

*During the 2014 Arctic/Western Region meeting, the Board of Game requested this proposal be scheduled for the 2014 Statewide Regulations meeting.*

**PROPOSAL 177 - 5 AAC 92.080(4) & (5). Unlawful methods of taking game; exceptions, and 92.990 (70) Definitions.** Modify the restriction for using snow machines for taking wolves and wolverine.

Change the general hunting restriction to allow the use of snow machines to track and pursue caribou, wolves and wolverines so that the prohibition against driving, herding, harassing, or molesting game with a snow machine will not apply in Unit 23, or other units as determined by the board, while hunting these species.

**WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?**

During the Arctic/Western Region Board of Game (board) meeting in January 2014, the board listened to comments from the public concerning the use of snow machines in remote areas for taking wolves, wolverine, and caribou. Currently, hunters can use snow machines to position themselves for taking caribou in Units 22 and 23, and wolves in Units 9, 17, 18, 19, 21, 22, 24, 25C and 25D excluding some federal lands. It is currently illegal to drive, herd, harass, or molest game with any motorized vehicle including snow machines.

In response to the testimony, the Board of Game requested that local users draft language the board could use to address the issue. In response, the Kotzebue Sound Advisory Committee submitted the following language which the board will use as a board generated proposal, scheduled for consideration at its Statewide Regulations meeting in March 2014.

“Currently, the restrictions against driving, herding, harassing, or molesting game, in addition to the absence of Unit 23 in the excepted allowance for the use of snow machines to position hunters to select individual wolves, and the absence of wolverines in the excepted allowance for snow machine positioning, conflicts with the long standing local caribou, wolf, wolverine hunting practices which is the only practical way to hunt caribou, wolves, and wolverines in Unit 23 during the winter. Also, the allowance for snow machine use to position a hunter does not satisfactorily address this issue, as it does not clarify whether this includes actually tracking down caribou, wolves, or wolverine, including pursuing fleeing animals, until close enough to shoot. Since it is clear from a recent example in Unit 23 that wildlife protection officers intend to enforce the restrictions against driving, herding, harassing, or molesting game, then it is incumbent upon changes intended to allow for pursuit of fleeing animals to be clearly elucidated in the regulations to prevent any confusion by all parties about what is allowable.

If the board does not change the regulation, local people hunting these species with snow machines will continue to live with the threat of prosecution for hunting with snow machines in the only way practical, making people feel like criminals and interfering with the ability to freely pursue these animals for critical and irreplaceable food and fur products. These animals are critical to the local economy and way of life and enforcement of current regulations will be viewed as a direct attack on the culture, economy and food security in the region.

Allowing a hunter to use a snow machines to get within range of fleeing caribou, wolves, and wolverines will allow the precise shot placement (head shot) which will minimize unnecessary waste of meat and fur and is the most humane method of killing an animal with a rifle. Wildlife enforcement officers will also have a clear understanding of the intent to allow for the pursuit of these species, reducing unnecessary conflicts and increasing the cooperation of the people on the other enforcement issues where local cooperation is necessary to the mission to protect all species in the areas.

The local people will appreciate the Board of Game and the Department of Fish and Game being responsive to the needs of the people and by correcting this issue will put integrity back in the system by getting rid of a longstanding conflict between regulatory prohibitions and common local practices that are the only practical way to pursue these species in the winter. In addition, the future cooperative management strategies and goals will be more likely to succeed as the people will have increased faith that the system takes their needs into account and is responsive to them.”

**PROPOSED BY:** Board of Game at the request of the Kotzebue Advisory Committee  
(HQ-SW14-01)

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*During the October 2014 Joint Board meeting, the Board of Game requested this proposal be scheduled for the 2014 Statewide Regulations meeting.*

**PROPOSAL 178 - 5 AAC 92.200. Purchase and sale of game.** Prohibit the commercial barter of game or their parts taken for subsistence uses, as follows:

Amend 5 AAC 92.200 *Purchase and sale of game*(b) by adding a new section to read:

**(4) The following individuals and businesses are prohibited from engaging in the barter of game or their parts taken for subsistence uses:**

**(A) an individual or business holding a license under AS 43.70 or AS 43.75, or their Alaska resident employee, to engage in the commercial sale of the food items or nonedible items provided by the barter exchange; and**

**(B) an individual or business licensed under AS 43.70 or AS 43.75, or their Alaska resident employee, to engage in providing the services provided by the barter exchange.**

**(5) for purposes of this subsection, in addition to the definitions in AS 16.05.940, in 5 AAC 01-5 AAC 02, and in 5 AAC 84-5AAC 92, unless the context requires otherwise, “non-commercial” means not for profit or disposal in commercial channels.**

**WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?**  
Barter of subsistence-taken game is a long-standing customary and traditional (C&T) use in Alaska and this barter is recognized in state law (AS 16.05.940(33)). Subsistence barter does **not** involve