

**PROPOSAL FORM  
INSTRUCTIONS FOR COMPLETING**

*Top of form:*

- Check the appropriate box (or boxes) for which regulations you wish to change.
- Enter the regulatory area in which the regulation will apply, such as Bristol Bay, GMU 23, or statewide.
  1. If known, enter the series of letter and numbers which identify the regulation to be changed. For example, 5 AAC 72.055. If it will be a new section, then enter 5 AAC 72.XXX. Enter the page in the regulation book containing the regulations on that subject.
  2. Write a short explanation about the problem your proposal addresses, or why you are proposing the regulation.
  3. State why the regulation should be adopted or provide an explanation about what will happen if the regulation is not changed.
  4. Print or type your proposal as you would like to see it appear in the regulation book. If you choose to provide regulatory language, new or amended wording should appear first and be underlined. Wording being deleted should be fully CAPITALIZED and enclosed in [BRACKETS].

EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may  
be taken by purse seines and hand purse  
seines from April 25 through June 15 [JUNE 1]

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**AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: Four [FIVE] caribou.

Alternatively, you may state your changes in clear sentences. For example, "Extend the season to June 15 in the Togiak and Bay districts," or "Reduce the bag limit for caribou in Unit 9B to four."

5. If you have information about how the quality of the harvested resource will be affected, include it here.
6. Write a short explanation of which user group[s] will benefit and which will suffer if your proposal is adopted into regulation.

7. Explain other ideas you had or your group discussed for solving the problem and why you did not present those ideas.

*Bottom of form:*

- Write the name of the group that voted to submit the proposal or your name if you are submitting the proposal. This name will be published in the proposal book. The Boards of Fisheries and Game will not consider anonymous proposals.
- Fill in your address and zip code, and telephone number. These will NOT be published.

Mail or fax the completed form to the address at the top of the form.

Alaska Board of Fisheries/Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Or you may submit the proposal to one of the four regional Boards Support Section Offices in Anchorage, Dillingham, Fairbanks or Kotzebue.

**NOTE:** Proposals must be received by the deadline in the call for proposals; there are no exceptions. A fax is considered an original. The form must be physically received by fax or mail; postmark is not adequate.

If you have any questions or need assistance, please consult staff at any Fish and Game office.

**ALASKA BOARD OF FISHERIES AND ALASKA BOARD OF GAME  
REGULATION PROPOSAL FORM  
PO BOX 115526, JUNEAU, ALASKA 99811-5526**

<p><b>BOARD OF FISHERIES REGULATIONS</b></p> <p><input type="checkbox"/> Fishing Area</p> <p><input type="checkbox"/> Subsistence                      <input type="checkbox"/> Personal Use</p> <p><input checked="" type="checkbox"/> Sport                                      <input checked="" type="checkbox"/> Commercial</p> <p><b>JOINT BOARD REGULATIONS</b></p> <p><input type="checkbox"/> Advisory Committee    <input type="checkbox"/> Regional Council              <input type="checkbox"/> Rural</p>	<p><b>BOARD OF GAME REGULATIONS</b></p> <p><b>Game Management Unit (GMU)</b> _____</p> <p><input type="checkbox"/> Hunting                      <input type="checkbox"/> Trapping</p> <p><input type="checkbox"/> Subsistence              <input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Resident</p> <p><input type="checkbox"/> Nonresident</p>
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**Please answer all questions to the best of your ability. All answers will be printed in the proposal packets along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal.**

**1. Alaska Administrative Code Number 5 AAC** 41.070(c); 41.100(4); 92.029 **Regulation Book Page No.** \_\_\_\_\_

**2. What is the problem you would like the Board to address?**

The term "ornamental fish" in 5 AAC 41.070(c) does not adequately define the inclusion of "amphibians," which are defined as "fish" as per AS 16.05.940, nor does it address amphibians that exhibit terrestrial life stages. The statute reads:

"Ornamental fish not raised for human consumption or sport fishing purposes may be imported into the state, but may not be reared in or released into the waters of the state. Fish wastes and waste water from ornamental fish may not be released directly into the waters of the state."

As written, the statute fails to distinguish which amphibians would qualify as "ornamental species." The statute does prevent release "into the waters of the state," but fails to restrict release on land.

In addition to the above concerns, Alaska's native amphibians are not protected from imported species in the same manner as "game" under the clean list established in 5 AAC 92.029(h).

**3. What will happen if this problem is not solved?**

Without clarification, potentially invasive amphibian species may be brought to the state and released, consequently harming native amphibian species through competition, predation, genetic modification and disease transmission. Invasive amphibian species also have the potential to impact other native taxa, including fish. A verified account of a non-native species, the blue-spotted salamander, being introduced onto state "land" near Chugiak and subsequently surviving the winter was recently documented. Several other examples are available.

All species of amphibian excluding those that are federally endangered or protected under international treaty will continue to be able to enter the state and may potentially impact Alaska's native amphibian species. There will be no regulation that restricts the release of "fish" onto land.

Bullfrogs in particular are considered a major threat to native amphibian species where they do not occur naturally. They are a voracious and aggressive predator that feed on other amphibians. In addition, they are known to frequently carry diseases that could significantly impact native amphibian populations. Many states have taken action to prevent the import and release of this species.

More information on Alaska's amphibians and the threats facing them can be obtained from the Alaska Herpetological Society's (AHS) website: [www.akherpsociety.org](http://www.akherpsociety.org). AHS is recognized by the State of Alaska as a non-profit organization and by the United States Internal Revenue Service as a 501(c)3 tax-exempt organization.

**4. What solution do you prefer? In other words, if the Board adopted your solution, what would the new regulation say?**

Our organization prefers the following:

Modification of the language in 5 AAC 41.070(a) to read: Except as provided in (b) - (d) and (f) of this section, no person may import any live fish into the state for purposes of stocking or rearing in the waters **or lands** of the state.

Modification of the language in 5 AAC 41.070(c) to read: Ornamental fish not raised for human consumption or sport fishing purposes may be imported into the state, but may not be reared in or released into the waters or onto the land of the state. Fish wastes and waste water from ornamental fish may not be released directly into the waters of the state.

Addition of language in 5 AAC 41.070 to read: (f) Live amphibians originating from wild stocks or cultured stocks may be imported for captive rearing purposes providing that the animals:

- (1) Are not capable of surviving in the wild in Alaska;
- (2) Are not capable of causing genetic alteration of a species that is indigenous to Alaska;
- (3) Are not capable of causing significant reduction in the population of a species that is indigenous to Alaska;
- (4) Are not capable of transmitting a disease to species that are indigenous to Alaska;
- (5) Do not otherwise present a threat to the health or population of a species that is indigenous to Alaska;
- (6) Are not captured from the wild for use as a pet;
- (7) Do not present a conservation concern in the species' native habitat outside of the state;
- (8) Can be reasonably maintained in good health in private ownership and;
- (9) Do not present a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals

**5. Does your proposal address improving the quality of the resource harvested or products produced? If so, how?**

No

**6. Solutions to difficult problems benefit some people and hurt others:**

**A. Who is likely to benefit if your solution is adopted?**

All Alaska residents and visitors to the state that afford ecological/cultural/recreational/education/aesthetic value to amphibians will benefit if efforts to effectively conserve and manage the state's native amphibians are adopted. In addition, maintaining biodiversity and ecosystem structure through the conservation of native amphibian species will help to prevent declines in consumptive resources. For example, amphibians often play an important role in local food chains and many species of birds, fish, and small mammals consume amphibians in large quantities. In addition, amphibians consume large quantities of insects and other prey items.

**B. Who is likely to suffer if your solution is adopted?**

The pet trade may be negatively impacted if it is forced to restrict import of species that could be detrimental to native amphibians, and/or if veterinary or laboratory services must be utilized to verify the disease status of animals intended for import to Alaska.

**7. List any other solutions you considered and why you rejected them.**

1. Changing the definition of "fish" to exclude amphibians and subsequently defining amphibians as "game." We chose to reject this solution because many statuses would be impacted and regulatory authority would need to shift between the Division of Sportfish and the Division of Wildlife Conservation.
2. Creating either a "clean list" of amphibian species that can be legally imported to the state or a "restricted species" list for those that cannot. We rejected this solution because of the dynamic nature of this issue and the resulting need to regularly update such a list.

**DO NOT WRITE HERE**

Submitted By: Alaska Herpetological Society  
Name / Signature

Individual or Group

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Anchorage, AK

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