

Sitka Area – Unit 4

Note: The Board of Game does not have constitutional authority to limit hunting for Alaska residents based on residency.

PROPOSAL 17

5 AAC 92.013. Migratory bird hunting guide services.

Reserve waterfowl hunting areas in the Sitka area for local hunters as follows:

(d) A migratory bird hunting guide operating in the area of Sitka enclosed on the north by a line in Peril Strait at the latitude of Rapids Point, on the northwest by a line from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22. 05' N. lat., 135° 43' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows at 56° 49.28' N. lat., 135° 22.75' W. long. to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long. may engage in providing migratory bird hunting guide services for sea ducks, goldeneye and bufflehead ducks only.

What is the issue you would like the board to address and why? This proposal is put forth to reserve waterfowl hunting areas around Sitka for local hunters and preclude new development of guided waterfowl hunting for puddle ducks (mallard, wigeon, teal, pintail, gadwall, and shoveler) and geese in the areas most frequently utilized by local hunters.

Local waterfowl hunters generally utilize a handful of bays within an hour skiff ride from town. A number of these same areas are also popular for stream fishing for fall coho by personal use fishermen and guided and non-guided sport fishermen. The high level of use in these areas can restrict hunter access to hunt locations on days when fishermen are present. Guided waterfowl hunting for puddle ducks in this area could result in additional congestion and increased competition for hunting locations and birds.

According to the 2016 Department of Fish and Game (ADF&G) Public Distribution List of Migratory Bird Hunting Guides Registered in Alaska on the ADF&G website, the number of guides registered for waterfowl hunts in this area is low and an internet search finds only one business advertising guided hunts for ducks (sea ducks) in the Sitka area. This proposal does not seek to restrict established guided sea duck (scoter, oldsquaw, harlequin, and merganser) hunting, which generally would not overlap with hunting of puddle ducks on tidal flats. However, expansion of guiding operations for other duck species potentially could bring multiple-day hunting trips to this area, increasing competition and further reducing local opportunities. This proposal does not eliminate the opportunity to establish new guided hunting operations but asserts that this should not come at the expense of local users. This proposal asks that those receiving monetary compensation from this resource be required to travel further from town to avoid conflict. It will be easier to address this issue now than to deal with this situation after new businesses are established.

Though goldeneye and bufflehead are not considered sea ducks, for the purposes of this proposal they would be included in the species that guided hunters could target in this area. These are species that guided hunters may want to harvest and are likely to be encountered while hunting sea ducks.

PROPOSED BY: Mike Vaughn (HQ-F18-019)

PROPOSAL 18

5 AAC 85.030. Hunting seasons and bag limits for deer.

Increase the bag limit for deer in Unit 4 Remainder as follows:

Increase bag limit for deer in Unit 4 Remainder (i.e. the area outside of the area of Chichagof Island east of Port Frederick and north of Tenakee Inlet including all drainages into Tenakee Inlet) from four deer to six deer.

What is the issue you would like the board to address and why? Increase the limit from four deer to six deer in Unit 4 outside of the area of Chichagof Island east of Port Frederick and north of Tenakee Inlet including all drainages into Tenakee Inlet. Doing so would allow for hunters who normally harvest four deer to instead have the opportunity to harvest six. Increasing the limit would increase opportunities for all hunters.

Increasing the limit would have minimal impact on the Unit 4 deer population outside of the area of Chichagof Island east of Port Frederick and north of Tenakee Inlet including all drainages into Tenakee Inlet. Unit 4 hunters averaged 1.9 deer per hunter in 2016. This deer per hunter figure has averaged 1.62 over the past five years with minimal fluctuation.

Increasing the limit would have minimal impact on other communities in Southeast Alaska that already have six deer limits under federal regulations. As there is not much hunting effort in Unit 4 from hunters outside of Southeast Alaska, this change would impact almost exclusively residents of Juneau. Increasing the deer limit would not result in increased Juneau hunter effort near rural communities as the distances traveled by boat between Juneau and surrounding communities are prohibitively long considering the generally inclement weather and short days during which most deer hunting effort is located (November/December). Furthermore, localized marine weather—persistent, strong winds out of Northern Lynn Canal and Taku Inlet—regularly limits Juneau hunters to the area on Admiralty Island between Point Retreat and Point Arden.

This change would not cost the state additional money from a regulatory perspective as hunters are already required to carry six tags. Additionally, this change would bring state deer limits in line with federal deer limits.

PROPOSED BY: Nicholas Orr (EG-F18-034)

PROPOSAL 19

5 AAC 92.510(6). Areas closed to hunting.

Close an area around the Greens Creek Mine road system and mine infrastructure in Unit 4 to hunting as follows:

Recommended solution: Hecla Greens Creek Mining Company recommends closing the Greens Creek road system and associated infrastructure to hunting starting 1/4 mile north of the Greens Creek Hawk Inlet facilities extending to the Greens Creek mine including the "B Road" and an area 1/4 mile on each side of the road and associated infrastructure including the Tailings Storage Facility.

Draft Regulatory Language:

Greens Creek Mine Road System and associated mine infrastructure: The road system and associated mine infrastructure extending from the Greens Creek Hawk Inlet facilities to the Greens Creek Mine including an area 1/4 mile on all sides is closed to hunting.

What is the issue you would like the board to address and why? The Hecla Greens Creek Mining Company would like the Board of Game to consider closing a portion of the Greens Creek Mine Access Road and mine infrastructure and an area 1/4 mile on all sides to hunting.

The single-lane dirt road is governed under a U.S. Forest Service (USFS) lease that does not have clear provisions regarding public access. Historically, hunters have utilized the road as walk-in access to northern Admiralty Island between Young Bay and private property located five miles away on the south shore of Hawk Inlet primarily for deer hunting. This section of the road (A Road) is lightly used by mine traffic and interactions between mine and public activities have been minor, however; in the past several years, use of the road by hunters has increased significantly and hunters have begun utilizing bicycles with pull behind carts to access the area. This has allowed hunters to gain access to the road between the Hawk Inlet facilities and the mine site nine miles away (B Road). The B Road section is heavily traveled by haul trucks moving tailings, ore concentrates and supplies between the Hawk Inlet and mine operational areas 24 hours per day, seven days per week and presents a significant public safety hazard to hunters either walking or on bicycles.

The road system consists of a single-lane dirt road with a driving surface that ranges from 14 feet to 23 feet wide. There are turnouts located approximately every 0.3 miles that allows traffic to pass. Traffic is managed by radio communications between vehicles and all equipment that operates on the road has a collision avoidance system installed as a backup safety system. Guardrail runs nearly the entire length of the road and on both sides in numerous areas. The road traverses mountainous terrain, particularly the B Road, and has numerous blind corners. There are strict safety protocols in place for employees utilizing the road as Greens Creek views the road as being a significant safety risk and manages it accordingly.

Several significant safety incidents have occurred between operations personnel and hunters, including:

- In November 2017, a haul truck with a gross vehicle weight of 200,000 pounds nearly ran over a hunter on a bicycle pulling a cart at six-mile B Road. The bicyclist could not get off of the road

with guardrail on both sides before the truck came around a blind corner. The truck could not stop and narrowly missed the bicyclist.

- In November 2017, contractors working on a new building threatened to stop work due to people hunting in the vicinity of their work area.
- In September 2017, an engineer had delivered samples to the Young Bay boat dock and was returning to the Hawk Inlet Operations Area via the A Road. He came around a corner and saw a deer ahead. Some distance past the deer he saw hunters in the road aiming a rifle down the road corridor at the deer which he was now in direct line of sight of. The hunters saw the pickup and did not fire.
- In September 2015, a hunter was asked to stop shooting at deer within the Tailings Disposal Facility while Greens Creek was conducting a family tour with buses full of people driving by the facility.
- In 2000, a contract drilling company supervisor confronted an archery hunter after his employees noticed an arrow pass by their drill rig. A hunter had missed a deer and the arrow traveled through the work area.
- Deer carcasses left around the facility attract bears which has created several near miss incidents with employees over the years.

Mine personnel and Alaska State Troopers are witnessing violations of hunting regulations. The deer along the mine access road are conditioned to the traffic and mine activity making them easy for hunters to harvest. The majority of the hunters simply bike or walk along the road and shoot deer within the road corridor both from and across the road surface, both violations of state law. These activities were documented in Case #AK17082725 where Alaska State Troopers charged four individuals from Juneau for multiple game violations while hunting on the Greens Creek road system. The majority of the deer harvested are within the immediate road corridor when harvested.

In addition to the safety of the public, Hecla is concerned about the safety of its employees. Hunters shooting within or from mine infrastructure puts Greens Creek employees in danger and carcasses left near mine infrastructure draws bears into work areas. Safety is a significant consideration at the site and adding the public and firearms to active work areas is additional cause for concern.

Hecla employees routinely approach hunters to explain the hazards of mining they could be subjected to, but warnings are generally ignored. There are no clear regulations to cite and no enforcement action that can be taken by mine personnel. Conversations with various agencies indicate that they believe the road system is governed by City and Borough of Juneau (CBJ) regulations requiring no hunting within 1/4 mile of the road. The CBJ road restrictions are addressed in Unit 1 regulations and this problem occurs in Unit 4. Greens Creek does fall within the CBJ boundaries but that is not clear in the hunting regulations or CBJ code. If the CBJ road restrictions apply to the Greens Creek road system, they still allow hunters to access the road, which still presents safety concerns for the public and Greens Creek employees. Further, limited enforcement continues to allow members of the public to break the law by shooting from the road, across the roadway, and within 1/4 mile of the road.

This request is meant to put regulations in place that will ensure the safety of the public and employees of Greens Creek. With increased exposure of easy hunting opportunities on the Greens Creek road system through social media has come increased numbers of people and increased safety risk for all involved. If recent incidents are any indication of the future, it is only a matter of time before someone gets hurt.

Greens Creek has considered many options to address this issue:

- Talk to hunters individually: Mine personnel continue to try to educate hunters on the hazards of mining, but they are largely ignored.
- Add signage along the road discussing the hazards: This is an option but still only warns of the hazards; it does little to deter the public from utilizing Greens Creek infrastructure for hunting which continues to put the public and employees in danger.
- Evaluate options to restrict public access through the USFS lease agreement: There is no clear language in agreements that specifically address public access.
- Request enforcement from ADF&G, USFS and AK State Troopers: All have expressed interest, but site access is somewhat difficult and those agencies have limited resources.
- Request the Board of Game close all infrastructure and 1/4 mile on all sides to hunting: Greens Creek respects the rights of the public to access public lands. The risks to the public and employees on the road between Young Bay and Hawk Inlet are low so Greens Creek chose to leave that request out of the Board of Game proposal instead requesting a closure to heavily used infrastructure which poses a high risk to the public and employees.

PROPOSED BY: Hecla Greens Creek Mining Company (EJ-F18-757)

