



## **Alaska Rodent Laws**

### **Effective September 17, 2007**

The Alaska Board of Game has adopted key changes in state wildlife regulations pertaining to rodents. These changes, which became effective September 17, 2007, are summarized below. All rat-related sections that were affected by the Board's actions in 2007 are also included below.

Note: This handout does not summarize the full suite of existing Alaska wildlife regulations relating to rodents.

#### **Summary:**

1. Allows the take of "deleterious exotic wildlife" (including rats) with rodenticides in certain situations; otherwise it still requires the approval of the BOG.
2. Prohibits the feeding of "deleterious exotic wildlife" or negligently leaving food or garbage in a manner that attracts them.
3. Prohibits a vessel (or other means of transportation) from harboring Muridae (Old World) rodents.
4. Prohibits a facility (including harbors, ports, airports and food processing facility) from harboring Muridae rodents; and if they do, they must eradicate or control them.
5. Changes or creates the legal definition of "feral domestic animals" (and allows the Commissioner to destroy them in an appropriate manner), "deleterious exotic wildlife," "nuisance wildlife," "invasive species" and "Muridae rodent."

**5 AAC 92.029 Permit for possessing live game** (d) Under this section, and in accordance with the definition of "game" in AS 16.05.940 (which includes feral domestic animals), a (1)game animal defined as deleterious exotic wildlife or a nonindigenous gallinaceous bird is feral if the animal is not under direct control of an owner, including being confined in a cage or other physical structure, or being restrained on a leash; the commissioner may capture, destroy, or dispose of any feral deleterious exotic wildlife or feral nonindigenous gallinaceous bird in an appropriate manner.

**5 AAC 92.080(2) Unlawful methods of taking game; exceptions.** The following methods of taking game are prohibited:

- (2) with the use of any poison or any substance that temporarily incapacitates game, except with the written consent of the board; the use of poisons for taking deleterious exotic wildlife within a building, vessel, port, vehicle, or aircraft, is authorized without board approval when using Alaska Department of Environmental Conservation registered pesticides in their approved manner.

**5 AAC 92.230 Feeding of game.** Except under terms of a permit issued by the department, a person may not intentionally feed a moose, deer, elk, bear, wolf, coyote, fox, wolverine, or deleterious exotic wildlife, or negligently leave human food, pet food, or garbage in a manner that attracts these animals. However, this prohibition does not apply to use of bait for trapping furbearers or deleterious exotic wildlife, or hunting black bears, wolf, fox, or wolverine under 5 AAC 84 – 5 AAC 92.

**5 AAC 92.141. Transport, harboring, or release of live Muridae rodents prohibited.** (a) It is unlawful for the owner or operator of a vessel, vehicle, aircraft, structure being translocated, or other means of conveyance to knowingly or unknowingly harbor live Muridae rodents, or to enter Alaska (including Alaskan waters) while knowingly or unknowingly harboring live Muridae rodents. (b) It is unlawful for an individual to release to the wild any live Muridae rodent. (c) It is unlawful for the owner or operator of a facility to knowingly or unknowingly harbor live Muridae rodents. The owner or operator of a harbor, port, airport, or food processing facility in which live Muridae rodents have been found shall develop and implement an ongoing rodent response and eradication or control plan.

### **5 AAC 92.990 Definitions**

(52) “deleterious exotic wildlife” means any starling, English sparrow, or raccoon; any Muridae rodent, rockdove or Belgian hare that is unconfined or unconstrained; and any feral ferret or feral swine.

(73) “nuisance wildlife” includes

(A) a feral domestic bird or mammal, deleterious exotic wildlife, unclassified game, small game, fur animals or furbearers, except wolf, wolverine, or lynx, or migratory bird for which there is a federal depredation order for this state issued under 50 CFR Sec. 21.43;

(B) an animal that invades or comes to occupy a dwelling, vessel, vehicle, structure, or storage container; causes property damage, or is an invasive or introduced nonnative species that poses immediate or long-term threats to human health, safety, or property or to native wildlife, wildlife health, or habitat.

(76) “invasive species” means a nonnative species whose introduction does or is likely to cause economic or environmental harm or harm to human health; this includes all of the species listed in 5 AAC 92.990(52).

(77) “Muridae rodent” includes true mice and rats, gerbils, and their relatives.

### **Penalties for Violation of State Rodent Laws**

Troopers from the Division of Alaska Wildlife Troopers have the authority and responsibility to enforce state wildlife statutes and regulations. Violations are a Class A misdemeanor and require a mandatory court appearance (unless identified as a bailable violation). For an individual, a Class A misdemeanor carries a fine of up to \$10,000 and up to one year in jail. For organizations (including any commercial entity, group, or entity other than a sole individual), a Class A misdemeanor carries a fine of up to \$200,000 and up to 3 times the pecuniary (economic) gain realized by the defendant as a result of the offense or up to 3 times the pecuniary damage caused by the defendant to another, or to the property of another as a result of the offense.