

Proposed Changes Outside the Board of Game’s Authority

The following proposals request changes that the Board of Game does not have authority to adopt. They are included in the book for review, comment, and discussion at the applicable meetings if the board desires.

The Board does not have the authority to amend a statute; allowing certain non-resident hunters to hunt brown bears with an Alaska resident not within the second degree of kindred under AS 16.05.408 would require an act by the Alaska Legislature. The board does not have the authority to establish or change fees related to hunting because they are established in statute; changes to tag fees in AS 16.05.340 would require an act by the Alaska Legislature.

Proposal 228

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

a non-resident who has owned a property capable of habitation (a cabin, house, etc) should be allowed to purchase an non-resident brown bear locking tag at the non-resident fee and to be able to hunt with a guide, a second degree of kindred, or an Alaskan resident for brown bears

What is the issue you would like the board to address and why?

For predator control areas (and possibly across Alaska) there should be an added provisions for brown/grizzly bears where a non-resident who has owned a property capable of habitation (a cabin, house, etc) should be allowed to purchase an non-resident brown bear locking tag at the non-resident fee and to be able to hunt with a guide, a second degree of kindred, or an Alaskan resident for brown bears in certain areas.

I believe you would not impact the guides who are booked for several years out normally and you would have more bears taken in these areas and could avoid government depredation activities.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

No

PROPOSED BY: Stephen Nance (OI-F26-016)

The Board of Game does not have authority to regulate Guides. Guides are regulated by the Big Game Commercial Services Board.

Proposal 229

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

Solution recommended is to not allow commercial guiding within the staking area.

The new regulation would state :

No commercial guiding of hunters is allowed within the 26 square mile area designated by the Alaska Department of Natural Resources for the remote recreational cabin staking.

What is the issue you would like the board to address and why?

The issue to be addressed is the commercial guiding of hunters in the Land Staking Area. This area is the 26 square miles designated by the Alaska Department of Natural Resources for the remote recreational cabins. It has approximately 18-20 parcels privately owned.

There is plenty of other area for the commercial guiding to take place, other than the staking area.

It causes conflict with the landowners that hunt local to their property and is a bad experience for the guided clients paying an astronomical fee for the service.

If this regulation is not instated, the Alaska wilderness hunting & recreational experience that folks come to expect will be severely tarnished.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

I have spoken with another local land owner & previous land owners that sold their property due to the bad experiences they had. The bad experiences stemmed from the commercial guiding outfit operating adjacent to them.

PROPOSED BY: James Knowles (OI-F26-049)

The Board of Game does not have authority to regulate Guides. Guides are regulated by the Big Game Commercial Services Board.

Proposal 230

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

****Prohibit all big-game outfitting and guiding activities, including the establishment or use of field camps and motorized air, ground and water transport of hunters, within two miles of a remote permanent dwelling that is not owned or leased by the big-game business. A remote dwelling in this regulation is defined as any permanently enclosed structure made for human habitation that is at least seven miles from a publicly maintained road. Motorized air and land transport of hunters would be allowed within the prohibited area by professional big-game outfitting and guiding businesses only when necessary for the transit of hunters/clients to an area beyond two miles of permanent dwellings, as long as no hunting or field camps occur within the prohibited area. Motorized air transport (drop-off or pick-up only) of hunters by professional big-game guiding and outfitting businesses is allowed within the prohibited area if no field camp is established within the prohibited area, except for those temporary camps made by hunters awaiting an air pickup utilizing a professional big-game guiding or outfitting service. This regulation does not apply to the hunting of deer, mountain goat or bear within five miles of a coastline or on a coastal island, when accessing a public-use cabin, or in instances where all owners of remote permanent dwellings agree to allow such professional big-game activities within two miles of their dwelling. Emergency extraction of hunters and their gear would be exempted by this proposal.****

What is the issue you would like the board to address and why?

Resident remote cabin owners are impacted by big game hunting businesses causing impacts to them at their remote cabins. Big-game outfitting and guiding occurring near these properties cause unnecessary competition for game and inflict great disturbances on the cabin owners (i.e., plane and boat traffic noise, loss of privacy, etc.). Remote cabin owners have made huge sacrifices to establish a remote cabin seeking solitude, recreating experiences and sourcing wild game. It is unnecessary for professional big-game hunting services to impose on remote cabin owners when these businesses have the resources to operate in areas where their impacts are less to these residents. In my experience, after building a remote cabin 65 miles from the nearest village, a big-game hunting business acquired property near mine and I quickly became overwhelmed by fall big-game guiding activities that reduced the quality of my cabin and hunting experience and the value of my property.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

I consulted with other resident owners/hunters possessing remote cabin properties.

PROPOSED BY: Robert Massengill (OI-F26-103)

The Board lacks the authority to amend a statute. Alaska Statute 16.05.789 prohibits hunting with firearms within five miles of either side of the Dalton Highway north of the Yukon River and Alaska Statute 11.61.210 prohibits shooting from, on, or across highways.

Proposal 231

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

*the remainder of the DHCMA is closed to hunting; however, big

game and fur animals may be taken in the area by bow and arrow only, and small game and may be taken by small caliber rimfire and waterfowl with shotgun by Alaska residents, and small game by falconry*

(Dalton Highway Corridor Management Area (DHCMA):

Units 20 and 24-26 extending five miles from each side of the

Dalton Highway, including the drivable surface of the Dalton

Highway, from the Yukon River to the Arctic Ocean, and including

the Prudhoe Bay Closed Area. The area within the Prudhoe

Bay Closed Area is closed to the taking of big game; the

remainder of the DHCMA is closed to hunting; however, big

game, small game, and fur animals may be taken in the area by

bow and arrow only, and small game may be taken by falconry)

The communities of Wiseman and Coldfoot will not have access to the valley floors on State lands under current DHCMA means restriction. Most small game harvest has occurred within the DHCMA valleys where travel is conducive to hunting small game. To meet the subsistence law and needs of these communities for small game and waterfowl I request the Alaska Board of Game repeal the closure to small game harvest except for bow and arrow only, to include small game and waterfowl harvest with small caliber rimfire firearm for harvest of small game and waterfowl with shotgun for all Alaska residents only.

The current restriction to bow and arrow only small game has very little harvest.

The sustained yield harvestable surplus is not being met by the BOG and Alaskan resident subsistence users. These Communities meet all 8 criteria for the BOG to make a Customary and Traditional finding for small game.

Subsistence harvest with archery only take of small game does not meet the eight criteria in the state subsistence statute and regulations. Archery equipment and arrows are very expensive, not efficient in the

economy of time and effort. Residents of Alaska are provided a priority use for Subsistence harvest with consideration of these factors.

Criterion 3: Methods and means of harvest,

A pattern of taking or use consisting of methods and means of harvest that are characterized by efficiency and economy of effort and cost.

There are several documents that substantiate the continues subsistence use of small game and waterfowl by Wiseman and Coldfoot residents.

"Arctic Village" Robert Marshall published 1933, Chapter "Living off the Country"

Thesis study Carol P Scott UAF 1991-1993 " Continuity and Change in Wiseman Area of Alaska" multi year investigation.

Alaska Department of Fish and Game Division of Subsistence 2011 Alaska Pipeline Project

Malla Kukkonen and Ted Krieg

Chapter 8 Coldfoot by Malla Kukkonen

Chapter 9 Wiseman by Malla Kukkonen

Criterion 1: Length and consistency of use

A long term consistent pattern of noncommercial taking, use, and reliance on the fish stock or game population that has been established over a reasonable period of time of not less than one generation, excluding interruption by circumstances beyond the user's control, such as unavailability of the fish or game caused by migratory patterns.

Criterion 2: Seasonality

A pattern of taking or use recurring in specific seasons of each year.

Criterion 3: Methods and means of harvest

A pattern of taking or use consisting of methods and means of harvest that are characterized by efficiency and economy of effort and cost.

Criterion 4: Geographic areas

The area in which the noncommercial, long term, and consistence pattern of taking, use, and reliance upon the fish stock and game population has been established.

Criterion 5: Means of handling, preparing, preserving, and storing

A means of handling, preparing, preserving, and storing fish or game that has been traditionally used by past generations, but not excluding recent technological advances where appropriate.

Criterion 6: Intergenerational transmission of knowledge, skills, values, and lore

A pattern of taking or use that includes the handing down of knowledge of fishing or hunting skills, values, and lore from generation to generation.

Criterion 7: Distribution and exchange

A pattern of taking, use, and reliance where the harvest effort or products of that harvest are distributed or shared, including customary trade, barter, and gift-giving.

Criterion 8: Diversity of resources in an area; economic, cultural, social, and nutritional elements

A pattern that includes taking, use, and reliance for subsistence purposes upon a wide variety of fish and game resources that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life.

What is the issue you would like the board to address and why?

The firearm legislative statute SCSHB 207 enacted in 1980 closes the area to the use of firearm for Big Game. The BOG used and defined the 5 miles either side of the road alignment from the Yukon to the the Prudhoe Bay closed area, and opened the area to take of Big Game in 1980. In 1983 the BOG closed the DHCUA to take of small game with a firearm.

People in Coldfoot and Wiseman commented extensively that small game subsistence harvest was a significant food resource, and was a necessary activity for training young hunters with small caliber rimfire .22 rifles. The state subsistence law was ignored by the Board at that time. The communities of have been here in what is the DHCMA since 1900 and 1908 using these resources.

The local people eventually prevailed with Federal Regulations to take small and large game under federal subsistence regulations with the use of firearm. The state selected the Utility corridor which was attached on March 26, 2026. We are back before the BOG again.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

As a subsistence user I have spoken to the local users here in this area about how to regain our customary and traditional harvest of small game and waterfowl. The local people are very supportive of moving this proposal forward. The Koyukuk River AC will review this proposal at our early winter meeting.

PROPOSED BY: Jack Reakoff (OI-F26-140)

The Board of Game does not have authority to regulate Guides and Transporters. Guides and Transporters are regulated by the Big Game Commercial Services Board.

Proposal 232

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

No person, commercial transporter, or guided service shall drop off or position a hunting party within one-half (½) mile of another known occupied hunting party's drop-off location. This applies to all methods of transportation including aircraft, watercraft, motorized and non-motorized ground vehicles, and personal conveyance. Prior to drop-off, transporters and hunters shall make reasonable effort to determine if another party is already occupying the area. Violation of this regulation shall be subject to existing penalties under Alaska hunting and transporter licensing statutes.

[NO EXISTING REGULATORY LANGUAGE TO DELETE — THIS IS A NEW ADDITION]

What is the issue you would like the board to address and why?

Hunters are being dropped off in close proximity to one another, creating ethical, safety, and fair-chase concerns. This applies to all hunters whether using commercial transporters, guided services, or personal equipment.

Proposed Change: No hunter drop-off shall occur within ½ mile of another occupied hunting party.

Why This Matters: Without this regulation, hunters are placed on top of one another, diminishing hunt quality, increasing conflict risk, and violating ethical standards Alaska's hunting traditions are built upon.

Alternatives Considered: Voluntary compliance and transporter self-regulation were rejected, as there is no enforceable standard and competitive pressure incentivizes transporters to place clients in prime locations regardless of others present.

If Nothing Changes: Overcrowding will worsen, fair-chase principles will erode, and hunter conflicts will increase, damaging Alaska's reputation as a premier ethical hunting destination.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

Yes i spoke to other hunters and locals who have experienced issues with guides and transports fighting over prime land. I have worked with non-residents too who have been dropped on withing 400 feet of another camp.

PROPOSED BY: James Haveron

(OI-F26-144)

Tag fees are established in state statute by the Alaska Legislature. The Board does not have the authority to establish or change fees related to hunting.

Proposal 233

What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say?

Waive non-resident tag fees in the areas where the bag limit is more than one black per year bear. Precedent is established with wolf tags under the current Statute and Regulations.

Example of regulatory language:

Unit 19 Black Bear * No Non-Resident Tag Required Five Bears No Closed Season

What is the issue you would like the board to address and why?

Lack of participation of hunters in areas where the bag limit is multiple bears. Non-resident hunters will often not take bears due to the cost of tags. Particularly in intensive management and predator control areas where the goal is reduce predator numbers to increase calf survival.

Non-Resident black bear tag fees too costly preventing hunters from filling their bag limit. Reduce or eliminate tags fees for non-resident hunters.

Did you develop your proposal in coordination with others, or with your local fish and game advisory committee?

PROPOSED BY: Jeff Pralle (OI-F26-168)
