

## **NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BOARD OF GAME**

The Alaska Board of Game proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code, dealing with the use and taking of game. Regulations subject to board action are in 5 AAC 84, 85, 92, 98 and 99. The subject matter areas to be addressed concern Game Management Units 18, 22, 23, and 26A. The board will also address additional topics for other Game Management Units and statewide provisions as described below:

- A. TRAPPING SEASONS AND BAG LIMITS for Units 18, 22, 23, and 26A, including but not limited to: Beaver, black bear, fox, lynx, marten, otter, mink, weasel, muskrat, squirrel and marmot, wolf, and wolverine.
- B. HUNTING SEASONS AND BAG LIMITS for Units 18, 22, 23, and 26A, including but not limited to: MuskoX, black bear, brown bear, caribou, moose including the reauthorization of antlerless moose hunts, Dall sheep, wolf, wolverine, lynx, fur animals, small game including ptarmigan, unclassified game, and deleterious exotic wildlife. In addition, the potential for Tier I or Tier II subsistence hunting for each population.
- C. LICENSES, HARVEST TICKETS AND REPORTS, TAGS, FEES, PERMITS, AND PERMIT HUNT CONDITIONS AND PROCEDURES for Units 18, 22, 23, and 26A, including but not limited to: Required and discretionary hunting and trapping permit conditions including trophy destruction of muskoX; brown bear tag fee exemptions; hunter education and orientation requirements; and Tier I and Tier II subsistence permits.
- D. HUNTING AND TRAPPING METHODS AND MEANS for Units 18, 22, 23, and 26A including, but not limited to: Unlawful methods of taking game, big game, furbearers and fur animals, including the taking moose with the use of electronic calls and salt licks; taking moose from a boat under power; and violations for trapping non-target species.
- E. POSSESSION, TRANSPORTATION, AND USE OF GAME for 18, 22, 23, and 26A including but not limited to: Purchase and sale of game and game parts; sealing requirements; and salvage of game meat, furs, and hides.
- F. RESTRICTED AREAS AND GAME MANAGEMENT UNITS for Units 18, 22, 23, and 26A including but not limited to: Areas closed to hunting; areas closed to trapping; controlled use areas; and management areas; and the boundary for Game Management Unit 18.
- G. INTENSIVE MANAGEMENT in Units 18, 22, 23, and 26A, for all populations having a positive finding as identified big game prey populations, and predation control areas implementation plans, including habitat manipulation, and related findings.
- H. CUSTOMARY AND TRADITIONAL USES OF GAME POPULATIONS including but not limited to: Amounts reasonably necessary for subsistence uses for game in Units 18, 22, 23, and 26A.

In addition to the topics listed above, the following supplementary topics concerning changes to other Units will be considered:

- I. STATEWIDE AND OTHER PROVISIONS: Intensive management for Unit 15; predator control implementation plan for Unit 9; boundaries for Game Management Units 19 and 21; and the definition for a specific type of snare to be utilized in Unit 1.

You may comment on the proposed regulations, including the potential costs to private persons of complying with the proposed changes by submitting written comments to the Alaska Board of Game, Boards Support Section at P.O. Box 115526, Juneau, AK 99811-5526. Comments may also be submitted by fax to (907) 465-6094.

Written comments may be submitted to the Board of Game at any time before the proposal is taken up by the board in deliberations, but as a practical matter, written comments should be submitted to the Boards Support Section office at the above address or fax number by **5:00 pm Friday, October 28, 2011** to ensure inclusion in the board workbooks.

Written comment over 100 single sided or 50 double sided pages in length from any one individual or group relating to proposals will not be accepted. Written comments submitted after October 28, 2011 will be limited to 10 single sided or 5 double sided pages in length from any one individual or group. Written comments that are submitted are public record and are subject to public inspection.

The public hearing portion of the meeting will begin immediately after staff reports and continue until everyone who has signed up and is present when called has been given the opportunity to be heard. However, state advisory committee representatives may elect to provide testimony at a later portion of the meeting. The deadline to sign up to testify will be announced at the meeting. The board will take oral testimony only from those who register before the cut-off time. The length of oral statements may be limited to three to five minutes, or less.

Additional public hearings may be held throughout the meeting just before consideration and adoption of proposed changes in the regulations. A live audio stream of the board meeting is intended to be available and can be accessed on the Board of Game website at: [www.boardofgame.adfg.alaska.gov](http://www.boardofgame.adfg.alaska.gov) .

In addition to taking public testimony on the proposed regulatory changes scheduled for this meeting, the board will also allow public testimony on the proposed regulation to authorize a predator control program in Unit 26B which is scheduled for the Statewide Regulations meeting in January, 2012. This will provide an opportunity for oral testimony to those individuals in the Arctic and Western Regions who are unable to attend the January, 2012 board meeting. A summary of the testimony provided at the November meeting will be provided to the board at the Statewide Regulations meeting.

### **Tentative Meeting Schedule**

**Arctic & Western Regions  
Inupiat Heritage Center  
5241 North Star Street  
Barrow, Alaska 99723  
November 11-14, 2011**

An agenda will be posted daily during the meeting. Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110.

If you are a person with a disability who may need special accommodations in order to participate in this process, please contact Scott Crass at (907) 465-4110 no later than October 28, 2011 to ensure that any necessary accommodations can be provided.

The proposed regulation changes are available on the Board of Game website at [www.boardofgame.adfg.alaska.gov](http://www.boardofgame.adfg.alaska.gov); or through the ADF&G Boards Support Office at (907) 465-4110.

Anyone interested in or affected by subsistence and general hunting or trapping regulations is hereby informed that, by publishing this legal notice the Board of Game may consider any or all of the subject areas covered by this notice. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.** Pursuant to AS 44.62.200, the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the hunting and trapping regulations as may be required to ensure the subsistence priority in AS 16.05.258 including reexamining customary and traditional use findings and determinations for amounts reasonably necessary for subsistence use.

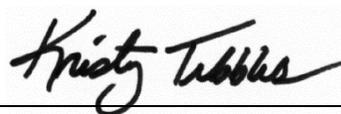
After the public hearing, the Board of Game may adopt these or other provisions dealing with the same subject, without further notice, or amend, reject, supplement, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interest could be affected.

**Statutory Authority:** AS 16.05.255; AS 16.05.258; AS 16.05.270

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 16.05.255; AS 16.05.256; AS 16.05.258; AS 16.05.407; AS 16.05.346; AS 16.05.340; AS 16.30.010 – .030; AS 16.05.330, and AS 16.05.783

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: October 3, 2011



Kristy Tibbles, Executive Director  
Alaska Board of Game

**ADDITIONAL REGULATIONS NOTICE INFORMATION**  
**(AS 44.62.190(d))**

1. Adopting agency: Alaska Board of Game
2. General subject of regulation: Arctic and Western Regions
3. Citation of regulations: 5 AAC 84, 85, 92, 98, and 99
4. Reason for the proposed action:
  - compliance with federal law
  - compliance with new or changed state statute
  - compliance with court order
  - development of program standards
  - other: Regularly scheduled topics for the Arctic & Western 2011 Board of Game meeting and other miscellaneous provisions. Implement, interpret, or make specific the provisions of AS 16.05– AS 16.30
5. Program category and RDU: Natural Resources and all RDUs
6. Cost of implementation to the state agency and available funding: It is not possible to estimate cost. However, this action is not expected to require an increased appropriation.
7. The name of the contact person for the regulations:

Name: Kristy Tibbles  
Title: Executive Director, Board Game  
Address: Boards Support Section  
Alaska Dept. of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526  
Telephone: (907) 465-4110

8. The origin of the proposed action:
  - staff of state agency
  - federal government
  - general public
  - petition for regulation change
  - other (please list)

9. Date: October 3, 2011

Prepared by: *Kristy Tibbles*  
Kristy Tibbles  
Executive Director, Board of Game  
907-465-4110

**PROPOSAL 256 - 5 AAC 92.095 Unlawful methods of taking furbearers; exceptions; and 92.990. Definitions.** Repeal the statewide definition for an ADF&G style breakaway snare; modify and add the requirement to trapping in the Gustavus area.

Amend 5 AAC 92.095(a)(16)(A) to allow the use of a specific type of snare with a diverter wire for wolf trapping only in Unit 1C. The board will discuss modifications to the following language so that it better clarifies the board intent and specifies that this type of snare is required only in Unit 1C.

(16) in Unit 1C, that portion west of Excursion Inlet and north of Icy Passage, by using  
(A) a snare with a cable diameter of 1/32 inch or larger that is set out of water, unless the snare **cable is severed at a point that is 10.0 inches to 10.5 inches from the cable end stop and then reattached with a double ferrule, and the snare has a wire designed to divert non-target species that is attached to the snare so that the diverter wire extends at least 28 inches from the snare loop and is perpendicular to the loop** [IS CONSTRUCTED WITH AN ADF&G-STYLE NOOSE STOP/BREAKAWAY AND A DIVERTER WIRE];

...

**5 AAC 92.990(a): Definitions.**

[(80) “ADF&G-STYLE NOOSE STOP/BREAKAWAY” MEANS SPECIFICALLY THAT THE CABLE IS SEVERED AT A POINT THAT IS 10.0 INCHES TO 10.5 INCHES FROM THE CABLE END STOP AND THEN REATTACHED WITH A DOUBLE FERRULE

(81) “DIVERTER WIRE” MEANS A WIRE DESIGNED TO DIVERT NON-TARGET SPECIES THAT IS ATTACHED TO A SNARE SO THAT THE DIVERTER WIRE EXTENDS AT LEAST 28 INCHES FROM THE SNARE LOOP AND IS PERPENDICULAR TO THE LOOP.]

**ISSUE:** At the November, 2010 Southeast Region meeting, the Board of Game authorized wolf trapping in Unit 1C with the use a specific type of breakaway snare with a diverter wire for the purpose of diverting non-target species. At a subsequent meeting, the board requested the regulation be addressed in the November, 2011 Arctic & Western Region meeting in order to modify the description of the snare so that it meets the original intention of the board and that it apply only to Unit 1C.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There may confusion that this snare is used in other areas of the state.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** N/A

**WHO IS LIKELY TO BENEFIT?** Trappers will benefit from having better clarification of the regulations.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?** Leave regulation in place.

**PROPOSED BY:** Board of Game

**LOG NUMBER:** ADFGBOG256

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