



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Fish and Game**

DIVISION OF WILDLIFE CONSERVATION

Headquarters

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**RC 014**

January 8, 2015

An Agenda Change Request (ACR) has been submitted to the Alaska Board of Game requesting to change 5 AAC 92.540 (11) Unit 6B Controlled Use Area. Under the Board's ACR policy, the Board will accept an ACR 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.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling. [5 AAC 92.005 (a) (2-3)].

With respect to ACR policy acceptance criteria:

- (A) The department does not have a conservation concern.
- (B) The department is unaware of an error in regulation.
- (C) For the third criteria, an act of nature has prevented the use of the Unit 6B Controlled Use Area as currently written. A bridge over the Copper River at highway mile 36 completely failed in August 2011. Residents have been waiting for the bridge to be prepared or replaced but Department of Transportation does not have the funding. Recently DOT has indicated that there are no plans in the near future to accomplish the repairs. Current funding outlooks also suggest that this will be a low priority. As a result, more than half of the access corridor that was previously used is not available and a regulatory fix is appropriate.

The Department has no recommendation on this Agenda Change Request. There are no biological concerns related to this proposal. However, access to a larger hunt area could more evenly distribute hunters in the field.

Moose season in GMU 6B runs from September 1-October 31 by registration permit only. During the beginning of the season the CUA is closed to the use of motorized vehicles except on the Copper River highway, Carbon Mountain road and the Clear Creek boat launch. Without the bridge it is difficult for hunters to access this area. It is also unclear if it is legal to use the road right of way (where the bridge used to be) to transport vehicles across the river. This ACR addresses this confusion.

Addressee's name

- 2 -

Date

Beginning September 5 hunters may use motorized transport (other than highway vehicles) but not until after 3:00 am the day following use. No change is proposed to this portion of the regulation.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Dale", written over a horizontal line.

Bruce Dale  
Acting Director  
Division of Wildlife Conservation

**ACR 4** – Change the Unit 6(B) Controlled Use Area.

**SUBMITTED BY:** Copper River Prince William Sound AC

**MEETING ACR SUBMITTED FOR:** Central/Southwest

**CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.**  
5 AAC 92.540(11). Controlled use areas.

**WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.** The Copper River Highway at mile 36 has been closed due to river erosion, approximately 1 mile of highway is gone and has put two bridges in jeopardy of collapse. The DOT has told citizens at several public meetings the highway closure will be indefinite due to funding. This closure has reduced the access for the non-motorized portion of the 6B moose hunt. This closure has eliminated access from mile 36 to mile 52, which is more than half of the drivable area in 6B.

**WHAT SOLUTION DO YOU PREFER?**

(11) Unit 6(B) Moose Controlled Use Area

No motorized vehicles may be used for hunting or transporting hunters or their gear from August 15-September 4, with the exception of vehicles on the maintained surface of the Copper River Highway, Carbon Mountain Road, the Clear Creek boat launch, and vessels crossing (ferry/transfer vessels) at the mile 36 bridge (wash out) which shall be conducted in a substantially straight line and no more than ¼ mile above or below the bridge. Moose may not be taken until after 3:00 am following the day on which any motorized vehicle is used for transportation from September 4-October 31.

**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:**

This situation was a natural occurrence. The controlled use area was adopted by the BOG approximately 15 years ago. State residents depend heavily on access via the Copper River Highway. Without a modification to the existing regulation for this controlled use area, access will be denied. This new language was a joint effort between the Copper River PWS AC, Alaska Department of Public Safety (Cordova Post), and the Alaska Department of Fish and Game (Cordova).

**WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?** Lost hunting opportunity.

**STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.**

**IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.** Not applicable.

**STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. Chair Copper River PWS AC.**

**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. NO.**