

PROPOSAL 11 – 5 AAC 92.085(8). **Unlawful methods of taking big game; exceptions.** Modify the restrictions on the use of aircraft for sheep hunting as follows:

5 AAC 92.085 Unlawful methods of taking big game; exceptions....(8) a person who has been airborne may not take or assist in taking a big game animal until after 3:00 a.m. following the day in which the flying occurred, and from August 10 – September 20 aircraft may not **intentionally approach any sheep or group of sheep closer than 1000 feet, or repeatedly approach them in a manner that results in them altering their behavior.** [BE USED BY OR FOR ANY PERSON TO LOCATE DALL SHEEP FOR HUNTING OR DIRECT HUNTERS TO DALL SHEEP DURING THE OPEN SHEEP HUNTING SEASON, HOWEVER, AIRCRAFT OTHER THAN HELICOPTERS MAY BE USED BY AND FOR SHEEP HUNTERS TO PLACE AND REMOVE HUNTERS AND CAMPS, MAINTAIN EXISTING CAMPS, AND SALVAGE HARVESTED SHEEP.] **This prohibition does not intend to prohibit any flight maneuvers that are necessary to make an informed and safe landing in the field.**

What is the issue you would like the board to address and why? 5 AAC 92.085 currently reads: “Unlawful methods of taking big game; exceptions....(8) a person who has been airborne may not take or assist in taking a big game animal until after 3:00 a.m. following the day in which the flying occurred, and from August 10 – September 20 aircraft may not be used by or for any person to locate Dall sheep for hunting or direct hunters to Dall sheep during the open sheep hunting season, however, aircraft other than helicopters may be used by and for sheep hunters to place and remove hunters and camps, maintain existing camps, and salvage harvested sheep.”

We support the Board of Game’s (board) efforts to encourage the ethical use of airplanes and to work towards a quality sheep hunting experience for all, but think the current regulation is excessively broad and restrictive. This regulation has caused division among hunters, and causes concern to most pilots, of being suspect of spotting while performing necessary and normal operating procedures. Moose, caribou and bear also live in most sheep country and seasons are open at the same time.

What will happen if nothing is done? Unnecessary division amongst sheep hunters and resentment towards the board by many who otherwise support most of what they do will continue. We think most hunters can agree that approaching sheep during hunting season, close enough that you can tell if they are legal rams, is too close and will disturb the sheep and hunters on the ground. We would like to work towards better language to accomplish this.

Other solutions considered and why did you reject them? We also considered changing the same day airborne law for sheep from 3:00 a.m. to 8:00 a.m. or noon, and discussed different distances. We rejected changing times because that would not restrict spotting and buzzing sheep. We settled on 1,000 feet for distance, because though sheep can be seen as white spots on a hill side from a long way off, to tell whether they are legal rams, you have to be fairly close. Most full-curl sheep horns are about 12 inches in diameter. We went to an airport and ranged aircraft with 12-inch numbers. Standing still, 12-inch numbers are pretty unreadable to the naked

eye of most at 700 feet, and just a blur at 1,000 feet; and that's standing still, not moving at 70 miles per hour.

While some may have concern about the enforceability of our proposed language, we think most hunters want to be legal and obey the law. 1,000 feet is standard pattern altitude at most airports and is an altitude that most pilots should be fairly familiar with. We think text in the hunting regulation encouraging sheep hunters/pilots to fly around the pattern at 1,000 feet above ground level before flying out to sheep hunt, and reminding them to maintain at least that distance between them and any white spots they see in the mountains, would go a long way towards compliance. The last sentence in our proposed language is verbatim per RC 038 from the March 2016 Board of Game meeting.

PROPOSED BY: Alaska Professional Hunters Association (EG-F17-042)
