

AGENDA CHANGE REQUEST FORM

ALASKA BOARD OF GAME

The Board of Game (Board) will accept requests to change its schedule under certain guidelines set forth in 5 AAC 92.005. The board will accept these agenda change requests (ACRs) only:

- 1) To correct an error in regulation;
- 2) To correct an effect of a regulation that was unforeseen when the regulation was adopted;
- 3) If the request identifies a biological concern for the population or a threat to meeting objectives for the population;
- 4) If the request identifies an unforeseen, unexpected event or effect that would otherwise restrict or reduce a reasonable opportunity for customary and traditional wildlife uses, as defined in Alaska Statute 16.05.258(f); or
- 5) If the request identifies 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.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 92.005 (a)(3)].

Please answer all questions to the best of your ability. The information submitted on the ACR form will be used to develop the proposal if accepted by the Board of Game.

1) CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. *If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW."*

Alaska Administrative Code Number 5 AAC: 85.055

2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. *Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.*

At the March, 2025, Statewide Board of Game Meeting, when the board was deliberating Proposal 190 that would shut down resident sheep hunting opportunity in Unit 19C for the 2025 fall season and in 2026 put resident and nonresident sheep hunters on a draw permit system, the Alaska Department of Fish and Game (Department) told the board that there was a harvestable surplus of sheep in Unit 19C for residents under a general season hunt, and that they had no conservation concerns over continued resident general sheep hunting opportunity in the unit, even though the sheep population was in decline..

The board had already closed Unit 19C in 2023 to all nonresident sheep hunting opportunity due to conservation concerns that arose after the board allowed unlimited nonresident sheep hunting opportunity that resulted in nonresident guided hunters taking 90 percent of the sheep harvest in 2022 from the declining sheep population.

At that time, and previously, the board stated that the problem was "too many guides" in the unit, not their allowance of unlimited sheep hunting opportunity for nonresidents who are required to hire a guide. Whether the problem was too many guides, or too many nonresident sheep hunters, either way, the board's conservation concerns related to what they believed was an overharvest of sheep in Unit 19C by nonresident guided hunters.

The board's decision in 2025 to shut down the resident sheep season in 19C, and make it a draw hunt for both residents and nonresidents starting in 2026, had a caveat that general sheep hunting opportunity in 19C for residents and nonresidents would only be allowed in the future if their were limits on guides via a Guide Concession Program (GCP) the legislature authorized during the 2025 session, which could be implemented as a test program in a unit of the board's choosing.

Why are resident sheep hunters bearing the burden of this closure and subsequent draw hunts when the Department says there are no sheep conservation concerns with continued resident general sheep hunting opportunity, and the board has determined that the problem was too many guides? Why is resident general sheep hunting opportunity in the future dependent on limiting guides? What the board is really alluding is that if guides are not limited in 19C there will continue to be an overharvest of sheep from a declining sheep population by nonresident guided hunters.

The only sheep hunters in Unit 19C that need to be on a draw permit system before guides are limited are nonresidents.

Unit 19C Guide Concession Program Timeline

The board ostensibly passed a proposal in March of 2025 that would implement a GCP in Unit 19C, however, the Department of Law stated that the way the board adopted that proposal was not legal and a new proposal must come forth in 2026 to designate Unit 19C as the first area where a test GCP will be implemented.

In speaking with the Department of Natural Resources (DNR) staff who will be hiring additional staff to administer the GCP, it came to light that there are several hurdles that must first be overcome before DNR can even begin hiring and begin drafting the initial GCP in coordination with the Big Game Commercial Services Board, the Board of Game, and the Department. From a hiring freeze to nothing really being adopted by the legislature as to how a GCP would work and function, we are likely looking at a minimum of three to four years before the program would be in place.

Again, resident sheep hunters aren't, and never were the problem in Unit 19C as far as overharvest of sheep. When the sheep population started to decline in 2019, nonresident harvest percentage increased to where nonresident sheep hunters were taking 75-80 percent of the rams, and nonresident harvest of a declining sheep population increased to the point that the nonresident harvest reached 90 percent.

When 90 percent of the harvest is from nonresident guided hunters, and the board has conservation concerns, the only group of hunters who should have been limited or restricted is nonresidents.

3) WHAT SOLUTION DO YOU PREFER? *Or, if the board adopted your solution, what would the new or amended regulation say?*

A resident general sheep season for residents in Unit 19C should again be allowed. Resident sheep hunters were never the problem leading to the overharvest of rams in the unit. "Overharvest" by nonresident guided sheep hunters is what led to sheep conservation concerns. That is the board's own conclusion. Resident sheep hunters at this time under a general sheep season pose absolutely no conservation concerns for Dall sheep in Unit 19C.

4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE. *If one or more of the five criteria set forth above is not applicable, state that it is not.*

A biologically allowable resource harvest (resident general season sheep hunt) would be precluded by

delayed regulatory action and such delay would be significantly burdensome because the resource would be unavailable in the future under a general season hunt.

a) To correct an error in regulation:

b) To correct an effect of a regulation that was unforeseen when a regulation was adopted:

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

d) 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)?

e) 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?

Yes

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

Resident sheep hunters will be denied general season sheep hunting opportunity for a sheep population with a harvestable surplus.

With only 20 permits available for residents, it's likely only half of the draw permit winners will even participate. Such a limited opportunity precludes residents from harvesting a ram from a population with a harvestable surplus.

6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

There is a harvestable surplus of sheep in Unit 19C for a resident only general sheep season. This ACR is not allocative, it is only asking that resident sheep hunters be allowed to hunt sheep in Unit 19C under a general season.

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

8) STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. (e.g., hunter, guide, subsistence user, trapper, etc.)

9) 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

Submitted by:

Individual or Group

Address

City, State

Zip

Home Phone

Work Phone

Email

SIGNATURE: _____ **DATE:** _____

Note: Addresses and telephone numbers will not be published.

MAIL, FAX, OR EMAIL THE COMPLETED FORM TO:

Alaska Board of Game, P.O. BOX 115526, Juneau, AK 99811-526

Email: dfg.bog.comments@alaska.gov

Fax: (907) 465-6094