

## **PROPOSAL 130**

### **5 AAC 92.057. Special provisions for Dall sheep and mountain goat drawing permit hunts.**

Award up to 10% of permits for DS203 and DS204 to nonresidents, and remove the allocation between guided and nonguided nonresidents as follows:

Up to 10% of permits for each hunt (DS203 and DS204) shall be awarded to nonresidents by random draw from among all applicants, with no forced separation of nonresident permits between guided and 2DK. If the total number of nonresidents drawn is less than 10%, that is the number awarded to non-residents, with all remaining permits awarded to resident applicants. The total non-residents drawn will be from none to the 10% maximum. The suggested new language in the regulation would be:

#### **5 AAC 92.057**

(6) The department shall issue a maximum of 20 percent of the drawing permits allocated to nonresidents in (2), (3), **and** (4)[, AND (5)] of this subsection to nonresidents accompanied by a resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a).

**What is the issue you would like the board to address and why?** Resolve unintended consequences to ADF&G implementation of 5 AAC 92.057 provisions put in place due to 2022 Proposal 149. As a result of the adoption of Proposal 149, the AAC now states: “(6)the department shall issue a maximum of 20 percent of the drawing permits allocated to nonresidents in (2), (3), (4), and (5) of this subsection to nonresidents accompanied by a resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407(a).”

The Delta Controlled Use Area (DCUA) is included as number (5), which states “the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to resident, ...”

The draw hunt supplement in previous years stated “up to 10% to nonresidents.” In the 13 years immediately preceding 2023, the average percentage of total permits awarded to all nonresidents ranged from 1.4% to a high of 8.1% with an average of 5.1%. The 2023 implementation of this regulation was technically correct but did not meet the intent of the proposal, and is definitely opposed by the Delta AC. It did not provide “up to” 10% of each hunt, but instead split the guided nonresident and second degree of kindred (2DK) nonresidents between the two hunts, with the walk-in early hunt having 1.4% of the permits set aside for 2DK nonresident hunters and the motorized late hunt having 17% of the permits set aside for guided nonresidents. This implementation guarantees a total of 10% of all permits in the DCUA to nonresidents, but significantly disadvantages residents, guided nonresidents, and 2DK nonresidents on one hunt or the other. It also means any nonresident tags not awarded during the draw, become undersubscribed and are then available for nonresidents on a first-come first-served basis.

In 2023 there were 73 applicants for the single 2DK nonresident permit, and only one qualified guided nonresident application for seven available .

The author of Proposal 149, is not familiar with the hunters or guides operating in the DCUA but included it in his proposal because it was a place with nonresident allocation limits in its sheep hunts. The rationale of Proposal 149 is based on numbers of 2DK and guided nonresidents applying for permits in areas where the author hunts and do not extend to the DCUA. His statement that “*Less than 15% of nonresident sheep hunters are second degree of kindred (2DK) hunters statewide, (hunting with a relative)...*” obviously

misses the mark for the DCUA hunts where the latest draw application cycle saw 98.7% of nonresident applications from 2DK hunters (73 of 74 total qualified applications). Further, in the 13 years from 2009-2022, the percentage of 2DK applicants from all nonresidents ranged from 29.3% to a high of 97.1% and averaged 72.8% annually.

These numbers reflect that in the same period, there were only two guides registered to operate in Units 20D/20A and one of those does not offer sheep hunts. Predictably, following the results of this year's draw and six nonresident tags being available on the first-come first-served basis, two more guides have registered in 20D/20A within weeks of the draw permit results being published. There is a small portion of the DCUA in Unit 13. Based on outfitter websites, only one of the six registered guides in Unit 13 could be guiding sheep hunters in DCUA, and it is unknown if he does.

The Delta AC is ambivalent about the split of nonresident permits between 2DK and guided hunters.

The Delta AC unanimously supports returning the application and drawing process for DCUA sheep hunts, including allocation of non-resident permits, to the way it was done prior to implementation of Proposal 149.

**PROPOSED BY:** Delta Fish and Game Advisory Committee

(EG-F23-244)

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