

RC 53

Alaska Board of Game

Statewide Meeting
March 17, 2014
Anchorage, AK

Migratory Bird Proposals 151 - 155



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Proposal 151

SAAC 92.013: Migratory bird hunting guide services.

- Adds requirements for guides to keep migratory bird log books and questionnaires to record daily harvest and report annually to ADFG.
- Department: Neutral
- Public Proposal

Advisory Committees

Proposal 151

- 12 Addressed Proposal
- Represented Interior (2), Southcentral (7), Southeast Alaska (2), Southwest Alaska (1)
- Eight Opposed
Two No Action, and
Two Supported

Current Regulations

Proposal 151

5 AAC 092.013 Migratory Bird Hunting Guide Services

- Enacted by the BOG in 2002;
- Requires migratory bird hunting guides to register annually with ADFG;
- Enacted to provide mechanism for ADFG to collect information on commercial hunting effort and local and regional harvest;
- Allows direct exchange of biological, regulatory, and management information between ADFG and guides;
- Provides public with a list of active guides;
- Recording and reporting harvest and client information etc. is not required

Proposed Regulation

Proposal 151

Proposal requires guides to:

- Maintain logbook with records of number of sea duck species harvested by sex (including goldeneyes);
- Provide detailed client information;
- Provide map of hunting area within GMU's;
- Report species, sex, and number of unretrieved birds; and
- Provide information on businesses affiliated with the guide operation; and
- Submit date to Department by March 1 of following year or lose guiding privileges.

Background

Proposal 151

HARVEST ASSESSMENT

- Harvest assessed through the Federal Harvest Information Program (HIP).
- Due to Alaska 's large size and relatively few hunters HIP Surveys do not give a good assessment of local or regional harvest.
- Guides harvest a small percentage of total harvest.

Background

Proposal 151

HARVEST ASSESSMENT

- Voluntary harvest questionnaires have been sent to guides since 2009.

105-170 guides register annually

About 26% (35 guides) reported waterfowl hunting is a major part of their business.

Guide harvest accounted for less than 2.5% of harvest (based on HIP) and less than 4% of active hunters.

Questions

Proposal 151

Proposal 152

Proposal 152

5AAC 92.990: Modify the definition of edible meat for wild fowl.

- Changes salvage requirements for all *wild fowl* to include **all edible portions currently required for big game animals**
- Department: Neutral
- Public Proposal

Proposal 152

Proposal 152

Proposal 12 (Unit 18)

Changes salvage requirement for *wild fowl* to include **all edible portions** of migratory and upland birds, except wingtip, feathers and non-edible entrails.

Advisory Committees

Proposal 152

- 15 Addressed Proposal (none from Unit 18)
- Represented Interior (2), Southcentral (7), Southeast Alaska (3), Southwest Alaska (1), and Northwest Alaska (2)
- Eleven Opposed*
- Three No Action**, and
- One Amended *** (Nushagak AC)

* No. Seward Peninsula AC – Comments supported eating all edible portions

** Kotzebue Sound AC – Comments supported eating all edible portions

*** Supported with amendment to salvage leg meat and breast

Advisory Committees

Proposal 12

Unit 18 Advisory Committee Recommendations:

- Central Bering Sea AC **Support**
- Lower Kuskokwim AC **Amend; same as Proposal 152**
- Lower Yukon AC **Support**

Current Regulations

Proposal 152

5 AAC 92.220. Salvage of Game Meat

...

(d) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC92.990. In addition,

5 AAC 92.990. Definitions

...

(17) "edible meat" means, ... **in the case of wild fowl, the meat of the breast**; however, "edible meat" of big game or wild fowl does not include meat of the head, meat that has been damaged and made inedible by the method of taking, bones, sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

...

Current Regulations

Proposal 152

(49) "salvage" means to transport the edible meat, heart, liver, kidneys, head skull, or hide, as required by statute or regulation, of a game animal or wild fowl to the location where the edible meat, heart, liver, or kidneys will be consumed by humans or processed for human consumption in order to save or prevent the edible meat, heart, liver, kidneys from waste and the head, skull, or hide will be put to human use;

Proposed Regulation Proposal 12 and 152

- **Proposal 12:** Require salvage of all meat of the skeleton.
(Lower Kuskokwim AC Amendment: same as Statewide Proposal 152)

- **Proposal 152:**

(17) "edible meat" means, in the case of **wildfowl** or a big game animal, except a black bear, the meat of the ribs, neck, brisket, front quarters as far as the distal joint of the radius-ulna (knee), hindquarters as far as the distal joint of the tibia-fibula (hock), and the meat along the backbone between the front and hindquarters; ...; [IN THE CASE OF WILD FOWL, THE MEAT OF THE BREAST;] ...;

Background Proposal 12 and 152

- The salvage regulation has been applied to all game meat, including wild fowl, on a statewide basis to establish *minimum* standards to ensure responsible use of game animals.
- Proposal 12 resulted from an event in Unit 18 where only the 'meat of the breast' was salvaged from a number of swans. Strong community reaction about unacceptable waste.
- Proposal 12 attempts to make salvage requirements consistent with cultural and traditional practices in Unit 18.
- Proposal 152 seeks to increase minimum standards statewide to reduce wanton waste.

Background

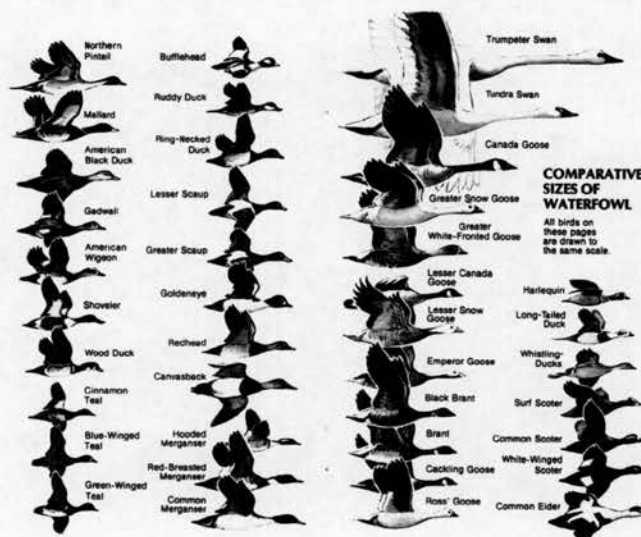
Proposal 12 and 152

2013-2014 Oregon Game Bird Regulations – for all Migratory and Upland Game Birds

- Waste means to allow any edible portion of any game bird to be rendered unfit for human consumption, or to fail to retrieve edible portions except internal organs of such game birds from the field.
- ... the hunter must retain all edible portions of the carcass. The practice of taking only portions of the meat of a game bird (such as breasting birds out) is illegal.

Background

Proposal 152



Background

Proposal 12 and 152

- Federal regulations (CFR 50 §20.25 Wanton waste of migratory game birds) do not specifically address salvage of "edible meat," but are currently in review.
- Topic best addressed by Departments of Law and Public Safety. Cultural/societal issue, not a biological issue.
- Alaska's Waterfowl Regulations booklet states "... we encourage you to salvage and use all the edible meat."

Questions

Proposal 152

Proposal 153

SAAC 92.990: Definitions. Modify the definition of hindquarter for wild fowl.

- Adds "*hindquarter*" to the definition of edible meat for wild fowl and modifies the definition of hindquarter for wild fowl to include the pelvis.
- Department: Neutral
- Public Proposal

Advisory Committees

Proposal 153

- 13 Addressed Proposal
 - Represented Interior (2), Southcentral (5), Southeast Alaska (3), Southwest Alaska (1), Northwest Alaska (2)
 - Nine Opposed*
Four No Action, and
None Supported
- * No. Seward Peninsula AC, comments indicated consistency with Proposal 152

Current Regulations

Proposal 153

5 AAC 092.990 Definitions

Hindquarters is not included in the definition of edible meat for wild fowl. This requirement is specified in regulations related to salvage of game meat for human consumption and the definition of "edible meat."

5 AAC 92.220. Salvage of game meat, furs, and hides

...

(d) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990. In addition,

...

Current Regulations

Proposal 153

5 AAC 92.990. Definitions

...

(17) "edible meat" means, ... in the case of wild fowl, the meat of the breast; however, "edible meat" of big game or wild fowl does not include meat of the head, meat that has been damaged and made inedible by the method of taking, bones, sinew, incidental meat reasonably lost as a result of boning or a close trimming of the bones, or viscera;

...

(56) "hindquarter" means the hind leg, excluding the pelvis.

Proposed Regulation

Proposal 153

Would include hindquarter in the definition of edible meat for wild fowl, and modify the definition of hindquarter for wild fowl to include the pelvis.

5 AAC 92.990. Definitions. Modify the definition of hindquarter for wildfowl as follows:

(56) "hindquarter" means the hind leg, excluding the pelvis, **unless wildfowl to include pelvis;**

Background

Proposal 153

- The salvage regulation has been applied to all game meat, including wild fowl, on a statewide basis to establish *minimum* standards to ensure responsible use of game animals.
- Proposal 153 seeks to increase minimum standards statewide.
- Federal regulations (CFR 50 §20.25 Wanton waste of migratory game birds) do not specifically address salvage of "edible meat," but are currently in review.
- Topic best addressed by Departments of Law and Public Safety. Cultural/societal issue, not a biological issue.
- Alaska's Waterfowl Regulations booklet states "... we encourage you to salvage and use all the edible meat."

Questions

Proposal 153

Proposal 154

5AAC 92.990: Definitions. Modify the definition of 'trophy' to include salvage of edible meat and include wild fowl.

- Wild fowl taken for trophies are not addressed in regulations. Delineates removal of wild fowl taken as a trophy from wild fowl taken for food. 'Trophy' requires confirmation that this practice does not remove the responsibility to salvage meat.
- Department: Neutral
- Public Proposal

Advisory Committees

Proposal 154

- 12 Addressed Proposal
- Represented Interior (2), Southcentral (7), Southeast Alaska (2), Southwest Alaska (1)
- Eight Opposed
Four No Action, and
None Supported

Current Regulations

Proposal 154

5 AAC 092.990 Definitions

(42) "trophy" means a mount of a big game animal including the skin of the head (cape) or the entire skin, in a lifelike representation of the animal, including a lifelike representation made from any part of a big game animal; "trophy" also includes a "European mount" in which the horns or antlers and the skull or a portion of the skull are mounted for display;

5 AAC 92.220. Salvage of game meat, furs, and hides

(d) A person taking game not listed in (a) of this section shall salvage for human consumption all edible meat, as defined in 5 AAC 92.990. In addition,

Proposed Regulation

Proposal 154

5 AAC 92.990. Definitions. Modify the definition of trophy to include salvage of edible meat, and to include wildfowl as follows:

(42) "trophy" means **after all edible meat has been salvaged**, a mount of a big game animal, **or wildfowl**, including the skin of the head (cape) or the entire skin, in a lifelike representation of the animal, including a lifelike representation made from any part of a big game animal; "trophy" also includes a "European mount" in which the horns or antlers and the skull or a portion of the skull are mounted for display;

Background

Proposal 154

- Federal regulations (CFR 50 §20.25 Wanton waste of migratory game birds) do not address salvage of "edible meat," but are currently in review.
- Migratory game birds can be delivered to a taxidermist with no specific salvage requirements.
- Under the provisions of 50 CFR §20 Subpart E a person may lawfully transport (ship) migratory birds to a *migratory bird preservation facility* (includes taxidermist) anywhere within the United States.
- Topic best addressed by Departments of Law and Public Safety (language and enforceability).

Questions

Proposal 154

Proposal 155

5AAC 92.990: Definitions. Modify the definition of possession limits for migratory birds.

- Changes (restricts) definition of possession limits for migratory birds and distinguishes it from possession limits for resident game birds
- Department: Neutral
- Public Proposal

Advisory Committees

Proposal 155

- 12 Addressed Proposal
- Represented Interior (2), Southcentral (7), Southeast Alaska (2), Southwest Alaska (1)
- Nine Opposed
Three No Action, and
None Supported

Current Regulations

Proposal 155

5AAC 92.990 Definitions (71) "possession limit"

(A) defines "possession limit" for *migratory game birds* as the maximum number of lawfully taken migratory game birds of a single species or designated aggregate of species that may be possessed by any one person in any specified geographic area for which a possession limit is prescribed.

(B) defines "possession limit" for *resident game birds* as whole birds or the edible meat of game birds, excluding those that are canned, frozen, smoked, dried or otherwise processed for human consumption after a 15 day period.

Proposed Regulation

Proposal 155

5AAC 92.990 Definitions (71) "possession limit"

(A) A prescribed possession limit for migratory game birds in a person's custody includes those that are canned, frozen, smoked, dried or otherwise processed for human consumption. It is no more than the cumulative days bag limit, of a species or designated aggregate of species in a specified geographic area.

Removal of waterfowl or other migratory birds, from possession limit can occur only when consumed or gifted before commencing hunting. Gifted birds counts against daily limit total and requires your name and license information to be attached to the bird except if you gift the bird at someone's residence.

Proposed Regulation

Proposal 155

5AAC 92.990 Definitions (71) "possession limit"

All birds in possession require that a feathered wing or head be attached during transport to processed condition or your home freezer.

[MEANS THE MAXIMUM NUMBER OF LAWFULLY TAKEN MIGRATORY GAME BIRDS OF A SINGLE SPECIES DESIGNATED AGGREGATE OF SPECIES THAT MAY BE POSSESSED BY ANY ONE PERSON IN ANY SPECIFIED GEOGRAPHIC AREA FOR WHICH A POSSESSION LIMIT IS PRESCRIBED;]

(B) for resident game birds, means whole birds or the edible meat of game birds, excluding those that are canned, frozen, smoked, dried or otherwise processed for human consumption [AFTER A 15 - DAY PERIOD;]

Background

Proposal 155

- State regulation for *migratory game birds* is consistent with Federal regulations 50 CFR Subpart D-20.33 Possession limit: No person shall possess more migratory game birds taken in the United States than the possession limit or the aggregate possession limit, whichever applies.
- Removal of migratory game birds from possession is defined in Federal regulations 50 CFR Subpart D-§20.39 *Termination of possession*: ... the possession of birds taken by any hunter shall be deemed to have ceased when such birds have been delivered by him to another person as a gift; or have been delivered by him to a post office, a common carrier, or a migratory bird preservation facility and consigned for transport by the Postal Service or a common carrier to some person other than the hunter.

Background

Proposal 155

- Proposal attempts to control harvest by making it more difficult for an individual to legally reduce the number of possessed birds via gifting or processing, resulting in a potentially lower harvest in current or future seasons.
- Identification during transport is addressed in Federal regulations 50 CFR Subpart E- § 20.43 Species identification requirement.
No person shall transport within the United States any migratory game birds, ... unless the head or one fully feathered wing remains attached to each such bird

Background

Proposal 155

- Proposal would make processed birds (canned, frozen, smoked, etc.) part of the possession limit for migratory birds in contradiction to 5AAC 92.990 (71) (B) for resident birds.
- Would make gifted birds count towards an individual's daily bag limit under state law as it does under Federal law (50 CFR §20.40) though it is likely the proposer intended for gifted birds to count against possession limits;
- Proposal requires unspecified license information be attached to gifted birds;
- Proposal requires a feathered wing or head be attached during transport (consistent with Federal transport regulations 50 CFR §20.43).

Background

Proposal 155

- Possession limits are primarily for law enforcement purposes (and may reduce waste). May deter (and help enforce) over-bag limit violations and commercial sale.
- Possession limits do not control harvest well (original intent). The potential take is unlimited due to federal regulations that allow gifting and disposal of unused birds.
- Current regulations are recognizably complex, can be confusing, and are enforceable only in limited circumstances. For these reasons the U.S. Fish and Wildlife Service and Canadian Wildlife Service are reviewing the concept of possession, wanton waste, and the range of regulatory options.

Background

Proposal 155

- Proposal lacks clarity and has not identified a need to modify possession limit regulations to further control harvest.
- ADFG suggests not making any changes until a Federal regulatory review process is completed (perhaps within a year).
- Topic best addressed by Departments of Law and Public Safety (language and enforceability).

Questions

Proposal 155