

ALASKA BOARD OF GAME

Board ACRs & Petitions

- #1 Joint Board Petition Policy
- #2 Agenda Change Request Policy
- #3 Petition #1 - Closure for taking wolves on state lands near Denali National Park, Unit 20
- #4 ACR #1 - Require non-subsistence user camps to be spaced 3-5 miles apart in the Noatak Controlled Use Area.
- #5 ACR #2 – Allow 1,000 caribou to pass the Noatak River before sport hunters can come to the river.
- #6 ACR #3 - Extend the boundaries of the Noatak Controlled Use Area

5 AAC 96.625. JOINT BOARD PETITION POLICY

- (a) Under AS 44.62.220, an interested person may petition an agency, including the Boards of Fisheries and Game, for the adoption, amendment, or repeal of a regulation. The petition must clearly and concisely state the substance or nature of the regulation, amendment, or repeal requested, the reason for the request, and must reference the agency's authority to take the requested action. Within 30 days after receiving a petition, a board will deny the petition in writing, or schedule the matter for public hearing under AS 44.62.190--44.62.210, which require that any agency publish legal notice describing the proposed change and solicit comment for 30 days before taking action. AS 44.62.230 also provides that if the petition is for an emergency regulation, and the agency finds that an emergency exists, the agency may submit the regulation to the lieutenant governor immediately after making the finding of emergency and putting the regulation into proper form.
- (b) Fish and game regulations are adopted by the Alaska Board of Fisheries and the Alaska Board of Game. At least twice annually, the boards solicit regulation changes. Several hundred proposed changes are usually submitted to each board annually. The Department of Fish and Game compiles the proposals and mails them to all fish and game advisory committees, regional fish and game councils, and to over 500 other interested individuals.
- (c) Copies of all proposals are available at local Department of Fish and Game offices. When the proposal books are available, the advisory committees and regional councils then hold public meetings in the communities and regions they represent, to gather local comment on the proposed changes. Finally, the boards convene public meetings, which have lasted as long as six weeks, taking department staff reports, public comment, and advisory committee and regional councils reports before voting in public session on the proposed changes.
- (d) The public has come to rely on this regularly scheduled participatory process as the basis for changing fish and game regulations. Commercial fishermen, processors, guides, trappers, hunters, sport fishermen, subsistence fishermen, and others plan business and recreational ventures around the outcome of these public meetings.
- (e) The Boards of Fisheries and Game recognize the importance of public participation in developing management regulations, and recognize that public reliance on the predictability of the normal board process is a critical element in regulatory changes. The boards find that petitions can detrimentally circumvent this process and that an adequate and more reasonable opportunity for public participation is provided by regularly scheduled meetings.
- (f) The Boards of Fisheries and Game recognize that in rare instances circumstances may require regulatory changes outside the process described in (b) - (d) of this section. Except for petitions dealing with subsistence hunting or fishing, which will be evaluated on a case-by-case basis under the criteria in 5 AAC 96.615(a), it is the policy of the boards that a petition will be denied and not schedule for hearing unless the problem outlined in the petition justifies a finding of emergency. In accordance with state policy expressed in AS 44.62.270, emergencies will be held to a minimum and are rarely found to exist. In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future. (Eff. 9/22/85, Register 95; am 8/17/91, Register 119; readopt 5/15/93, Register 126)

Authority: AS 16.05.251, AS 16.05.255, AS 16.05.258

ALASKA BOARD OF GAME AGENDA CHANGE REQUEST POLICY

Because of the volume of proposed regulatory changes, time constraints, and budget considerations, the boards must limit their agendas. The boards attempt to give as much advance notice as possible on what schedule subjects will be open for proposals. The following regulations specifies how the Board of Game considers agenda change requests (5 AAC 92.005):

5 AAC 92.005. Policy for changing board agenda. (a) The Board of Game may change the board's schedule for considering proposed regulatory changes in response to an agenda change request, submitted on a form provided by the board, in accordance with the following guidelines:

- (1) an agenda change request to consider a proposed regulatory change outside the board's published schedule must specify the change proposed and the reason the proposed change should be considered out of sequence;
- (2) the board will accept an agenda change request only
 - a. for a conservation purpose or reason;
 - b. to correct an error in a regulation; or
 - c. to correct an effect on a hunt that was unforeseen when a regulation was adopted;
- (3) the board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling;
- (4) a request must be sent to the executive director of the boards support section at least 60 days before a scheduled meeting unless the board allows an exception to the deadline because of an emergency;
- (5) the executive director shall attempt to obtain comments on the request from as many board members as can be contacted; and if a majority of the board members contacted approve the request, the executive director shall notify the public and the department of the agenda change and when the board will consider the proposed regulatory change requested;

(b) The board may change the board's schedule for consideration of proposed regulatory changes as reasonably necessary for coordination of state regulatory actions with federal agencies, programs, or laws.

Note: The form in 5 AAC 92.005 is available on the Board of Game webpage at: <http://www.adfg.alaska.gov/index.cfm?adfg=gameboard.forms> or by contacting the Department of Fish and Game, Boards Support Section office (907) 465-4110.



THE ALASKA WILDLIFE ALLIANCE
"LETTING NATURE RUN WILD"

February 23, 2015

Kristy Tibbles, Executive Director
Alaska Board of Game
Boards Support Section
PO Box 115526
Juneau, AK 99811-5526
Via email: kristy.tibbles@alaska.gov

RE: Alaska Wildlife Alliance (revised) Petition for Emergency Regulation (Denali Buffer)

Dear Kristy,

The Alaska Wildlife Alliance is hereby submitting its revised 2015 Petition for Emergency Regulation (Denali Buffer) and (2) attachments to the Alaska Board of Game:

1. Petition Requesting Alaska Board of Game to Adopt Emergency Regulation Closing State Lands to Taking of Wolves – a "Denali Buffer" – Along the Eastern Boundary of Denali National Park (GMU 20), dated February 23, 2015;
2. 2012 Emergency Wolf Buffer Petition map; and
3. DNP Spring 2014 Wolf Population Estimate map.

We would appreciate it if the above Petition would be included on the agenda for consideration at the Board's March meeting in Anchorage.

Finally, please confirm receipt of the above documents, and if possible, that the Petition will be included on the March agenda.

If you need anything else from AWA, or if you have any questions, please let me know.

Thank you very much for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Connie Brandel".

Connie Brandel
Office Manager
Alaska Wildlife Alliance

Petition Requesting Alaska Board of Game to Adopt Emergency Regulation Closing State Lands to Taking of Wolves – a “Denali Buffer”- Along the Eastern Boundary of Denali National Park (GMU 20)

February 23, 2015

**Petitioners: Alaska Wildlife Alliance (AWA)
Denali Citizens Council (DCC)
National Parks Conservation Association (NPCA)
Dave Braun
Tina Brown
Marybeth Holleman
Sherrie Jans
Nick Jans
Johnny Johnson
Rick Steiner**

1. Legal context

This petition, filed pursuant to AS 44.62.220 and Joint Board Petition Policy (5 AAC 96.625(f)), requests the Alaska Board of Game to establish an Emergency Regulation closing state lands identified below in Game Management Unit (GMU) 20 along the eastern boundary of Denali National Park to the taking of wolves.

Under the Joint Board Petition Policy, (5 AAC 96.625(f)), an emergency is defined *inter alia* as “an unforeseen, unexpected event that...threatens a fish or game resource.” Thus, the legal threshold for emergency action proposed herein is that there exists a threat to a “game resource,” and that this threat was “unexpected” and “unforeseen” by the Board. As discussed below, both threshold conditions are clearly met in this case.

This petition does not assert that there exists a threat to the wolf populations across GMU 20, or even sub-units GMU 20C or GMU 20A, nor does it propose protecting such. The petition proposes simply that a small subset of the GMU 20 wolf population – the twenty to thirty individual animals that comprise what had been the most viewed 3 or 4 wolf packs in eastern Denali National Park – is at risk from take on adjacent state lands, and asks the State to grant protection to this small, unique subset of the GMU 20 wolf population due to its significant and disproportionate economic value to Alaska.

It is important to note that nowhere does Joint Board Policy 5 AAC 96.625(f) state that, to be eligible for emergency action, a threat to a game resource must be found to exist across an entire GMU, entire GMU sub-unit, or entire wildlife population. Nor does the statute/policy identify a threshold level of decline or threat that must be found to exist. In fact, the language is silent as to the geographic, ecological, or economic scale across which a threat must extend, and the severity of decline or threat that must be found, in order to be eligible for emergency regulation by the Board. While traditionally the Board and Department have interpreted the emergency regulation statute/policy to apply only across broad geographic areas (e.g., across entire GMUs), or threats/declines to entire populations, the statute/policy itself clearly does not impose such limitations.

Thus, it is permissible and entirely appropriate to apply the statute/policy to a small sub-area and unique sub-population of a wildlife resource, such as the few wolf packs important for wildlife tourism in eastern Denali National Park. We note that Denali National Park contributes over \$500 million each year to the state economy, and one of the main reasons tourists come to Denali is to see wildlife, including wolves.

The petitioners respectfully request that the Board place this Emergency Petition on its March 2015 meeting agenda, solicit and consider public comment, and act affirmatively on the petition.

2. *Unforeseen and unexpected threat to game resource requiring emergency action*

The unexpected and precipitous decline in the Denali wolf resource (population and viewing success) clearly meets the threshold for emergency action by the Board.

The wolf population across the 6 million acre park and preserve has declined from 143 wolves in fall 2007 to just 50 in fall 2014 – a drop of almost 2/3 in just six years. The spring 2014 wolf count in the park of just 50 wolves was the lowest in the park's historical record, and remained at 50 in the fall count. It is highly unusual, indeed worrisome, that the 2014 Denali wolf population did not increase over the summer as it traditionally does.

Given the low count in fall 2014, it is expected that the wolf count for the park in spring 2015 survey will be even lower, likely again the lowest in the historical record. As well, it is expected that visitor viewing success of Denali wolves will remain extremely low in coming years, unless and until there is protection from trapping/hunting on state lands along the park boundary.

Just since the Board of Game removed the no-take Denali buffer in 2010, wolf-viewing success for the park's 400,000 annual visitors has dropped precipitously - from 44% in 2010, to 21% in 2011, 12% in 2012, to just 4% in 2013 (the most recent year for which these data have been reported). As far as we are aware, this

precipitous decline in wildlife viewing success is unprecedented in the history of the U.S. National Park system.

We recognize that natural factors may be involved in the wolf population and viewing decline, but it is clear that trapping/hunting take of important breeding individuals on state lands north and east of the park is also a contributing factor. And while wildlife managers can't do much about natural causes, they can and should help to restore this game resource by minimizing additional losses from trapping/hunting.

As example of the potential effect of wolf take along the park boundary, the April 2012 snaring of the last breeding female wolf from the Grant Creek pack – formerly the most often viewed wolf pack in Denali National Park – on state lands just outside the park boundary (within the former buffer that was eliminated by the Board in 2010), resulted in the pack not having pups that year, not denning, and ultimately the pack's dispersal. Visitor viewing success for wolves in the park that summer dropped 9%, from 21% the previous year to just 12%.

The snaring of this one female wolf on state lands resulted in tens of thousands of national park visitors, Alaskans and non-Alaskans, being deprived of the opportunity to view wolves in Denali that year, leading to a significant loss in the tourism amenity of the park. Further, this trapping take and impact on Denali National Park resources received national media attention, resulting in significant damage to the State of Alaska's commitment to sustainable wildlife management, and to Alaska's reputation as a wildlife tourism destination.

Subsequent studies by Denali National Park wildlife biologists confirmed previously published studies – that the loss of significant breeding individuals from a wolf family group can, and often does, cause the family group to disband.

In addition, most of the members of the former Nenana River pack were taken outside the park in 2013, and the pack is no longer listed in the Denali wolf pack database.

It is inarguable that the take of wolves on state lands adjacent to Denali National Park and Preserve has caused significant, deleterious impacts to park wolves - an Alaska *game resource* - and this impact was *unforeseen* and *unexpected* by the Board of Game in 2010 when it eliminated the buffer and imposed the 6-year moratorium on future proposals, and in 2012 when it declined the two previous emergency petitions.

Importantly, additional take of park wolves on state lands along the park boundary in spring 2015 could cause similar, or even more significant, deleterious impacts to this valuable wildlife and economic resource. There is clearly need for emergency action by the Board of Game.

3. Necessity of Petition for Emergency Regulation

The emergency petition process is necessary in this case for a number of reasons. First, at its 2010 meeting, the Board imposed a 6-year moratorium on further consideration of any Denali buffer proposals through its normal proposal process. Some of our petitioners formally requested in 2012 that the Board eliminate this moratorium, but the request was unanimously denied by the Board at its January 2013 meeting.

In May and June 2012, some of the current petitioners asked the ADF&G Commissioner on two separate occasions to issue an Emergency Order (under AS 16.050.060) closing state lands east of the park to take of wolves. The Commissioner denied both requests, stating at the time that the only option to enact such a closure would be to petition the Board of Game directly.

Accordingly, we then petitioned the Board of Game twice, in September and October 2012, both of which were denied without comment. Subsequently, many of the concerns raised in the 2012 Emergency Petitions regarding the impact of trapping/hunting of park wolves on state lands along the boundary have, unfortunately, been realized.

On December 1, 2014, some of the current petitioners asked the newly appointed ADF&G Commissioner to issue an Emergency Order to close this area, and the request was denied on Dec. 11, 2014. In his denial, the Interim Commissioner deferred again to the Board of Game.

Thus, an emergency petition is necessary in this instance as the significance and negative consequences to Alaska wildlife resources caused by the take of individual animals in the former closed areas were clearly *unforeseen* and *unexpected* by the Board when it eliminated the closure in 2010, imposed the moratorium, and denied the 2012 petitions.

If the threat to Denali wolf family group integrity and visitor viewing is not immediately remedied by Board action requested herein, there likely will be additional take of significant individuals this spring, resulting in further long-lasting impacts and lost value of the resource, to the detriment of the park and the Alaska tourism economy.

4. Emergency Regulation Requested

This petition respectfully requests that the Board of Game immediately adopt the following Emergency Regulation:

Take of wolves is prohibited on state lands (GMU 20), in the area bounded on the west by the east boundary of Denali National Park; extending east to one mile east of, and parallel to, the Anchorage-Fairbanks Intertie Electrical Power Line; on the south by Carlo Creek; and on the north by a line from the southeast corner of Township 11S, Range 9W (Latitude 63 degrees, 55 minutes North), due east to the George Parks Highway, then south along the Parks Highway to a line running due east from the Highway through the town of Healy, to one mile east of the Intertie Line; inclusive of all State lands west of the George Parks Highway commonly referred to as the “Wolf Townships,” and/or “Stampede Trail” (see attached *2012 Emergency Wolf Buffer Petition* map).

The proposed boundaries for the closed area coincide approximately with the Denali National Park wolf population area, delineated by telemetry locations (see attached *DNP Spring 2014 Wolf Population Estimate* map). It is clear from park telemetry data that the home range of several park packs extends into the limited area of state land adjacent to the park boundary that is proposed for closure. [Note: this 2014 DNP wolf home range map was based on the historically low wolf population of 2013/2014].

The proposed closed area is larger than the former closed area that was eliminated in 2010, but smaller than the 2010 proposal from the Anchorage Fish & Game Advisory Committee to expand it. The proposed area would provide significant, but not complete, protection to park wolves, and would provide a reasonable chance for the restoration of the wolf viewing opportunities within Denali National Park – a valuable Alaska game resource.

5. Beneficiaries of the Requested Regulation

- Park visitors who want to see wolves in the wild (400,000+ annual visitors).
- Tour operators and the Alaska tourism industry.
- Trappers statewide, as the public is less likely to develop anti-trapping opinions from seeing injured wolves and learning of wolf take adjacent to park boundaries.
- State of Alaska’s reputation for wildlife management.
- Public safety for people and pets using the Stampede Trail area.
- People who value the concept of conservation areas for wildlife.

6. Those Disadvantaged by the Requested Regulation

A few sport trappers and hunters who have operated in the area in recent years would need to relocate their trap lines and hunts out of the closed area, away from the park boundary, but would retain access to all other areas nearby open to trapping.

7. Benefit/Cost of Requested Emergency Regulation

The significant advantages deriving from this proposed rule to Alaska citizens, Alaska's tourism economy, the State of Alaska, and others greatly outweigh the inconvenience of the few hunters and trappers having to relocate their operations.

8. Conclusion

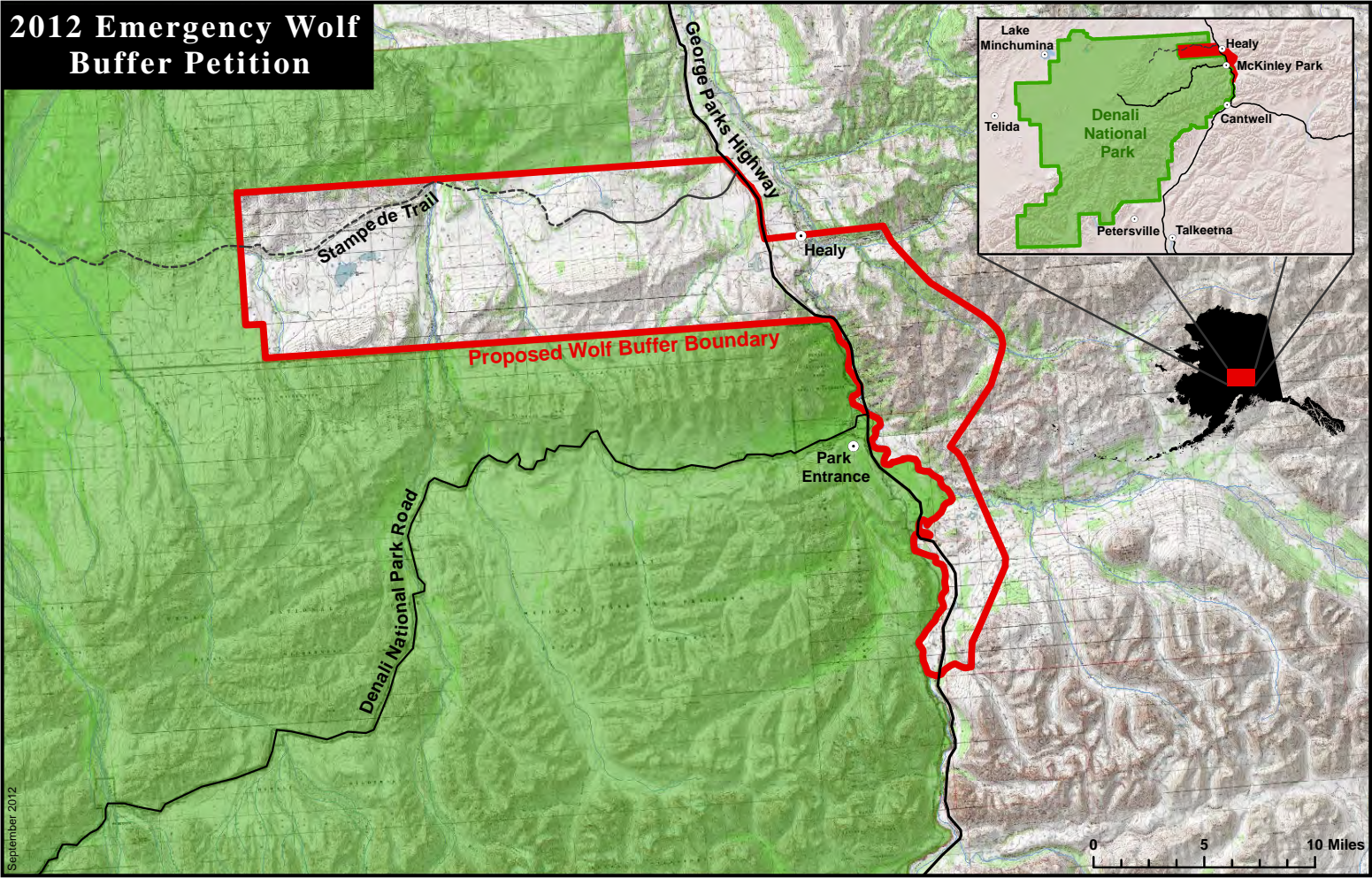
Article VIII of the Alaska Constitution – *Natural Resources* – stipulates that natural resources will be managed as a “public trust,” providing “for maximum use consistent with the public interest,” and for the “utilization, development, and conservation...for the maximum benefit of (the) people.” Clearly, this constitutional provision provides for non-consumptive uses of wildlife such as *wildlife viewing*, along with consumptive uses such as *hunting and trapping*.

Regarding this issue, there is significant value to *thousands of Alaskans* provided by the viewing of Denali National Park wolves. The value and public interest to thousands of Alaskans provided by seeing Denali wolves, as well as the value to the many Alaskan businesses reliant on this wildlife viewing tourism, should greatly outweigh the value and public interest of just a few individuals being allowed to continue trapping and hunting Denali wolves along the park boundary. It would be irrational, and we suggest unconstitutional, to continue placing the interests of a few Alaskans over the interests of thousands of Alaskans.

Emergency regulation by the Board is clearly appropriate in this case, as there is a clear *threat* to an important Alaska *game resource* that was *unforeseen* and *unexpected*. This emergency petition presents significant new information showing the severity of impact of the take of park wolves on state lands: two park packs (Grant Creek and Nenana River) were severely affected by take in 2012 and 2013 on state lands along the boundary; visitor viewing success of park wolves dropped from an estimated 45% in 2010 to just 4% in 2013; the drop in viewing success of Denali wolves has, and will continue to, cost the local and state economy; the fall 2014 park wolf count did not increase above the historic low spring count; and the Alaska Constitution requires that wildlife resources be managed for the greater public interest, not narrow interests.

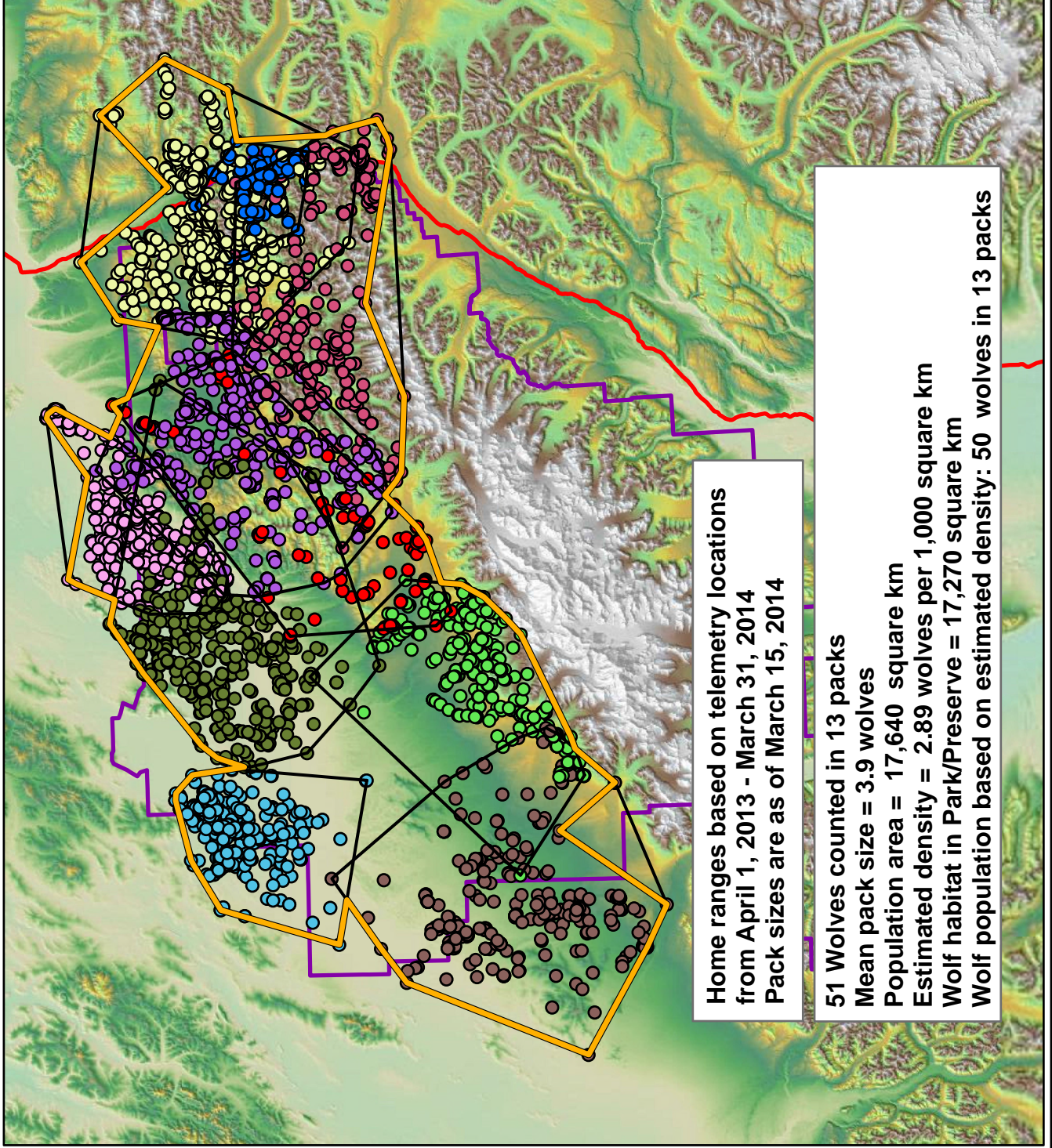
Thus, petitioners respectfully ask the Board to deliberate this issue thoughtfully, place the petition on the March 2015 Board meeting agenda, solicit public comment, and approve the requested emergency regulation.

2012 Emergency Wolf Buffer Petition



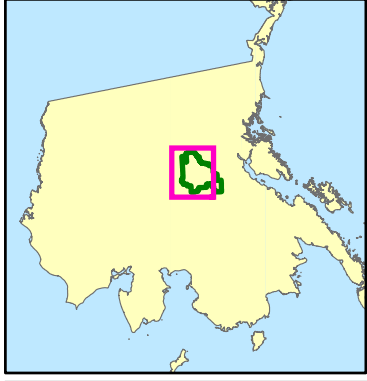
Spring 2014 Wolf Population Estimate

National Park Service
U. S. Department of the Interior



Home ranges based on telemetry locations from April 1, 2013 - March 31, 2014
Pack sizes are as of March 15, 2014

51 Wolves counted in 13 packs
Mean pack size = 3.9 wolves
Population area = 17,640 square km
Estimated density = 2.89 wolves per 1,000 square km
Wolf habitat in Park/Preserve = 17,270 square km
Wolf population based on estimated density: 50 wolves in 13 packs



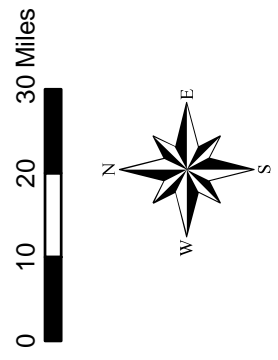
Legend

- Population Area
- Pack Territories

Pack Name (size)

- Bearpaw (1)
- East Fork (15)
- Grant Creek (7)
- Hot Slough (3)
- Iron Creek East (4)
- Iron Creek West (6)
- John Hansen (7)
- McKinley Slough (4)
- Riley Creek (2)
- Somber (2)

- George Park Highway
- Park Boundary



March 15, 2014

ACR 1 – Require non-subsistence user camps to be spaced 3-5 miles apart in the Noatak Controlled Use Area

SUBMITTED BY: Noatak and Kivalina Advisory Committee

MEETING ACR SUBMITTED FOR: 2016 Statewide Regulations

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.
5 AAC 92.540(9).

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. The caribou migration is being diverted from the villages of Noatak and Kivalina by people who are using aircraft and camping along the Upper Noatak River.

WHAT SOLUTION DO YOU PREFER? Space non-subsistence user camps apart 3-5 miles so that caribou can cross the river in their migration.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE.

a) for a conservation purpose or reason:

b) to correct an error in regulation:

c) to correct an effect on a hunt that was unforeseen when a regulation was adopted: The effect that was unforeseen when this regulation was adopted was the change in migration route due to an increase in the number of non-subsistence hunters in the migration corridors causing the caribou to migrate away from the villages of Noatak and Kivalina. This migration change has caused a decrease in accessibility to the Western Arctic Caribou Herd which means spending more money on gas \$1000-1500 per trip and still not getting caribou. The village of Noatak has not gotten caribou in the last three years.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE? The villages of Noatak and Kivalina will spend an additional year beyond the last three not having the caribou that they need to provide for subsistence use. We ask the board to consider this for next year.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE. This proposal is somewhat allocative, however there is new information that needs to be considered.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

- The subsistence needs for caribou of the villages of Noatak and Kivalina and are not being met.
- The caribou migrations are being diverted away from the villages of Noatak and Kivalina have been for three years by hunters who are too densely populated along the river causing the caribou to move further out of their normal migration that would normally go through the current

Controlled Use Area which was established to protect traditional hunting areas by people in Noatak and Kivalina.

-Young people are losing valuable information and time with elders who are passing on such as; caribou hide preparation, sewing, and hunting skills. We are losing our cultural identity with our caribou.

-People are spending substantial amounts of money (\$1000-1500) to try to get caribou and unsuccessful.

STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. Subsistence users who trap and hunt.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING. It has not been considered before.

ACR 2 – Allow 1,000 caribou pass the Noatak River before sport hunters can come to the river.

SUBMITTED BY: Noatak and Kivalina Advisory Committee

MEETING ACR SUBMITTED FOR: 2016 Statewide Regulations

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.
5 AAC 92.540(9).

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. The caribou migration is being diverted from the villages of Noatak and Kivalina by people who are using aircraft and camping along the Upper Noatak River.

WHAT SOLUTION DO YOU PREFER? Let 1,000 caribou pass the Noatak River before any sport hunters can come to the Noatak River.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE.

a) for a conservation purpose or reason:

b) to correct an error in regulation:

c) to correct an effect on a hunt that was unforeseen when a regulation was adopted: When the original CUA was established it made a no fly zone in a specific area, however, the density of hunters has condensed and moved up river preventing the leader caribou from guiding the rest of the herd to the Noatak and Kivalina region. If 1,000 caribou were allowed to pass it would allow the trails to be established.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE? The villages of Noatak and Kivalina will spend an additional year beyond the last three years not having the caribou that they need to provide for subsistence use. We ask the board to consider this for next year.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE. This proposal is somewhat allocative, but new information has come about.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE

-Subsistence needs for caribou of the villages of Noatak and Kivalina are not being met.

-The caribou migrations are being diverted away from the villages of Noatak Kivalina and have been for three years by hunters who are too densely populated along the river causing the caribou to move further out of their normal migration that would normally go through the current Controlled Use Area which was established to protect traditional hunting areas by people in Noatak and Kivalina.

-Young people are losing valuable information and time with elders who are passing on such as; caribou hide preparation, sewing and hunting skills. We are losing our identity with the caribou.

-People are spending substantial amounts of money (\$1000-1500) to try to get caribou and are unsuccessful.

STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. Subsistence users who trap and hunt.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING. It has not been considered before.

ACR 3 – Extend the boundaries of the Noatak Controlled Use Area.

SUBMITTED BY: Noatak and Kivalina Advisory Committee

MEETING ACR SUBMITTED FOR: 2016 Statewide Regulations

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.
5 AAC 92.540(9).

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. The caribou migration is being diverted from the villages of Noatak and Kivalina by people who are using aircraft and camping along the Upper Noatak River.

WHAT SOLUTION DO YOU PREFER? Extend the boundaries of the Controlled Use Area to Makpik Creek, extending the CUA approximately 20 miles beyond the current boundary.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE.

a) for a conservation purpose or reason:

b) to correct an error in regulation:

c) to correct an effect on a hunt that was unforeseen when a regulation was adopted: When the original CUA was established it made a no fly zone in a specific area, however, this area has proved to not be accomplishing the function of allowing the movement of caribou past Noatak and Kivalina as they are being diverted out of the river corridors. Extending the CUA to Makpik Creek, extending the CUA approximately 20 miles.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE? The villages of Noatak and Kivalina will spend an additional year beyond the last three years not having the caribou that they need to provide for subsistence use. We ask the board to consider this for next year.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE. This proposal is somewhat allocative, but new information has come about.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE

-Subsistence needs for caribou of the villages of Noatak and Kivalina are not being met.

-The caribou migrations are being diverted away from the villages of Noatak Kivalina and have been for three years by hunters who are too densely populated along the river causing the caribou to move further out of their normal migration that would normally go through the current Controlled Use Area which was established to protect traditional hunting areas by people in Noatak and Kivalina.

-Young people are losing valuable information and time with elders who are passing on such as; caribou hide preparation, sewing and hunting skills. We are losing our identity with the caribou.

-People are spending substantial amounts of money (\$1000-1500) to try to get caribou and are unsuccessful.

STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. Subsistence users who trap and hunt.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING. It has not been considered before.