

HB

281

Representative Charisse Millett

Session
State Capitol Building, Room 412
Juneau, AK 99801
Phone (907) 465-3879
Fax (907) 465-2069



Interim
Anchorage LIO
716 W 4th Ave., Room 630
Anchorage, AK 99501
Phone (907) 269-0222
Fax (907) 269-0223

Sponsor Statement: House Bill 281

With Alaska's highly populated urban areas, and the increase in wildlife - bears in particular - coming into the area, there is an opportunity and a responsibility in front of applicable agencies to focus on the problem. It has become an even more disturbing problem with the recent mauling incidents documented from Anchorage to Kenai during the summers of 2008 and 2009.

The habits of the bears have changed since Anchorage has urbanized. The increase of people and therefore trash has changed how and what the bears eat. From going through trash cans to walking through garages, bears are no longer scared of people and will use whatever force necessary to get to food.

The bill has been created to make a change in ADF&G's policy for managing the abundance of wildlife in urban areas for public safety. House Bill 281 amends Alaska Department of Fish and Game's mission statement to make public safety the number one priority in a municipality with a population of more than 100,000. It also allows the Anchorage Police Department the authority to take an animal when it poses as a threat to people.

Contact: Genevieve Wojtusik
465-3879

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 281
 () Publish Date: _____

Identifier (file name): HB281-DFG-BDS-02-01-10 Dept. Affected: Fish & Game
 Title An Act relating to the duties of the commissioner RDU Administration and Support
of Fish and Game... Component F&G Boards & Advisory Committees
 Sponsor Rep. Millett, et al.
 Requester House Community & Regional Affairs Committee Component Number 2825

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services	2.2		2.2	2.2	2.2	2.2	2.2
Travel	2.9		2.9	2.9	2.9	2.9	2.9
Contractual	2.0		2.0	2.0	2.0	2.0	2.0
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	7.1	0.0	7.1	7.1	7.1	7.1	7.1

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1002 Federal Receipts						
1003 GF Match						
1004 GF	7.1	7.1	7.1	7.1	7.1	7.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	7.1	0.0	7.1	7.1	7.1	7.1

Estimate of any current year (FY2010) cost: _____

POSITIONS

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This legislation would cause the Board of Game to meet one extra day at the Spring Board of Game Meeting. Personal services includes Board Member honorium and employees over time costs. Travel includes lodging and per diem for board members and staff. Contractual includes meeting space rental.

Prepared by: Kristy Tibbles, Executive Director Phone 465-6098
 Division: Boards Support Section Date/Time 1/29/10 10:30 AM
 Approved by: Tom Lawson, Director Date 2/1/2010
Division of Administrative Services, Department of Fish & Game

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB 281
() Publish Date: _____

Identifier (file name): HB281-DFG-WLF-02-01-10
Title: An Act relating to the duties of the commissioner of Fish and Game...
Sponsor: Rep. Millett, et al.
Requester: House Community & Regional Affairs Committee
Dept. Affected: Fish & Game
RDU: Wildlife Conservation
Component: Wildlife Conservation
Component Number: 473

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required		Information				
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	
OPERATING EXPENDITURES							
Personal Services	37.0	37.0	37.0	37.0	37.0	37.0	
Travel							
Contractual	60.0	10.0	10.0	10.0	10.0	10.0	
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	97.0	0.0	47.0	47.0	47.0	47.0	

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	97.0	47.0	47.0	47.0	47.0	47.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	97.0	0.0	47.0	47.0	47.0	47.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time						
Part-time	2	2	2	2	2	2
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation will have a fiscal impact on the Wildlife Conservation division as currently the division's interaction with game carcasses is minimal and the legislation will mandate that the department pick up carcasses within the municipality of Anchorage. Two new seasonal Fish and Wildlife Technician III positions will canvas the municipality to collect carcasses of game taken by police departments. A dedicated vehicle and trailer capable of loading moose (maybe more than one) would need to be purchased, but a one time cost of 50.0 goes away in FY12.

Prepared by: Doug Larsen, Director
Division: Wildlife Conservation
Approved by: Tom Lawson, Director
Division of Administrative Services, Department of Fish and Game

Phone 465-4190
Date/Time 2/1/10 10:00 AM
Date 2/1/2010

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 281
 () Publish Date: _____

Identifier (file name): HB 281-DPS-AWT-02-01-10 Dept. Affected: DPS
 Title: BOARD OF GAME/FISH & GAME RDU: AST (160)
 Sponsor: Rep. Millett Component: AWT
 Requester: Community & Regional Affairs Committee Component Number: 2746

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 16.05.050 adding new section that allows for the taking of game resources to ensure public safety has priority over other management purposes in a municipality with a population over 100,000.

If this legislation becomes law it will have no fiscal impact on the Department of Public Safety.

Prepared by: Colonel Gary Folger
 Division: Alaska Wildlife Troopers
 Approved by: Joe Masters
Commissioner

Phone 907-269-5509
 Date/Time 02/01/10 @ 1230 hours
 Date 2/1/2010

2000-2008
-3 bears in
yard

26-LS1194R

HOUSE BILL NO. 281

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES MILLETT, Hawker, Thomas, Fairclough, Olson, Harris, Johnson

Introduced: 1/19/10
Referred: Community and Regional Affairs, Resources

Attractants to Bears
-> Moose calves
-> Stocked streams

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the duties of the commissioner of fish and game and to the interest
2 of the Board of Game in public safety as it relates to game."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 16.05.050 is amended by adding a new paragraph to read:

5 (20) to remove a game carcass when notified that game has been taken
6 by the police department of a municipality under AS 16.05.255(d)(2).

7 * Sec. 2. AS 16.05.255(d) is amended to read:

8 (d) Regulations adopted under (a) of this section must provide that, consistent
9 with the provisions of

10 (1) AS 16.05.258, the taking of moose, deer, elk, and caribou by
11 residents for personal or family consumption has preference over taking by
12 nonresidents; and

13 (2) (a)(11) of this section, the taking of game resources to ensure
14 public safety has priority over other management purposes in a municipality of

- predators
Now ADFG manages for abundance
HB 281

HB0281a

-1-

New Text Underlined [DELETED TEXT BRACKETED]

1
2
3
4

the state with a population of more than 100,000; to carry out the provisions of
this paragraph, the board shall authorize the police department of the
municipality to take game when the taking serves to protect human life from
immediate harm from the game.

Unconstitutionality

- raises Constitutional ?s

Clarity/authority

Officer Shu

Anchorage Municipality

Bears are not managed
for abundance in
urban areas -

↑ litigation

~~ADFG~~
Tangible ideas for
solutions

Municipalities
- MOA
- Urban Bear Staff
Dep. of

Affects Fbks. and Mat-Su

Representative Charisse Millett

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Sponsor Statement: House Bill 281

With Alaska's highly populated urban areas, and the increase in wildlife - bears in particular - coming into the area, there is an opportunity and a responsibility in front of applicable agencies to focus on the problem. It has become an even more disturbing problem with the recent mauling incidents documented from Anchorage to Kenai during the summers of 2008 and 2009.

The habits of the bears have changed since Anchorage has urbanized. The increase of people and therefore trash has changed how and what the bears eat. From going through trash cans to walking through garages, bears are no longer scared of people and will use whatever force necessary to get to food.

The bill has been created to make a change in ADF&G's policy for managing the abundance of wildlife in urban areas for public safety. House Bill 281 amends Alaska Department of Fish and Game's mission statement to make public safety the number one priority in a municipality with a population of more than 100,000. It also allows the Anchorage Police Department the authority to take an animal when it poses as a threat to people.

Contact: Genevieve Wojtusik
465-3879

2 FIG officers

*Anchorage
only*

*Emergency only
= Municipal responsibility*

Public Safety 1st

Waste Mgt.

Anchorage Assembly

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE MILLETT

TO: HB 281

1 Page 1, line 2:

2 Delete "game"

3 Insert "predators"

4

5 Page 1, line 5:

6 Delete "remove a game carcass when notified that game"

7 Insert "provide for the removal of a predator carcass when notified that a predator"

8

9 Page 1, line 13:

10 Delete "game resources"

11 Insert "predators"

12

13 Page 2, line 3:

14 Delete "game"

15 Insert "a predator"

16

17 Page 2, line 4:

18 Delete "game"

19 Insert "predator"



**Anchorage
Police
Department
employees
Association**

Phone (907) 561-7500
500 W International Airport RD Anchorage
P.O. Box 230330
Alaska 99523

February 1, 2010

Representative Millett,

My name is Sergeant Derek Hsieh and I am the President of the Anchorage Police Department Employees Association (APDEA). I have been a police officer for fifteen years and represent over 500 employees at the Anchorage Police Department. Collectively, we are dedicated to public safety and determined to make Alaska a better place. I would like to express my support for House Bill 281 on behalf of the APDEA membership.

Having been a resident of the Hillside area in Anchorage since the 1970's, I have first-hand experience with bears being a recurring problem in urban areas. As a law enforcement official, I share numerous experiences with fellow officers where we have been called to neighborhoods and trails to deal with animal problems and the threat they pose to our citizens.

While serving as a police canine handler, I had the unique experience of dealing with a "serial cereal burglar" who was breaking into homes, sometimes occupied, in the Anchorage area to eat breakfast cereal. Managing a bear inside an occupied home is always a challenging experience, and whatever anxiety I had was exceeded by the anxiety of my K9, "R.C." On another occasion, I recall responding with other patrol officers to a report of a bear chasing kids in Halloween costumes. These anecdotes are examples of the scores of animal problems that the APD responds to annually. These problems include moose, bears and other wildlife.

In all cases where there is an immediate threat to public safety, officers are trained to manage the situation decisively. The APD has been effective in using air-horns, sirens, strobe lights, pepper spray, bean bags in addition to deadly force in dealing with problem animals. Police officers are specifically trained in using specialized force tools in urban settings.

HB281 helps clarify that ADF&G's first priority is public safety and gives the APD the authority to take a bear if it is a known human threat. There is no reason not to pass this legislation.

Thank you,

A handwritten signature in black ink, appearing to read "Derek Hsieh".

Derek Hsieh
President
Anchorage Police Department Employee's Association

Yuhas, Jennifer S (DFG)

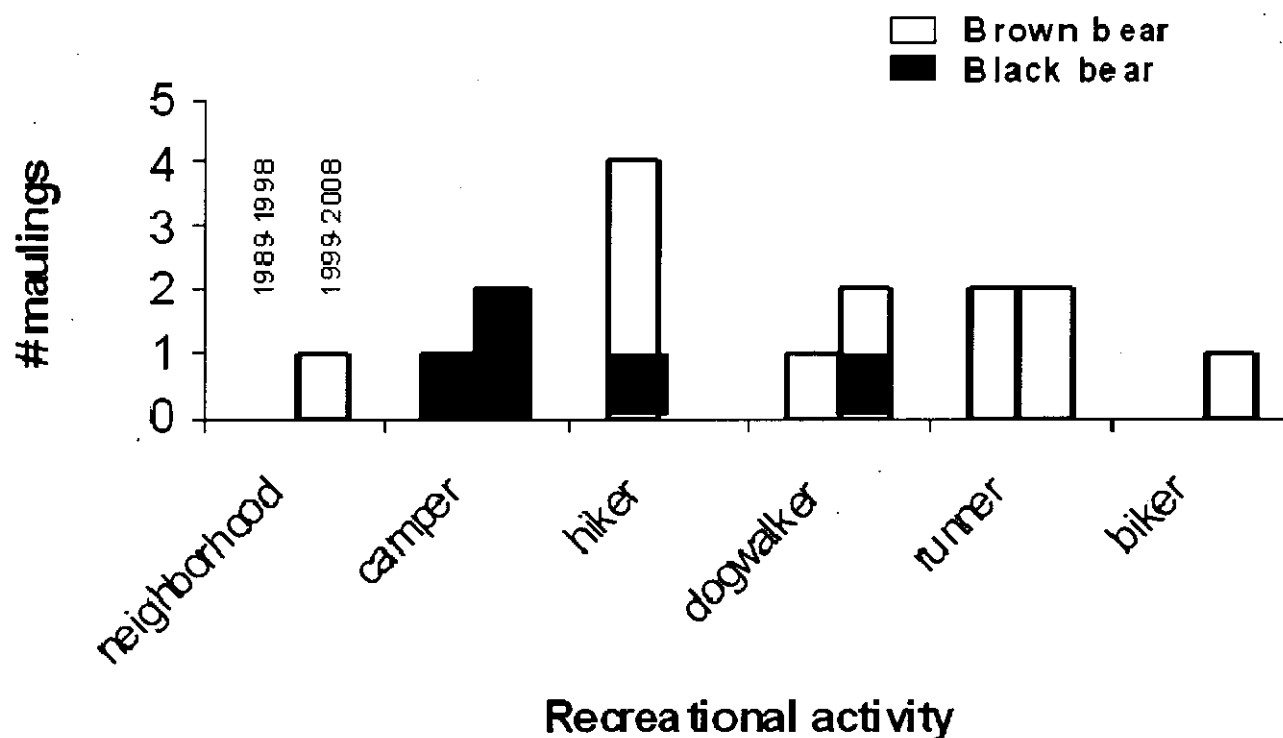
From: Gladziszewski, Maria (DFG)
Sent: Monday, February 01, 2010 4:26 PM
To: Yuhas, Jennifer S (DFG)
Cc: Sinnott, Rick J (DFG); Larsen, Douglas N (DFG)
Subject: RE: mauling #s request
Attachments: image001.gif

Jennifer:

Of the 16 maulings in the last 20 years, most resulted in minor scratches/bruises/punctures. The serious injuries include 2 runners killed by a brown bear in 1995 in a wilderness area of Chugach State Park (several miles from the McHugh Creek trailhead); and a runner and a biker seriously injured by a brown bear in the summer of 2008.

Bear Maulings in Anchorage: 1989-2008				
Activity/ Location	1989-1998		1999-2008	
	Brown Bear	Black Bear	Brown Bear	Black Bear
Neighborhood			1	
Camper		1		2
Biker	3	1		
Dog Walker	1		1	1
Runner	2		2	
Biker			1	
TOTAL	6	2	5	3

Bear Maulings in Anchorage: 1989-2008



From: Yuhas, Jennifer S (DFG)
Sent: Monday, February 01, 2010 1:16 PM
To: Wojtusik, Genevieve (LAA)
Cc: Gladyszewski, Maria (DFG)
Subject: mauling #s request

Hi there Gen,

Maria G. just routed the request to me that your office initiated with our Douglas office today regarding urban maulings. We're asking for those numbers, but are running into the issue that all our staff who work on this are at the Board of Game (BOG) meeting in Anchorage today. Those meetings are scheduled pretty far in advance, but staff do their best to check in to the office in between their testimony etc. We're not sure though if we'll be able to get the answer on this short of notice with the BOG meeting.

I'm always here to save you time by routing legislative requests to the most knowledgeable person in our department for you so you don't have to hen-peck through the staff list and take a wrong turn – just part of what I do here to try to make your life easier!

Take care,

Jennifer Yuhas

Legislative & Communications Director,

Alaska Department of Fish & Game

(907) 465-6137 Juneau

(907) 388-7951 Mobile

<http://www.adfg.state.ak.us>

HB281: BOARD OF GAME/FISH & GAME COMMISSIONER

2 February 2010

House Committee on Community & Regional Affairs

Jennifer Yuhas, Legislative Liaison – ADF&G

jennifer.yuhas@alaska.gov

We can all agree that public safety is a forefront concern. The language proposed in HB281 however poses many more questions than it answers.

Section 1

Mandates ADF&G removal of any animal carcass “taken” by a police department of a municipality.

1.) ADF&G removal of animal carcasses is currently allowable.

- The commissioner is authorized under AS 16.05.050(a)(5) "to take, capture, propagate, transport, buy, sell, or exchange fish or game or eggs for propagating, scientific, **public safety**, or stocking purposes".
- Further, under 5 AAC 92.410(b), game taken in defense of life or property is the property of the state. A person taking game in defense of life or property must immediately notify the department and salvage and surrender the animal.
- The department of public safety maintains a list of people or organizations eligible to salvage edible meat, and the department of fish and game ensures that bears and other wildlife are removed and salvaged, if possible. The Anchorage Police Department (APD) calls state trooper dispatch or the local area biologist for assistance in removing large game carcasses.

2.) Mandating the removal of carcasses by ADF&G excludes existing partners and incurs unnecessary expenses to the state.

Section 2

Elevates public safety above all other management purposes for municipalities with populations greater than 100,000, and mandates Board of Game authorization of municipal police departments to “take” game to protect human life.

1.) Management purpose priority:

- Game is currently managed distinctly to the specific needs of each of the 26 identified Game Management Units through the Board of Game process following several opportunities for public input.
- Public safety is currently taken into consideration when managing game in highly populated areas. (*public safety is always a priority regardless of the size of the human population of the community. For example, ADFG annually issues dozens of Public Safety Permits for the harassment or lethal removal of birds and mammals near airports in small communities throughout the State.*)
- This language is in direct conflict with The Alaska State Constitution's mandate to manage wildlife on a sustained yield principal. (Article 8 Section 4)

- Some public confusion exists regarding the department's Constitutional mandate to manage on a "sustained yield principal" versus "managing for abundance."
- The proposed language fails to recognize that department does not manage for abundance of predators or dangerous game in urban areas.
- Subsistence is currently recognized as the highest management priority statewide.
- Subsistence is defined as "customary and traditional" uses
- This language would require a drastic reduction in Anchorage's moose population in order to reduce auto collisions and other human conflicts.
 - This, in turn, would directly conflict with the intensive management law (AS 16.05.255(e)-(g)) and with one of the statutory purposes for Chugach State Park ("public display of wildlife" –AS 41.21.121).
 - Also most of the regulations for, at least, potentially harmful game species in GMU 14C would have to be substantially changed, and many of the most popular hunts would be eliminated as ADF&G would arguably be required to manage for minimally viable populations to meet both its sustained yield obligations and comply with the public safety mandate.
 - Many Anchorage and Mat-Su residents have vocalized a desire for higher moose populations.

2.) Population reference:

- Currently only Anchorage and Fairbanks are listed as having populations of 100,000 or more. Mat-Su is close behind however.
- Again, game is currently managed distinctly to the specific needs of each of the 26 identified Game Management Units through the Board of Game process following several opportunities for public input.
- Public safety is currently taken into consideration when managing game in highly populated areas.
- Opens a much larger argument regarding urban and rural populations:
 - Should Anchorage and Fairbanks be afforded a higher degree of public safety than residents in other jurisdictions where human life is threatened?
 - black bears in Juneau and Ketchikan;
 - brown bears in Sitka, Kenai, Soldotna, Kodiak, and Dillingham;
 - polar bears in Barrow;
 - and moose in Wasilla, Palmer, and Homer
 - Is traffic safety more important in Anchorage and Fairbanks than near Healy or Delta?
- Residents in Fairbanks have vocalized an expectation to harvest moose or caribou near their municipality. However, increased populations of these species contribute to traffic safety considerations as do beavers and notably in Anchorage some waterfowl populations.

- Some public confusion exists regarding the department's Constitutional mandate to manage on a "sustained yield principal" versus "managing for abundance."

3.) Mandating Board of Game authorization:

- This reference is unnecessary as the authorization currently exists under

4.) AS 16.05.940. Definitions. In AS 16.05 - AS 16.40,

(19) "game" means any species of bird, reptile, and mammal, including a feral domestic animal, found or introduced in the state, except domestic birds and mammals; and game may be classified by regulation as big game, small game, fur bearers or other categories considered essential for carrying out the intention and purposes of AS 16.05 - AS 16.40;

(34) "take" means taking, pursuing, hunting, fishing, trapping, or in any manner disturbing, capturing, or killing or attempting to take, pursue, hunt, fish, trap, or in any manner capture or kill fish or game;

Other Considerations:

The proposed language is generally redundant to authorization. Language expressing mandates for carcass removal render indeterminate fiscal considerations.

Sponsor Statement: Although the Sponsor Statement addresses trash in urban areas, there is no reference to trash in the proposed legislation.

Intensive management Laws: designating public safety as the highest priority will conflict directly with AS 16.05.255(e) and (f), the state's intensive management laws. Under section (e) the board adopts regulations to provide for intensive management programs to restore the abundance or productivity of identified big game prey populations as necessary to achieve human consumptive use goals. Under section (f) the board may not significantly reduce the taking of an identified big game prey population by adopting regulations relating to the restrictions on harvest or access to the population, or to the management of the population by customary adjustments in seasons, bag limits, open and closed areas, methods and means unless the board has adopted regulations that provide for intensive management to increase the take of the population for human harvest. Moose are an identified big game prey species managed for human consumption in the Anchorage area. In fact, GMU 14C is one of the few subunits in the state where the moose population and harvest goals are routinely met. Thousands of moose hunters vie for a limited number of permits to hunt on Fort Richardson, Elmendorf AFB, Chugiak, upper Ship Creek, upper Campbell Creek and McHugh Creek. Reducing the moose population because public safety is the highest priority is not consistent with managing moose under intensive management.

In the event the intent of the legislation is to address large predators only: Ironically, enacting this bill could have a reverse effect on public safety. Decreasing the number of predators like wolves and bears would increase the number of moose in the city, especially cows with calves, and urban moose are more dangerous than bears and wolves. No Anchorage resident has been killed or injured by a wolf, however some were harassed by wolves on the military base. Three or four residents have been swatted or bitten by a black bear. Four residents have been killed by a moose and two by a brown bear, but many more people are hurt in Anchorage every year by moose than by brown bears, and the moose attacks occur most often in city parks and neighborhoods, or on roads.



ALASKA CENTER *for the* ENVIRONMENT

807 G Street, Suite 100 Anchorage, Alaska 99501

907-274-3632 valerie@akcenter.org www.akcenter.org

February 1, 2010

Dear Co-Chairs Herron and Munoz and Members of the Community and Regional Affairs Committee,

On behalf of The Alaska Center for the Environment (ACE) I would like to comment on HB 281. ACE is a non-profit environmental education and advocacy organization, whose mission is to enhance Alaskans' quality of life by protecting wild places, fostering sustainable communities and promoting recreational opportunities. ACE advocates for sustainable policy on behalf of nearly 7,000 Alaskan members.

House Bill 281 proposes to amend the Alaska Department of Fish and Game's mission statement to make public safety the number one priority in a municipality with a population of more than 100,000. It also allows the Anchorage Police Department the authority to take an animal when it poses as a threat to people.

In my capacity of Conservation Director, I have been working collaboratively with agencies, non-profits, the Municipality and volunteers on a very successful pilot project here in Anchorage to educate and incentivize responsible waste management in neighborhoods where bears are known to frequent. We have acquired grant money to retrofit dumpsters to make them bear-resistant and subsidized bear-resistant tipper carts. The result of this effort has been a remarkable decline in calls about nuisance bears. We have also been a part of a citywide effort to reach out to recreationalists and inform them about ways to reduce their risks of having a negative encounter with a bear.

The single reason that bears are attracted to neighborhoods is due to easy food sources. Once the food is managed responsibly, the problem goes away. While we here at the Center are also concerned about public safety, we believe there are other more productive and common sense ways to approach the problems of urban wildlife becoming food conditioned. We believe we should begin at the source of the problem, which are garbage and other attractants.

Let us first look to Juneau's successful campaign to clean up their garbage problems and therefore reduce costs to the city and make their neighborhoods safer.

Not unlike Anchorage, people who live in Juneau treasure the natural surroundings in which they live. We all live in bear country and feel lucky to do so. In fact, because Juneau residents understand our responsibility to the wildlife whose home we share, they were among the first in the nation to enact local laws aimed at keeping bears out of garbage. Juneau is becoming a model for other communities committed to living with wildlife. Anchorage can and should follow Juneau's example.

In Juneau, It's the law:

- Garbage cans may be put out to the curb for collection no sooner than 4 a.m. on pickup day.
- Other than after 4 a.m. on pickup day, garbage must be kept in a bear resistant container or enclosure.
 - in a strong fully enclosed structure such as a garage

- in another "bear resistant enclosure," defined as an enclosure that you can't get into unless you use hands or tools. If it can be opened by stomping on it, kicking it, running into it with your body, or other similar action, it is not bear resistant.
- Garbage cans must be labeled with your address.
- Garbage cans must be fitted with lids so as to remain secure if cans are tipped over.
- If your garbage has attracted bears and you fail to take steps to legally store your garbage, *you could be cited for maintaining a bear attraction nuisance, a \$50 fine for the first offense.*

I would encourage the members of this committee to invite the City of Juneau and wildlife experts to come and address the success of Juneau's program before taking any action on HB 281.

We encourage the State of Alaska to put more money into enforcing existing laws which prohibit the feeding of wildlife, educational efforts and engineering solutions. We as a community can effectively make our neighborhoods safe by addressing the root of the problem. As you seek solutions please consider that many Anchorage residents value wildlife. It is one of the main reasons people move here and it is our responsibility as stewards to be responsible citizens first.

It is against the law to feed bears. State law states, "A person may not intentionally feed a moose, deer, elk, bear, wolf, coyote, fox, or wolverine, or negligently leave human food, animal food, or garbage in a manner that attracts these animals." It is also against the law to kill a bear you have attracted by improperly storing human food, animal food, or garbage.

Preventing bear problems is everyone's responsibility.

Thank you for your consideration.

Sincerely,

*Valerie Connor
Conservation Director
Alaska Center for the Environment
807 G Street, Suite 100
Anchorage, Alaska 99501
(907)274-3632
valerie@akcenter.org*

For more information:

www.juneau.org/bears
<http://wildlife.alaska.gov/index.cfm?adfg=bears.harmony>

DATE: 12/19/08
 TO: Alaska State Senators
 RE: Bear Problems
 FROM: Sandra Kranich, 9780 Carlson Road, Anchorage (1 block past Elmore off Abbott Road; wooded area). Phone: 346-1901

We, and many of my immediate neighbors, are concerned about the steady increase in bear wandering thru our residential areas – with a possible serious threat to humans, pets and property. We have lived at the same address for 40 years – and last summer we had a dramatic increase with bear encounters. A black bear sow and 3 cubs during the afternoon were next to our home entrance where grandkids, family and employees are constantly coming in and out. It was a wonder someone didn't get between the sow and cubs. Then they went to our neighbors that have 7 kids playing outside on a regular basis. They stayed in the neighborhood off and on for about 5 weeks. (We and our neighbors keep our garbage in special bear-proof dumpsters and take out smelly garbage the day of pickup – trying our best not to attract bear in any way!) Later in the summer, a male black bear was constantly in our backyard during the day and evening, in our driveway and at neighbor's places off and on for about 4 weeks. It is my opinion that bears continuing to multiply in this part of town poses a potential threat that should be dealt with now! However, Fish and Game tell us we are attracting the bear and won't do anything about the threat. In talking to many others, I find the following points are significant:

- The bear population is causing people to have to keep their kids inside more because of bear in their personal yards; people are using the trails for running, biking and hiking LESS because of bear; people are not letting their kids walk to school as much because of bear, people are not out walking on their own streets because of bear, etc. Quality of life is LESS for many people!
- If someone in your family was attacked by a bear in your own yard, how fast would you be able to get a gun, load it and shoot before the person was dead or possibly disfigured for life? Does this mean people are going to need to carry a loaded gun when they and their children/grandchildren go outside in their own yard or walk on their own street?
- Fish and Game are attracting bear to our city with stocking salmon in city streams. If there is a LOW salmon and berry year – then we will have extra hungry bears in our neighborhoods! When people have vent fans on while cooking dinner, surely bear will smell that – with break-in's if really hungry. It's bad enough to have a 300 lb black bear break in – but what about a 1,200 lb. grizzly (like those multiplying at Campbell Creek)?
- I believe the City and State are open to major lawsuits if someone is injured on their own property and Fish and Game refuses to remove the bear after having been called. Someone could be hospitalized for many months with lifetime disfigurement from a bear attack, if they live through it! Many people don't have insurance – and a lawsuit would be needed to cover the possible huge medical expenses. We have laws to keep dogs leashed so they don't hurt other animals and people – why can't we control the bear?
- Bears are being born in neighborhoods and are multiplying fast. (That sow and 3 cubs for example). People that say "we must learn to live with the bears or move – that they were here first" are unrealistic. People should be able to clear out a safe area for Anchorage citizens. Most of Alaska is uninhabited and there is plenty of room for Alaskan citizens AND bears – just in the proper places for each.

Thank you very much for your time and consideration regarding House Bill 281. I would very much appreciate it if you could send my comments to the co-chairs of this committee (Cathy Munoz and Bob Herron, and to other members, Sharon Cissna, and Berta Gardner).

It is my opinion that this bill should not be approved/should not be passed. The senseless shooting of bears due to human error regarding inappropriate use or handling of garbage is OUR responsibility.

We must learn how to appreciate the natural world and live in balance with it, and that often requires finding a better solution to problems that WE have created.

I believe that people should be fined for inappropriate use/handling of garbage which attracts bears into our neighborhoods. It is not the bears fault. It is human error or oversight which, time and time again, shifts the burden of our mistakes onto the natural world (in this case the bears).

We need to care for nature and keep in mind the consequences of our actions in regard to the well being of all living things.

If this bill is approved, it will demonstrate, once again, that we as a species ignore our responsibilities in regard to respecting the natural world.

Many people leave their garbage outside unattended overnight, or put their garbage into plastic bags or containers that attracts the bears. It is our inherent responsibility to ensure that the bears are protected from us and from coming into the neighborhoods that are senselessly attracting them.

I believe that most people, when educated about the hazards of inappropriate use of garbage, would change their habits in order to prevent the senseless and needless killing of the bears.

Please help people to find a reasonable solution to the problem. If we continue to "point and shoot" every time we create a problem, we demonstrate our ignorance and our arrogance. I believe that we can find a successful solution to this problem~ a win win situation where humans can successfully rid themselves of garbage without unintentionally inviting the bears to dine.....and then shooting them.....

Thank you,
Leola Adams, M.A.