

ACR #2– Establish a guide concession pilot program for sheep hunting in Unit 19C.

SUBMITTED BY: Big Game Commercial Services Board

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

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

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

The Big Game Commercial Service Board (BGCSB) is requesting an Agenda Change Request (ACR) under 5 AAC 92.005 (2)(c) to correct an effect of a regulation that was unforeseen when the regulation to establish Unit 19C as the guide concession pilot program that was adopted by the Board of Game in March 2025.

WHAT SOLUTION DO YOU PREFER?

This ACR is requesting that Game Management Unit 19C be established as the pilot program for the Big Game Guide Concession Program that has been established in statute by the Alaska Legislature in 2024 and 2025.

STATE IN DETAIL HOW THIS ACR MEETS THE FOLLOWING CRITERIA:

1) To correct an error in regulation.

Proposal 190 was accepted by the Alaska Board of Game (BOG) as an ACR for consideration at the Statewide regulations meeting scheduled for March 2025. This proposal refers to a letter to the BOG from the Game Management Unit 19C Dall Sheep Working Group that held two meetings to provide recommendations to the BOG. This letter can be found online at the BOG website.

Proposal 190 was passed by the BOG and was submitted in its entirety to the Dept. of Law for review prior to being submitted to the Lt. Governor for signature. One section of Proposal 190, the Game Management Unit 19C Guide Concession Pilot Program clause that was adopted by the BOG, was rejected by the Dept. of Law because there failed to be testimony or written comment on the record that there was consultation with the Dept. of Natural Resources (DNR) and the Big Game Commercial Services Board (BGCSB) about this Pilot Program as required by statute.

There have been numerous meetings and discussions among the BGCSB, DNR, and ADF&G about implementing a guide concession program over multiple years prior to Proposal 190 being presented to the BOG. The substance of the discussions by the BGCSB and DNR was inadvertently left out of BOG discussions and deliberations concerning Proposal 190. The BGCSB requests the BOG to accept this ACR to correct the oversight that happened during the adoption of Proposal 190 in March of 2025.

- 2) To correct an effect of a regulation that was unforeseen when a regulation was adopted.
- 3) Does the request identify a biological concern for the population or a threat to meeting objectives for the population?
- 4) Does the request identify an unforeseen, unexpected event or effect that would otherwise restrict or reduce a reasonable opportunity for customary and traditional wildlife uses, as defined in AS 16.05.258(f)?
- 5) Does the request identify an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome because the resource would be unavailable in the future?

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

The Board of Game will not be in compliance with implementing the state statute.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

The request does not ask the BOG to make a new allocative decision as this was already decided by the BOG at the March 2025 meeting on Proposal 190.

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

Although not a new allocative decision for the BOG as stated above, the new information is that the Department of Law did not submit the regulation to the Lt. Governor to become enacted.

STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR.

The Big Game Commercial Services Board is one of the entities required by statute to provide consultation to the Board of Game on the establishment of the guide concession areas.

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.

The issue was considered at the Board of Game Statewide Regulations meeting in March 2025 as a component of Proposal 190.