register 206; am 7/1/2014, Register 210; 1st add'l am
 7/1/2014, Register 210; 2nd add'l am 7/1/2014, Register 210; 3rd add'l am 7/1/2014, Register
 210; am 7/1/2015, Register 214; add'l am 7/1/2015, Register 214; am 7/1/2016, Register 218; am
 7/1/2017, Register 222; 1st add'l am 7/1/2017, Register 222, 2nd add'l am 7/1/2017, Register 222;
 am 7/1/2018, Register 226; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am
 7/1/2020, Register 234; add'l am 7/1/2020, Register 234; am 6/24/2021, Register 238; am
 6/23/2022, Register 242; add'l am 6/23/2022, Register 242; am 7 / 18 / 2023, Register 247)

Authority: AS 16.05.060 AS 16.05.258 AS 16.05.780
 AS 16.05.255 AS 16.05.330 AS 16.05.789

5 AAC 85.055(a)(4) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
----------------------	---	----------------------------

(4) **On**

[(A) BEFORE JULY 1, 2023, THE HUNTING SEASONS AND BAG LIMITS FOR DALL SHEEP IN UNITS 7, 9, 13 (EXCLUDING THE TOK MANAGEMENT AREA AND DELTA CONTROLLED USE AREA), 14(A), 14(B), 15, 16, 19(A), 19(B), AND 19(D) ARE AS FOLLOWS:

UNIT 7, THAT PORTION SOUTH OF THE STERLING HIGHWAY, WEST OF THE SEWARD HIGHWAY, AND NORTH AND EAST OF KENAI LAKE; UP TO 50 PERMITS MAY BE ISSUED

RESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR LARGER, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

NONRESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY
YEARS, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

UNITS 7 AND 15(A), THOSE POR-
TIONS EAST OF FULLER LAKE TRAIL,
SOUTH OF DIKE CREEK, AND A
STRAIGHT LINE FROM THE SOURCE
OF DIKE CREEK, EAST THROUGH
THE DIVIDE SOUTH OF TROUT LAKE,
TO JUNEAU CREEK, WEST OF
JUNEAU CREEK, AND NORTH OF THE
STERLING HIGHWAY; UP TO 10
PERMITS MAY BE ISSUED

RESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

(GENERAL HUNT ONLY)

Register 247, October 2023 FISH AND GAME

NONRESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY
YEARS, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 30

UNIT 13(D), THAT PORTION WEST
OF A LINE ALONG THE WEST SIDE
OF TAZLINA GLACIER, THE WEST
SIDE OF TAZLINA LAKE, AND THE
WEST BANK OF MENDELTONA CREEK;
UP TO 50 PERMITS MAY BE ISSUED

RESIDENT HUNTERS:

1 RAM BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

NONRESIDENT HUNTERS:

1 RAM, EVERY 4 REGULATORY
YEARS, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

UNIT 13(D), THAT PORTION EAST
OF A LINE ALONG THE WEST SIDE
OF TAZLINA GLACIER, THE WEST
SIDE OF TAZLINA LAKE, AND THE
WEST BANK OF MENDELTONA CREEK,
TO THE RICHARDSON HIGHWAY;
UP TO 130 PERMITS MAY BE ISSUED

RESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

NONRESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY
YEARS, BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

UNIT 14(A), SOUTH AND EAST OF
THE MATANUSKA RIVER; UP TO
100 PERMITS MAY BE ISSUED

RESIDENT HUNTERS:

1 RAM BY DRAWING PERMIT ONLY

AUG. 10 — SEPT. 20

NONRESIDENT HUNTERS:

1 RAM, EVERY 4 REGULATORY YEARS,
BY DRAWING PERMIT ONLY

REMAINDER OF UNIT 7, UNIT 9,
REMAINDER OF UNIT 13, REMAIN-
DER OF UNIT 14(A), UNIT 14(B),
REMAINDER OF UNIT 15, AND
UNITS 16, 19(A), 19(B), AND
19(D), AND 19(E)

AUG. 10 — SEPT. 20

RESIDENT HUNTERS:

Register 247, October 2023 FISH AND GAME

1 RAM WITH FULL-CURL HORN OR
LARGER, BY YOUTH HUNT ONLY; OR

AUG. 1 — AUG. 5

1 RAM WITH FULL-CURL HORN OR
LARGER;

AUG. 10 — SEPT. 20

NONRESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY YEARS,
BY YOUTH HUNT ONLY; OR

AUG. 1 — AUG. 5

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY YEARS

AUG. 10 — SEPT. 20

UNIT 19(C)

RESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, BY YOUTH HUNT ONLY; OR

AUG. 1 — AUG. 5

1 RAM WITH FULL-CURL HORN OR
LARGER; OR

AUG. 10 — SEPT. 20

1 SHEEP WITH 3/4-CURL HORN OR
LESS; THE TAKE OF RAMS WITH BOTH
HORNS BROKEN, LAMBS, OR EWES
WITH LAMBS, IS PROHIBITED; BY RE-
GISTRATION PERMIT ONLY

OCT. 1 — APRIL 30

(SUBSISTENCE HUNT ONLY)

NONRESIDENT HUNTERS:

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY YEARS,
BY YOUTH HUNT ONLY; OR

AUG. 1 — AUG. 5

1 RAM WITH FULL-CURL HORN OR
LARGER, EVERY 4 REGULATORY YEARS

AUG. 10 — SEPT. 20]

(B) ON] or after July 1, 2023, the hunting seasons and bag limits for Dall sheep in Units 7, 9, 13 (excluding the Tok Management Area and Delta Controlled Use Area), 14(A), 14(B), 15, 16, 19(A), 19(B), 19(C), [AND] 19(D), and 19(E) are as follows:

...

Unit 19(C)

RESIDENT HUNTERS:

1 ram with full-curl horn or larger, by youth hunt only; or	<u>No open season.</u> <u>Beginning in regula-</u> <u>tory year starting</u> <u>July 1, 2028.</u> Aug. 1 - Aug. 5
1 ram with full-curl horn or larger; or	Aug. 10 - Sept. 20
1 sheep with 3/4-curl horn or	Oct. 1 - April. 30

Register 247, October

FISH AND GAME

less; the take of rams with (Subsistence hunt only)
both horns broken, lambs, or
ewes with lambs, is prohibited;
by registration permit only

NONRESIDENT HUNTERS:

1 ram with full-curl

No open season.

horn or larger, every

Beginning in regula-

4 regulatory years, by

tory year starting

youth hunt only; or

July 1, 2028,

Aug. 1 - Aug. 5

1 ram with full-curl

No open season.

horn or larger, every

Beginning in regula-

4 regulatory years

tory year starting

July 1, 2028,

Aug. 10 – Sept. 20

(Eff. 8/20/89, Register 111; am 8/9/90, Register 115; am 8/10/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 5/13/93, Register 126; am 7/1/93, Register 126; am 4/25/96, Register 138; am 6/28/96, Register 138; am 10/23/96, Register 140; am 7/26/97, Register 143; am 7/1/98, Register 146; am 7/1/99, Register 150; am 7/1/2000, Register 154; am 7/1/2001, Register 158; am 7/1/2002, Register 162; am 7/1/2003, Register 166; am 11/28/2003,

Register 247, October 2023 FISH AND GAME

Register 168; am 7/1/2006, Register 178; am 12/1/2007, Register 184; am 7/1/2008, Register 186; am 7/1/2011, Register 198; am 7/1/2015, Register 214; am 7/1/2016, Register 218; am 7/1/2017, Register 222; am 7/1/2019, Register 230; am 7/1/2020, Register 234; am 6/23/2022, Register 242; add'l am 6/23/2022, Register 242; am 7/28/2023, Register 247)

Authority: AS 16.05.060 AS 16.05.255 AS 16.05.258

5 AAC 85.065(a)(4) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
-----------------------------	---	------------------------------------

(4)

Migratory game birds

(except by falconry)¹

...

(B) Sea Ducks (except Spec-
tacted and Steller's eiders)³

...

Units 5, 6, [5 - 7], 9, 10 (Unimak Is.
only), 14, [REMAINDER OF 15,]
and 16

RESIDENT HUNTERS:

10 per day, 20 in

Sept. 1 - Dec. 16

Register 247, October 2023

FISH AND GAME

possession, of which

(General hunt only)

no more than 6 per day, 12 in

possession, may be harlequin

ducks and no more than 6 per

day, 12 in possession, may be

long-tailed ducks

NONRESIDENT HUNTERS:

8 per day, 20 in

Sept. 1 - Dec. 16

possession; however, no more

than 4 each of any sea duck

species may be taken per sea-

son; and no more than 20 sea

ducks of all species may be

taken per season

Unit 7 and remainder of 15

RESIDENT HUNTERS:

10 per day, 20 in

Sept. 1 - Dec. 16

possession, of which

(General hunt only)

no more than 6 per day, 12 in

possession, may be harlequin

Register 247, October 2023

FISH AND GAME

ducks and no more than 1 per

day, 2 in possession, may be

long-tailed ducks

NONRESIDENT HUNTERS:

8 per day, 20 in

Sept. 1 - Dec. 16

possession; and no more than 1 per

day, 2 in possession, may be

long-tailed ducks; however, no more

than 4 each of any sea duck

species may be taken per sea-

son; and no more than 20 sea

ducks of all species may be

taken per season

Unit 15(C), that portion in

Kachemak Bay east of a line

from Point Pogibshi to Anchor

Point

RESIDENT HUNTERS:

10 per day, 20 in

Sept. 1 - Dec. 16

possession, of which

(General hunt only)

Register 247, October 2023

FISH AND GAME

no more than 2 per day, 4 in possession, may be harlequin ducks, no more than 1 [2] per day, 2 [4] in possession, may be long-tailed ducks, and no more than 1 per day, 2 in possession, may be an eider

NONRESIDENT HUNTERS:

8 per day, 20 in possession, of which no more than 2 per day, 4 in possession, may be harlequin ducks, no more than 1 [2] per day, 2 [4] in possession, may be long-tailed ducks, and no more than 1 per day, 2 in possession, may be an eider; however, no more than 4 each of any sea duck species may be taken per season; and no more than 20 sea ducks of all species may be taken per season

Sept. 1 - Dec. 16

...

((Publisher: The remainder of 5 AAC 85.065(a)(4)(B) is unchanged.)))

(Eff. 8/20/89, Register 111; am 9/1/89, Register 111; am 8/9/90, Register 115; am 8/12/90, Register 115; am 12/27/90, Register 116; am 6/16/91, Register 118; am 7/1/92, Register 122; am 5/13/93, Register 126; am 7/1/93, Register 126; am 8/25/94, Register 131; am 8/31/94, Register 131; am 9/8/94, Register 131; am 7/8/95, Register 135; am 7/9/95, Register 135; am 8/1/95, Register 135; am 8/4/95, Register 135; am 6/28/96, Register 138; am 8/26/96, Register 139; am 7/18/97, Register 143; am 7/26/97, Register 143; am 7/1/98, Register 146; add'l am 7/1/98, Register 146; am 8/6/98, Register 147; am 7/1/99, Register 150; am 7/7/99, Register 151; am 7/17/99, Register 151; am 9/29/99, Register 151; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/24/2000, Register 155; am 7/6/2001, Register 159; am 10/27/2001, Register 160; am 7/1/2002, Register 162; am 7/1/2005, Register 174; am 8/31/2005, Register 175; am 8/31/2006, Register 179; am 8/31/2007, Register 183; am 8/31/2008, Register 187; am 7/1/2009, Register 190; am 8/31/2009, Register 191; am 9/1/2009, Register 191; am 7/1/2010, Register 194; am 8/31/2011, Register 199; am 7/1/2012, Register 202; am 8/31/2013, Register 207; am/readopt 8/31/2014, Register 211; am 9/2/2014, Register 211; am 7/1/2015, Register 214; am 8/31/2015, Register 216; am 8/31/2016, Register 219; am 7/1/2017, Register 222; am 7/1/2018, Register 226; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 7/1/2020, Register 234; add'l am 7/1/2020, Register 234 [235]; am 8/31/2022, Register 243; am 7/28/2023 Register 247.)

Authority: AS 16.05.060 AS 16.05.255 AS 16.05.258

Chapter 92.**Statewide Provisions.****Article 3.****Permits.**

5 AAC 92.050(a)(4) is amended by adding new subparagraphs to read:

(K) in accordance with (L) of this paragraph, the department may issue up to four resident registration permits, with no more than one registration permit per person, for the early season elk hunts in each of the following areas:

(i) in Unit 8, Eastern Afognak, that portion of Afognak Island east of the main north-south logging road (1100 road) from the Danger Bay logging camp at 58° 08.20' N. lat., 152° 32.98 W. long., north to its terminus at Discoverer Bay at 58° 19.6' N. lat., 152° 21.80' W. long., and adjacent islands west of Marmot Strait;

(ii) in the remainder of Unit 8 in Ouzinkie;

(iii) in Unit 8, Eastern Afognak, that portion of Afognak Island east of the main north-south logging road (1100 road) from the Danger Bay logging camp at 58 ° 08.20' N. lat., 152 ° 32.98 W. long., north to its terminus at Discoverer Bay at 58° 19.6' N. lat., 152° 21.80' W. long., and adjacent islands west of Marmot Strait; and

(iv) in the remainder of Unit 8 in Port Lions;

(L) for each resident registration permit issued by the department under (K) of this paragraph, the department will reduce the number of drawing permits available in the same area for the same early season elk hunt by one.

(Eff. 7/5/85, Register 95; am 7/3/86, Register 99; am 4/24/88, Register 106; am 8/12/90, Register 115; am 8/10/91, Register 119; am 7/1/92, Register 122; readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 7/7/94, Register 131; am 7/8/95, Register 135; am 6/28/96, Register 138; am 1/1/97, Register 140; am 3/25/98, Register 145; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/1/2004, Register 170; am 11/1/2004, Register 172; am 12/30/2004, Register 172; am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register 178; am 1/14/2007, Register 181; am 7/1/2007, Register 182; am 1/1/2008, Register 184; am 7/1/2008, Register 186; am 7/1/2009, Register 190; am 2/4/2011, Register 197; am 7/1/2012, Register 202; am 7/1/2014, Register 210; am 7/1/2016, Register 218; am 7/1/2018, Register 226; am 9/19/2019, Register 231; am 8/20/2020, Register 235; am 6/23/2022, Register 242; am 7 / 28 / 2023, Register 241)

Authority:	AS 16.05.255	AS 16.05.343	AS 16.05.420
	AS 16.05.258	AS 16.05.404	
	AS 16.05.330	AS 16.05.407	

5 AAC 92.052 is amended by adding a new paragraph to read:

(30) a person may be limited to one registration permit at a time per species per season for hunts in Unit 7 or 15 that have a limited number of permits available. (Eff. 7/5/85, Register 95; am 8/20/89, Register 111; am 7/1/92, Register 122; am 6/28/96, Register 138; am 7/1/2000, Register 154; am 7/1/2002, Register 162; am 7/1/2004, Register 170; am 7/1/2005,

Register 247, October 2023 FISH AND GAME

Register 174; am 7/1/2006, Register 178; am 7/1/2007, Register 182; am 7/1/2008, Register 186; am 7/1/2011, Register 198; am 7/1/2012, Register 202; add'l am 7/1/2012, Register 202; am 7/1/2018, Register 226; am 7/1/2019, Register 230; am 7/1/2020, Register 234; am 6/23/2022, Register 242; am 7 /28 /2023, Register 247)

Authority: AS 16.05.255 AS 16.05.330

((Publisher: Please change the period at the end of 5 AAC 92.052(29)(B) to a semicolon.)))

Article 5.

Intensive Management and Predator Control.

5 AAC 92.118(c)(1) is amended to read:

(1) this is a continuing habitat enhancement and predator control program that was first established by the Board of Game (board) in 2012 for wolf control; it is [CURRENTLY] designed to increase moose population [NUMBERS] and harvest by improving moose habitat and reducing predation on moose by wolves and is expected to maintain [MAKE A CONTRIBUTION TO ACHIEVING] the intensive management (IM) objectives in Unit 15(C);

5 AAC 92.118(c)(3) is amended to read:

(3) findings concerning populations and human use are as follows:

(A) [MOOSE HARVESTS WERE BELOW IM HARVEST OBJECTIVES IN UNIT 15(C) FROM 2011 TO 2015;

(B)] wolf predation is likely a factor in the failure to achieve moose population and harvest objectives [AN IMPORTANT CAUSE OF THE FAILURE TO ACHIEVE THESE OBJECTIVES];

(B) [(C)] a reduction in wolf predation in Unit 15(C) may make progress toward achieving the Unit 15(C) IM harvest objectives for moose;

(C) [(D)] reducing wolf predation is likely to be effective and feasible using [HAS BEEN EFFECTIVE UTILIZING] recognized and prudent active management techniques and based on scientific information;

(D) [(E)] reducing wolf numbers is likely to be effective given land ownership patterns if conducted by department personnel;

[(F) REDUCING WOLF PREDATION IS IN THE BEST INTERESTS OF CONSUMPTIVE USERS;]

5 AAC 92.118(c)(5)(A) is amended to read:

(A) through June 30, 2029 [JULY 1, 2022], the commissioner may authorize the removal of wolves in the Unit 15(C) Predation Control Area;

5 AAC 92.118(c)(6)(C)(ii) is amended to read:

(ii) if, after three years, any measure consistent with significant levels of nutritional stress in the moose population is identified, such as twinning rates and short-yearling mass;

5 AAC 92.118(c) is amended by adding a new paragraph to read:

(7) to increase potential moose carrying capacity, the department will plan and execute habitat enhancement projects in areas identified for improvement based on evidence at the landscape or population level through prescribed burns, wildfire, or mechanical means. (Eff. 10/1/93, Register 127; am 8/18/95, Register 135; am 7/1/96, Register 138; add'l am 7/1/96, Register 138; am 7/27/97, Register 143; am 2/22/2000, Register 153; am 7/1/2000, Register 154; am 7/19/2000, Register 155; am 1/3/2001, Register 156; am 7/1/2001, Register 158; am 8/22/2001, Register 159; am 7/26/2003, Register 167; am 7/1/2004, Register 170; am 1/1/2005, Register 172; am 7/1/2005, Register 174; am 1/26/2006, Register 177; am 6/24/2006, Register 178; am 9/1/2006, Register 179; am 7/1/2007, Register 182; am 3/21/2008, Register 186; am 5/20/2008, Register 186; am 5/21/2009, Register 190; am 7/1/2009, Register 190; am 5/16/2010, Register 194; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; am 12/15/2010, Register 196; am 1/29/2011, Register 197; am 5/14/2011, Register 198; am 7/1/2011, Register 198; am 3/24/2012, Register 201; am 4/1/2012, Register 201; am 7/1/2012, Register 202; am 7/1/2013, Register 206; am 7/1/2017, Register 222; am 7 / 28 / 2023, Register 247)

Authority: AS 16.05.255 AS 16.05.270 AS 16.05.783

((Publisher: Please change the period at the end of 5 AAC 92.118(c)(6)(C)(iv) to a semicolon.)))

5 AAC 92.124(b)(6)(A) is amended to read:

(A) through June 2024 [2023], the commissioner may authorize removal of wolves and black and brown bears in Unit 21(E);
(Eff. 10/1/93, Register 127; am 8/18/95, Register 135; am 7/1/96, Register 138; add'l am 7/1/96, Register 138; am 7/27/97, Register 143; am 2/22/2000, Register 153; am 7/1/2000, Register 154;

Register 247, October 2023 FISH AND GAME

am 7/19/2000, Register 155; am 1/3/2001, Register 156; am 7/1/2001, Register 158; am 8/22/2001, Register 159; am 7/26/2003, Register 167; am 7/1/2004, Register 170; am 1/1/2005, Register 172; am 7/1/2005, Register 174; am 1/26/2006, Register 177; am 6/24/2006, Register 178; am 9/1/2006, Register 179; am 7/1/2007, Register 182; am 3/21/2008, Register 186; am 5/20/2008, Register 186; am 5/21/2009, Register 190; am 7/1/2009, Register 190; am 5/16/2010, Register 194; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; am 12/15/2010, Register 196; am 1/29/2011, Register 197; am 5/14/2011, Register 198; am 7/1/2011, Register 198; am 3/24/2012, Register 201; am 4/1/2012, Register 201; am 7/1/2012, Register 202; am 7/1/2017, Register 222; am 7 / 28 / 2023, Register 247)

Authority: AS 16.05.255 AS 16.05.270 AS 16.05.783

Article 6.

Possession and Transportation.

5 AAC 92.171(b) is repealed:

(b) Repealed (7 / 28 / 2023).

(Eff. 7/1/2004, Register 170; am 7/1/2006, Register 178; am 7/1/2009, Register 190; am 7/1/2011, Register 198; am 7/1/2013, Register 206; am 7/1/2014, Register 210; am 7/1/2020, Register 234; am 7 / 28 / 2023, Register 247)

Authority: AS 16.05.255

Article 12.

Restricted Areas.

5 AAC 92.510(a)(8) is amended by adding a new subparagraph to read:

(F) all land within one-fourth mile of the two wildlife underpasses and one wildlife overpass on the Sterling Highway are closed to hunting;

5 AAC 92.510(a)(12) is amended by adding a new subparagraph to read:

(D) all land within one-fourth mile of the two wildlife underpasses on the Sterling Highway are closed to hunting;

(Eff. 8/20/89, Register 111; am 8/10/90, Register 115; am 7/1/92, Register 122; am 7/16/95, Register 135; am 6/28/96, Register 138; am 7/1/96, Register 138; am 7/1/97, Register 142; am 7/26/97, Register 143; am 7/1/99, Register 150; add'l am 7/1/99, Register 150; am 1/3/2001, Register 156; am 8/22/2001, Register 159; am 7/1/2002, Register 162; am 12/5/2002, Register 164; am 7/1/2003, Register 166; add'l am 7/1/2003, Register 166; am 7/1/2004, Register 170; add'l am 7/1/2004, Register 170; am 7/1/2005, Register 174; add'l am 7/1/2005, Register 174; am 7/1/2007, Register 182; am 7/1/2009, Register 190; add'l am 7/1/2009, Register 190; am 8/10/2010, Register 195; am 7/1/2011, Register 198; add'l am 7/1/2011, Register 198; am 7/1/2012, Register 202; am 7/1/2015, Register 214; am 7/1/2019, Register 230; add'l am 7/1/2019, Register 230; am 6/23/2022, Register 242; am 7/28/2023, Register 247);

Authority: AS 16.05.255 AS 16.20.075 AS 16.20.162
AS 16.20.041 AS 16.20.160

5 AAC 92.550(4) is amended by adding new subparagraphs to read:

(E) all land within one-fourth mile of the two wildlife underpasses on the Sterling Highway are closed to trapping;

(F) those portions within 100 yards of the Diamond Creek, Grewingk Glacier, and Grewingk Saddle trails are closed to trapping; however, trapping is allowed within 100 yards of the trails if the traps are:

- (i) elevated three feet above hard ground;
- (ii) enclosed;
- (iii) under water; or
- (iv) under ice.

5 AAC 92.550 is amended by adding a new paragraph to read:

(9) Unit 7:

(A) all land within one-fourth mile of the two wildlife underpasses and one wildlife overpass on the Sterling Highway are closed to trapping;

(B) those portions within 50 yards of the Quartz Creek, Crescent Creek, Russian River, North Cooper Creek, and South Cooper Creek campgrounds are closed to trapping; however, trapping is allowed within 50 yards of the trails if the traps are:

- (i) elevated three feet above hard ground;
- (ii) enclosed;
- (iii) under water; or
- (iv) under ice. (Eff. 8/20/89, Register 111; am 7/1/92, Register

122; am 7/9/95, Register 135; am 7/26/97, Register 143; am 1/3/2001, Register 156; am 8/22/2001, Register 159; am 12/5/2002, Register 164; am 7/1/2004, Register 170; am 7/1/2005, Register 174; am 7/27/2005, Register 175; am 7/1/2007, Register 182; am 7/1/2008, Register 186; am 7/1/2009, Register 190; add'l am 7/1/2009, Register 190; am 8/10/2010, Register 195;

Register 247, October 2023 FISH AND GAME

am 7/1/2011, Register 198; add'l am 7/1/2011, Register 198; am 7/1/2019, Register 230; am
7 / 28 / 2023, Register 247)

Authority: AS 16.05.250 AS 16.20.040 AS 16.20.170
AS 16.05.255 AS 16.20.120