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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Shellene Hutter  
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, the Office of the Lieutenant Governor.

**DATE:** August 26, 2020

**RE:** Filed Emergency Regulations: Department of Fish and Game

Department of Fish and Game Emergency Regulations re: Hunting Bag Limits for Brant  
in all Game Management Units (5 AAC 85.065(a)(4)(F))

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Attorney General File:	Emergency Regulations
Regulation Filed:	8/26/2020
Effective Date:	8/31/2020
Expiration Date:	December 28, 2020 unless made permanent by the adopting agency
Print:	235, October 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis  
Kristy Tibbles, Executive Director

## FINDING OF EMERGENCY

The Alaska Department of Fish and Game finds that an emergency exists and that the attached regulations are necessary for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

Per recommendations from the Alaska Department of Fish and Game the regulatory framework for brant are changed for the 2020–2021 season.

1) Brant in all Game Management Units are changed as follows: daily bag and possession limits are decreased from a daily bag limit of three birds, nine in possession, to a daily bag limit of two birds, six in possession.

Brant management in the Pacific Flyway is guided by a prescriptive harvest strategy in the Pacific Flyway Council's Brant Management Plan intended to maintain a minimum population of 102,000 brant. The harvest guidelines are based on a three-year average of the Winter Brant Survey index (WBS index) conducted by federal, state, and provincial partners. If the WBS index is above 147,000 then a liberal package is prescribed for Alaska, which is a 107-day season and 4-bird daily bag limit. However, if the three-year average WBS index is between 122,000 and 147,000, the prescribed harvest package for Alaska is moderate with a 107-day season and a two-bird daily bag limit. In 2020, the annual WBS index was 142,556 resulting in a three-year (2018-2020) WBS index of 144,677, which fell below the liberal package threshold of 147,000. Accordingly, a moderate harvest package with a two-bird daily bag limit is prescribed for brant in the 2020-21 season. The fall-winter brant harvest in Alaska accounts for nearly half of the Pacific Flyway total fall-winter harvest.

The next regular meeting of the Board of Game is not scheduled until January 2021 and the board is unable to meet requirements for public notice and implementation of these changes prior to the opening of the 2020–2021 migratory bird seasons on September 1. Therefore, this emergency regulation amendment is necessary to follow the harvest strategy agreed to by the Pacific Flyway Council and U.S. Fish and Wildlife Service.

## ADOPTION ORDER

Under the authority of AS 16.05.255, AS 16.05.258, and under a delegation of authority from the Board of Game under AS 16.05.270, the attached three pages of regulation

changes are therefore adopted as emergency regulations to take effect August 31, 2020 as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

DATE: 8/21/2020  
Juneau, Alaska

DocuSigned by:  
Benjamin J Mulligan  
Benjamin Mulligan, Deputy Commissioner  
Alaska Department of Fish and Game

April Simpson for  
↑

#### FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on August 26, 2020, at 12:49 p.m., I filed the attached regulations according to the provisions of AS 44.62.

April Simpson  
for Lieutenant Governor Kevin Meyer

Effective: August 31, 2020.

Register: 235, October 2020.

Expires December 28, 2020  
unless made "permanent"  
by the adopting agency

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, 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:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on December 11th,  
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", followed by a horizontal dotted line.

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

**Title 5. Fish and Game.**

**Part 3. Game.**

**Chapter 85. Hunting Seasons and Bag Limits.**

**Article 2. Seasons and Bag Limits.**

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

<b>Units and Bag Limits</b>	<b>Resident Open Season (Subsistence and General Hunts)</b>	<b>Nonresident Open Season</b>
(4)		
Migratory game birds		
(except by falconry) <sup>1</sup>		
(F) Brant		
Units 1 - 4	Sept. 1 – Dec. 16	Sept. 1 – Dec. 16
	(Odd years only)	(Odd years only)
<u>2</u> [3] per day,	Sept. 16 – Dec. 31	Sept. 16 – Dec. 31
<u>6</u> [9] in possession	(Even years only)	(Even years only)
	(General hunt only)	
Units 5 - 7, 9, 10 (Unimak	Sept. 1 – Dec. 16	Sept. 1 – Dec. 16
Is. only), and 11 - 26	(General hunt only)	
<u>2</u> [3] per day,		

6 [9] in possession

Units 8 and 10 (except Unimak Is.)	Oct. 8 – Jan. 22 (General hunt only)	Oct. 8 – Jan. 22
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2 [3] per day,

6 [9] in possession

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(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;

Register 235, October 2020      EMERGENCY REGULATION  
FISH AND GAME

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 8/31/2020  
Register 235 )

**Authority:** AS 16.05.060

AS 16.05.255

AS 16.05.258