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Submitted By  
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4/23/2015 1:55:57 PM  
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Anchorage, Alaska 99502

**Re: Support of agenda item to consider future meeting on Proposal 207**

Dear Board of Game members:

The Alaska Airmen Association is a strong voice for general aviation in Alaska representing over 2000 members. Our mission is to "promote general aviation in Alaska." Membership includes pilots, mechanics, aircraft owners and others that have an interest in aviation. On behalf of our membership, thank you for the opportunity to submit the following comments pertaining to the agenda item for the Board of Game teleconference meeting scheduled for Friday, April 24, 2015.

**The Alaska Airmen Association supports the request for a future meeting to consider rescinding Board action on Proposal 207, as amended, related to aircraft restrictions during sheep hunting seasons.**

The Alaska Airmen Association does not intend to insert ourselves into any hunting issues. We leave those issues to hunters and others with an interest in sheep hunting. Instead, our concerns focus on how Proposal 207 restricts the right to operate an airplane. If Proposal 207 becomes a regulation, we feel it will be unenforceable because it inappropriately infringes upon the exclusive jurisdiction of the federal government (FAA) to regulate the airspace of the United States. This infringement may have been an unintended and/or inadvertent consequence of Proposal 207, but because it violates the Supremacy Clause of the United States Constitution, Proposal 207 cannot be enacted as written.

Sincerely,

Adam White

Government Affairs, Alaska Airmen Association

[adam.white@alaskaairmen.org](mailto:adam.white@alaskaairmen.org) 907-322-1098



Submitted By  
Alan Cady  
Submitted On  
4/23/2015 2:41:13 PM  
Affiliation

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To whom it may concern,

I am an aircraft owner and I am all for fair chase and not using an aircraft to spot sheep during the season. Also I would not want to spook sheep that someone on the ground was stalking. My question is how would you expect to enforce this. If an aircraft make several passes on a potetial landing area or flies up a valley someone will consider this a violation. There seems to be a lot of gray area and the most effected group turning in anyone flying during that time.

Thank you,

Alan Cady  
North Pole, AK  
488-3006





# ALASKA AIR CARRIERS ASSOCIATION

2301 Merrill Field Drive A-3, Anchorage, Alaska 99501 907-277-0071 www.alaskaaircarriers.org

April 23, 2015

**Board of  
Directors for  
2015-1016**

Matt Atkinson  
President  
AIR ARCTIC &  
WARBELOW'S AIR  
VENTURES

Susan Hoshaw  
Vice President  
EVERTS AIR

Scott Habberstad  
Secretary  
ALASKA AIRLINES

Wilfred Ryan  
Treasurer  
RYAN AIR

Danny Seybert  
Past President  
PENAIR

Mike Stedman  
ALASKA SEAPLANES

Norman Chance  
Sky Airparts International

Danny Davidson  
DAVIDSON AVIATION

Tom Freeburg  
ERA HELICOPTERS

Chris Matthews  
WRIGHT AIR SERVICE

Chuck Miller  
WINGS OF FREEDOM

Todd Rust  
RUST'S FLYING SERVICE  
& K-2 AVIATION

Brien Salazar  
TAQUAN AIR

**Executive  
Director**

Jane Dale  
ALASKA AIR  
CARRIERS  
ASSOCIATION

Alaska Board of Game  
P.O. Box 115526  
Juneau, AK 99811-5526

RE: Proposal 207 - Submitted VIA EMAIL: [dfg.bog.comments@alaska.gov](mailto:dfg.bog.comments@alaska.gov)

Dear Members of the Board of Game:

The Alaska Air Carriers Association (AACCA) is a member organization whose mission is to support and advocate for the Alaskan commercial aviation community. Our membership community includes commercial Part 91, Part 135 single and multi-pilot, Part 125, and Part 121 operators.

Recently the Alaska Department of Fish and Game, Board of Game, adopted Proposal 207 (1), which has prompted a variety of discussions throughout the aviation community. Discussions have focused on the potential impacts due in part, to the proposal's broad language.

**Proposal 207 – 5AAC 92.085 Unlawful methods of taking big game; exceptions.** 1. From August 10 to September 20 aircraft may only be used to place hunters and camps, maintain existing camps, and salvage meat and trophies while use for the purpose of Dall sheep hunting. Using an aircraft for the purpose of spotting sheep or locating Dall sheep during the open hunting season is prohibited.

Of the AACCA members potentially affected by Proposal 207, support varies. Those concerned seek clear regulatory language so anticipated economic burdens due to potential enforcement overreach and safety concerns are diminished.

To mitigate AACCA member concerns we urge the Board of Game delay implementation so public testimony can be heard at the next board meeting or adopt a regulation sunset clause so impacts can be evaluated before this regulation becomes permanent.

Best regards,

Matt Atkinson, President  
Alaska Air Carriers Association



# BACKCOUNTRY HUNTERS AND ANGLERS ALASKA CHAPTER



[www.alaskabackcountryhunters.org](http://www.alaskabackcountryhunters.org)

April 23, 2015

To: Alaska Board of Game

Re: Special non-regulatory Board meeting April 24, 2015

## Comments from Alaska Backcountry Hunters & Anglers

Dear Chairman Spraker and Board members,

We recently sent a letter to the Board, dated April 11, 2015, regarding the 2016 Statewide call for proposals not allowing public proposals regarding sheep seasons and new sheep draw hunts: <http://www.alaskabackcountryhunters.org/AK%20BHA%20Letter%20to%20Board%20of%20Game%20April%202015.pdf>

We thank the Board members who requested this special meeting to reconsider what public proposals will be allowed for the 2016 Statewide meeting.

For many meetings now, the Board of Game has said on the record that they would like to decide on the numerous sheep proposals coming in from the public surrounding sheep hunting issues and sheep conservation on a statewide basis.

The Board generated its own proposal (#208) suggesting options for the public to consider in January 2015 and that proposal was public noticed and heard in February and March of 2015. In March 2015 at the Region II meeting in Anchorage, the Board voted to defer proposal 208 to the 2016 Statewide meeting.

The Board-generated proposal #208 includes regulatory changes to sheep hunting seasons and bag limits and allocation levels and new draw hunts under the Alaska Administrative Code (AAC) Chapter 85 and 92. It also includes options that the public has never before presented to the Board.

Yet the public is not allowed to also submit sheep proposals under those same AACs.

Why is that? And with the new combined Cycle A & B statewide meetings starting in 2016, who decided and how was it decided that specific parts of Chapter 85 and 92 of the AAC would not be allowed?

When the Board announced the 2016 Statewide call for proposals, this is part of what they said (emphasis ours):

*The Alaska Board of Game calls for proposed changes to regulations under **5 AAC Chapter 92, Statewide Provisions** (both Cycle A and Cycle B schedules), and 5 AAC 98.005, Areas of jurisdiction for antlerless moose seasons. These regulations pertain to hunting and trapping regulations having statewide applicability; proposals specific to regions or Game Management Units will not be accepted.*

As emphasized, Chapter 92 of the Alaska Administrative Code covers Statewide Provisions. Yet many individual parts within Chapter 92 are not allowed to be considered. From Chapter 92.008 that governs regulations on “Harvest Guideline Levels” and on down the line under Chapter 92, many specific provisions dealing with regulations governing statewide regulations are somehow not in the Statewide call for proposals.

In essence, the public is being disenfranchised by the Board of Game by not being allowed to submit proposals for the Statewide 2016 meeting that govern statewide regulations.

Our organization has strived for the past month to get answers in person and via emails and phone calls from ADFG regulations specialist, the Dept. of Law, and Board Support. While all of those contacts have been extremely receptive to our questions and genuinely helpful in trying to answer them, there has been no consensus among them and we have received differing answers.

For example, ADFG regulations specialist doesn’t understand why parts of Title 5 Chapter 92 are not on a statewide call for a statewide meeting. Board support has told us that Chapter 92.057 that is titled “Special provisions for Dall sheep and mountain goat drawing permit hunts” **only applies** to “already existing” draw hunts for those species. And that if we proposed to restrict all nonresident sheep hunters to new draw-only hunts statewide it would not be accepted.

That last part is interesting considering for several cycles now our organization has submitted sheep proposals to limit nonresidents to **new** draw only hunts in Region III and Board Support and Legal have tagged those proposals as being regulated by 92.057.

In closing, all we are asking for is that the Board of Game process be carried out as intended and in a fair and consistent manner for the public. It is not fair that only the Board of Game itself can generate a proposal governing statewide sheep regulations at a statewide meeting yet the public cannot also submit similar proposals. It is not fair that the only sheep proposal the Board will allow for the 2016 Statewide meeting is one that body generated itself that includes options **never before presented by the public.**

Sincerely,

Mark Richards  
Chairman Alaska Backcountry Hunters & Anglers

Alaska Chapter SCI  
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Eagle River, AK 99577  
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[admin@aksafariclub.org](mailto:admin@aksafariclub.org)



April 23, 2015

Kristy Tibbles, Executive Director  
Alaska Board of Game  
PO Box 115526  
Juneau, AK 99811

Dear Ms. Tibbles:

I am writing to encourage the Members of the Board of Game (BOG) to reconsider their earlier action on Proposal 207 and in support of setting up a future meeting to consider rescinding their action on that proposal.

Although SCI Alaska Chapter did not participate in the recent BOG meeting where Prop 207 was discussed and passed, we have had a great deal of feedback on the issue since that decision. Based on discussions I've had with SCI leadership and other fellow hunters, I believe the prudent course of action at this time would be for the BOG to rescind its action and lend support to the Sheep Working Group concept that in our estimation gives all of us the best chance at arriving at acceptable solutions for all of the many concerns surrounding this issue.

As the leading hunter-conservationist organization in the world, we stand ready to assist the Alaska Department of Fish and Game (ADF&G) and the BOG in developing answers to what has become a contentious issue. We hope the BOG gives serious consideration to our request and if you or any Member of the BOG needs any additional information from us, we would be happy to comply.

Sincerely,

Dr. Brett Barringer  
President

Cc: Sam Cotten, Commissioner of ADF&G  
Kevin Brooks, Dep. Commissioner of ADF&G  
Bruce Dale, Acting Director of Wildlife Conservation  
Members of the Board of Game

**SCI's Top Gun Chapter**

Submitted By  
Thor Stacey  
Submitted On  
4/23/2015 12:35:55 PM  
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April, 22 2015

Dear Alaska Board of Game Members,

Please find the following Alaska Professional Hunters Association (APHA) comment's regarding the public Board of Game meeting scheduled for April 24th 2015. At this time the APHA would also like to express its concern over the extreme short notice issued for this meeting. As a group, the APHA board and its members do everything they can to come to put forward well-defined, legitimate positions. This takes time, work and effort to accomplish. With a scant 30 some hours of notice, these comments are rough, at best, especially considering that a large portion of our membership has already departed their offices and urban quarters for remote bear hunting camps. These comments are drafted with those concerns freshly in mind.

**Issue #1:** *Expanding the Call for Proposals to include proposals related to statewide hunting seasons and bag limits for sheep, and extending the proposal deadline if necessary.*

The APHA is **opposed** to modifying the "call for proposals" at this time. While we were surprised that statewide sheep proposals were not called for during this cycle, this is what was published and what we planned for when considering drafting proposals for the upcoming statewide cycle. If the "call" is changed at this time, we will have no way of legitimately participating in the process because most of our board of directors and membership is already in the field for bear season. Even with a 30 day extension, the spring bear hunting season will not be over by that time. By changing the "call" at this late date, we will be significantly disadvantaged because we will not be able to work with our group to consider drafting our own sheep proposals. **Do not change the published "call" at this point.**

**Issue #2:** *Request for a future meeting to consider rescinding Board action*

*on Proposal 207, as amended, related to aircraft restrictions during sheep hunting seasons.*

The APHA **supports** rescinding Proposal 207. We feel this proposal is excessively broad and puts suspicion on any one flying a plane in the mountains during sheep season, which could subsequently lead to hunters having to regularly defend their use of airplanes. AWT stated on the record at the Region 2 BOG meeting that it would be hard to enforce because it only applies to sheep. It could also cause safety concerns if a pilot refrains from doing multiple passes and go a rounds on marginal strips because he's afraid of being sited for spotting. Also, we heard from the sheep survey and ADF&G that most sheep hunting effort occurs during the first 10 days. We feel this proposal will only make that worse, as more hunters will opt to hunt early to avoid the risk of getting sited. Some current draw areas have multiple and/or late start dates, and the current proposal restricts aircraft use for several days in advance on some of these hunts. Additionally, this is an extremely divisive issue that does nothing to put more sheep on the mountain and stands to unravel any effort to come up with meaningful regulations and better management strategies.

**Issue #3:** *The schedule for a board meeting to consider agenda change request submitted for the 2016 Board meeting and to discuss establishing a sheep working group.*

The APHA is in **strong support** of a "sheep working group." We have submitted numerous comments in written and verbal testimony to this effect. We also recently signed on, with many other outdoor groups, to a letter written by the Legislative Outdoor Heritage Caucus Advisory Committee (LOHC-AC) expressing our collective support of the project. Please refer to our prior comments and the above-mentioned letter for details. The APHA supports using Proposal 208 as the eventual "vehicle" for any finding or proposals that come out of this process. The APHA urges the Board to move forward with this process as soon as possible.

Submitted By  
Allen Barrette  
Submitted On  
4/23/2015 2:44:17 PM  
Affiliation

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~~23 April, 2015  
Al Barrette  
380 Peger Rd.  
Fairbanks, Ak. 99709

Mr. Chairman and members of the Board of Game

1. I would ask you not to support expanding the call for proposal to include hunting season and bag limits for sheep. This is clearly a regional issue and should be treaded such.

I would ask that you consider 99 subsistence and 96 A/C regulations as part of statewide proposals. Both sections do have joint board consideration, but the BOF has successfully addressed 99 independently from the BOG in 2009/ 2010 via defining the "subsistence way of life". I do have proposals that could be addressed if the call was expanded to these two sections.

2. I would encourage a future meeting to rescind 207. It is a poor regulation and will not prevent the perceived problem of air traffic. Yes the guide regulations have a similar regulation. Yes AWT has a few convictions of pilot/guides using aircraft spotting game, but via undercover investigations. This tactic would be much harder to incorporate on privet independent aircraft owners.

3. Lastly No working group. Manage plans for sheep exist and will be updated. Management plans are 30,000 foot level views and do not need the detail some are thinking of producing. Management Plans are not codified, except under 92.125 which sheep do not fall under. Clearly some believe allocation should be in a management plan. But as you all know the BOG is not bound by a management plan, just like they are not bound to their policies. Furthermore all the Dept. can do for management of sheep is collect data. They cannot create habitat, nor can they manipulate lamb production or survival. We have an sufficient process let's use it. Money and time should be used wiser.

Enjoy your day and summer  
Al Barrette



Submitted By  
Amanda bush  
Submitted On  
4/23/2015 2:06:46 PM  
Affiliation

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Please resend. sheep hunts could be monitored better by the amount of licensure given each season. The use of planes not only would be hard to monitor but are necessary for safety.



Submitted By

Andy

Submitted On

4/23/2015 2:41:46 PM

Affiliation

With current budget constraints, how can this possibly be enforced? I regularly fly to different parts of the state for a variety of reasons & most of the time it is around mountains & if I see something interesting I sometimes chose to take a closer look, i.e. a nice animal. I'm sure the troopers have plenty to do without wasting both our time because I was reported by someone during sheep season. I do not need or want yet another government agency checking up on me.





Alaska Board of Game  
FAX 907 465-6094

Special non-regulatory teleconference Friday April 24, 2015

RE: I support having a meeting to RESCIND PROPOSAL 207.

Becky Foster  
PO Box 876242  
Wasilla, AK 99687  
907 376-1607

COMMENT:

Please rescind proposal 207. This proposal shows no common sense and is very short sighted on the snowball effect it will cause. This proposal will concentrate the air traffic before the August 10<sup>th</sup> starting date making for extremely dangerous flying conditions in the entire state. As a successful sheep hunter, mother of a pilot and grandmother who has hunted in this state by means of hiking, ATV, horseback and by airplane, my concern is for a safe hunting season for all hunters. Sheep hunters will need to wear orange clothing since there will be a much higher concentration of hunters in the mountains on August 10<sup>th</sup>. Tempers will flare and mistakes will be made. In the rush to harvest a sheep, more sub legal sheep will be taken. This proposal supports intimidation and harassment of hunters who are pilots. Please note the Hunter Harassment Law as stated in the 2014 - 2015 Alaska Hunting Regulations, page 7 in a purple box. "It is against state law (AS 16.05.790) to intentionally obstruct or hinder another person's lawful hunting, fishing, trapping or viewing of fish and game." Also, it states "the law does not prohibit lawful competitive practices among hunters, fishermen, or trappers."  
I OPPOSE PROPOSAL 207.

Thank you for your time.

Becky Foster

4-23-15



Submitted By  
Ben Nielsen  
Submitted On  
4/23/2015 11:18:43 AM  
Affiliation

Do not pass proposal 207 banning spotting sheep from aircraft. If action needs to be taken close areas or increase other regulation factors on size and number. This is a vague and unneeded regulation that will impact all pilots without actually helping the issues at hand.

Submitted By  
brian bagley  
Submitted On  
4/23/2015 2:51:12 PM  
Affiliation

Dear Alaska Board of Game:

I support the inclusion of proposals related to statewide hunting seasons and bag limits for sheep, and extending the proposal deadline for the statewide call for proposals.

My impression of the intent of proposal 207, is that it would allow plane access to sheep country, but not allow aerial scouting during season- which seems to be fair from an ethical, fair chase point of view. Based on that, I feel that 207 should be given a chance to work. If rescinded, it seems reasonable to also open up the use of unmanned drones for scouting, which are more affordable to more people, thus leveling the playing field. I think scouting by planes, or drones during season is similar and should not be allowed.

If a sheep working group is formed, I would like to see it have specific goals and specific time lines (such as completing their tasks and dissolving after the 2016 statewide Board of Game meeting).

If a sheep working group is formed, I would like it to be made up of people that have "what is in the best interest of the resource" in mind, and have no potential financial gain as a result of the working group's recommendations. I think whoever was the "boots on the ground" individual that initiated the controversial closure of sheep hunting in the Western Brooks Range in 2014, would make an excellent chairman of such a working group.

Thank you for this opportunity to comment,

Brian Bagley



Submitted By  
Brian Hartman  
Submitted On  
4/23/2015 1:07:15 PM  
Affiliation

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907-529-0748  
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Address  
7521 Sportsmens Point Circle  
Anchorage, Alaska 99502

I am submitting my comment in opposition to Prop 207. I also spoke at the last AC Anchorage meeting. I agree that sheep populations are down and further research and working groups are needed to address this issue, but Prop 207 does not address the decline in sheep populations. The overcrowding issue is also not addressed by this Prop 207. In fact, crowding in sheep hunting areas will see an increase in crowding conflict if passed. Anyone who hunts sheep knows that the majority of sheep are located in confined pockets through our ranges. The majority of hunters are dropped off or guided in these higher density sheep areas. Resident hunters and some guides tend to fly to less dense sheep areas to avoid hunter conflict and find older rams. With Prop 207 passing they will now be going to the "well known" higher populated sheep areas with everyone else. This will funnel all the hunters into the same known areas rather than allowing the residents and guides to hunt less dense sheep areas. Guides and residents will focus their efforts into the higher populated areas over a risk of just running into a ram in a less dense area. Residents and non residents who pay to be either dropped or guided spend not just a significant amount of money, but also time. They will want to compete for sheep in the more densely populated areas. Guides will have more opportunity to pre season to "scout" areas for their clients over the resident hunters. Guides have the resources, knowledge and time to access areas well in advance of the season. This puts the non airplane owning resident at even more of a disadvantage. They will be saving their money for transporters to drop them off in the same area as everyone else. 207 will have a total opposite effect on crowding conflict. I would argue that 207 would significantly place more hunting pressure on ram numbers in these more sheep dense areas and more sub legal sheep will be taken. As an airplane owner myself, I see 207 as a major safety concern. 207 will put a lot of planes in the narrow passes and typically bad weather all at a similar time. Increasing risks of mid air collisions. All guides and resident planes will be flying the same areas the week or two prior to the season. Those resident pilots who can take the time of work that is. Most can not afford to miss work to find an area before the season and then again hunt later. As a pilot when I fly into the ranges to hunt the first thing I look for is tents. I want to avoid hunting where others are already hunting. 207 will not allow cubs to fly around to assess this. Everytime a cub flies over a resident or guide his or her tailnumbers will be called in for scouting sheep. Every bush pilot knows several passes are often made on a potential landing strip. This could be mis interpreted as scouting. I would think the Troopers would be completely against this 207 prop. There is already a law prohibited hazing animals with an airplane. This Prop will only add problems with conflict, safely and in my opinion overall sheep pressure on the denser sheep areas. I again agree that sheep numbers are down and a plan to address the numbers if needed, but to address "overcrowding" with this prop does not address the root problem. And that is Ewe and Lamb numbers. There is no science behind this Prop and I strongly agree that Chairmen Spraker has his numbers wrong. Every meeting I went to had votes against the Prop 3-1. So how the BOG passed this against the meeting attendees opinions and AC opinion baffles me. I appreciate you taking the time to review my comments and hope they shed light on why Prop 207 needs to be reversed.

Thank you for your time,

Brian Hartman



Submitted By  
Bryan McMahan  
Submitted On  
4/23/2015 2:52:08 PM  
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Self

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In regatrds to proposal #207 regarding the use of aircraft to look for sheep during the season. I think that this was a bad decision to have this passed. It was to quick of a decision that wasnt thought out. I agree with having this (#207) rescinded and have a sheep working group formed to thourghly discuss sheep management. It is a rule that will make the already crowded early season even worse. How will you be able to prove what the guy was doing? He could be looking at a place to land, a bear, goats, etc and you will get some pissed off guy with a crappy iphone video saying he was lookming at sheep. How do you even know if he is hunting or who was flying in the plane. It is just to big of a gray area that will do more harm than good.

Submitted By  
Casey  
Submitted On  
4/23/2015 1:38:46 PM  
Affiliation

~~Dear Board of Game Members,

I support a meeting to rescind Prop 207 and stand in strong opposition to this proposition for the following reasons.

- o UNSAFE. Pilots will make riskier decisions being forced with a deadline, representing decision-making compromises in decision making for pilot.
- o UNENFORCEABLE. Every flight in sheep country is suspicious; none of it can be proved.
  - This will place a fiscal burden on the Department in a budget climate that renders such a measure irresponsible to employ resources for enforcement.
  - Due to lack of enforcement ability, there will be no way to measure the success or failure of this proposition relative to actual sheep population increases or declines. This will leave the BOG in an uninformed position for future management decisions.
  - Alaska airspace is a "Common Use Airspace;" Board of Game has no business attempting to regulate this Federal Classification of Airspace.
- o UNPOPULAR. Executive action by this BOG-generated proposal ignores recommendations from Troopers, local AC's, and majority public testimony.
- o INEFFECTIVE. There is zero empirical evidence to connect aircraft with crowding or animal counts.
- o UNALASKAN. This Proposition disproportionately impacts resident DIY hunters in favor of guided non-residents. We vehemently protect our other natural resources and then 'give' this one away to the detriment of the resource and the detriment of Alaskan residents. This is unacceptable!

Mr. Lew Bradley wrote an intelligent and informed analysis of actions that could be taken to proactively and accurately solve the sheep management issues. Please rescind Proposition 207 and work with Alaskans to find a real solution. Our natural resources cannot afford anti-Alaskan solutions that impact current and future generations!

Respectfully,

Casey Hultquist



Submitted By

Chet Harris

Submitted On

4/23/2015 3:09:08 PM

Affiliation

The shgep hunting proposal regarding flying and spotting is ridiculous



Submitted By

chris gates, Sr.

Submitted On

4/23/2015 3:08:03 PM

Affiliation

Phone

9078630720

Email

[gatescompany@yahoo.com](mailto:gatescompany@yahoo.com)

Address

6285 n wolverine rd  
palmer, Alaska 99645

i support a meeting to repeal prop 207.



Submitted By  
Chris Gossen  
Submitted On  
4/23/2015 11:34:07 AM  
Affiliation

Board of Game,

Proposal 207 banning spotting of sheep is a wreck. The FFA is the only government agency that has any business saying the altitude that a pilot can fly in an area at a given time. This would require a TFR (temporary flight restriction and notams stating such implementation and duration).

Here you would have hunters guessing altitudes and activity of a pilot prudently identifying a landing site just as an example. Not to mention the many days of lower weather a pilot couldn't fly without breaking the 2000 foot barrier.

Just simply lengthen the amount of time between flying and hunting. That the State can enforce and decide.

As far as Proposal 208. We don't need the state to make a lot of regulations that spread out hunters. If a sheep hunter wants to be alone then go late season problem solved.

Regards,

Chris Gossen



**From:** J.R. Gates [<mailto:jrgates@akmedtech.com>]  
**Sent:** Thursday, April 23, 2015 2:10 PM  
**To:** Tibbles, Kristy R (DFG); [dsbrown@gci.net](mailto:dsbrown@gci.net); [stoshhoffman@yahoo.com](mailto:stoshhoffman@yahoo.com); [tedspraker@gmail.com](mailto:tedspraker@gmail.com); [alaskanate@gmail.com](mailto:alaskanate@gmail.com); [mumford2515@gmail.com](mailto:mumford2515@gmail.com); [maryann@mtaonline.net](mailto:maryann@mtaonline.net); [teresaatsummit@aol.com](mailto:teresaatsummit@aol.com)  
**Cc:** Cotten, Sam R (DFG); Dale, Bruce W (DFG); Brooks, Kevin A (DFG); Walker, Bill M (GOV); [bryon.mallot@alaska.gov](mailto:bryon.mallot@alaska.gov); McGuire, Lesil L (LAA); Johnson, Craig W (LAA); [info@alaskaairmen.org](mailto:info@alaskaairmen.org)  
**Subject:** Prop 207 Special Meeting

Dear Board of Game chairman and members,

Your recent action to ignore AC recommendations, majority public testimony, and law enforcement guidance in order to pass prop 207 was a poor use of process and thereby failed to fully consider the impacts and consequences of this type of regulation. It needs to be repealed in special meeting before it can go into effect.

Although I do believe the Board should have at its disposal an ability to self-generate and execute proposals, it is in the Board's best interest to reserve that power for emergency and urgent matters, not subjective issues of personal perception and anecdotal satisfaction. The discussion of social acceptance for issues of fair chase, ethics, and experience belongs in the public process, not in private conversations with individuals who happen to have board member's phone numbers. When the board acts with executive power too casually on cultural issues it opens the board to accusations of favoritism and erodes its legitimacy for future strong acts that may be unpopular, but necessary based on strong management science.

Prop 207 has been held up by the Board as a well-intentioned regulation that attempts minimal impact on the overall hunter population with maximum benefit. That is clearly a wrong-headed understanding. The targeted user group is a passionate and highly invested group of almost exclusively resident hunters. If non-resident hunters were carved out of this population for the sake of analysis, the regulation would be found to negatively affect a very significant portion of the remaining resident hunter population group. Why would the Board act so disproportionately towards restricting residents? There would certainly have to be a substantial public benefit, yet no empirical evidence has been advanced to demonstrate what would be gained from this regulation. It is a heavy executive action against a block of Alaskan residents hunting as they have for the past century based on the hunch or hypothesis of a few.

There is a desire by some on the Board to 'wait and see' how prop 207 actually flushes out.



This 'experiment and evaluate' approach may work well for many game management policies, but when it involves pilots, aircraft, weather, mountainous terrain, and complex real-time decisions it has legitimate human life-safety consequences. For most resident hunters, the time out of work is quite limited, with scouting and hunting usually combined on the same trip. The concentration of aircraft into the few days before the season will increase mid-air conflicts and the risk of suspicion will compel many pilots to accept lower weather standards and landing options. Was NTSB, FAA, Medallion Foundation, or any aviation organization formally approached for their input on how this could impact safe operations and decisions? By tabling all other sheep proposals and passing 207, the Board shows appropriate caution and diligence with the lives of rams, but casual disregard for the safety of human pilots and their passengers.

Please convene a meeting to repeal 207 as it represents the wrong process, targets the wrong user group, and ignores the safety consequences of many Alaskan hunters. Do not 'wait and see' if this prop is a bad idea.

JR Gates  
907-748-2292



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Alaska Board of Game

1255 West 8th Street  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Main: 907.465.4110  
Fax: 907.465.6094

April 10, 2015

Jennifer Ehmann, Chair  
Mat Valley Fish and Game Advisory Committee  
P.O. Box 2144  
Palmer, AK 99645

Dear Madam Chair Ehmann,

Thank you for your letter of April 6, 2015 concerning Alaska Board of Game (Board) action on a proposal related to use of aircraft to spot Dall sheep, during the hunting season. I will try to address the points raised in your letter.

The use of aircraft to spot game and resulting potential competition between ground based and airborne hunters has been an issue since before statehood. An example of this was the adoption of the prohibition of taking big game the same day airborne, implemented in 1974. To address these issues of competition and high harvests, the Board established numerous Controlled Use Areas (CUA) across the state, primarily restricting or eliminating aircraft use for hunting. However, aircraft are not always restricted as in the case of the Lower Kenai Controlled Use area where the Board restricted all motorized travel, except aircraft and boats. The justification for these CUAs varies but one reason is to reduce harvest and competition between users consistent with the Board's obligation to regulate hunting as need for the conservation, development and utilization of game.

In your letter, you addressed AS16.05.260, outlining the procedure authorizing Advisory Committees (AC) to submit recommendations to the Board. AC recommendations are important to this process and hopefully this explanation will satisfactorily address our 6 to 1 decision to support the proposal. Your AC has always been a leader during Board participation and I encourage you to "question" the Board when we do not support your recommendation.

A question was raised whether the Boone and Crockett Records Club supported proposal 207. The letter of support was received and recorded as PC 151. Here is a quote from Keith Balfourd, Assistant Editor for B&C: "The Boone and Crockett Club was responsible for establishing the first piece of game law legislation protecting the wildlife of the newly formed Territory of Alaska in 1902. By the early 1960s the Club noted the increased use of aircraft in hunting and promoted the concept that using a plane to spot, land, and then shoot big game was not fair chase and helped to establish laws restricting such aircraft use. The Boone and Crockett Club does not support any type aerial scouting to locate big game species for hunting purposes and would support PROPOSAL 207 - 5 AAC 92.085 if this were also to become law."





Additionally, as shown on each B&C score sheet “game harvested by the use of the following methods or under the following conditions are ineligible.....1. Spotting or herding game from the air, followed by landing in its vicinity for the purpose of pursuit and shooting. Note there is no “time limit” addressed in this statement.

The practice of spotting game for harvest has also been addressed by Alaskan Guides through their Big Game Commercial Services Board in 12 AAC 75.340(d)(8). Professional ethics standards for guides: 1. Avoid using an aircraft in any manner to spot big game for the purpose of taking a specific animal unless,

- (A) hunting brown, grizzly, or black bears from January 1 through June 30 in an area with an allowable harvest under 5 AAC 85 and 5 AAC 92, of one or more brown or grizzly bears per regulatory year; in this subparagraph, "regulatory year" has the meaning given in 5 AAC 92 .990; or
- (B) specifically authorized under another statute or regulation.

In RC 46 from the Chairman of the Big Game Commercial Services Board, Kelly Vrem, stated “a consensus was reached to support the general concept of addressing the use of aircraft, specifically for sheep hunting.”

The use of a “Board” generated proposal was also questioned. Board proposals are rarely drafted but serve a necessary role to compile or clarify comments from the public addressed in public testimony or personal communication with board members, not addressed in a public proposal. In the case of these sheep proposals, they were necessary to broaden the scope of ideas to achieve a better understanding of our current sheep hunting strategy, management and hunter opportunity. One of the criteria to justify a Board proposal is to determine if it is in the public’s best interest. Since only a small percentage of hunters own aircraft, it is clearly justified that the majority of sheep hunters will benefit. With the assistance of Kristy Tibbles, Executive Director, we found that in at least the past five years, every Board generated proposal was scheduled to be discussed at the following meeting or later in the cycle. This process allowed for a notice to be published and the opportunity for public comment, in accordance with the Administrative Procedures Act.

In addition to these statements, I have personally received numerous complaints about the use of aircraft from sheep hunters for years. With the declining number of legal rams available and the increased capabilities of aircraft, these complaints will undoubtedly increase. As is our practice, Board members reviewed all written comments, listened carefully to public testimony, and discussed publicly whether or not to approve proposal 207 before voting on it. For these reasons, I am personally not supportive of reconsideration of this proposal. I believe we need to allow this to cycle through this fall season to have a clearer assessment of its impact. The call for proposals for the March 2016 meeting does include statewide “Methods and Means” under 5 AAC 92.085 and “Special provisions for Dall sheep and mountain goat drawing permit hunts” under 5 AAC 92.067. This provision allows your AC to submit a proposal to address this issue, and I would encourage making that submission, if your committee supports it.



Jennifer Ehmann, Chair  
Mat Valley Fish and Game AC

- 2 -

April 10, 2015

This letter reflects my summary interpretation of the Board's actions. For more detail recordings of the Board meetings, along with all comments submitted to the Board, are available for review on the website at [www.adfg.gov/index.cjm?adfg=gameboard.main](http://www.adfg.gov/index.cjm?adfg=gameboard.main).

Madam chair, I hope I have addressed your concerns but please send any additional questions you or your members may have. I have worked with ACs for many years and through open communication and working together, believe we will make the best decisions for the resource and users.

Best regards,

Ted Spraker, Chairman  
Alaska Board of Game

cc: Commissioner Sam Cotten, Department of Fish and Game  
Members of the Board of Game  
Kristy Tibbles, Executive Director, Board of Game

April 7, 2015

TO: Alaska State Board of Game  
P.O. Box 115526  
Juneau, AK 99811-5526

Ted Spraker, Chairman  
Nate Turner, Vice-Chairman  
Stosh Hoffman  
Teresa Sager Albaugh  
David Brown  
Pete Probasco  
Robert Mumford

Dear Mr. Spraker and distinguished Board of Game,

This letter is specifically regarding **Proposal 207** as passed *“from August 10 to September 20, aircraft may only be used to place hunters and camps, maintain existing camps, and salvage meat and trophies while used for the purpose of Dall sheep hunting. Using an aircraft for the purpose of spotting sheep or locating Dall sheep during the open hunting season is prohibited.”*

I am an orthopedic surgeon in Anchorage, Alaska, and have been in private practice for 20+ years. My 20-year-old daughter and I do a fair amount of hunting together. We particularly enjoy sheep hunting in the Wrangell Mountains, Brooks Range, and Talkeetna Mountains with access via our Super Cubs. It has become an important part of our life together and our enjoyment of Alaska. Proposal 207 is extremely unreasonable and interferes with our ability to take a 10 day trip after spending many months preparing for a successful sheep hunt. **As an 18-year resident of Alaska, I oppose Proposal 207.**

Please take into account my following reasons:

1. I believe that it is unsafe to recommend that a plane fly directly to and from a landing site in any range (including the Brooks, Wrangell's, Alaska Range, or Talkeetna's) without first carefully flying and surveying the area, which could be intended very easily as a “spotting” opportunity. Any good pilot will start surveying from a very high altitude and then work their way down to find a grass or a gravel area that is safe to land. Often, many of the more typical strips that exist are tied up by guides and guide service tents that are placed well before the hunting season. Any attempt to worry about getting sited for an appearance of spotting sheep prior to landing clearly could end up in more accidents with hunters that are using small planes like my daughter and I do.
2. I also find Proposal 207 to be unsafe because it will force all pilots to fly at the same period of time during the few days prior to the season opening (as opposed to allowing aircraft to fly over a period of 40+ days during the hunt). This concentration of pilots will clearly and inevitably lead to more aircraft accidents and possibly even deaths. I would remind you that Dr. Brinkman's sheep hunt satisfaction survey showed that overcrowding of





aircraft and sites was the number one complaint on that survey—and Proposal 207 will only make this worse! It will also force hunters to want to hunt early in the season so that they have a reasonable advantage, not interfering in anyway with fair chase roles.

3. Additionally, from a practical standpoint, enforcement of Proposal 207 will be difficult and costly to the state. We do not have enough troopers in the State of Alaska to focus on all the small aircraft that may be flying through the mountains during hunting season, or on hunters that could be “suspected” of spotting game and disregarding Proposal 207. Troopers cannot agree with such a work-intensive proposal as this would only overwhelm their already busy system. It does not make sense to pursue such a proposal.
4. I would also ask, is Proposal 207 really necessary, is it in the public’s best interest, and what is the urgency? Rules as they have been for the past ten years have adequately protected game by regulating numbers taken. The majority of sheep hunters believe in fair chase and we do not need additional government regulation.
5. Finally, there has not been a reasonable and adequate opportunity for public comment on this important issue. This past week about 30 people, including guides, attorneys, private pilots, and hunters, met to discuss the implications of Proposal 207. The majority do not agree with your proposal. I would recommend a better opportunity for public comment on this proposal so that the Board can really understand what the need is before deciding to pursue Proposal 207.

With these considerations in mind, what is the solution?

My final recommendation would be to allow a period of public response and to withdraw Proposal 207 from consideration. Instead, a reasonable option to improve safety and regulation would be to require an online class prior to hunting to educate sheep hunters using aircraft. This will hopefully help to reduce accidents, improve field hunt etiquette, and encourage better flying techniques.

Overall, because of the safety and enforcement implications of Proposal 207, as well as the lack of allowed public response, I am opposed to Proposal 207 and am concerned for current pilots that hunt and for future generations of pilots, such as my daughter, if it is approved.

I am happy to discuss this further via telephone or email, or to offer testimony in person.

Sincerely,

Michael G. McNamara, M.D.  
[mmcnamara@akhanddoc.com](mailto:mmcnamara@akhanddoc.com)  
(907) 227-5667





cc: Kristy Tibbles, Executive Director, Alaska Board of Game [kristy.tibbles@alaska.gov](mailto:kristy.tibbles@alaska.gov)  
Cheryl Brooking, Assistant Attorney General [cheryl.brooking@alaska.gov](mailto:cheryl.brooking@alaska.gov)  
Byron Mallott, Lieutenant Governor  
Natalie Weber, Regulation Coordinator, ADF&G [natalie.weber@alaska.gov](mailto:natalie.weber@alaska.gov)  
Alice Rogoff, Publisher, Alaska Dispatch News [alice@alaskadispatch.com](mailto:alice@alaskadispatch.com)  
Commissioner Sam Cotton, ADF&G [dfg.commissioner@alaska.gov](mailto:dfg.commissioner@alaska.gov)  
Tom George, Regional Manager, Aircraft Owners and Pilots Association [tom.george@aopa.org](mailto:tom.george@aopa.org)  
Jane Dale, Executive Director, Alaska Air Carriers Association [jane@alaskaaircarriers.org](mailto:jane@alaskaaircarriers.org)  
Dee Hanson, Executive Director, Alaska Airmen's [dee.hanson@alaskaairmen.org](mailto:dee.hanson@alaskaairmen.org)

Submitted By  
Chuck McMahan  
Submitted On  
4/23/2015 2:02:46 PM  
Affiliation  
self

Phone  
907-320-1064  
Email  
[cmcmahan@cvinternet.net](mailto:cmcmahan@cvinternet.net)  
Address  
PO Box 110  
Gakona, Alaska 99586

In regards to amended game proposal # 207 that was passed in March, 2015 regarding using a/c to look for sheep during sheep season. I think the boards decision to pass this proposal was a bad idea and would like the board to consider rescinding the decision. It seemed like the board acted prematurely before a working group could be formed to determine if there actually are real problems with sheep regulations as they are or how they should be resolved. I support the idea of a working group to do the above, and for the Department to revisit the sheep management plan that is in place and rework any areas that need changing.

The proposal as it is written will create many problems with enforcement and charges to hunters using planes that will cause more harm than good. There is a problem now with the beginning of sheep season being crowded, this law will send that in to overdrive, if airplanes are limited to only looking before the season. Over reaction by some well meaning hiker that might turn in an airplane that he thinks is looking for sheep may only be a pilot honestly scouting a place to land, or looking for goats, or bears... There is no way to prove what that pilot is looking for or who is even in the pilot's seat of that plane. A very unenforcable and unneeded law.



Submitted By

Clark Baldwin

Submitted On

4/23/2015 2:59:44 PM

Affiliation

Absolutely No to 207. This is the beginning of banning aircraft use across Alaska. I wonder what special interest group has whipped this up. How much they have already spent buying support.

Stay away from this issue.

**Alaska Department of Fish and Game - Board of Game**

P.O. Box 115526

Juneau, AK 99811-5526

Re: Proposition 207

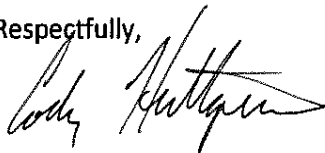
Dear Board of Game Members,

I support a meeting to rescind Prop 207 and stand in strong opposition to this proposition for the following reasons.

- **UNSAFE.** There were mid-airs on August 9<sup>th</sup>, representing decision-making compromises in decision making for pilot.
- **UNENFORCEABLE.** Every flight in sheep country is suspicious; none of it can be proved.
  - This will place a fiscal burden on the Department in a budget climate that renders such a measure irresponsible to employ resources for enforcement.
  - Due to lack of enforcement ability, there will be no way to measure the success or failure of this proposition relative to actual sheep population increases or declines. This will leave the BOG in an uninformed position for future management decisions.
  - Alaska airspace is a "Common Use Airspace;" Board of Game has no business attempting to regulate this Federal Classification of Airspace.
- **UNPOPULAR.** Executive action by this BOG-generated proposal ignores recommendations from Troopers, local AC's, and majority public testimony.
- **INEFFECTIVE.** There is zero empirical evidence to connect aircraft with crowding or animal counts.
- **UNALASKAN.** This Proposition disproportionately impacts resident DIY hunters in favor of guided non-residents. We vehemently protect our other natural resources and then 'give' this one away to the detriment of the resource and the detriment of Alaskan residents. This is unacceptable!

Mr. Lew Bradley wrote an intelligent and informed analysis of actions that could be taken to proactively and accurately solve the sheep management issues. Please rescind Proposition 207 and work with Alaskans to find a *real* solution. Our natural resources cannot afford anti-Alaskan solutions that impact current and future generations!

Respectfully,



Cody Hultquist

CC: Governor Walker  
Lt. Governor Mallot  
Alaska Airmens Association  
Alaska Attorney General  
Department of Fish and Game – Sam Cotton Director  
Alaska State Representatives and Senators



Submitted By  
Colt Foster  
Submitted On  
4/23/2015 12:55:23 PM  
Affiliation

Phone  
303-519-0718

Email  
[flashfoster@hotmail.com](mailto:flashfoster@hotmail.com)

Address  
20633 Philadelphia Way  
Eagle River, Alaska 99577

I would like to go on record that I oppose proposal 207 and support having a specific meeting to rescind prop 207. I also support the formation of a sheep hunting working group that includes public testimony and proposals to be considered. I would be in strong favor of a resident hunter preference as I believe nonresident numbers should be restricted to help increase sheep numbers and reduce in conflicts in the field.

Submitted By

Chuck McMahan

Submitted On

4/23/2015 2:27:32 PM

Affiliation

Chair, Copper Basin F&G Advisory Committee

Phone

907-822-3553

Email

[cmcmahan@cvinternet.net](mailto:cmcmahan@cvinternet.net)

Address

PO Box 110

Gakona, Alaska 99586

Sheep proposal # 207 passed by BOG in March, 2015. All committee members present at our committee voted NO on all sheep proposals at our April 2, 2015 meeting. This included proposal #207 that prohibits using an a/c to look for sheep during sheep season. That being said, as chairman I'll take the liberty of saying that our committee would support a future BOG meeting to discuss rescinding the game proposal #207 that was passed by the BOG in March. I just got notice today of this comment deadline, the day comments are due and the day before the BOG teleconference, so there is not enough time to call a committee meeting or even call members of the committee for additional comments. Thank you.



Submitted By

Craig Hartman

Submitted On

4/23/2015 2:25:11 PM

Affiliation

As an avid backcountry recreationist, please overturn prop 207. I access the backcountry via my supercub and often fly in sheep country during hunting season. 207 would unfairly prohibit me from pursuing hiking and other related outdoor activities with my family and friends during sheep season. Thank you for your consideration.



From: Craig Rang  
33425 Keystone Drive  
Soldotna, AK 99669  
(907)252-6799

April 23, 2015

BOG members,

My name is Craig Rang and I am a 10 year resident of Alaska writing you today to ask that you please **rescind** proposition 207.

I know that there are issues with Dall Sheep hunting in Alaska but this proposition is full of problems and does not address the real problems

Proposition 207 will especially make the first part of the season overly crowded and unsafe because of the sheer number of pilots and hunters in the field at the same time. This is what prop 207 was supposed to stop! While looking for good areas, most sheep are unconcerned about aircraft in their area. They have seen lots of aircraft year round and are relatively comfortable with normally flying aircraft.

It is already illegal to harass game from a plane. If done properly, sheep , hunters and pilots will not be encumbered by regulations in Proposition 207. The system has worked for the last 100 years and should not be changed.

State troopers will be flooded with cases to "investigate", in effect taking them away from their real job, catching poachers and people that break the law. Proposition 207 will make flying in the mountains around August 10th extremely dangerous. In Alaska many of us like to say: "If it isn't broken, don't fix it!"

It is in the best interest of the state and its residents to rescind this Proposition 207!

Regards,

  
Craig Rang



Submitted By  
Dan Montgomery  
Submitted On  
4/23/2015 2:33:37 PM  
Affiliation  
Vice-chair-game Mat Valley A/C --Self

Phone  
907-373-4898  
Email  
[akta@mtaonline.net](mailto:akta@mtaonline.net)  
Address  
P.O. Box 874492  
Wasilla, Alaska 99687

Dear Alaska Board of Game,

I urge the Board to reconsider there action taken on proposal 207 and set up a meeting in the future to consider rescinding it. There was a wide majority of opposition to this proposal from the public and almost all of the A/Cs'. The big 3 A/Cs, Anchorage, Mat Valley and Fairbanks were all unanimously opposed. There has also been a large and very vocal outpouring of outrage and discontent from the general public since it was passed. I implore you to listen to this public voice, the public you are supposed to represent and rescind 207 as amended. I have testified at the region 2 and region 4 meetings that this proposal was to broad and overreaching and it will only create more crowding and competition at the beginning of the season, which was the number 1 problem identified in the Brinkman survey. It does nothing for sheep conservation. These are the reasons that this public majority is so upset.

I strongly support forming a sheep working group. This is the best way for all parties to have their ideas heard and considered and find some solutions to the biggest problems that our sheep are facing.

Thank you for the opportunity to comment.

Sincerely;

Dan Montgomery



Alaska Board of Game  
FAX 907 465-6094

Special non-regulatory teleconference Friday April 24, 2015

RE: I support having a meeting to RESCIND PROPOSAL 207.

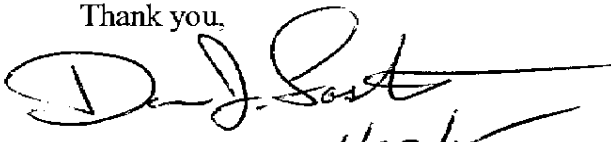
Dan Foster  
PO Box 876242  
Wasilla, AK 99687  
907 376-1607

COMMENT:

Please rescind proposal 207. The means of allocation of a resource by form of transportation pits one user group against another user group. The resource belongs to all Alaskans. Therefore, if there is an allocation issue with sheep, the non-residents need to be restricted first. When the State of Alaska allows one guide to take non-residents to harvest 18 rams in one season with 2 being sub legal, this is a problem. Several of us resident sheep hunters have been harassed on the ground by guides that told us we were in "their area". It changed our hunting plans out of concern for our planes and personal safety. In the group of resident pilots known to me, we are a more selective group of hunters on the size and age of animal hunted. Many of us have gone a number of years without harvesting a sheep. There are no restrictions on other species for spotting from the air. This proposal will also restrict the next generation of young hunters from hunting on weekends when school is in session. The Board of Game is not listening to the local Advisory Committees.

I OPPOSE PROPOSAL 207.

Thank you.



Dan Foster

4/23/15

To: Board of Game  
From: Dana Bertolini  
3131 E. 112<sup>th</sup> Avenue  
Anchorage, AK 99516  
(907) 349-4503  
RE: Comment on Proposition 207

Dear Board of Game,

Thank you for the privilege of being able to submit the following comment on Proposition 207. I am a 33 year resident of Alaska and a passionate Sheep hunter!

***I do not own an airplane*** but I enjoy hunting with friends who own airplanes. I hope the fact that I am NOT a pilot or aircraft owner will place a higher value on my comment! I am opposed to the current Proposal 207 which limits and restricts the use of aircraft during the Sheep season. I have been in numerous situations where the sacrifice of precious time (many times the only vacation I had that year), money and huge effort would have been wasted if I had not been able to “scout” from the air when being flown into a remote area to hunt! Furthermore, I have been on hunts where severe weather came in and ALL of the sheep in the area had moved to an entirely different location – without the aid of an aircraft to relocate them, my hunt would have been over.

Use of an airplane would also contribute to the selective harvest of rams in the oldest age class by those hunters who desire to take ONLY the most mature rams! I believe Proposition 207 would actually promote hunters taking the bare minimum legal animal because of their inability to scout from the air and seek out older class rams.

I believe the current same-day airborne restrictions need to be left alone! They provide very ample protection for the species. The Board of Game needs to find another way to control the harvest.

Respectfully Submitted,

  
Dana Paul Bertolini

4/23/15

Submitted By  
Darcy Etcheverry  
Submitted On  
4/23/2015 2:50:55 PM  
Affiliation

Alaska Board of Game Members,

I think that the Board of Game should expand the call for proposals to include proposals related to statewide sheep hunting season dates, permits & allocation, and bag limits. I am questioning why there is even debate about whether or not it should be included? The submission deadline should be extended because the process is confusing for the typical Alaskan resident that wants a voice in management of our State fish and game resources.

The Board should rescind proposal 207 and refrain from setting forth board proposals in the future. Please make sure that the debated proposals are submitted by the public not constructed by the board. The process should be public and transparent.

I do not support formation of a sheep working group if the members of that group will be selected by the Board of Game.

Sincerely,

Darcy Etcheverry

Submitted By  
David Larson  
Submitted On  
4/23/2015 11:16:52 AM  
Affiliation

Phone  
907-632-6231  
Email  
[dlarson@mtaonline.net](mailto:dlarson@mtaonline.net)  
Address  
po box 3496  
Palmer, Alaska 99645

I am opposed to any regulation that limits the use of aircraft for hunting and fishing in Alaska.

This appears to be an unenforceable, arbitrary regulation based on some personal opinions, unsubstantiated with evidence or research.

Another "without evidence proving innocence, you're guilty" single-minded agenda.

The wonderful thing about Alaska besides its abundance of game and the freedom of aviation, both private and commercial, is that multiple species can be observed or harvested in the same local. This proposal would make criminals out of law-abiding citizens based solely on transportation and the location of their tent.

Submitted By  
David Lorrington  
Submitted On  
4/23/2015 12:39:14 PM  
Affiliation  
self

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Fairbanks, Alaska 99709

Chairman Spraker, board members

I would request that the Board does not put together a working group consisting of user groups. I would recommend that the Board works with the Department in developing sheep hunting regulations. There have been meetings of the un-official sheep working group since before January 2015 consisting of user groups such as. APHA, AOC, Safari Club, FNAWS, etc. I know that board members have been invited to participate as well. I believe that decisions about sheep management should be decided by the board and the department and not by groups with special interests in mind.

I just received the e-mail giving the public the opportunity to comment and do not have time to comment fully before the deadline with my work commitments

Thank you

Dave Lorrington

Fairbanks Ak.

# BOG

I do not Believe that 207 in  
anyway will be helpful in the  
management of sheep in the  
state of Alaska. I believe this  
proposals would be unsafe,  
unenforceable, unpopular, ineffective,  
and Very Much Unalaskan!!!

Do not continue with 207.  
I fully Support a meeting to  
rescind 207.

David Moore

Po Box 870025, Wasilla, AK. 99687

907-357-1909

4-23-15

Time 10:50  
Am

David Moore



Submitted By  
DEBBIE SOLTIS  
Submitted On  
4/23/2015 1:46:30 PM  
Affiliation

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Address  
PO BOX 670670  
CHUGIAK, Alaska 99567-0670

I am in support of a meeting to rescind #207.





Submitted By  
Dennis Roe  
Submitted On  
4/23/2015 2:33:33 PM  
Affiliation

I oppose Proposal 207 regarding flying and sheep hunting. It would be an extremely hard regulation to enforce, but would set up many potential hassles for legal pilots and hunters if an observer on the ground made a complaint. This regulation should never have gone through without more public input. Please rescind this unnecessary and poorly thought out regulation.

Dennis Roe

Alaska Resident and hunter for 34 years.



To the Alaska Board of Game

I was heartened at the recent regional meetings in Wasilla and Anchorage by the Board's attention to public and AC testimony. That public input was cited and heeded in most cases.

Except for the action on proposal 207. This action is contrary to Trooper recommendation and the vast majority of AC and public testimony. I urge the Board to hold a meeting to consider rescinding this action. It raises serious safety issues, will be (is) extremely difficult to codify its language to have a chance of enforceability, is not at all popular, and is unalaskan by virtue of favoring nonresident non pilot hunters.

There is much opposition out here. Please heed the public wishes to reconsider your recent action on 207

Thanks for your time

Douglas Malone  
Po box 2091  
Homer AK 99603  
907-399-7689



Alaska Department of Fish and Game  
P.O. Box 115526  
1255 W. 8<sup>th</sup> Street  
Juneau, AK 99811-5526

Dear Board Members,

The Experimental Aircraft Association (EAA) is submitting this letter on behalf of its membership in Alaska in response to Proposal 207, a policy recently adopted by the Alaska Board of Game that places a restriction on aerial sheep spotting for hunting purposes between 10 August and 20 September. EAA opposes this proposal and strongly encourages the Alaska Board of Game to rescind it, as it has the likelihood of negatively impacting Alaska's flying community.

It is important to note that while the Alaska Board of Game has the authority to regulate hunting, we wish to reinforce that the FAA has sole jurisdiction over all activities within the National Airspace System. EAA members have raised concerns that the language in this policy leaves it open to wide interpretation. Flying in Alaska involves complex challenges that other pilots flying elsewhere in the United States do not experience. Operating aircraft in and out of Alaska's unforgiving terrain requires careful planning. EAA members in Alaska believe this policy could lead to legal action against them if the processes they use to identify safe take off and landing zones are misconstrued as attempts to spot sheep.

We thank the Alaska Board of Game for recognizing the concerns of Alaska's flying community and meeting to review the merits of this policy.

Respectfully,



Sean Elliott  
EAA Vice President, Advocacy and Safety



Submitted By  
Floyd Butch Ehmann Jr.  
Submitted On  
4/23/2015 1:43:51 PM  
Affiliation

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Address  
Po box 2144  
Palmer, Alaska 99645

Hello,

I support the BOG holding a special meeting to rescind proposal 207.

Thank you,

Butch Ehmann Jr.



Submitted By  
FRANCIS SOLTIS  
Submitted On  
4/23/2015 1:50:29 PM  
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AOPA, EAA, CAF

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I am in favor of having a meeting to RESCIND #207

Submitted By  
George Campbell  
Submitted On  
4/23/2015 2:07:22 PM  
Affiliation

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Dear Board of Game,

Thank you very much for being concerned with the sheep populations in our state, and looking to take action for correction.

Please withdraw proposal 207, aircraft restrictions for sheep hunting. The proposed rule, (207), appears to be a valiant attempt in sheep protection, however, my experience in the field as a private citizen and assistant guide suggests that this proposal will become more of an aid for folks to harass hunters through complaints to law enforcement than about protection of sheep.

I personally have had law enforcement agencies approach me and my hunting partners, including confiscation of sheep horns, because an individual had made a complaint that we had been engaged in same day airborne. The horns were quickly returned once the troopers determined one of the gentlemen with us has a trooper badge himself. It still took time to sort that out. Two years later we again had unfounded complaints against us about our activity and had to interact with the law enforcement folks. This was all because we were hunting in a guide's 'territory'.

With this new proposal, the inability to determine what an aircraft's purpose and goal is during a flight will become the topic of heated discussions. Law enforcement will be called countless times when pilots like myself are trying to find new places to land, or determine if the place we used previously is still safe. Often it takes numerous circles and passes on an area to determine if it is suitable for landing. At what point is safely conducting landing field inspections spotting sheep? When a plane flies up a valley trying to find a place to land, or traveling and turns for weather, will that plane be considered 'sheep spotting'?

If a guide sees a sheep while flying into camp on August 12th, and then kills a ram on that same hillside September 12th, it might be the same ram, so that will be an illegal sheep as the rule is written. After a month I think that the flight advantage has been nullified, don't you?

There will always be individuals that are unethical and have no respect for our game or other hunters. This is not limited to aircraft owners. There are guides that use the law enforcement officers as a means to hassle private hunters that are hunting on 'their' turf. More regulation will not stop the problem of user conflict, only add ways in which our already stretched law enforcement folks must try to keep things on par.

Is the issue with air access that the sheep numbers are going down, or that some folks feel slighted because folks with private aircraft might be able to get into areas others can not? Is the issue that the commercial operators with a history of using defined landing areas don't want private folks having the opportunity during sheep season to go find their places to land and hunt? Or is the issue that aircraft flying in the mountains are scaring sheep away from other hunters?

If the goal is to curb a drop in sheep numbers, it seems the desire would be to reduce success of hunters, not make difficult to enforce regulations. If the aircraft is the tool in which must be regulated, let me suggest a longer time period between flying and hunting sheep; instead of our current 3 a.m. the next day after flying rule, make it a 48 hour rule like used in the Yukon, or 3 a.m. the second calendar day after flying. That gives ample time for any animal to have moved far enough that a hunter loses the advantage of aerial spotting, but allows those with the drive to invest in aircraft to utilize their tool for its purpose.

If the Board of Game is simply looking to reduce the success ratio of hunters, why not restrict optic use in the field? Restrict rifle scopes to



4x, or eliminate telescopic sights all together? Another suggestion would be limit spotting scopes to a maximum of 30x magnification, or even 20x. Forcing hunters to approach sheep to identify their size on the ground will reduce the success for sure. If every potential sheep has to be approached the hunters will be making many climbs out of the valley floor just to determine if they are legal or not. That takes time and energy, which everyone has a limited amount.

In summary, proposal 207 will create many enforcement issues. It will not limit access by aircraft, only limit access to those not living close enough to scout the areas prior to the season, and create adversarial discussions between law abiding hunter/pilots and law enforcement.

Thank you,

George Campbell

Submitted By  
gregg origer  
Submitted On  
4/23/2015 2:29:22 PM  
Affiliation

Gentlemen,

First of all, thank you for what you do. You can not please all of the people all of the time.

I would like to briefly explain my disagreement with the current proposal. It appears Proposal 207 happened at the last minute after it was tabled. I do not know if this is true, but if it is, then someone is playing politics. Honestly, that is not the appropriate way of conducting business in a free society. Back hand operations by special interests never end well. This is such an open ended proposal I fail to see how it could be enforced properly under its current language.

Proposal 207 implements sweeping changes in the way sheep are harvested. the language is very simple but I can think of many ways this regulation could be mis-used by anyone that doesn't like fair chase rules in hunting. There are numerous scenarios that could play out and cause a lot of people hardship by being accused of doing something they did not do.

It is true that sheep face a lot of pressure from all quarters. I would stand by changes but they must be equitable for all interested parties.

I recommend that the board schedules a meeting at a later date so that all interested parties can have the time to consider and comment on the proposal.

Respectably,

G Origer



Submitted By  
Jacques etcheverry  
Submitted On  
4/23/2015 11:08:39 AM  
Affiliation  
Alaska resident

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North Pole , Alaska 99705

Dear Alaska Board of Game Committee members,

Without a second thought you should include proposals related to statewide hunting seasons and bag limits for sheep in this call for proposals! Why would you even consider not doing so? You have been politically appointed to serve the State of Alaska and most especially, the Alaska resident. You are mandated by statute to consider the Alaska resident's concerns expressed through the proposal process and to act on them accordingly. This is after all, the main purpose for having a Board of Game and a Board management structure in managing our game resources. Failure to do so, and especially failure in allowing Alaska residents to bring forth proposals that deal with seasons, allocation, and bag limits is simply not acceptable. You work for us-- the Alaska resident. Please remember that.

Furthermore, proposals 207 and 208 should both be rescinded immediately. To be blunt, they are horrible ideas and quite frankly, I cannot even fathom why the Board would even make proposals such as these. Proposals should be coming from the public, not the Board itself. That's not how the system is supposed to work and there is already too much conflict of interest as it is. Management of our game resources should be driven by the Alaskan resident, not political appointees. We are the owners after all and our game should be managed for our collective benefit.

Please put Alaska and Alaskans first and allow and consider ALL proposals put forth.



Submitted By  
Jay Hammond Stanford  
Submitted On  
4/23/2015 10:56:16 AM  
Affiliation

Dear Board of Game,

Proposal 207 is an issue that concerns me as a hunter, guide, and Alaskan. I've had the tremendous opportunity to guide Dall sheep for the last two years in the Wrangell Mountains and I have loved every moment of it. Guiding has been in my blood and is something that I have wanted to do ever since I was a young boy. Growing up in Alaska I was introduced to airplanes at a very young age and realized their ability to show you the true Alaska. Airplanes have been a crucial part of hunting in Alaska way before it became a state and making changes on how they are used now just doesn't make any sense to me. Punishing people that have airplanes or the ability to use aircraft for transportation into sheep hunting areas because someone else doesn't have that ability is not right.

The issues I have on the first part of Proposal 27, which states, "people aren't allowed to use airplanes to spot sheep or locate sheep during the sheep hunting season," is the enforceability and the grounds that the Board of Game have on regulating airspace. I believe it is going to be hard for troopers to enforce this proposal because of all the variables that would come with it. For example, how will they be able to distinguish from someone spotting for sheep and someone looking for a place to land? Or how about someone just out sightseeing and having nothing to do with hunting. Are you not allowed to sightsee? I feel that there will be a large number of calls to the troopers from people on the ground reporting any aircraft use, hunting or non-hunting, and it will tie up the troopers resources. This will keep them from doing more important jobs, like rescuing lives and enforcing real game infractions. It is already illegal to harass animals with aircraft, and that's the way it should be, but you should be able to see animals from an aircraft.

Another issue that has been brought to my attention with the first part of Proposal 207, is that the Board of Game does not have the ability to regulate airspace within the United States. This issue was brought to my attention by the Alaska Airmen Association when they mention in a statement on April 18th that, "only the Federal Aviation Administration (FAA) may regulate the airspace over any part of the United States, not the Department of Fish & Game or the State of Alaska." This would have a negative affect on everyone, not just hunters.

The other issues with Proposal 207 that have to do with when and where a person can hunt or help someone hunt after they have flown doesn't make sense. Alaska already has the law where people aren't allowed to hunt same day airborne for most big game animals until 3:00 am the next day. And that's a great law already.

In all, I feel that Proposal 207 is an unfair proposal that is punishing people for having the ability to use aircraft. Aircraft are tools like any other piece of equipment and should be used in a responsible way and if someone can afford to use one they should not be punished for being able to. It would be like people fishing on the beach saying that someone isn't allowed to use a boat on the lake because it's unfair. All motorized vehicles should be classified the same because at the end of the day they all serve the purpose of taking someone farther than they want to walk. Whether it is a car, atv, boat, or aircraft. So far I haven't heard anyone that I have talked to be in favor of this proposal. Most of the concern I have heard is that there hasn't been enough information given about this topic to the public and that most of it has been very short notice. I am glad that the Board of Game has taken the time to listen in on more public comments on this issue and that they really take their time on it. I feel that there are bigger issues than aircraft when it comes to sheep hunting, like people taking illegal rams or other causes of die-off that should be focused on.

Sincerely,

Jay H. Stanford

Submitted By  
Jeff Pralle  
Submitted On  
4/23/2015 1:21:54 PM  
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Ladies and Gentlemen of the Board,

As most of you know from my testimony in Wasilla I am opposed proposal 207.

I believe 207 leaves too much to the discretion of the investigating officer. It is not defined at what point you could shoot a sheep that was seen from an aircraft e.g. 24 hours, 72 hours, two weeks. It only stipulates during sheep season. This is an ambiguous time definition. How can it be unequivocally proven when or if an individual animal was or was not seen by the occupants/pilot of an aircraft unless they were to admit guilt?

I personally agree with the intent behind why 207 was written. So the issue is with the enforceability of the existing regulation as I see it.

I believe the current regulation needs to be defined rather than adding a new one.

Why can't the existing BGCSB ethics regulation be added to the general hunting regulations?

Example:

"Illegal activities

Utilizing an aircraft for the purpose of taking or locating of and/or judging an individual animal

Herding and harassing is defined as intentionally flying in close enough proximity to an animal to alter its normal behavior

Utilizing a GPS to locate or return to an individual animal with the intent of taking that animal. GPS may be used to mark and return to the site after the animal has been taken/harvested"

I am sure you guys have covered this option. I have concerns on both sides of the enforcement of this proposal. An over zealous officer having a tool in the box that makes the person in the field guilty till they hire an attorney spend thousands of dollars just to prove themselves innocent. Or having a sharp bad actor being able to circumnavigate the intent of the regulation, " We were scouting \_\_\_\_\_ (insert species) yesterday and never saw a sheep.". Effectively still having the conflict issues with "scouting by aircraft".

I would rather see an easier to interpret and enforce regulation, specified time, such as no hunting 24 hours after flying, rather than a mushy undefinable difficult to prove regulation as 207 is written now.

Please consider this my support of whatever measures must be taken to rescind/modify proposal 207.

I also support the call to reopen the call for proposals and the sheep working group.

Thank for your consideration,

Submitted By  
Jerry Kallam  
Submitted On  
4/23/2015 11:00:00 AM  
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Palmer, Alaska 99645

I respectfully request the Board of Game rescind Proposal # 207.

The proposal does not address the specific issue of declining sheep numbers. It simply puts in place an impossible to enforce rule that at best will redistribute sheep harvests from one group to another.

The proposal also invites a host of unintended consequences. It pits hunters against hunters and will that will tie up enforcement resources in frivolous litigation chasing unsubstantiated allegations from the natural rivalries that naturally occur between groups with differing modes of transportation.

As a hunter with an airplane, I have taken my son to the Brooks Range when he was both 11 and 13. I used my airplane to recon various safe routes where we could both have a great hunting experience. Under the proposed regulation this is illegal as it defines very specific ways I can use the plane during the season. Other uses include recons for safe landing strips, relocating camp, or photographing scenery in the area. There have been times where hiking parties come through our camp and were not shy about expressing their anti hunting views. Any innocent airborne activity is very easy to video and present in a distorted way as a violation of this bizarre regulation. Then I get to defend my position against the unlimited resources of the State. This type of regulation will succeed forcing me from this sport I love so dearly. I have always used my aircraft in a lawful way that respects other hunters around me but the risk of this proposed law putting me in jeopardy of defending against false allegations makes me consider dropping this part of my hunting experience.

If sheep numbers are really the issue here please consider other proven methods of game management that are clearly defined and are enforceable. Do not put our Fish and Game in the position of trying to enforce this rule. This rule if it becomes law it will eventually find it's way to court and in that venue it will fail. In the mean time you as the Board of Game will have to your credit putting forth a very destructive law that relies on the presumption of guilt to even offer a case up for prosecution. You will expend untold State resources to wreck the lives of descent hunters that get caught up it's misuse. And in the end this proposal will do nothing to change the sheep counts.

Respectfully,

Jerry Kallam

Supercub Owner  
Brooks Range Sheep Hunter 9 Years