

Kodiak Fish & Game Advisory Committee  
January 29<sup>th</sup> 2014---KNWR Visitors Center  
Paul Chervenak: Chairman

(Minutes represent a paraphrased summary of the KAC, department staff and public comments and are not a verbatim transcript of the meeting. Tapes of the meeting are available for public review by contacting the committee secretary)

**Call to order:** 6:04pm

**Roll call: Members present:** Chariman Paul Chervenak(Big game Guide/Outfitter), Oliver Holm(Small Boat crab/Herring & salmon Seiner), Pete Hannah(Salmon Gill-Net South End), Secretary Don Fox(Alternate-retired commercial fisherman), Kip Thomet(Salmon Gill-Net West Side), Jason Bunch(Alternate-Coast Guard & Big Game Guide), Patrick O Donnel(for Curt Waters-Trawl Seat), Rolan Ruoss(Transporter), Andy Finke(Kodiak Subsistence), Duncan Fields(Old Harbor/Ahkiok Subsistence), Vice-Chair Julie Kavanaugh(Interested Citizen), Randy Swain(for Tuck Bonney-Processor Seat)  
**Unexcused absences:** Larsen Bay/Karluk Subsistence and Lou Dochtermann(Large Boat Crab).

**Excused absences:** Ron Kavanaugh(Small Boat/Crab/Herring/Salmon Seiner).

**Quorum:** Achieved with 12 members present(8 needed).

**User groups present:** Subsistence, sport fishermen, charter and lodge operators, trawl fishermen, jig fishermen, commercial salmon fishermen, big game guides, sport fish guides, processor.

**Department Staff:** . Nate Svoboda, John Crye and Larry van Daele.

**USFWS:** Bill Pyle, Kent Sundseth and KNWR manager Anne Marie La Rosa.

**Southwest Regional Co-ordinator:** Susie Jenkins-Brito.

**Audience:** 5.

**Approve agenda:** Approved unanimously as amended. Susie Jenkins-Brito would be introduced under new business and would have some comments and information for the committee.

**Approve minutes of our previous meetings December 17<sup>th</sup> & 18<sup>th</sup> :** Minutes approved unanimously.

**Correspondence:** ADF&G information pamphlet.

**Chair Announcements:** Mr. Chervenak said he was HEALTHY and BACK.

**Old Business;** None.

**New Business:**

- 1) Ms. Brito our new co-ordinator was introduced. She talked about the AC news letter we should be receiving. That the board support was favoring a switch from a 2yr to a 3yr cycle and there was a hard copy or online survey the committee members could use to voice their comments. The board approved term date changes for AC members the terms would run from July 1-June 30<sup>th</sup>. There would be an AC website coming online very soon.
- 2) **Committee elections:** The floor was opened to the public for nominations. As all open seats were being unopposed the candidate slate as submitted was adopted unanimously.
- 3) **Selection of committee officers:** All serving officers were unopposed so they were re-elected unanimously.
- 4) **New department staff:** Nate Svoboda was introduced by Dr. van Daele.
- 5) **Staff reports:** Department staff gave overviews of game populations and recent harvest information. Larry van Daele felt that there were no regulatory recommendations or concerns by the department for the next regulatory cycle for Kodiak. There would probably be some public proposals.
- 6) **Karluk brown bear:** USFWS gave a presentation and voiced their concerns over low cub survival and low male populations in the Karluk drainage. These would be addressed at the next CUBS meeting.
- 7) **Discussion and KAC action on Statewide(cycle A) Game Proposals:**
- 8) **Selection of KAC member to attend the March 14th-18<sup>th</sup> BOG meeting in Anchorage:** Don Fox selected to attend the BOG meeting in Anchorage and represent the committee.

**Adjourn: 10:20pm**

## **BOG proposals**

**BOG-PROPOSAL #133:** Mandatory IBEP education for all bow hunters.

**Oppose-support 0-oppose 12.**

**Staff comments:** There were some problems with archery only moose hunts in the Anchorage area which resulted in this statewide proposal.

**Committee comments:** The AC supported the status quo. The committee felt that it would place a unfair burden on village and remote hunters. There was no card requirements for other weapons. In Kodiak the certification is required for certain **designated hunts** where only archery and primitive weapons are allowed.

**BOG-PROPOSAL #139:** Eliminate harvest tickets.

**Oppose-support 0-oppose 12.**

**Staff comments:** Harvest ticket information is needed for both enforcement and management.

**Committee comments:** Agree with and support department comments. KAC members support the current status and felt adoption could lead to enforcement problems on the Kodiak road system.

**BOG-PROPOSAL # 140:** Identify if game was killed for food or recreation.

**Oppose-support 0-oppose 12.**

**Committee comments:** Not needed especially in Kodiak where subsistence, food and recreation apply equally to all Kodiak hunters. This proposal is a backdoor approach to future allocation issues.

**BOG-PROPOSAL #141:** Would clarify where non-resident game tags need to be placed.

**Support-support 11-oppose 1.**

**Committee comments:** Clarifies where Public Safety wants to see locking tags placed on the parts of the animal being brought out of the field not on a portion left in the field.

**Minority opinion:** Too variable. Doesn't see how it would work.

**BOG-PROPOSAL #142:** Eliminate authority for enforcement agents to inspect game or gear.

**Oppose-support 0-oppose 12.**

**Committee comments:** Would make it more difficult if not impossible for Public Safety to inspect firearms, search for illegal game and enforce game regulations.

**BOG-PROPOSALS #143 & 144:** Eliminate raw fur export permit.

**Support-support 12-oppose 0.**

**Staff comments:** House keeping proposal to match current postal regulations.

**Committee comments:** Agree with and support staff comments.

**BOG-PROPOSAL #145:** Increase the number of people who can apply for a party permit.

**Oppose-support 0- oppose 12.**

**Committee comments:** Would reduce the number of permits available to individuals especially in areas where there are a limited number of permits available.

**BOG-PROPOSAL #146:** Eliminate guide-client contracts statewide.

**Support-(AS AMENDED)-support 11-oppose 1.**

**Amendment supported 12-0-Main motion supported 11-1.**

**Staff comments:** Our guide-client agreements have developed over time they work really well for Kodiak. Kodiak's history in this effort is different then areas in the rest of the state.

**Committee comments:** This should not be a statewide proposal but be area specific. Adoption of the proposal would have a severe adverse affect on the Kodiak brown bear hunt. What we have now prevents guides from obtaining tags and then shopping for a client. It prevents anti-hunter groups from applying for permits to keep hunters from obtaining them. Kodiak is unique as our guide-client agreements were developed and refined over time. The department, guides and advisory committee members support our current system which works very well for brown bear. Our history is different from the rest of the state where guide areas and game registration areas are a mix max and don't match up. Here in Kodiak our guide areas and brown bear registration areas basically mirror each other.

**AMENDMENT:** If this proposal is adopted Kodiak should receive an **EXEMPTION** until the department and the industry (Big Game Commercial Services Board) can resolve the issue for the rest of the state.

**Minority opinion:** Can't change regulation in the midst of discussion between the state and industry is putting the cart before the horse.

**BOG-PROPOSAL #151:** Require sea duck harvest log book.

**Oppose-support 0-oppose `12.**

**Committee comments:** The KAC agrees with Chairman Chervenak comments on talks he had with the bird management division he was told that they get all the harvest data they need from the state duck stamp harvest card returned by all water fowl hunters so the log book information is not needed by the department.

**BOG-PROPOSALS #152-153-154:** Expand bird meat salvage requirements.

**Oppose-support 0-oppose 12.**

**Committee comments:** Water fowl are being added to other game as a band aid to other statutes. All water fowl can't be treated the same due to size and edibility differences.

**BOG-PROPOSAL #155:** Redefine migratory bird possession limits.

**Oppose-support 0-oppose 12.**

**Committee comments:** a confusing proposal that is a round about way to limit season limits on migratory birds. Committee members believe that daily bag limits are a adequate enough way to protect the resource.

**BOG-PROPOSALS #156-157:** Redefine big game meat salvage requirements.

**Oppose-support 0-oppose 12.**

**Committee comments:** Unneeded regulation . The current system is fine. Quality of meat should be left to the hunter. The vast majority of hunters take care of their meat.

**BOG-PROPOSAL #162:** Allow the taking of brown bears over bait.

**Support-support 12-oppose- 0.**

**Committee comments:** KAC members felt that this was more a “house keeping” proposal. It doesn't affect Kodiak regulations. Its more area specific it can be used in areas where intensive management is required where brown bear populations need to be thinned out. In certain areas where black bear bait stations are allowed adoption of the proposal would allow hunters to harvest brown bears who come to bait stations.

**BOG-PROPOSAL #172:** Remove black bears from the “fur bearer” definition.

**Discussed: NO ACTION TAKEN.**

**Committee comments:** Since you don't have to salvage the meat and can sell the hide this practice “belittles the bear”.

**BOG-PROPOSAL #173:** Change the definition of “wounded” for brown bear and elk

**Oppose-support 0-oppose 12.**

**Committee comments:** Committee members like the regulation as currently written it works well in Kodiak. Elk and brown bear if touched by a projectile and not recovered must be considered as part of the bag limit. Adoption of this proposal could create a discentive to tracking a wounded animal. Its very difficult to determine if an animal is mortally wounded without tracking it down.

**BOG-PROPOSAL #174:** Modify falconry regulations to allow for a non-resident take of raptors.

**Support-(AS AMENDED)-support 12- oppose 0.**

**Committee comments:** KAC secretary Don Fox led the AC through a brief history of how the current falconry regulations were adopted in 2012 and that the non -resident take proposal #40 now proposal #174 was deferred till the 2014 BOG meeting. Committee members looked over Proposal #174 as well as the Alaska Falconers Association substitute language that was submitted at the 2012 BOG meeting as RC 45. Mr. Fox was told by AFA members that they were going to re-submit RC 45 at the March 2014 BOG meeting. The AC used RC 45 as the vehicle and added amended language to the areas we disagreed with. Committee members also agreed with **department comments** from the 2012 meeting that this was a purely **allocation issue** and there were no **biological or conservation concerns** fornot allowing a limited take of nestlings(eyass birds). KAC members did not have the departments 2014 comments to review

prior to our committee meeting. KAC members agreed with member Mr. Fields that this was a more **balanced** and **equitable** change in regulations for a non-resident raptor take compared to what was being proposed by the Alaska Falconers Association.

**AMENDMENT(substitute language for proposal #174):**

**5 AAC.xxx. Nonresident Permit for Falconry.**

- (a) A non resident permit issued by the department and a valid, current nonresident Alaska hunting license is required for the taking , transporting, or possessing a raptor for falconry purposes. The permit will be issued under the standards, procedures, and conditions of the **Alaska Falconry Manual no. 9** dated July 1, 2012. The **manual** is here by adopted as reference,. Only a bird defined in **5 AAC 92.037(f)** may be taken, held, transported, and exported from the state under a valid export permit issued by the department.
- (b) **Up to twelve(12) nonresident take permits may be issued each calendar year for the take of raptors in Alaska. For the twelve(12) permits issued no more than three(3) of any single species may be taken. For the purpose of this regulation only three(3) total peregrine falcon permits may be issued irregardless of sub-species(ie-anatum, tundra or peali).**
- (c) Applicants for a nonresident raptor capture permit must apply to the department prior to (date at departments discretion). The list of successful applicants will be published by (date at departments discretion). Each capture permit will be valid for the take of one(1) raptor from the approved list of raptors from **Alaska Falconry Manual No, 9**. A valid Alaska nonresident hunting license must be purchased prior to applying for a capture permit(this is the current requirement for all drawing permits). **Upon notification, successful applicants may purchase a nonresident take permit for**(amount to be set by the department, BOG or the legislature) **(other states vary from \$100-\$300) The permit must be purchased by (date at departments discretion)or it will be made available to other applicants.**
- (d) The permit-tee must hold the appropriate class falconry license issued from a state with an approved falconry program to possess the species of raptor he or she plans to take.
- (e) **Capture dates for nonresident take of raptors are June 1 through November 30.**
- (f) Each permit-tee must check in -in person with the departments regional falconry representative or his/her designee prior to entering the field to take a bird. The permit-tee must provide information to the department about the species of bird to be taken, location of take, time frame efforts will be undertaken and any additional information required by the department. Permit-tees who successfully take a raptor must check-in in person with the departments regional falconry representative or his/her designee and produce the raptor for inspection with in (time frame at departments discretion).
- (g) Written land owner permission must be in the permit-tee's possession when taking a raptor on private or public lands where required.
- (h) Raptors must be banded at the time of take using the appropriate black marker if appropriate for the species taken.
- (I) A permit winner may not apply for another nonresident capture permit for a period of five(5) years.
- (j) A person may not receive financial or material remuneration for accompanying a nonresident permit holder in the field in the attempt to locate and take a raptor for the permit holder. **This does not apply to licensed guides or transporters.**

**Further Committee comments:** KAC member Mr. Fox informed the advisory committee of what other states allowed for nonresident raptor take. This is not a comprehensive list.

**California:** Eyass take allowed for nonresidents no limit that I could find on permit numbers. Only residents could take peregrines or prairie falcons.

**Colorado:** 20 permits for nonresident take of raptors. Passage birds only.

**South Dakota:** Nonresident take not allowed.

**Oregon:** 20 permits for nonresident raptor take. No nonresident take for gyrfalcons and a total of 7 peregrine falcon permits allowed One(1) allowed for non residents for either an eyass or post fledgling. Peregrines are a lottery even for residents all other nonresident are issued in the order received by the department. Eyass take is allowed and a unlimited # of permits for goshawks and prairie falcons.

**Idaho:** Peregrine falcon permits limited to residents. Nonresidents limited to one(1) take permit per year per person. Eyass take allowed.

**Wyoming:** Issue 5 take permits a year for peregrine falcons one(1) of which is for nonresidents. Unable to determine if nonresident take allowed for other species.

**Washington:** Allows nonresident take for the coveted species Goshawks, gyrfalcons, peregrine falcons and prairie falcons plus other raptor species.

**Montana:** Eyass take allowed. Montana has 70 active peregrine falcon eyries from which they allow a take of five(5) birds either passage or eyass. One(10 Permit is reserved for nonresident take of either an eyass or passage bird. This represents 20% of the allowed peregrine take. For nonresidents Three(3) gyrfalcons passage only are allowed as there are no nesting gyrfalcons in Montana. Three prairie falcons are allowed bringing the total of the large falcons allowed for nonresident take to seven(7). In Montana if you issue permits to nonresidents for all the species that could reasonably be used in falconry it comes to a total of 34 permits. Deduct the raptors most falconers can obtain in their home states and issue them for peregrine falcons, gyr and prairie falcons, goshawks, coopers hawks, merlins and sharp shinned hawks then the total of permits is nineteen(19). Montana officials informed me that all the peregrine permits aren't even issued in a given year. Interest in nonresident take is very low. They haven't experienced any problems with the nonresident program.

## **MONTANA FALCONRY REGULATIONS:**

### **12.6.1136 APPLICATION AND PERMITTING FOR NONRESIDENT RAPTOR TAKE**

(1) Three take permits for each species of raptor allowed to be removed from the wild will be available to nonresidents through a drawing.

(2) Nonresidents may only possess one take permit.

(3) Nonresidents applying for a take permit must submit to the department by March 15:

(a) a completed application;

(b) a \$5 application fee; and

(c) a copy of their valid federal or state falconry license.

(4) Upon notification, successful applicants may purchase a nonresident take permit for \$200. The permit must be purchased by May 1 or will be made available to other applicants.

(5) Permits are valid from June 1 through March 31 and only for the species specified on the permit.

(6) Nonresidents must comply with the following requirements of ARM. History:**87-5-204 MCA**

IMP,87-5-204 ,87-8-208;MCA;NEW,2012 MAR p.501, Eff.3/9/12. (Was implemented in March 2012) Reciprocity repealed.

**Change from a 2 year to a 3 year cycle for the BOG :** KAC discussed the change and agreed with and supported the departments reasons for doing so. It would bring consistency to the board process as the BOF is in the three year cycle. Committee members felt that for the cycle A and B cycles it should be 3 years and not 6 years which is too long a time. This was discussed at our February 26<sup>th</sup> 2014 Statewide King and Tanner Crab meeting and I was instructed to give this information to the BOG at the March meeting. **Supported 12-0.**