

ACR #3 – Remove conflicting and redundant methods and means for taking beavers during trapping seasons across the state.

SUBMITTED BY: Alaska Department of Fish and Game

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

5 AAC 92.095. Unlawful methods of taking furbearers; exceptions.

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

There are conflicting and redundant regulations within 5 AAC 92.095 regarding the methods of take allowed for beaver, statewide. 5 AAC 92.095(a)(3) prohibits the take of beaver by any means other than a steel trap or snare; 5 AAC 92.095(a)(3)(A) makes an exception to allow the use of firearms in Units 1-5, 8, 18, 22, and 23. 5 AAC 92.095(a)(3)(B) makes an exception to allow firearms or bow and arrows to be used statewide. 5 AAC 92.095(a)(10) restricts the take of beaver in Units 11, 13, and 16 from September 25 through November 9, in the remainder of Unit 20(B), and 20(D) from September 25 through October 31 and from April 16 through May 31, and in Units 7 and 15 from October 15 through November 9 and from April 1 through April 30 to underwater traps and snares only. The trapping season in Units 7 and 15 now opens November 10, so the restriction from October 15 through November 9 is no longer necessary. Lastly, 5 AAC 92.095(a)(18) restricts the take of beaver in Unit 22 from June 11 through September 15 by firearm only.

WHAT SOLUTION DO YOU PREFER?

The department requests the board reduce confusion by removing conflicting and redundant methods and means for taking beavers during trapping seasons.

STATE IN DETAIL HOW THIS ACR MEETS THE FOLLOWING CRITERIA:

1) To correct an error in regulation.

5 AAC 92.095(a)(3)(B) appears to be an error introduced in 2022, specifically the allowance of the use of firearms statewide. The same error was printed in the Alaska Trapping Regulations book and disseminated to the public each year since 2022.

2) To correct an effect of a regulation that was unforeseen when a regulation was adopted.

Exceptions and requirements for taking beaver under trapping regulations have been restricted and alternately relaxed across the state, which has resulted in numerous regulations that are confusing.

3) Does the request identify a biological concern for the population or a threat to meeting objectives for the population?

No.

- 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)?

No.

- 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?

No.

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

Primarily, conflicting and unnecessary regulatory language will remain in the codified regulations. The current language for the take of beaver statewide is confusing to both the public and the department and may result in inadvertent violations by trappers.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

This ACR is intended to address unexpected conflicts in current regulations for the take of beavers in multiple Game Management Units.

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

The issue does not fit well at a statewide meeting because of the numerous game management units listed, and the numerous regulations involved make it difficult to consolidate during any one regular cycle meeting. There is a risk of continuing the confusion and conflicting regulations if this is done piecemeal over multiple cycles and years.

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

Alaska Department of Fish and Game

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.

This ACR has not been considered before.