

**SB**

**144**

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 3/9/09

FURTHER: Finance

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Resources Committee considered SENATE BILL NO. 144

SB 144 MUSK OXEN PERMITS

"An Act relating to hunting permits and tag fees for musk oxen."

and recommends:

be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)

adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)

attached amendment(s)

adopt \_\_\_\_\_ Letter of Intent

further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

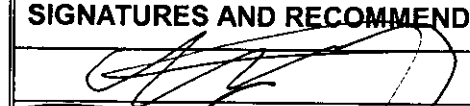
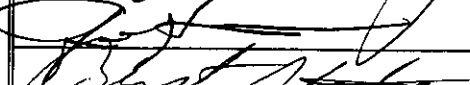
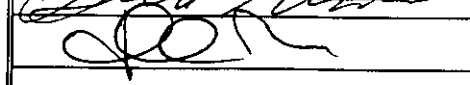
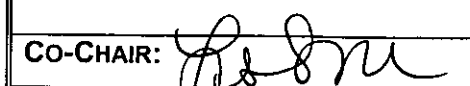
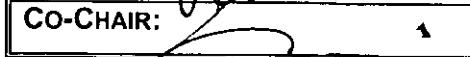
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
ADF&G	03/05			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Higgins	✓			
	Stronach	✓			
	French			✓	
	McGuire	✓			
	Wielechowski	✓			

# FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: SB144  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): SB144-DFG-DAS-03-05-10  
Title An Act relating to hunting permits and tag fees for musk oxen  
Sponsor Senator Olson  
Requester Senate Resources  
Dept. Affected: ADF&G  
RDU Administration and Support  
Component Administrative Services  
Component Number 479

**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
<b>OPERATING EXPENDITURES</b>								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

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

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0

**ANALYSIS:** (Attach a separate page if necessary)

No fiscal impact to Department of Fish and Game

Prepared by: Jeff Hoover, Deputy Director  
Division: Administrative Services  
Approved by: Tom Lawson, Director of Administrative Services  
Alaska Department of Fish and Game

Phone 907-465-6077  
Date/Time 3/5/10 12:00 PM  
Date 3/5/2010

# ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON



ALASKA  
STATE CAPITOL  
ROOM 514  
JUNEAU, ALASKA 99801-1182

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## **Senate Bill 144 – Musk Oxen Permits & Tags**

Version 26-LS0666/R, March 9, 2009

STAFF: Tim Benintendi, 465-4989

### **SPONSOR STATEMENT and SECTIONAL ANALYSIS**

#### **SPONSOR STATEMENT:**

There are four Game Management Units in which musk oxen are found in Alaska; Unit 18 (Nunivak and Nelson Islands), Units 22 and 23 (Seward Peninsula and Northwest), and Unit 26 (Northeast). The musk oxen population in Alaska is currently estimated to be 4,400 animals, and annually, between 325 and 350 animals are available for harvest.

The primary objective of SB 144 is to allow issuance of a second permit for a musk ox hunt in a second Game Management Unit or hunt area within a unit, for resident hunters and subsistence hunters only; no out-of-state hunters qualify. If a harvester does not take an animal under the first permit, this would double the chance a hunter has to harvest the bag limit of one animal, either a bull or a cow. It would not allow for the taking of two animals.

Current statute provides for a limit of one musk ox permit for each hunter per calendar year. Musk oxen are the only game animals in the Arctic to which the one-permit restriction still applies. Under SB 144, the department could issue subsistence permits beyond a calendar year basis, to accommodate a season which straddles two calendar years (Example: a season which runs from August 1<sup>st</sup> to March 15<sup>th</sup>), because a "year" under this bill, is changed from a calendar year to a regulatory year, which is July 1<sup>st</sup> to June 30<sup>th</sup>.

Wildlife biologists and regulators within the Department of Fish and Game have determined that the health and size of the state's herd is well past the threshold for expanding opportunities for Alaskan hunters. State biologists

estimate that a nominal number of additional permits would be issued under the provisions of this bill, and perhaps 25 more animals would be harvested. If passed this legislative session, these new provisions would be in place for seasons beginning in August of this year.

In summary under SB 144, a qualified hunter would be allowed to obtain a second permit for another hunt area or Game Management Unit, if he or she did not successfully harvest a musk ox under conditions of their first permit.

SB 144 carries a ZERO fiscal note, and has the support of the department. Support from the hunting community in Northwest Alaska includes the Northern and Southern Norton Sound Advisory Committees, and the Seward Peninsula Musk Ox Cooperators' Group. We have discovered no opposition to this bill.

#### **SECTIONAL ANALYSIS:**

**SECTION 1:** Amends AS 16.05.340(a)(16) to allow the Board of Game to reduce or eliminate the fee, as well as the tag requirements, for a musk oxen hunt, and makes it applicable to all or a portion of a game management unit. Applying this to an open season has been eliminated. The objective is to have the statute for musk oxen read the same as for other game.

**SECTION 2:** Amends AS 16.05.346(a) by providing that the department shall issue permits to take musk oxen once the Board of Game has reduced or eliminated requirements for a resident tag and fee. This statute is further amended by providing that a resident may not be charged a fee for an application for a musk oxen permit under these circumstances.

SUPPORT FOR SB144

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Senator Donald Olson  
Email: [Senator\\_Donny\\_Olson@legis.state.ak.us](mailto:Senator_Donny_Olson@legis.state.ak.us)

03/20/09

Donny,

Thank you very much for your help this winter in convincing the ADF&G to continue issuing permits for the RX 104 registration musk ox permits to interested Alaskan hunters who traveled to Shishmaref to hunt ox.

There are three types of musk ox hunts in game unit 22E.

1) Federal permits available to local residents of unit 22E only, valid for hunting on federal lands only.

2) DX 097 (drawing permit) is available through the general permit drawing to all Alaska resident and non-resident hunters for 4 year old, or older (trophy) bull ox on state or private lands in game unit 22E only. There are currently 20 permits available for the draw each regulatory year (July 1<sup>st</sup> through June 30<sup>th</sup>).

Once issued (in July of each regulatory year), the hunter can hunt 4 year old, or older bull musk ox throughout the entire hunting season of August 1<sup>st</sup> through March 15<sup>th</sup> of the current regulatory year. If the hunter hunts the fall season (August 1<sup>st</sup> through December 31<sup>st</sup>) portion of that calendar year, he must have a valid hunting license and \$500 resident/\$1,100 non resident bull ox tag for that calendar year, and if unsuccessful, must purchase a new hunting license and bull ox tag for that portion (January 1<sup>st</sup> through March 15<sup>th</sup>) of the subsequent calendar year that the permit remains valid for.

The DX 097 permit is valid for one bull ox.

3) RX 104 (registration permit) is available to any Alaska resident statewide and is issued in Nome, Wales and Shishmaref. The hunter must obtain the permit in person at ADF&G office in Nome or the IRA office in Shishmaref upon presenting a valid hunting license. There is no cost for the permit or the tag. The season is open from August 1<sup>st</sup> through March 15<sup>th</sup> for bulls and January 1<sup>st</sup> through March 15<sup>th</sup> for cows unless the season is closed by emergency order if 31 cows or 50 oxen total are harvested before March 15<sup>th</sup>.

The horn tips (trophy destruction) must be cut on all oxen harvested with this permit before the horns can be removed from game unit 22.

The season has never been closed because of the ADF&G harvest goal of 50 oxen were taken to my knowledge in the history of this hunt. There are several key factors to the low level of harvest:

- A) The local hunters are not very enthusiastic about ox hunting.
- B) The area is very remote and expensive to travel to for non-local Alaska residents.
- C) The trophy value is destroyed which further restricts interest in non-local hunters.

D) Winter weather and storms makes access from Nome by snow machine marginal and dangerous for most people not familiar with the country.

The ADF&G is trying to increase the harvest of oxen in sub-unit 22E for the health of the herds and providing greater hunting opportunity for the public. I have several ideas to propose to the Federal RAC and State BOG concerning regulatory proposals to address this issue, but they do not require legislative state statute changes to implement, if accepted.

The issue we ran into this winter commenced when the state BOG opened all game unit 22 to drawing and registration hunts, replacing Tier II hunting. Sub unit 22E has always been treated differently as the ox population vs. hunting interest dynamics are different than the remainder of game unit 22.

At some point in this process AS 16.05.346 was reviewed and the verbiage within the statute "a person is not eligible for more than one musk ox permit a year" was interpreted to mean that a person must obtain the RX 104 permit by December 31<sup>st</sup> to hunt the portion of the calendar year January 1<sup>st</sup> through March 15<sup>th</sup>.

This administrative regulation change was implemented with very poor public notification. It is in the hunting regulation booklet, although poorly indicated and no public notices were evident in Shishmaref as the community most affected by the change. The accepted procedure for all the years the hunt has been in place was for the hunter to go to the IRA office in Shishmaref and obtain the permit up until the close of the season.

I am not sure the best solution to this problem as I am not versed in law or administrative regulation.

I would like to see the following solution: AS 16.05.346 amended to define a year as "a person is not eligible for more than one musk ox permit per regulatory year July 1<sup>st</sup> through June 30<sup>th</sup>" and not a calendar year and that the ADF&G SHALL issue RX 104 permits until either the regulatory season closes or the harvest goal is met for that regulatory year, and not cease issuing permits December 31<sup>st</sup>.

I realize the ADF&G could take an administrative position to not issue permits after December 31<sup>st</sup> regardless of law changes and in that case I would like to see the ADF&G have to make the permits available online, other wise hunters will have to travel to Nome and Shishmaref twice to hunt the same animal.

I am enclosing the information for a state attorney who is knowledgeable in ADF&G issues and could be consulted to clarify the issue and interpretation of the law:

Mr. Kevin Saxby  
1031 W 4th Ave #200  
Anchorage, AK 99501  
907-269-5100  
Email: [kevin.saxby@alaska.gov](mailto:kevin.saxby@alaska.gov)

Thank you again,  
Brian Simpson

## Current Status of Muskoxen in Alaska 1970-2009

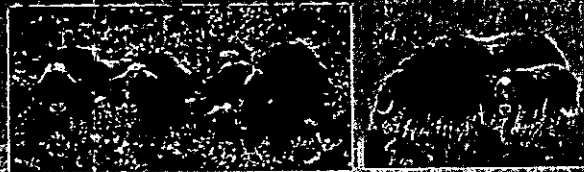
Letty Hughes<sup>1</sup>, Patricia Reynolds<sup>2</sup>, Kimberlee Beckmen<sup>1</sup>, Phillip Perry<sup>1</sup>, Geoff Carroll<sup>1</sup>, Steve Arthur<sup>1</sup>

<sup>1</sup>Alaska Dept. of Fish & Game; <sup>2</sup>US Fish & Wildlife Service; Arctic National Wildlife Refuge



### Introduction

Muskoxen (*Ovibos moschatus*) were reintroduced to Alaska after disappearing in the late 1800s. The first establishment of muskoxen from Greenland to rural Alaska was Nunivak Island in 1939. The Nunivak population acted as a source of animals for future relocations on historic range between 1967-1981. The relocation of 300 animals created five populations throughout Alaska: Nunivak, Nelson Island, Northeastern, Northwestern, and Seward Peninsula (Figure 1). The successful establishment of muskoxen populations and current cooperative management efforts have resulted in range expansion, population growth and stability, along with hunting and viewing opportunities.



### Harvest

Hunting of reintroduced muskoxen first occurred on Nunivak Island in 1975. Four of the five populations are open to harvest on an annual quota and permit basis (Table 1). In 2008, the Board of Game adopted regulations that allow Alaskans to harvest muskoxen on the Seward Peninsula with a registration permit (Gorn 2009). The new hunts were created from recommendations from local advisory committees and Seward Peninsula Muskox Cooperators, a stakeholder group established in 1994.

Table 1. Harvest of Muskoxen in Alaska

Population	Harvest Began	Average Annual Harvest Pre-1998	Average Annual Harvest 1998-2008	Available Harvest 2009	Hunt Structure 2009	Sex of Harvest	Available Harvest as % of population 2009
Nunivak Island	1975	58	81	85	•Drawing •Registration	•Bulls •Cows & Bulls 1975-present	15
Nelson Island	1981	23	23	42	•Registration	•Cows & Bulls	8
Northeastern	1990	9	8	0	No Open Season	•Closed to harvest in 2008	0
Northwestern	1999	No Hunt	43	6	•Tier II drawing	•Bulls 1999-present	1
Seward Peninsula	1995	13	78	187	•Tier I Registration •Drawing •Federal Permit	•Bulls 1995-2002 •Cows & Bulls 2003-present	7 <sup>a</sup>

### Recent Range Expansion

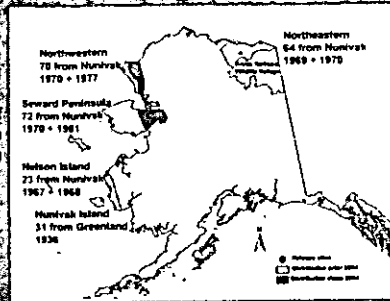


Figure 1. Reintroduction sites and group distribution of muskoxen populations

### Population Growth

During the 74 years since '31, muskoxen were first established on Nunivak Island, populations have increased to over 4400 animals in Alaska (Table 2). The Seward Peninsula population is the state's largest, and continues to expand eastward (Figure 1) as the population increases (Figure 2).

Table 2. Current size of Alaska muskoxen populations

Population	Population Size	Date of Estimate	Status
Nunivak Island	867	Oct. 2009	+18% from 1947-1983 •Stable since 1970
Nelson Island	857	Jun. 2009	+22% from 1982-1981 +6% from 2004
Northeast	200-250 <sup>a</sup>	Apr. 2006	+650 muskoxen by 1995 •Declined 40% 1996-2006 •Stable from 2004-2009
Northwest	324-424 <sup>a</sup>	Jan. 2008	+8% from 1978-1998 •Stable from 1999-2006
Seward Peninsula	2688 <sup>b</sup>	Mar. 2007	+14% from 1970-2009 +4% from 2005-2007
Total minimum Alaska population estimate	4496		

<sup>a</sup> Hunting data from 2009  
<sup>b</sup> Harvest Census results estimate

Table 3. Mortality type in Northeastern population 2007-2009

Mortality Type	Adults	Calves	Total
Bear Predation	16	36	52
Disease	2	2	4
Vehicle collision	3	0	3
Other non-predation	4	10	14
Total	25	48	73

### Mortality and Disease Surveillance

#### Seward Peninsula

- Predation relatively low compared to Northeastern
- Chlamydia present (Gorn 2009)
- Low iron copper
- Negative for iron, zinc, selenium (Gorn 2009)
- Composition surveys show 30 weanlings/100 cows since 2002 (Gorn 2009)

#### Northeastern

- Predation a significant mortality factor (Table 3)
- Mortalities from drowning and stranding on sea ice
- Chlamydia present (Lenart 2009)
- Copper deficient (Lenart 2009)
- Low calf recruitment and low calf/cow ratios (Lenart 2007)

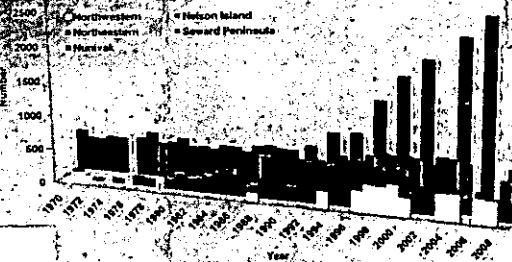


Figure 2. Historic counts of Alaska muskoxen populations 1970-2009

### Future Management

The reintroduction of muskoxen to Alaska continues to be successful. Population growth and range expansion provides opportunities for consumptive and non-consumptive uses of muskoxen. Continued investigation of population parameters and health assessments, along with public input will enhance future management of Alaska muskoxen.