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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Kristy Tibbles, Executive Director
Department of Fish and Game

FROM: April Simpson, Alaska Administrative Code Coordinator 
Office of the Lieutenant Governor

DATE: April 4, 2025

RE: Filed Emergency Regulations: Department of Fish and Game
Alaska Board of Game Emergency Regulations re: Mulchatna Caribou (5 AAC 92.111)

Attorney General File:	Emergency Regulations
Regulation Filed:	4/4/2025
Effective Date:	4/4/2025
Expiration Date:	August 1, 2025 unless made permanent by the adopting agency
Print:	254, July 2025

cc with enclosures: Beth Parsons, Paralegal 2
Department of Law

Bob Dame, Alaska Legal Analyst
LexisNexis

FINDING OF EMERGENCY

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

The Board of Game finds that an emergency exists regarding the declining Mulchatna Caribou herd, necessitating immediate action to preserve the health and general welfare of Alaskans who depend on the herd. This herd is important for providing high levels of human harvest and has long been important for subsistence users as well as for other Alaskans and nonresident hunters. Currently the herd has declined to a level where no hunting can occur. The Board aims to ensure that a large number of calves to be born in the spring of 2024 will survive, to ensure reproduction into the future. The Department documented extensive bear predation on newborn calves, including by direct observation, and consistently found calves in bear stomachs for the bears taken at the calving grounds in 2023 and 2024. The density of bears in the western calving area leads to an estimate that a similar number of bears would be removed this year if predator control is continued. The Board's intent in 2022 was to implement a predator control program to take bears and wolves for three years. This is considered a minimum period to provide sufficient data to confirm the success seen by the Department. The Mulchatna Caribou herd is responding positively to intensive management. There is no evidence that the intensive management program has impacted or will impact sustainability of bears or wolves in the area. The program covered a small area and was for a limited time during the peak calving season, and failing to take bears and wolves in the area during the calving season for the third cumulative year will threaten the recovery of the herd. There is an immediate threat to the caribou and the Board finds that a delay in acting would result in a situation where a significant number of caribou would not be available in the future. When the intensive management program was first implemented in 2023, the Board and the Department did not have population or density estimates for bears in the area within the prior few years, but the information available indicated the bear population was large and growing while the caribou population was declining. One estimate was an expectation that approximately 30 bears would be taken in 2023; the actual take of almost 100 bears showed there is a high population of bears. The Department has identified brown bears as the primary cause of death of calves within their first two weeks of life. The Board considered a great deal of oral testimony and written comments presented over many days, where such comments were both in support of and opposed to continuing predator control of bears. The communities directly impacted by the caribou decline, including local Advisory Committees, are in support. The Alaska Federation of Natives adopted a resolution, unanimously, supporting the intensive management program.

ORDER CERTIFYING ADOPTION

I certify that the Alaska Board of Game, under the authority of AS 16.05.255, adopted at its March 21 – 27, 2025 meeting the attached four pages of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor.

This action is not expected to require an increased appropriation.

Date: 4/4/2025

Signed by:

Jake Fletcher

Jacob Fletcher, Chair
Alaska Board of Game

April Simpson for

FILING CERTIFICATION

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

April 4, 2025, at 1:14 p.m., I filed the attached regulation according to the provisions of AS 44.62.

April Simpson
for Lieutenant Governor Nancy Dahlstrom

Effective: April 4, 2025.

Register: 254, July 2025.

Expires August 1, 2025
unless made "permanent"
by the adopting agency

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**

EMERGENCY REGULATION
FISH AND GAME

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Title 5. Fish and Game

Part 3. Game

Chapter 92. Statewide Provisions.

Article 5. Intensive Management and Predator Control.

5 AAC 92.111 is amended by adding a new paragraph to read:

(c) **Mulchatna Caribou Herd Predation Management Area.** The Mulchatna Caribou Herd Predation Management Area is established to increase the Mulchatna Caribou Herd (MCH) within Units 9(B), 17(A), 17(B), 17(C), 18, 19(A), and 19(B) to aid in achieving intensive management (IM) objectives. The Mulchatna Caribou Herd Predation Management Area encompasses approximately 39,683 square miles, and multiple predator control areas may be utilized within the management area. The control program for this area is as follows:

(1) this is a continuing control program that was first established by the Board of Game (board) in 2011 for wolf control and has been expanded to include black and brown bear control; it is designed to increase the caribou herd's population size and human harvest by reducing wolf predation on caribou and is expected to make a contribution to achieving the IM objectives for the Mulchatna Caribou Herd.

(2) caribou, wolf, and bear objectives are as follows:

(A) the IM objective for the MCH as established in 5 AAC 92.108 is 30,000 - 80,000 caribou; these objectives were based on historic information regarding population numbers, habitat limitations, human use, and sustainable harvests;

(B) the caribou harvest objective for the MCH as established in 5 AAC 92.108 is 2,400 - 8,000;

(C) the wolf population objective for the MCH Predation Management Area is to annually reduce the number of wolves in predator control areas to a level that results in increased calf survival and recruitment;

(D) the bear population objective for the MCH Predation Management Area is to annually reduce the number of bears in the predator control areas to a level that results in increased calf survival and recruitment;

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

(A) the population and harvest objectives for the MCH are below the IM objectives throughout the herd's range;

(B) wolves are a major predator of caribou in the range of the MCH and are an important factor in failing to achieve these objectives;

(C) a reduction of wolf predation can reasonably be expected to aid in achieving the objectives;

(D) reducing wolf predation is likely to be effective and feasible using recognized and prudent active management techniques and based on scientific information;

(E) reducing wolf predation is likely to be effective given land ownership patterns;

(F) reducing wolf predation is in the best interests of subsistence users;

(G) bears are a major predator of caribou in the range of the MCH and are an important factor in failing to achieve these objectives;

(H) a reduction of bear predation in certain areas like calving areas can reasonably be expected to aid in achieving the objectives;

(I) reducing bear predation is likely to be effective and feasible using recognized and prudent active management techniques and based on scientific information;

(J) reducing bear predation is likely to be effective given land ownership patterns; and

(K) reducing bear predation is in the best interests of subsistence users;

(4) authorized methods and means are as follows:

(A) hunting and trapping of wolves and bears by the public in the MCH Predation Management Area during the term of the program will occur as provided in the hunting and trapping regulations set out elsewhere in this title, including the use of motorized vehicles as provided in 5 AAC 92.080;

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(B) notwithstanding any other provisions in this title, the commissioner may issue public aerial shooting permits or public land-and-shoot permits as a method for wolf removal under AS 16.05.783;

(C) notwithstanding any other provisions in this title, the commissioner may allow department employees to conduct aerial, land-and-shoot, or ground-based lethal removal of wolves, black bears, and brown bears using state-owned, privately-owned, or chartered equipment, including helicopters, under AS 16.05.783;

(5) time frame is as follows:

(A) through July 1, 2028, the commissioner may authorize the removal of bears and wolves in the MCH Predation Management Area;

(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 caribou and wolf populations, and recommendations for changes, if necessary, to achieve the objectives of the plan;

(6) the commissioner will review, modify, or suspend program activities as follows:

(A) when the mid-point of the IM population or harvest objectives for the MCH is achieved;

(B) if, after three years, the harvest of wolves is not sufficient to make progress towards the IM population objectives for wolves;

(C) if, after three years, there is no detectable increase in the total number of caribou in the control area;

(D) if, after three years, fall calf-to-cow ratios show no appreciable increase;

(E) if, after three years, any measure consistent with significant levels of nutritional stress in the caribou population are identified;

(F) when the caribou population and harvest objectives within the MCH Predation Management Area have been met; or

(G) if, after three years, the harvest of bears is not sufficient to make progress towards the IM population objectives for bears. (Eff. 10/1/93, Register 127; am 8/18/95,

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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 6/23/2022, Register 242; am 4 / 4 /2025, Register 254)

Authority: AS 16.05.255 AS 16.05.258 AS 16.05.270