



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Public Safety**

DIVISION OF ALASKA WILDLIFE TROOPERS  
Office of the Director

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February 23, 2018

**RC 059**

Chairman Spraker  
Alaska Board of Game  
P.O. Box 115526  
Juneau Ak, 99811-5526

Dear Chairman Spraker:

The Alaska Wildlife Troopers request clarification on what the intent of the Board of Game was regarding corridors and control use areas when restrictions are in place in regulation that state "no motorized vehicle may be used to transport hunters, hunting gear, or parts of game". This statement is widely used throughout the regulations when dealing with specialized areas.

Currently we have several areas within Alaska that prohibit these use of motorized vehicles for these uses. In these areas the public along with the Alaska Department of Fish and Game and the Alaska Wildlife Troopers have interpreted that "hunters" cannot use motorized vehicles. Recently we have questioned this due to the definition of "game". Game is defined in AS16.05.940 (19) as any species of bird, reptile, and mammal, including a feral domestic animal, found or introduced in the state, except domestic birds and mammals; and game may be classified by regulation as big game, small game, fur bearers or other categories considered essential for carrying out the intention and purposes of AS 16.05 - AS 16.40.

The definition of "game" prohibits a trapper from transporting furbearers they catch and lawful bait that consists of "game parts" into these areas on a motorized vehicle, though they can lawfully transport themselves and their gear.

If the intent is to prohibit the transportation of furbearers by trappers along with the game parts they commonly use as bait, then AWT will advise trappers of this interpretation and advise them to discontinue use.

If the intent of the board was to allow full access with the use of motorized vehicles by trappers to transport furbearers and bait, the board would need to change the regulation in each of the specialized areas. This could be done by adding language to the current regulations to, "no motorized vehicle may be used to transport hunters, hunting gear, or parts of game, except furbearers and parts of game animals that can lawfully be used as bait for trapping, may be transported by motorized vehicle". Doing this will allow trappers to transport, by motorized vehicles, their catch taken under a trapping license along with the lawful bait used for trapping in these specialized area.

If the intent was to not have Trappers using motorized vehicles at all in these areas, then they themselves and their gear should be added and regulatory change will need to occur to make it enforceable. This could be done by adding the following language, "no motorized vehicle may be used to transport hunters, trappers, hunting gear, trapping gear or parts of game".

Thank you for your time,

*Aaron Frenzel*

Lieutenant Aaron Frenzel  
Alaska Wildlife Troopers



**AGENDA CHANGE REQUEST FORM**  
**ALASKA BOARD OF GAME**

The Board of Game (board) will accept requests to change its schedule under certain guidelines set forth in 5 AAC 92.005. The board will accept these agenda change requests (ACRs) only:

- 1) for a conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a regulation that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 92.005 (a) (2)].

Please answer all questions to the best of your ability. The information submitted on the ACR form will be used to develop the proposal if accepted by the Board of Game.

1) **CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.** If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

Alaska Administrative Code Number 5 AAC: Multiple Regulations Statewide

2) **WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.** Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Trappers are unintentionally using unlawful methods to transport furbearers and parts of big and small game animals used as bait with motorized vehicles in controlled use areas and corridors.

3) **WHAT SOLUTION DO YOU PREFER?** Or, if the board adopted your solution, what would the new or amended regulation say?

If the BOG intended to allow trappers to use motorized vehicles in these specialized areas, then they should be allowed to lawfully transport furbearers and parts of game lawfully used as bait.

4) **STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE.** If one or more of the three criteria set forth above is not applicable, state that it is not.

a) for a conservation purpose or reason:  
Click here to enter text.

b) to correct an error in regulation:  
Click here to enter text.

c) to correct an effect on a hunt that was unforeseen when a regulation was adopted:

In many of the controlled use areas and corridors there are regulations in place prohibiting the use of motorized vehicles to transport hunters, hunting gear and game. That has been interpreted that hunters could not operate motorized vehicles, but trappers could. It has recently come to the attention of AWT and ADF&G that due to the definition of "game" trappers cannot transport furbearers or lawful bait that consists of parts of game with a motorized vehicle in many of these restricted areas.

5) **WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?**  
Trappers will be able to transport themselves and their gear on motorized vehicles, but will not lawfully be able to transport their catch or parts of game used as lawful bait.

**6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.**

This is a methods and means issue regarding the use of motorized vehicles by trappers in specialized areas.

**7) IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.**

Click here to enter text.

**8) STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. (e.g., hunter, guide, subsistence user, trapper, etc.)**

Enforcement

**9) STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING.**

Not that the Alaska Wildlife Troopers are aware of.

Submitted by:

**NAME** Alaska Wildlife Troopers  
**Individual or Group**

5700 East Tudor Road

Anchorage, AK

99506

**Address**

**City, State**

**Zip**

**Home Phone**

**Work Phone**

**Email**

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**Note: Addresses and telephone numbers will not be published.**