

Alaska Board of Game Comments  
ADF&G  
Boards Support Section

March 18, 2016

Submitted by: Alaska Outdoor Council  
310 K Street, Suite 200  
Anchorage, Alaska 99501

**RE: Alaska Outdoor Council (AOC) comments on March 2016 Board of Game Statewide proposals:**

**Proposal 1** - Support adoption.

Delete one of the two definitions for hovercraft and airboats found in 5AAC 92.990. Hovercraft and airboats should be defined under boats 5 AAC 92.990(a)(10) not also in 5 AAC 92.990(a)(47) under motorized land vehicles.

**Proposal 2** - Support adoption.

Delete the 1,000 pound dry weight from the definition of ATVs in 5 AAC 92.990(a)(5)(A). DNR's generally allowed uses (GAU) are currently 1,500lbs.

**Proposal 3** - Support adoption.

The definition proposed for "general hunt" is consistent with Alaska Statute AS 16.05.258 Subsistence use and allocation of fish and game. Determining subsistence harvest is necessary for the board to establish accurate amounts necessary for subsistence (ANS) from the available harvestable surplus. It is not financially feasible for the ADF&G Division of Subsistence to send anthropologists to every house that participates in a Tier I or Tier II hunt to report on the number of subsistence uses and users.

**Proposal 19** - Support adoption.

Board-generated proposals (BGP) disenfranchise the F&G Advisory Committee process. The 65 day minimum opportunity for F&G Advisory Committees and the public to comment on BGPs is essential to preserving the legitimacy of the public regulatory process of managing and allocating game.

**Proposal 23** - Support repeal of restrictions of the use of aircraft for sheep hunting (5 AAC 92.085).

The Matanuska Valley F&G Advisory Committees has listed numerous reasons why Board Generated Proposal (BGP) 207 is unnecessary for conservation reasons. The BGP creating the aircraft restrictions are disadvantageous to Alaska residents who own aircraft but are limited by time to scout sheep habitat prior to their hunt. Aircraft regulations are already in place making most objectionable practices illegal.

**Proposal 49** - Support adoption.

Dall sheep populations are reported as either declining or stable across most of the state by department staff and anecdotal information. Complete closures to sheep hunting are now in place in the Western Brooks Range, GMU23 and GMU26A. Harvest of any sheep, including ewes and less than full curl rams is additive mortality. Additive mortality of a game species that is experiencing reported statewide reductions in numbers and harvest should be managed conservatively, consistent with the sustained-yield clause. Alaska Constitution Article 8, Section 4. Sustained Yield.

**Proposal 85** - Support adoption.

Accurate harvest data is essential in determining allocation of declining game populations, the Western Arctic and Teshekpuk herds. Harvest reporting by hunters is the cheapest method to obtain accurate harvest data.

**Proposal 86** - Support adoption.

Timely, accurate harvest data of the declining Dall sheep populations in the western Brooks Range makes it critical for managers to be able to report sheep harvest numbers in order for the Board of Game to regulate additive mortality consistent with Alaska State Constitution Article 8, Section 4. Sustained-yield.

**Proposal 87** - Support adoption.

The majority of Alaskans harvest game for its food value. Motorized access maximizes the quality of that food source by allowing quick transfer of wild food harvest from the field to proper storage facilities. Declines in the quality of the outdoor experience perceived by board members should not interfere with implementation of AS 16.05.255(f). "Fair Chase" ethical standards are wonderful standards for trophy hunters to aspire to. If that includes shunning motorized access to game resources fine, but the board should not be imposing over restrictive regulations preventing Alaskans from harvesting game for its food value.

**Proposal 96** - Support adoption.

The public has overwhelmingly supported a preference points system on drawing hunts. The department's unwillingness to implement any preference point system is unjustified based on known successful preference point systems for decades in other states.

**Proposal 103** - Support adoption.

Tier I means "the circumstance where the board has identified a game population that is customarily & traditionally (C&T) used for subsistence uses where it is anticipated that a reasonable opportunity can be provided to all residents who desire to engage in subsistence uses." ADF&G comments on proposal 103. The board has chosen to create a regulation requiring participants in the Tier I Nelchina Basin Community Subsistence Harvest for communities and groups to report their adherence to the C&T pattern of use of moose and caribou based on 5AAC 99.010(b)(1)-(8) criteria.

The Alaska Supreme Court has determined that the board may under AS 16.05.330(c) differentiate among Alaskans at the Tier I level. AS 16.05.330(c) states;

"the Board of Game may adopt regulations providing for the issuance and expiration of subsistence permits for areas, villages, communities, groups, and individuals as needed for authorizing, regulating, and monitoring the subsistence harvest of fish and game."

Article 8, Section 3. Common Use of the Alaska State Constitution makes it constitutionally correct to treat all Alaskans equally regarding access and use of game resources. Since the board has chosen to require reports from communities and groups hunting in Tier I hunts in the Nelchina Basin, it would also be appropriate to include individuals. Making the regulation statewide for all Tier I hunts would increase accuracy of subsistence harvest data (without the expense of sending out anthropologist to conducting household surveys) and allow all Tier I subsistence, communities, groups, and individual hunters to start building a record of subsistence use, thus allowing the department to better determine the amounts necessary for subsistence uses.

An AOC representative will be attending the board meeting should board members have further questions regarding proposals submitted by AOC.

Regards, Rod Arno, Executive Director for Alaska Outdoor Council.