

The following proposal was submitted by the proposal deadline but was inadvertently excluded from the proposal book. It will be considered by the Board of Game at the Statewide Regulations meeting scheduled for March 2025.

PROPOSAL 187

5 AAC 92.080. Unlawful methods of taking game; exceptions.

Allow the use of night vision, thermal scopes, and artificial light to be used only for hunting predators as follows:

Using a laser sight, electronical-enhanced, night vision, thermal any forward looking infrared device is authorized for use for the taking of predators only.

What is the issue you would like the board to address and why? Allow the use of night vision/thermal scopes/artificial light to be used only for the taking of predators as follows. There is standing for this in 44 of 50 states! You can also find the information at www.pointoptics.com (scroll down and click on the state you'd like to research). We have a significant predator problem and several, IF NOT ALL of our caribou herds are in decline all over the state. Some of this is due to human competition for the resource but the overwhelming fact remains that predators take out as much as 80% of newborn calves to include the moose calves and if we don't keep the predators in check the numbers will continue to decline. This is a win win; if approved you will be able to bring back the caribou and moose numbers you desire and offer more hunting opportunities. I know some of you are concerned about people violating non predatory animals with a thermal scope and other devices but honestly a thermal scope is somewhere in the neighborhood of \$3500-\$7000 depending on model/type so please ask yourself WHO is going to spend that kind of coin to break the law. Again 44 other states allow this type of predator hunting for a reason.

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

PROPOSED BY: Scott Vanderlooven (EG-F24-086)

Note: Proposal 188 was accepted by the Board of Game as an Agenda Change Request for consideration at the Statewide Regulations meeting scheduled for March 2025.

PROPOSAL 188

5 AAC 92.050. Required permit hunt conditions and procedures.

Award DI403 and DI404 permit recipients whose tags were cancelled on July 24, 2024 the same hunting permits for an upcoming season, and develop a plan with ADF&G to ensure late season changes do not impact hunters as follows

The preference would be awarding these cancelled tags during an upcoming hunting season. I would also encourage the Board of Game to work with ADF&G to develop a plan to ensure late season changes do not leave hunters who were expecting and planning to hunt a particular unit or species hanging. Successful hunting in Alaska requires extensive planning, especially for those who do not have access to motorized means of transportation.

What is the issue you would like the board to address and why? The Board of Game should consider addressing the cancelled DI403 and DI404 permits that were cancelled on July 24, 2024. This cancellation happened after impacted hunters were contacted by ADF&G to congratulate hunters and encourage hunters to begin their planning process. Some hunters were given the opportunity to hunt this season while approximately half of hunters were not given this opportunity.

Every year both resident and nonresident hunters enter the draw application period with the hope of drawing a tag. In 2024, tags for DI403 and DI404 were awarded in February. In April, ADF&G emailed tag winners congratulating them and encouraging them to plan their hunt. In late July of 2024 they again contacted winners and announced that roughly half the tags were being cancelled. The timing of this is problematic because hunting in Alaska, especially for those who do not own airplanes and boats requires significant planning, additionally, me and other hunters who were planning this once in a lifetime hunt had already made significant financial investment in this hunt with the purchase of new gear, ensuring rifles met the hunt requirements, etc. Addressing how this situation will be rectified will give hunters better information and the ability to plan. Unfortunately, I and other cancelled permit holders will not have this information prior to the draw application period.

This seeks to address how tags were cancelled after they were awarded during the November 2023 draw application period for the 2024 hunting season.

If this problem is not solved prior to the regular meeting cycle, hunters who had their tags cancelled will not be eligible to bison hunt.

PROPOSED BY: Lang Van Dommelen (HQ-F24-ACR2)

Note: Proposal 189 was accepted by the Board of Game as an Agenda Change Request for consideration at the Statewide Regulations meeting scheduled for March 2025.

PROPOSAL 189

5 AAC 92.050. Required permit hunt conditions and procedures.

Allow a permittee who had their Unit 20D bison permit revoked for regulatory year 2024, to have the permit transferred to regulatory year 2026 upon request, or remove the lifetime and ten-year loss of eligibility for those hunters to apply as follows:

After conducting post-calving surveys in the summer of 2024, the department recognized the need to reduce the overall number of permits, and to change the bag limit to bulls only. Chances of

winning a Delta bison permit are extremely low, existing regulations allow residents to be eligible for a permit only once every ten years, and existing regulations allow nonresidents to be eligible for a permit once per lifetime. Given these restrictions, the department would like the board to consider transferring any DI403 and DI404 permits awarded for the 2024 regulatory year that were subsequently taken away, to be transferred to regulatory year 2026. This would allow those who had been announced as winners for regulatory year 2024 to hunt in regulatory year 2026.

Absent the transfer of permits across regulatory years, the department would like the board to consider lifting the lifetime and 10-year loss of eligibility for those hunters that were awarded permits that were subsequently revoked, allowing those hunters to begin applying again.

5 AAC 92.050(a)(6) would therefore read:

(E) a permittee who had their Unit 20(D) bison permit revoked for regulatory year 2024 may, upon request, have the permit transferred to regulatory year 2026.

Also offered for consideration, adding a new sub-subparagraph to 5 AAC 92.050(a)(4)(H):

5 AAC 92.050(a)(4)

(H) a resident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit for 10 years; a nonresident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit;

(i) however, a resident who had their Unit 20(D) bison permit revoked for regulatory year 2024 is eligible to apply for another bison drawing permit for regulatory year 2026; and a nonresident who had their Unit 20(D) bison permit revoked for regulatory year 2024 is eligible to apply for another bison drawing permit.

What is the issue you would like the board to address and why? The department manages the Delta Bison Herd within a narrow range of abundance in an attempt to avoid conflicts with agriculture and maintain a viable and sustainable population. The department adjusts permits and bag limits annually in an attempt to keep the population at approximately 360 adults, post hunt. The department assumes that natural mortality is going to be very low in this population, and when natural mortality events occur, as in the historic winter of 2021/2022, permit numbers or hunt conditions must be significantly changed. The department is often unaware of the degree of mortality until after permits have been awarded. A mortality event in the spring of 2024 also led to a situation where too many permits were awarded, running a risk of unsustainable harvest.

This regulation covers the vast majority of permit issuance scenarios, however due to the timing of bison surveys, the department's attempts to manage within a narrow window of abundance for this population, and the early notification of permit winners, there are occasionally scenarios where the department must retract permits or eliminate a hunt entirely. Applicants are warned that hunts could be eliminated, and that application fees may not be refunded. The Delta bison hunt is unique in that it is highly sought after, and bison hunts in general have a lifetime or 10-year moratorium

(depending upon residency) on re-applying after winning, further emphasizing how unique it is to win such a permit, and how unusual it is to win and then lose such a permit.

By reducing the overall number of permitted hunters, the department has addressed the conservation concern.

Although this change does address allocation of permits, it is not associated with particular user groups, other than current and future winners. This is a novel circumstance, that requires timely action, if permits are to be deferred to a later regulatory year.

If the problem is not solved, permit winners that have had their permits retracted will be unable to hunt, and may not have the chance again, even if they are allowed to reapply. Previous attempts to adjust hunt conditions to allow all winners to hunt have resulted in low success rates, and short hunt windows. Many hunters expressed a preference to simply hunt in a different year, rather than have the hunt conditions drastically altered. Although it does not address the loss of opportunity in 2024, the department is considering advertising a more conservative number of permits in the drawing supplement, which may mitigate this issue moving forward.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-ACR3)

Note: Proposal 190 was accepted by the Board of Game as an Agenda Change Request for consideration at the Statewide Regulations meeting scheduled for March 2025. The proposal refers to a letter from the Unit 19C Dall Sheep Working Group and a meeting summary which can be found online at: <https://www.adfg.alaska.gov/index.cfm?adfg=gameboard.meetinginfo&date=10-17-2024&meeting=webconference>

PROPOSAL 190

5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.

Modify the resident and nonresident hunt structure for sheep in Unit 19C, and establish a guide concession pilot program as follows:

The Unit 19C Sheep Working Group requests a closure for 2025 to all general season hunts except the RS380 subsistence hunt.

In 2026/27 there will be a temporary draw hunt with a sunset clause after two years where 80% permits are allocated to residents and 20% to nonresidents, with a 5% cap for second degree kindred (2DK) nonresident hunters, coming out of the nonresident allocation. The 2DK hunt sponsor shall also notch harvest ticket for bag limit.

We request Unit 19C be used as the pilot program for the guide concession program, implemented by 2028.

In 2028, if the guide concession program for Unit 19C is in place, then residents and nonresidents will go to harvest ticket hunts.

What is the issue you would like the board to address and why? Declining sheep populations in Unit 19C.

We remain concerned primarily about the health of the sheep population in Unit 19C. Please refer to the charge statement of the working group, the results of the working group meeting in October 2024, and the letter submitted with the agenda change request.

This approach prioritizes the well-being of the species over the distribution of hunting opportunities. The primary goal is to balance the interests of conservation, local communities, and economic factors.

These adjustments are about managing the resource sustainably rather than just allocating hunting rights.

If the problem is not solved prior to the regular meeting cycle, the Unit 19C Sheep Working Group will not achieve our mandate. The board deferred all proposals for sheep hunting in Unit 19C out of cycle to allow the sheep working group to submit a proposal which is timely with the other proposals.

The closure was a temporary measure put in place, and we are now in a position to create future hunting opportunities for multiple users. The Unit 19C Sheep Working Group will not achieve our mandate. In this time of uncertainty, we are trying to ensure the healthy sheep populations in Unit 19C.

PROPOSED BY: Unit 19C Sheep Working Group (HQ-F24-ACR5)

Note: Proposal 191 was accepted by the Board of Game as an Agenda Change Request for consideration at the Statewide Regulations meeting scheduled for March 2025.

PROPOSAL 191

5 AAC 92.540(3)(I)(ii). Controlled Use Areas:

Define the beginning and terminus of the Nine Mile trail in the Ladue River Controlled Use Area as follows:

5AAC 92.540(3)(I)(iii). The Nine Mile Trail as referenced in this regulation refers to the single primary ATV trail beginning along the Taylor Highway at coordinates (1) N63 24.233 x W142 28.422, entering the western portion of the defined controlled use area at coordinates (2) N62 23.879 x W142 9.073, and terminating at coordinates (3) N62 32.420 x W141 27.995. Only the single primary trail including connected bypasses no more than 20 feet.

What is the issue you would like the board to address and why? This controlled use area allows exceptions for use of motorized vehicles on the Nine Mile and Liberty Creek trails. Neither of these trails are defined in regulation as to their official start, terminus, or scope.

Recent development of a large mine in the area of the Nine Mile trail has caused a dramatic increase in vehicle traffic and new branches of trails have begun to appear making it impossible to know which trail(s) are the original Nine Mile trail and which are continuations or offshoots.

The Alaska Wildlife Troopers (AWT) has received numerous complaints annually about moose hunters straying beyond the original Nine Mile trail however enforcement has proved challenging without a clear delineation and definition of where the trail exists and/or ends.

This change will better define the beginning and terminus of the Nine Mile trail and uses the same GPS coordinates where Tok ADF&G has established markers designating the beginning and terminus of the trail. It additionally spells out that side trails and extensions are not considered part of the trail and thus motorized vehicles are not allowed in those areas.

When the exclusion for the Nine Mile trail was put in there was little ATV traffic on this trail and due to the remoteness of the area, there was little traffic to keep the trail established against overgrowth. The re-establishment of a large gold mining operation near the terminus of the Nine Mile trail has introduced additional traffic that has caused the trails system to be expanded well beyond the original trail. A defined beginning and end to the excluded trail within the CUA is needed for enforcement to be able to properly charge violations by users taking motorized vehicles deeper into the CUA beyond the original established trail.

The Alaska Wildlife Troopers are the primary enforcement agency for Alaska's Fish and Wildlife laws and regulations. AWT occasionally faces situations where the intent of the board or wildlife managers cannot be enforced due to incorrect, confusing or missing definitions that are required for a successful legal action against a violator. AWT has had concerns with this particular situation within the Ladue CUA for more than a decade however until recently, very few people accessed the area via motorized vehicles and the trail system therefore was shrinking by overgrowth, not growing in size and scope.

This does not affect allocation of the resource as it merely defines a trail already listed as an exclusion to motorized access within a controlled use area. Further the points listed are the same used by Tok ADF&G to advise users where the trail system starts and ends and are also the locations where notices are posted. This ACR simply adds those GPS points into the regulation for enforceability by AWT.

If the problem is not solved prior to the regular meeting cycle, there will continue to be more motorized vehicle impact within the Ladue Controlled Use Area branching further and further off of the original established Nine Mile Trail. AWT will be unable to enforce many of these violations without a clearly defined beginning and end of this trail.

PROPOSED BY: Alaska Wildlife Troopers (HQ-F24-ACR6)

Note: Proposal 192 was accepted by the Board of Game as an Agenda Change Request for consideration at the Statewide Regulations meeting scheduled for March 2025.

PROPOSAL 192

5 AAC 85.055. Hunting seasons and bag limits for Dall sheep.

Modify the resident and nonresident hunt structure for sheep in Unit 19C as follows.

Resident sheep hunting opportunity in Unit 19C remains open under a general season. Continued general resident sheep hunting opportunity August 10 – September 20 does not pose a conservation concern for sheep in Unit 19C at this time.

Nonresident sheep hunting in Unit 19C remains closed until such a time that a draw permit system is in place to limit nonresident sheep hunters. The season then remains the same, August 10 – September 20. The board should set a conservative “up-to” number of permits and give the Department the authority to determine the number of permits allocated, with the intention that nonresident sheep hunters and their guides don’t overwhelm the area and continue to cause conflicts in the field.

Alternatively, **if a Unit 19C Guide Concession Program to limit the number of guides and their sheep-hunting clients in the unit is implemented, nonresident sheep hunting can again be allowed, but it should also be under a draw permit system with a limited allocation** (*any nonresident draw permits would essentially go to the guided hunter booking with the guide with an exclusive concession*).

Should there come a time when the sheep population in Unit 19C further declines and it is determined that resident sheep hunters need to be limited under a draw permit system along with nonresidents, **the allocation of permits shall be a 90/10 split as in other areas where both resident and nonresident sheep hunters are on a draw permit system: 90 percent to residents, and 10 percent to nonresidents.** Nonresident second-degree-of-kindred (2DK) permits shall be placed in the nonresident pool of tags.

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

Unit 19C Sheep Conservation Concerns

Continued Unit 19C Resident General Sheep Hunting Opportunity

Unit 19C Nonresident Sheep Hunting Opportunity after the Closure Period

(Note: we apologize for the length of this section below, but it is important that newer board members have the facts as to past board actions that led to the point we are at now)

At the November 10, 2022, Agenda Change Request (ACR) meeting, the board took up ACR 12 submitted by Resident Hunters of Alaska (RHAK) that asked to consider limiting nonresident sheep hunters in Unit 19C out of cycle based on sheep conservation concerns.

The board voted unanimously to *not* accept RHAK ACR 12, saying it *did not meet the criteria for acceptance because there were no conservation concerns for Dall sheep in Unit 19C*.

Minutes later, at the very same meeting, the board voted 6-1 to create a board-generated proposal that would close Unit 19C to all sheep hunting for five years, stating that *there were valid conservation concerns for the sheep population*. That proposal would become Proposal 204 to be heard out of cycle at the 2023 Southcentral meeting in Soldotna.

This overt manipulation of the public process – the board on one hand telling RHAK that our ACR did not meet the criteria for acceptance because there were no sheep conservation concerns, while on the other generating their own proposal based on sheep conservation concerns – should not have been allowed to happen and was carried out so that there would only be one out-of-cycle 19C sheep proposal (the board's) before the board at the 2023 Southcentral meeting.

Board-generated Proposal 204 was deliberated at the 2023 Southcentral meeting. The board amended the proposal to exempt resident sheep hunters from the 19C closure. A resident closure or any new limits on resident sheep hunters was deemed not necessary. The proposal then passed to close Unit 19C to nonresident sheep hunters for five years.

There were a lot of questions and backlash after the board closed Unit 19C to nonresident sheep hunting. The board decided to create a new Sheep Working Group (SWG) that would focus solely on Unit 19C sheep management concerns and provide recommendations to the board at a future date.

The Unit 19C SWG was formed in late 2023, with six public members and three board members. A facilitator was hired, and the group was to hold meetings in 2024.

2024 was also the year for the in-cycle Interior Region III board meeting, which includes Unit 19C. There were several public proposals before the board regarding Unit 19C sheep hunting, to include reversing the nonresident closure, as well as Proposal 82, from RHAK, asking to reopen Unit 19C sheep hunting for nonresidents, but limit nonresident sheep hunters in 19C to draw-only permits with a limited allocation.

All the Unit 19C sheep proposals before the board at the 2024 Region III meeting were submitted on time by the May 1, 2023, deadline, nearly a year before the board would hear them. But the board deferred all the in-cycle 19C sheep proposals another year out to the 2025 Statewide meeting, stating that they did not want to make any decisions on Unit 19C sheep until after the SWG recommendations were submitted. They would take all the deferred proposals up along with the SWG recommendations at the same time.

That action amounted to more circumvention of the public process and smacks of favoritism to the 19C SWG recommendations that can only come before the board via an ACR from the group, due by the November 1, 2024, deadline.

The Unit 19C SWG met in mid-October 2024 to finalize recommendations to the board. Six members of the nine-member group supported an ACR asking the board to include resident sheep hunters in the 19C sheep hunting closure during the 2025 season, make all sheep hunting in Unit

19C during the 2026 and 2027 seasons draw-only hunts (with 80 percent of the permits going to residents and 20 percent to nonresidents), and if the Guide Concession Program to limit guides in 19C was not in place by 2028, then the SWG would meet again to discuss other recommendations.

Based on the information coming out of the 19C SWG, that they will submit an ACR that is in effect a new Unit 19C sheep management allocation plan, and the board’s seeming willingness to accept it and hear it out-of-cycle at the 2025 Statewide meeting with all the deferred public proposals, RHAK is submitting this ACR to the board (that includes new data) for the same type of management allocation plan consideration.

The board has identified a conservation concern for Dall sheep in Unit 19C if continued unlimited nonresident sheep hunting is allowed and used that as justification for closing nonresident sheep hunting for five years (2023-2027).

In the ADF&G chart below, you can see that 19C sheep harvests started to drop dramatically in 2019, which correlated with the observed sheep population decline from the Department’s aerial trend count surveys:



Nonresident sheep hunters have always taken the majority of the sheep harvest in Unit 19C, but as the ADF&G chart below shows, the percentage of nonresident sheep harvests increased dramatically as the sheep population declined:

Contemporary Trends (2013-2022)

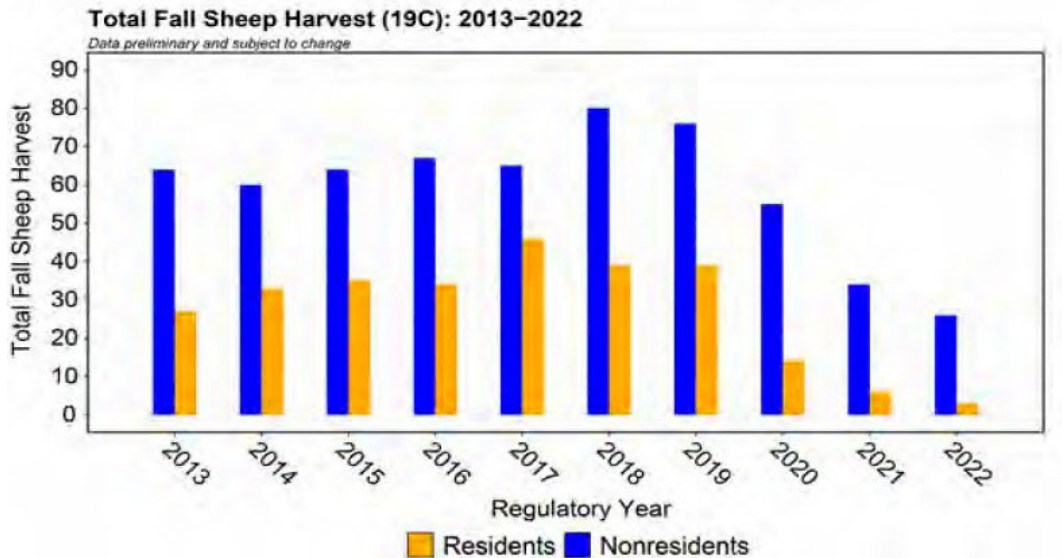


Figure 3. Total annual sheep harvested during the fall general season (GS000) from RY13 to RY22. Color indicates total fall resident (orange) and nonresident (blue) sheep harvested each year.

In 2022, the last year nonresident sheep hunting was allowed, nonresident sheep hunters took 26 sheep (90% of the harvest), while residents took three sheep.

The board decision to exempt resident sheep hunters from their own closure request at the 2023 Southcentral meeting was based on the rationale that resident sheep hunters were not a part of the problem. Clearly there was a harvestable surplus of rams in the unit for a general resident sheep season, while also maintaining the resident winter subsistence sheep hunt.

In the subsequent two seasons where only resident sheep hunting was allowed in Unit 19C, the resident participation and harvest was:

Year	Unit	Resident Hunters	Sheep Harvested
2023	19C	49	5
2024	19C	~40	10 (<i>preliminary ADF&G data</i>)

It is not expected that the number of resident hunters, or resident sheep harvests, will dramatically increase while the area is closed to nonresidents.

The 2024 aerial trend count survey below showed a bit of good news, with a higher number of total sheep from the previous year and higher lamb recruitment, but of course we don't know what

mother nature will bring this winter, and we won't know until next year how many of those lambs made it through their first year.

ADF&G Chart

Table 1. Cumulative 19C Aerial Survey Data

	2010	2013	2014	2015	2016	2017	2019	2023	2024
Approx. Area (mi2)	453	453	453	453	453	453	453	453	453
Total Rams	348	268	374	301	255	343	202	98	101
Legal Rams	56	60	55	46	53	60	33	13	16
Sublegal Rams	292	208	319	255	202	283	169	85	89
"Ewes"	864	490	639	499	593	697	390	242	247
Lambs	287	94	168	167	195	266	178	73	120
Lambs:100 "Ewes"	33	19	26	33	33	38	46	30	49
Rams:100 "Ewes"	40	55	59	60	43	49	52	40	41
Legal Rams:100 "Ewes"	6	12	9	9	9	9	8	5	7
Sublegal Rams:100 "Ewes"	34	42	50	51	34	41	43	35	36
% Lambs	19	11	14	17	19	20	23	18	25
% Rams	23	31	32	31	24	26	26	24	21
% Legal Rams	4	7	5	5	5	5	4	3	3
% Sublegal Rams	19	24	27	26	19	22	22	21	19
Total Sheep	1499	852	1181	967	1043	1306	770	413	473

There is currently a harvestable surplus of sheep in Unit 19C for resident sheep hunters under a general season opportunity. But the board may be considering eliminating, or limiting, resident sheep hunting opportunity in Unit 19C out of cycle in 2025. There are currently no deferred Unit 19C proposals before the board that ask to eliminate resident sheep hunting opportunity.

If the problem is not solved prior to the regular meeting cycle: The "Regular Cycle" public process has been circumvented by the board. On top of that, the newer 3-year cycle just makes this all worse in terms of making any needed changes between regional meetings.

The board has chosen to form a 19C Sheep Working group, decide the makeup of that group, and then take recommendations from that group regarding 19C sheep management and allocations via an ACR. Based on that, and even though resident sheep hunting in Unit 19C is currently allowed, we believe that resident sheep hunting opportunity may be limited or shut down altogether before the next Region III cycle.

This request is indeed allocative, in the sense that it wants to ensure resident sheep hunters in Unit 19C don't lose opportunity and asks to limit nonresident sheep hunters to draw-only permits. RHAK has conservation concerns for the 19C sheep population if unlimited nonresident sheep

hunting is again allowed. But we don't believe continued resident general sheep hunting opportunity poses a sheep conservation concern. Resident sheep hunters do not need to be denied opportunity, nor do they need to go on a draw permit system. We would like the board to consider our ACR in the same vein as they do the ACR from the 19C SWG, which is also allocative.

PROPOSED BY: Resident Hunters of Alaska (RHAK) (HQ-F24-ACR9)
