



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS
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Chairman Ted Spraker
Alaska Board of Game
P.O. Box 115526
Juneau, AK. 99811-5526

Dear Chairman Spraker,

The following comments outline the position the Department of Public Safety, Division of Alaska Wildlife Troopers have on the proposals up for consideration during the January 2017 Board of Game meeting in Bethel.

When the board considers seasons and/or bag limit changes, the Alaska Wildlife Troopers request every effort be made to align seasons and bag limits with adjacent game management units/sub units creating consistency of the regulations for the public. When the board considers proposals with allocation or biological concerns, we strive to remain neutral.

Alaska Wildlife Troopers recognize regulations are developed by the Alaska Board of Game through the public process to support management plans and rely on public compliance with regulations to achieve success. Alaska Wildlife Troopers respectfully request the board recognize any new regulation or area restriction may result in additional burdens on Alaska Wildlife Troopers due to our limited resources, personnel and budget.

Sincerely,

Paul L. Fussey

Lieutenant, Alaska Wildlife Troopers

Alaska Wildlife Troopers Responses to the Board of Game Proposals
Bethel 2017
Arctic/Western Region Meeting

PROPOSAL 4 5 AAC 92.085. Unlawful methods of taking big game; exceptions. Institute no-fly zones for caribou hunting in Units 21D, 22, 23, 24, & 26A as follows:

Aircraft restricted to only Friday, Saturday, Sunday and Monday. This will leave Tuesday, Wednesday and Thursday to a no-fly zone allowing local villagers to have quiet hunting times and no aircraft noises. This proposal will affect Units and Subunits of 21D, 22, 23, 24 and 26A. Hunters in this area because of weather will need to be prepared to carry with them three days of provisions in case aircraft can't get in to get them out of the area.

What is the issue you would like the board to address and why? Western Arctic caribou herd (WAH) declining population numbers. During the WAH meeting in December 2015 and the Regional Advisory Council meetings March of 2016 in Anchorage, information released to the public shows numbers going from 495,000 to 235,000 animals. Local people think aircraft are part of the reason. They attempted to try a correction with proposal WSA16-01.

The Alaska Wildlife Troopers do not support this proposal as it would be extremely hard to enforce. This proposal, if passed, can only be enforced by checking all aircraft for possible caribou. The Department of Public Safety is the lead agency for search and rescues in the state. The restrictions in flying imposed by this regulation have the potential to create life threatening situations and thereby creating a search and rescue mission for stranded hunters. This proposal fails to address a specified time during the calendar year and would be in effect year round. This proposal would not prohibit an individual or professional business from conducting hunts for moose, bear, or other game during the aircraft restriction dates. This proposal would create an undue burden on the Alaska Wildlife Troopers and their dwindling budget.

PROPOSAL 17 -5 AAC 92.990(26). Definitions. Change the definition of "edible meat" for game birds as follows:

"Edible meat" means, in the case of a big game animal, except a bear, the meat of the ribs, neck, brisket, front quarters, hindquarters, and the meat along the backbone between the front and hindquarters; in the case of a bear, the meat of the front quarters and hindquarters and meat along the backbone (backstrap); **for all game birds, the meat from the breast, back, thighs, legs;** [IN THE CASE OF SMALL GAME BIRDS, EXCEPT FOR CRANES, GEESE AND SWAN, THE MEAT OF THE BREAST; IN THE CASE OF CRANES, GEESE, AND SWAN, THE MEAT OF THE BREAST AND MEAT OF THE FEMUR AND TIBIA-FIBULA (LEGS AND THIGHS);] however, "edible meat" of big game or small game birds does not include meat of the head, meat that has been damaged and made inedible by the method of taking, bones, sinew, incidental meat reasonably...

What is the issue you would like the board to address and why? Define edible meat for all game birds in Units 12, 18, 19, 20, 21, 22, 23, 24, 25, 26A, 26B, and 26C to reduce or eliminate wanton waste of migratory birds.

During the spring 2015 Alaska Migratory Bird Co-Management Council (AMBCC) meeting wanton waste language was adopted similar language for the spring/summer subsistence harvest season defining edible meat “human consumption” as: the meat from the breast, back, thighs, and legs. We would like to place the wings, gizzard and heart in the category of “human use” which would allow these part to be used by humans for non-edible purposes, e.g., trapping. However, the head, neck, feet, other internal organs and skin are optional.

The Alaska Wildlife Troopers do not support this proposal as it would create 2 separate definitions for edible meat pertaining to game birds. The proposer seeks to change the definition under 5AAC 92.990; however, they are only asking for it to apply to certain areas. The Alaska Wildlife Troopers respectfully ask the board to consider possible enforcement complications with this proposal. An individual traveling on the Nebesna Rd. from unit 11 to 12 would have separate salvage requirements.

There is currently not a definition for human use under 5AAC 92.990, which further compounds the enforceability of this proposal. The Alaska Wildlife Troopers request every effort be made to align seasons and bag limits with adjacent game management units/sub units creating consistency of the regulations for the public.

The current definition of edible meat was created by the board in July 2014 and is statewide not regional.

PROPOSAL 43 -5 AAC 92.080(4-5). Unlawful methods of taking game; exceptions. Allow the use of snowmachines to position and harvest brown bears and furbearers in Unit 23 as follows:

A snowmachine may be used to position a caribou, wolf, wolverine, **grizzly bear or furbearers** for harvest, and a caribou, wolf, wolverine, **grizzly bear or furbearers** may be shot from a stationary snowmachine in Unit 23.

What is the issue you would like the board to address and why? Include grizzly bears and furbearers to the language allowing an exception to the use of snowmachines to position caribou, wolves, and wolverines for harvest in Unit 23. These animals are hunted and harvested in the same way as caribou, wolves, and wolverines in Unit 23, but the focus for the original proposal was on the caribou, wolves, and wolverines, which are the most commonly harvested and most sought-after species in the region by the greatest number of people (although many proposal supporters, including Tribes in Unit 23, requested a broader application of the use of snowmachine hunting at the time of the original proposal). However, it would be beneficial for all the same reasons expressed during the consideration of the original snowmachine use proposal to include grizzly bears and furbearers and have consistency for hunters in Unit 23 while pursuing all these species. No increase in harvest, or abuse of the use of snowmachines for hunting, has been noted since the implementation of the allowance of snowmachine use for hunting caribou, wolves, and wolverines, as was the main concern expressed by the opposition at the time of the original proposal.

The Alaska Wildlife Troopers do not support this proposal.

The proposal to modify the hunting restrictions for wolves, wolverines, and caribou by snowmachine was originally submitted for the 2014 Arctic/Western Region meeting, the Board of Game requested this proposal be scheduled for the 2014 Statewide Regulations meeting in Anchorage. The proposal was submitted as proposal 177 and passed after lengthy debate from the public and board members. The original proposal stemmed from a case regarding an individual chasing a wolverine for several miles with a snowmachine before finally shooting it in the open. Last year a case was adjudicated regarding individuals chasing a red fox for several miles before finally killing it.

The Alaska Wildlife Troopers have concerns regarding the enforceability and legal definitions of the exemptions allowed under 5AAC 92.080(4) which is contradictory to the harassing of game with a motorized vehicle under (5). For enforcement purposes how long may an individual chase an animal on a snowmachine to position it for harvest? Does this mean a short chase or is the individual allowed to chase the animal for several miles before they position it to harvest. The Alaska Wildlife Troopers find the regulation and proposal difficult to enforce as there is not a definition of position under 5AAC 92.990. Does this mean the animal is cornered, so tired it can no longer run away, or is it pinned under the stationary snowmachine?

In 2014 the Kotzebue Advisory Committee wrote in their public comments, “local people hunting these species with snowmachines will continue to live with the threat of prosecution for hunting with snowmachines the only way practical, making people feel like criminals and interfering with the ability to freely pursue these animals. Also, the allowance for snow machine use to position a hunter does not satisfactorily address the issue, as it does not clarify whether this includes actually tracking down caribou, wolves, or wolverine, including pursuing fleeing animals, until close enough to shoot.” These are the same concerns the Alaska Wildlife Troopers have concerning enforceability such as how far can an individual pursue a fleeing animal? Is it lawful to run the animal over, chase it from a distant or next to it at high speeds?

The current suggestion by the Kotzebue Fish and Game advisory committee statement, “no increase in harvest, or abuse of the use of snowmachines for hunting has been noticed since the implementation of the allowance of snowmachine use for hunting caribou, wolves, and wolverines”, highlights the difficulty in enforcing the current regulation and proposal 43.

If the board chooses to pass this proposal; consideration should be given to enforceability. What is acceptable and what is not acceptable. This is essential if the Alaska Wildlife Troopers are expected to enforce this regulation and consistently apply the law to those affected.

PROPOSAL 45 -5 AAC 92.540(9) (A). Controlled use areas. Require big game hunting camps to be three miles apart within and near the Noatak Controlled Use Area as follows:

(iii). Big game hunting camps are required to be spaced at least three miles apart on the Controlled Use Area and along the Agasisuak, Eli, and Squirrel Rivers. This would allow the caribou to migrate with less disruption.

What is the issue you would like the board to address and why? The disruption of big game hunting in the fall time on the Squirrel, Agasisauk, and Eli Rivers due to the increased density of hunters creating a barrier to the migration.

The Alaska Wildlife Troopers do not support this proposal. The requirement of the 3 mile spacing would be difficult to enforce logistically. This would require The Alaska Wildlife Troopers to attempt to and at each camp to determine if they are big game hunting and take GPS coordinates to determine if they are 3 miles from any other big game camp. A quandary for enforcement would be if a rafting party camps on a gravel bar for the evening not knowing a big game camp is already set up around a bend in the river. Who would receive a citation the second camp, first, or both? If an individual stages a camp before the season do they effectively keep other big game hunters from establishing camps? This would require the Alaska Wildlife Troopers to interview and inspect every camp, which is not logistically feasible. The Noatak Controlled use area is closed from 1 August – 30 September to the use of aircraft in any manner for big game hunting; however, this proposal would be in affect the entire year.

This proposal is meant for the caribou; however, it would task the Alaska Wildlife Troopers with trying to enforce the 3 mile buffer for all big game year round for all hunters, resident, non-resident, guided and non-guided alike. With the reduction in operating budgets, reduced flight hours and overtime the Alaska Wildlife Troopers will not be able to actively patrol this regulation for both monetary and logistical reasons.

The big game commercial services board had a similar regulation with a 2 mile buffer zone between camps. Due to the logistical difficulty of enforcing the 2 mile camp buffer they changed the wording in the regulation 12 AAC 75.340(d)(7).

PROPOSAL 157 - 5 AAC 85.065(a)(4)(G) Hunting seasons and bag limits for small game; and 99.025(12) Customary and traditional uses of small game. Set a customary and traditional use finding, and establish seasons and bag limits for Emperor geese as follows:

5 AAC 85.065(a)(4)(G) is repealed and readopted to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(G) Emperor geese		
Units 1-7, 11-16, 19-21, and 24-26	No open season.	No open season.
Units 9, 10 (Unimak Is. Only), 17, 18, 22, and 23		
1 goose by registration permit only	Sept. 1—Dec. 16	No open season
Units 8, 10 (except Unimak Is.) 1 goose by registration permit only	Oct. 8—Jan. 22	No open season

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY? The hunting season for emperor geese has been closed since 1986 due to low population estimates. A 2016 population model that integrated 30 years of survey data produced a population estimate of 150,000-170,000 geese; approximately twice the size than was previously known. The new estimate indicates that the population has recovered to a harvestable level. The Alaska Migratory Bird Co-Management Council (AMBCC) collaborated with the Pacific Flyway Council to revise the Flyway Management Plan for emperor geese, which includes new harvest guidelines for a fall hunt and specifies a quota of 1,000 birds per year. The revised plan also included a new population objective and population monitoring method, and a harvest strategy that guided regulations for this hunt. In October 2016, a Federal framework change under the new guidelines to open a hunt of emperor geese in 2017 was approved by the federal SRC.

The Alaska Wildlife Troopers are neutral on this proposal; however, they have concerns regarding the 1,000 bird limit. The Alaska Wildlife Troopers ask the board to create a mechanism in order to enforce the 1,000 bird per year limit. Will there be a locking tag or mandatory reporting within a certain amount of days? Would an individual have to log their 1 goose on the back of their license?

PROPOSAL 31 -5 AAC 85.020. Hunting seasons and bag limits for brown bear. Increase the bag limit for brown bear in Unit 22B as follows:

Unit 22B brown/grizzly bear **Two bears every regulatory year** Aug. 1 -May 31 [ONE BEAR EVERY REGULATORY YEAR]

What is the issue you would like the board to address and why? The recent brown/grizzly bear assessment survey by the National Park Service and the Alaska Department of Fish & Game conducted in 2015 compared to the old survey for the Seward Peninsula 20+ years ago indicates that the bear population is on the rise. With the increasing number of bears more cabins are being broken into as well as drying racks being raided. More opportunity to harvest bears from an increasing population. The Unit 22B moose population crashed 20 years ago and has shown almost no recovery. Survival of moose calves is the poorest in the region. Bears are implicated due to the seasonality of the mortality. Bear harvest rates are thought to be quite low. The managers have expressed concern that predation is holding the moose population below threshold required for the moose population to grow. Bear densities are the greatest in local memory. A significant increase in harvest is sustainable. The harvest is small in relation to the population and doubling the limit will not yield a doubling of harvest rate. This is a measure that will address multiple game populations and can be reversed in a board cycle or two if the impact is greater than expected.

PROPOSAL 40 -5 AAC 85.020(21). Hunting seasons and bag limits for brown bear. Increase the resident bag limit for brown bear in Unit 23 as follows:

Unit 23, two bear limit per regulatory year.

What is the issue you would like the board to address and why? We would like the Alaska Department of Fish & Game to change the limit on brown/grizzly bears to two per year rather than the one per year in an attempt to help sustain the moose and caribou populations which are in decline due to the predator population.

The Alaska Wildlife Troopers are neutral on the afore listed proposals regarding increasing the brown bear limit from 1 to 2. Last year at the statewide meeting the board passed proposal 57 which allowed the sale of brown bear hides and/or skulls by resident hunters as follows: Statewide; allow resident Alaskan hunters to sell the hides with claws attached and/or skulls of legally taken brown bears harvested in units where the bag limit is two or more bears per season.

This proposal created an enforcement dilemma as some areas around the state are allowed to sell brown bear hides and other areas are still prohibited. An enforcement solution would be to implement a locking sales tag in addition to the sealing requirements for all brown bears taken in a 2 bear area. The sales tag would be mandatory for all hides whether an individual wanted to sell the hides or keep it for themselves. The sales tag would only be attached to the hide and skull by ADFG to eliminate any misuse. The sales tag would need to be individually issued, non-transferable and logged in WINFONET as being issued to a certain hunter. All hides and skulls would need to be tagged before leaving the 2 brown bear limit area.