

Statewide Regulations Meeting – Nov 10-17

Comment author:

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RC 059

RE: Proposal 66

Ladies and Gentleman:

Thank you for the opportunity to comment. My name is Nancy Bale and I've lived in Alaska since 1971, first in the Denali area, then on the Tonzona River where I lived seasonally for 20 plus years, working in the Kantishna region summers, and now since 1996 in the Anchorage area, where I work as a nurse. My involvement is as a public citizen who respects the board of game process and your important role in both utilizing and conserving our wildlife resource.

As a former participant in the ACR process, I appreciate the department's attempt to clarify the criteria for granting an agenda change request, or ACR in Proposal 66. Generally I support changing the ACR criteria to be less vague.

Part of the department's stated rationale in bringing a change to ACR criteria was to bring ACRs more in line with the Joint Board Petition Policy. As I read it, the Joint Boards Petition Policy asks that you limit, to the greatest extent possible, the introduction of proposals that did not go through the normal process of public vetting, AC recommendation and comment collection, and appearance on regional meeting agendas. I think it is important that when you revise the ACR policy, you not inadvertently introduce criteria that will tend to increase the number of allocative proposals out of cycle with the normal, regional board process.

I realize that when the Department and Board went to a three year cycle of regional meetings in January 2015, it became more likely that ACRs would be requested, as regional citizens and communities encounter some problems either with the resource or the hunt structure, and desire a more timely resolution than a three year cycle would allow. When in 2015 the Board decided to go to a three year cycle of meetings, this issue of timeliness was discussed.

Reasons cited for moving to the three year cycle included financial, logistical and manpower concerns. I believe it is unlikely that you will move back to the two year cycle. Because of that, I would expect that the relative number of ACRs may increase along with the cost of adjudicating them. This additional cost could become, or may already be, significant, if ACRs begin to crowd your plate.

Additionally, a foreseeable aspect of the use of ACRs has been that proposals for one region are considered at a meeting held in a different region. ACRs are not the only reason this happens, but they are a factor. I think you would agree that this has important public process implications.

And finally, I note that many of the proposals for ACRs are coming from the department itself, and appear to my untrained eye to be largely allocative, and thereby having a bit of trouble fitting into the existing criteria.

In general, I am opposed to the use of ACRs except where a near-emergency exists. I believe that the very sparing use of ACRs is also in line with the Joint Board Petition Policy. I also continue to support returning to a two year cycle of regional meetings. I also was intrigued by discussion of instituting a "committee of the whole process" at the Board of Game.

In considering Proposal 66, here are my thoughts on the criteria you have proposed.

1. **Criterion A** - I support removal of the first criterion as stated, that the proposal represents a "conservation concern." In the absence of a rigorous definition of "conservation concern," this criterion is way too vague and risks inappropriate application, as you have pointed out.
2. **Criterion D** – "if the request identifies a biological concern for the population or a threat to meeting objectives for the population." This criterion contains two very different concepts, one of them biological, the other allocative. I invite you to change this criterion to "if the request identifies a biological concern for the wildlife resource."
3. **Criteria E, F** - These two criteria deal with the concept of "unforeseen" events that could change or reduce hunter opportunity. This "unforeseen" concept is already available in the existing ACR policy under existing **Criterion C**. E and F, although attempting to mirror the Joint Board Petition Policy are unnecessarily wordy, in my mind.
4. **Here are my ideas for the three criteria**, for you to consider. They are being offered with an eye to simplicity.
 1. Criterion A – "The request identifies a biological concern for a wildlife resource."
OR
 2. Criterion B – "The request identifies an error in regulation"
OR
 3. Criterion C – "The request is to correct an effect of a regulation that was unforeseen when a regulation was adopted, and this effect had serious consequences for hunter opportunity, customary and traditional use, or resource health, consequences that cannot be remediated through the normal board process."

Whatever the board does with respect to ACRs, I agree that it should validate **the priority** of the regular process of proposal creation (as identified in 5 AAC 96.625 d and e), and that ACRs be rare and answer only those problems that will result in immediate and serious resource or hunter opportunity loss.

Thank you for the opportunity to comment....I will listen with interest as you debate this.

Thank you for the opportunity to speak. My name is Nancy Bale and I serve on the Board of Directors of the Denali Citizens Council, a local, grassroots organization, composed largely of folks who live or have lived and worked in the Denali Park region. Almost since our organization was formed, our members have supported the