

RC021

**John D. Frost comments for Fairbanks BOG****ATTN: Board of Game Comments:**

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March 11,2016

Dear Members of the Board of Game,

I appreciate the opportunity to comment on proposals submitted for your Statewide meeting in Fairbanks March 18-28. Most of you know me reasonably well as I have been a regular participant in your public process. I am a 43 year resident of Alaska hunter who hunts exclusively with conventional archery equipment. I love hunting and the Alaskan outdoor experience. My goals are to promote the hunting experience and encourage hunting in Alaska. I am generally opposed to regulations which complicate hunting and which hinder ethical hunters without providing a clear benefit to the hunted species. Many of these regulations will not harm unethical hunters but they do limit ethical hunters. Nation-wide there has been a decreasing number of hunting license sales and hunting participation. There are many reasons for this but one of the most frequently stated is the complexity of hunting regulations and the anxiety that no matter how careful a hunter is at following the regulations, he will be guilty of something.

Our hunting regulation **summary** booklet has grown from a shirt pocket size in the 1970s to a 136-page magazine now. Our Alaska State Wildlife Troopers (who do a very difficult job of policing a huge area with limited resources) have never seen an enforceable regulation that they want to have rescinded. Once a regulation is on the books it is exceptionally difficult to get it removed. That is even the case where there can be no justification for the regulation in terms of protecting any game population. Regulations are frequently written to make it easy to make an arrest or write a citation. We always hear that it is best to make the regulation very strict and leave actual enforcement decisions up to the "discretion and good judgement of the officer". The problem

Jdfrost page 2

comes that ethical hunters feel unnecessarily constrained and some may quit hunting because of it.

With that background in mind, please review the brief summary of the proposals that I have submitted for your consideration. Following that I have some comments on some other proposals that you will be considering at this meeting.

## **John D. Frost Statewide Proposals 2016**

**Proposal 4: Amend the definition of bag limit.** The current definition of bag limit includes the word "take". It should be changed to use the word "killed". The definition of the word "take" can only be changed by the legislature. The definition of "bag limit" can be changed by the BOG. The definition of "take" includes "attempt to take". So if you hunt on one occasion for any animal in a unit with a bag limit of one then you may not hunt again in that unit that year because you have already "attempted to take" that species and therefore have done so. So if an officer observes a duck hunter shoot at seven different ducks (missing all of them) where the limit is seven and then sees him shoot at an eighth duck he could cite that hunter for being over his bag limit.

**Proposal 15: Require crossbow specific certification for all hunters using a crossbow in Alaska.** This proposal was carried forward from last year's BOG meetings. Same as the ABA proposal #16. Crossbows are not conventional archery gear. They have their own specific problems and dangers. Bowhunter education instructors are not familiar with crossbows and do not wish to teach the course. Bowhunter education is not sufficient for crossbow hunters. Last year at the Anchorage Board of Game meetings, I informally showed a powerpoint presentation on Crossbow. Some of the current members of the Board of Game have seen that presentation. I would certainly be willing to show that same presentation again either formally during the meeting or after hours if any Board members would like to see it. The HIT division of ADF&G has a copy of it as well.

**Proposal 17: Provide an age exemption for Bowhunter education requirements.** Most states and Alaska have some type of grandfather clause when they begin requiring hunter education or bowhunter education. In reality many long time experienced bowhunters either have never taken a bowhunter ed course or if they did many years ago they have long since lost their cards. There are currently only twelve states (AK, CN, ID, MA, MT, NE, NH, NJ, NY, RI, SD and VT) that have any mandatory bowhunter education requirement. In some of those twelve is

JD Frost page 3

not mandatory everywhere and some have a grandfather clause. Alaska has a "grandfather clause" for its hunters in units 7, 13, 14,15 & 20 of born before Jan. 1, 1986. It would seem reasonable to have the same date as a "grandfather clause" for the bowhunter education requirement.

**Proposal 25: Repeal the restrictions on use of aircraft for sheep**

**hunting.** Proposal 207 was passed by the BOG last year against considerable opposition. It discriminates against resident sheep hunters. It increases risk of flying. It increases the crowding at the beginning of the season. It adds anxiety to hunts. It is difficult to enforce. The Regulation has been in effect for one year already. I would challenge the Board to demonstrate that it had reduced crowding. I can promise from personal experience that it has increased anxiety and decreased safety among resident pilot sheep hunters. It is a regulation that has affected resident sheep hunters more than non residents.

**Proposal 50: Remove the requirement for evidence of sex.**

This is an outdated regulation, which never did anything but get otherwise lawful hunters in trouble. If there is any question of all of the meat coming from one animal it is currently easy to get DNA samples. While the cost and availability of testing those DNA samples may be problems, it can be done. I see no evidence of benefit to any population of game in Alaska from this regulation. Please ask ADF&G to document the value of this regulation.

**Proposal 98: Establish a fairer new way to process drawing hunts.**

This proposal would be a totally new way to process drawing hunt permit selection. It would solve the problem of some hunters never getting drawn and some getting drawn for more hunts than they can take in any year. It would also raise more money for the state because hunters could apply for as many hunts within a species as they were willing to pay \$5.00 for. It takes a while to fully explain this concept but it is easy for a properly programed computer to do. In essence each hunter would be allowed to apply for as many hunts in each species as he was willing to pay the \$5 (or \$10) entry fee. In addition to ranking his preference of hunts within each species the applicant would be required to rank his species. The computer drawing process would then assign each applicant a random number and would start at the top and give each applicant in order their top ranked hunt that was still available. Everyone would get at least one hunt before anyone was awarded a second hunt. After the first computer run there might be some hunts left and a second or even third computer run would award those hunts. So some hunters might get more than one hunt but never more than one in any given species. Some hunters might not get any of their choices (if for example they had only applied for one hunt and that hunt was taken by someone else earlier in the draw). In the second year anyone who applied again and had not received any hunts the preceding year would automatically be ranked in a higher group of numbers by the computer. Over time

JD Frost Page 4

there would be a stronger and stronger preference for anyone who applied every year but did not get drawn.

That concludes my comments regarding my own proposals. In addition there are a few other proposals regarding which I have some thoughts:

**Proposals 10, 11, 12, 13, 14: all regarding crossbows.**

Crossbows are NOT the same as conventional archery gear. The crossbow industry has been very aggressive (and successful) in getting states to adopt regulations that essentially call crossbows archery gear and allow use of crossbows in archery seasons. This is a big mistake, in my opinion. Michigan was promised that inclusion of crossbows in archery seasons would halt the decline in hunting license sales. But that has not happened. Wisconsin has instituted a specific crossbow license and reporting requirements and their early data strongly suggests that crossbow hunters have a far higher success rate than do conventional bowhunters. Crossbows have been legal in Alaska for decades but no body uses them when they could use a firearm instead. They must be considered a separate category of hunting device and should be regulated as such. Please do not accept crossbows as conventional bowhunting gear.

**Proposals 58-65: all regarding bear baiting.** In 2004 Alaskans voted to retain bear baiting. Since then members of the Board of Game and members of ADF&G who personally opposed bear baiting have done everything they can to make it as complicated as possible. Please simplify these regulations as much as possible. There are large areas of Alaska where baiting is the only practical method for taking bear. Regulations for distances from roads, trails, houses are very reasonable. Also regulations to require removal of liter, barrels, stands are also reasonable. Cleaning up all "contaminated soil" is not reasonable. GPS requirements designed only for enforcement purposes amounts to hunter harassment. Requiring salvage of Brown/Grizzly meat when taken at bait stations (not required elsewhere) is simply mean spirited.

**Proposal 69: to prohibit hunting with dogs.** This seems like a crazy proposal. Would it prohibit hunting ducks with a retriever, Ptarmigan with a spaniel, bunnies with a beagle, sheep with a packing dog?

JD Frost Page 5

The following article was published in Bowhunter Magazine April/May 2015 issue and was written by Curt Wells, editor of Bowhunter Magazine.

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Edited by BF  
February 2, 2015  
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Bowhunter's Journal

### **Alert: Alaska Bowhunters!**

If you hunt in Alaska, as a resident or a nonresident, or hope to bowhunt there someday (who doesn't?), then this is a serious heads up.

I received an email alert from Mark Buehrer, from Bowhunting Safari Consultants that must be passed along. Beginning July 1, 2016, ALL hunters carrying a bow and arrow on ANY hunt in Alaska must be Bowhunter Education certified and must carry their Bowhunter Ed card with them in the field. No exceptions and, surprisingly, no a "born after" date! It's clear to me this regulation was poorly conceived with little regard to the consequences.

"I have hunted Alaska 23 times and now, at the age of 61, I will be required to get certified in Bowhunter Education," lamented Buehrer. "I have finished the online course but still have to schedule a field day, which is a three-hour drive for me, to complete the certification."

I have my Bowhunter Ed my card, but I see problems for others, like those who have lost their cards. They will either have to get a duplicate, which may not be a sure thing in states where records were poorly kept, or retake the course. And what about bowhunters from Canada and other foreign countries who don't have access to Bowhunter Ed? I can also see uninformed bowhunters, both resident and nonresident, getting tripped up by this regulation. Of course, they could always switch to a rifle and wouldn't even need a Hunter Ed card in their pocket. Strange, indeed, but unless something changes that will be the law in Alaska next year, like it or not.

Your best approach is to find your card or get certified, which costs about \$30. I visited the Bowhunter Ed ([www.bowhunter-ed.com](http://www.bowhunter-ed.com)) website and found four states, Alabama, Iowa, Minnesota, and South Dakota that offer online courses with no field day, but currently those classes are available to residents only. All other states require a field day for certification. If you need to be certified, which is a great idea even if you never go to Alaska, start by visiting the website above.

JD Frost PAGE 6

Page 2- Bowhunter Magazine April May 2015 article by Curt Wells

Fortunately for those who hope to bowhunt Alaska, the National Bowhunter Education Foundation (NBEF, [www.nbef.org](http://www.nbef.org)), which provides the Bowhunter Ed curriculum but is independent of the states, is working toward a solution.

“We are aware of the new Alaska rule and we’re actively working toward increasing the availability of classes in all states.” said Marilyn Bentz, Executive Director of NBEF. “For example, the world of online learning is rapidly changing. Programmers can create real life scenarios with which the student can interact directly online. While online learning may appeal to the experienced individual who just needs a refresher course, other students may benefit from the actual field experience of a more traditional class. We try to offer a choice of learning formats.”

Certainly, young and inexperienced bowhunters will benefit from the field day portion of the class. The best-case scenario would be an internationally available online-only Bowhunter Ed course for the older, experienced bowhunter. That may happen through the efforts of NBEF, but in the meantime, if you have any thought of bowhunting Alaska get certified in Bowhunter Education. Don’t wait. You never know when the Last Frontier may call your name. You need to be prepared to answer that call. *Contributed by Editor, Curt Wells.*

JD Frost PAGE 7

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Jack,

This is regarding Alaska's Bowhunter Ed requirements. As we discussed I am an NBEF Bowhunter Ed Instructor and a Bowhunter Ed instructor for North Dakota. I hope it is self-evident that I am truly interested in Bowhunter Education. The recently adopted Education requirements for Alaska, have presented some issues for a number of very experienced archers desiring to hunt in Alaska. It is my understanding that there is a proposal to grandfather in the Education requirement for those older archers who most likely have experience in bowhunting. North Dakota has such a clause for its regular Hunter Ed requirement and it has seemed to work well. I would encourage Alaska to consider such a grandfather clause to allow some transitioning of the requirement for Bowhunter Ed. Thanks for the opportunity to provide some input. I look forward to seeing you in North Dakota and when I am at Rainy Pass again this fall.

Sincerely,

**Kent**



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JD Frost Page 8

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**NOTE: If an (M) is listed beside the state or province, this indicates proof of a bowhunter education certificate is mandatory in some or all geographical areas or special circumstances apply to obtaining a bowhunting license. Be a Responsible Bowhunter: Always check with the state agency or provincial headquarters regarding regulations prior to applying for a bowhunting license.**

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