



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS
Office of the Director

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Mr. Stosh (Stanley) Hoffman
Chair – Alaska Board of Game

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Mr. Chair and members of the board. Please see the attached comments from the Department of Public Safety, Division of Alaska Wildlife Troopers (AWT) concerning proposals before the board during the upcoming Central & Southwest Region Board of Game meeting. AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Management plans rely upon compliance with regulations to achieve success and enforcement is a crucial element to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and manpower, and any new regulation scheme or area restrictions may place an additional burden on AWT and directly impact enforcement efforts in other areas of concern. AWT generally is neutral in position on proposals having to do with allocation or biological concerns and will not have a written comment except when concerns exist in proposed language that may cause unintended enforcement challenges.

Proposal 3: Seeks to allow the use of cellular cameras for the taking of black and brown bear over bait in GMU's 9, 11, 13, 14B, 16, and 17.

AWT is neutral on this proposal. 5AAC 92.080(7)(H) currently prohibits the use of any camera or other sensory device that can send messages through wireless communication. Whenever possible AWT prefers consistency in regulations; particularly for methods and means. Consistency reduces incidents of mistakes by the public and reduces regulatory confusion for all users. AWT would caution the board that if adopted, this proposal may result in Troopers having a difficult time proving what species a cellular camera was being used to target thus rendering the remaining prohibitions for use in targeting other species within the same GMU's essentially unenforceable.

Proposal 20: Seeks to establish a separate non-resident trapping season and bag limit structure for Arctic Fox in GMU 10.

AWT is neutral as to the allocative nature of this proposal but is opposed to having separate seasons and bag limits for resident vs. non-resident trapping due to the inconsistencies this would create. Trapping regulations are not specific to residency and the nature of trapping is not conducive to a residency restriction. Such a delineation would prove difficult to enforce because one person can establish the trapline and another can check it.

Proposal 34: Seeks to allow same day airborne take of brown bears for resident hunters in GMU 17 from August 20 – May 31.

AWT is opposed to this proposal. Alaska has long maintained a prohibition on the taking of big game same-day airborne to comply with long established fair chase principles. Limited exceptions have been approved by the board, normally associated with directed and permitted predator control programs and more recently, for species typically harvested over a stationary bait site (black bear) during time periods separate from the general fall hunting seasons. Allowing same-day airborne harvest of brown bears, particularly during fall general hunting seasons, will make enforcement of all other same-day airborne prohibitions much more difficult than it already is. With fewer than 90 Wildlife Troopers across the entire state, AWT relies on others in the field to note and report suspicious activity such as observing hunters arrive via aircraft and observing game harvested immediately thereafter. Allowing same day airborne harvest of a single species that shares open seasons with other big-game will result in extreme challenges to AWT being able to effectively enforce the prohibition concerning same day airborne take of other big-game.

Proposal 46: Seeks to change the current community harvest hunt in GMU 13 to a registration hunt with associated permit hunt conditions prohibiting the use of motorized vehicles.

AWT is neutral to this proposal related to its allocative nature. 5AAC92.051(8) allows for the prohibition of motorized vehicles as a condition of a permit hunt under the discretionary authority of ADF&G managers.

AWT does note enforcement concerns with the proposal as written. AWT would have no way to recognize from a distance if a hunter in the field was hunting moose under this proposed registration permit or another open species which would allow use of a motorized vehicle. For example, if the Nelchina caribou hunt were to re-open, there would be caribou hunters in the field using motorized vehicles in the same areas, and at the same time that this hunt is occurring. AWT also has concerns that the language for the area closed to motorized vehicle use is unclear. It is assumed the author means motorized vehicles would be allowed on state-maintained roadways including the Parks, Denali, Richardson and Glenn Highways? As written it indicates any area accessible from these roadways within GMU 13 would still be open to the use of motorized vehicles.

Proposal 61: Seeks to delay the start date of ptarmigan season in GMU 13B from August 10th to August 20th.

AWT is neutral to this proposal but for consistency would ask the board to align the opening date to be consistent across the entire game management unit as it currently is.

Wildlife Troopers are already required to know and understand complex regulations and during a typical patrol day may conduct enforcement patrols in several different Game Management Units and sub-units. Having different season dates for the same species within the same GMU is complex for enforcement as well as the public and makes enforcement quite challenging. If there is a biological need to open ptarmigan season later in subunit 13B, AWT would ask the board to maintain season consistency across the entire unit and consider having the opening date align with other traditional opening days such as September 1st.

Proposal 76: Seeks to allow the take of brown bear in Unit 16 the same day airborne from October 1 – August 9th provided a hunter is at least 300 feet from the aircraft.

AWT is opposed to this proposal. Same day airborne harvest is already permitted for both black and brown bears in GMU 16 at a registered bait site. Hunting of brown bears during the dates in this proposal, outside of registered bait sites almost entirely occurs in the spring when bears are leaving the den. Allowing SDA harvest of brown bears would undoubtedly lead to dozens if not hundreds of Anchorage and Mat-Su area pilots stalking brown bears from the air during the months of April and early May west of the Susitna River when bears are leaving their dens. Without a snowmachine already staged in the area, the only effective means to harvest a bear under this proposal is landing very near a bear and shooting the animal before it departs the area. This could cause significant unintended aviation safety concerns both regarding potential mid-air collisions as well as landing mishaps and accidents. As AWT is also primarily responsible for Search and Rescue response in many areas of the state including the South Central Alaska area, this could easily cause an uptick in search and rescue events due to pilot mishaps. Same Day Airborne as part of Intensive Management typically includes a process for vetting pilots and their abilities prior to being permitted. This proposal would remove that safety filter and allow anyone with a plane and license to try their hand at land and shoot bear hunting.

Proposal 79: Seeks to extend the wolf trapping season in Unit 14A by one month to close April 30th.

AWT is neutral towards this proposal. AWT has concerns that a large portion of GMU 14A is mostly urban/residential and large areas of the subunit are mostly snow free by early April. This proposal could lead to a higher volume of conflicts between trappers and other outdoor users who begin to go further afield once the snow melts. AWT additionally has concerns for a higher likelihood of fur loss due to warmer temperatures and trappers being unable to access trap locations due to breakup conditions in 14A.

Proposal 81: Seeks to add to the prohibitions contained in 5AAC92.095 by requiring traps and snares set within 2 miles of publicly maintained roads in Unit 14A be checked at least every 36 hours.

AWT is neutral towards this proposal with regards to mandatory check timeframes. AWT wishes to note that without trap identification requirements or expensive and specialized equipment, enforcement of this would be extremely challenging for Wildlife Troopers. Urban and highly populated areas such as GMU 14A draw a wide variety of individuals and often several trappers will operate in close proximity with no established trapline “belonging” to an individual. This is even more likely in areas near publicly maintained roads and highways. Without trap identification requirements a trap found in violation would require a Trooper to monitor that trap nearly constantly until a person returned and claimed ownership. Unfortunately, many would likely eat the cost of a trap vs. claiming ownership and receiving a citation. Furthermore if a friend were checking traps for the owner they could be inadvertently be held liable even though they were not the person who set the trap.

Proposal 82: Seeks to add to the areas closed to trapping contained in 5AAC92.550 by prohibiting trapping less than three (3) feet above the hard ground, and/or above the water, or not set within an enclosure within 50 yards of several listed trails within the Matanuska Susitna Borough.

AWT is neutral on this proposal regarding setbacks on popular recreation trails. AWT has concerns that the proposal as currently written could be extremely challenging to enforce for numerous reasons. First, without trap identification requirements, enforcement of this would be all but impossible for Wildlife Troopers. Urban and highly populated areas such as the Matanuska Susitna Borough draw a wide variety of individuals and often several trappers will operate in close proximity with no established trapline

“belonging” to an individual. Without trap identification requirements a trap found in violation would require a Trooper to monitor that trap nearly constantly until a person returned and claimed ownership. Second the board will need to specify what source would be used to define the limits of the listed trails covered in this proposal. The maps linked in the proposal come from several sources and were created at various times over the past number of years. The board would need to define which maps would be valid and specify if a trail map was updated in the future with new trails, if that new trail would automatically fall under this regulation or not. Third – some trails vary over time due to various natural events such as erosion, landslides, and even snow cover. The location of the Gold Mint Trail in Hatcher's Pass in summer is not the exact location that the snowmachine and ski traveled Gold Mint Trail exists in the winter. Finally, the definition of “enclosed” would need to be established for purposes of this regulation as currently the term is not defined in 5AAC92.

Thank you for the opportunity to offer comments to the board. A representative from AWT will be available throughout the board meetings and deliberations to answer questions from board members.

Sincerely,

A handwritten signature in cursive script that reads "Brent Johnson".

Brent Johnson

Captain – Alaska Wildlife Troopers – AWT BOG Liaison