

ACR 5 – Close areas to trapping in Unit 1(D).

SUBMITTED BY: Municipality of Skagway

MEETING ACR SUBMITTED FOR: Statewide Regulations in March 2016

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

5AAC 92.550. Areas closed to trapping.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Skagway has an extensive road and trail system in a relatively consolidated area. Trapping on trails frequented by hikers and skiers with their pets have resulted in conflicts between user groups. Complaints from hikers and skiers have reached the borough assembly and a compromise between user groups has been in the works for over 18 months with little success in reaching a compromise between user groups. Recreational trail use has increase dramatically in recent years, and is only expected to increase. The community has been struggling to find a compromise that would bring the Municipality of Skagway into compliance with the State of Alaska and satisfy all user groups. Traps should not be set in areas of high public use within the Skagway city limits.

WHAT SOLUTION DO YOU PREFER? Areas closed to trapping. The following areas are closed to the trapping of furbearers as indicated: In Unit 1(D) (Skagway area): (A) a strip within one-eighth mile of any public street, road or right-of-way or highway or established/marked trail within the boundaries of the Skagway Borough; however, traps with an inside jaw spread of five inches or less which are set at least five feet above the ground and snow are allowed if set more than 50 yards from any public street, road or right-of-way, highway or marked/established trail within the boundaries of the Skagway Borough.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE.

a) for a conservation purpose or reason: The current public safety ordinance addressing trapping in Skagway unnecessarily restricts all trapping activity. The Municipality of Skagway has authority to regulate land use and public safety within borough boundaries. As currently written, the municipal ordinance addresses specific traps which is the authority of the state. The current ordinance is the result of compromise language between user groups. The Borough would like to allow trapping with small traps set off the ground but this should be a regulation promulgated by the Alaska Board of Game. As noted above, it took many months to get parties to agree to the above language but the current ordinance is recognized as overly restrictive and will unnecessarily restrict trapping opportunity in Skagway until appropriate regulatory language is added to 5 AAC 92.550. The Borough recognizes the Southeast Region’s regularly scheduled board meeting was held in January 2015 but at the time proposals were due, and when the meeting was held, parties had not yet agreed on the current ordinance language.

b) to correct an error in regulation:

c) to correct an effect on a hunt that was unforeseen when a regulation was adopted:

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE? The Municipality of Skagway will continue to be out of compliance with the State of Alaska by regulating trapping, trapping will remain overly restrictive in the area, and the community will continue to be divided.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE. This ACR is predominantly allocative between various outdoor recreationalists. However, the current ordinance unnecessarily restricts trapping opportunity.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE. Language agreed to by various outdoor recreationist and community residents.

STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR. Borough mayor who has spent a considerable amount of time working on a solution that would benefit all user groups and minimize conflict within the community.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING. The Skagway Borough has never submitted this ACR or a proposal seeking the same action before.