

SB

262

FISCAL NOTE

No. 1
 Bill Version: CS SB 262 (RES)
 (S) Publish Date: 3/24/98

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Fish and Game
 Title: Management of Hunting BRU: Wildlife Conservation
 Component: Wildlife Conservation
 Sponsor: Senator Taylor
 Requester: Senate Resources COMPONENT SERIAL NO. 473

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (1024)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Ken Taylor, Deputy Director
 Division: Wildlife Conservation
 Approved by Commissioner: [Signature]
 Agency: Department Fish and Game

Phone: 464-4190
 Date: 2/20/98
 Date: 2/23/98

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State Capitol
Juneau, Alaska 99801-1182
(907) 465-3873
Fax: (907) 465-3922

352 Front Street
Ketchikan, Alaska 99901
(907) 225-8088
Fax: (907) 225-0713

Senator Robin L. Taylor
Senate Majority Leader

SPONSOR STATEMENT

SENATE BILL 262

Senate Bill 262 restricts the department from curtailing traditional access for hunting and trapping unless the specific means of access is causing biological harm to a game population in the area where the restriction is to apply; and, the recovery of the wildlife population requires the access restriction.

Alaska license holders are outraged by the department's adoption of a preservationist philosophy which opposes consumptive uses by restricting access. At the fall 1995 Board of Game meeting, the Department of Fish and Game urged the Board of Game to close 236 square miles to Alaska's hunters. The department's own biologists testified that there was no biological problem, no justification, nor actual conflict among user groups in the area. The department's director admitted that the only issue was one based solely on a misperception resulting from purposeful misinformation and disinformation promulgated by animal rights extremists.

The Board of Game is now politically compromised. It has developed a pattern of establishing "controlled use areas" which deny user group access without any biological justification. Currently there are 26 "Controlled Use Areas" in the state and these will effectively be grandfathered under this legislation. To get politics out of future wildlife management decisions, the legislature must require that all wildlife regulations be necessary and biologically justified.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

Hunting Areas With Access Restrictions

Controlled Area	Eff. Date*	Restriction
Chichagof CUA (4) 5 AAC 92.540(1)	1989	closed to use of any motorized vehicle for brown bear hunting
Delta CUA (13B & 20A) 5 AAC 92.540(2)(A)	1971	closed to use of any motorized vehicle or pack animal for hunting from 8/5-25
Sourdough CUA (13B) 5 AAC 92.540(2)(B)	1971	closed to use of any motorized vehicle for hunting (except designated highways)
Clearwater Creek CUA (13B) 5 AAC 92.540(2)(C)	1971	closed to use of any motorized vehicle for hunting (except designated highways)
Tonsina CUA (13D) 5 AAC 92.540(2)(D)	1975	closed to use of any motorized vehicle or pack animal for hunting from 7/26-9/30
Glacier Mountain CUA (20B) 5 AAC 92.540(2)(E)	1971	closed to use of any motorized vehicle for hunting from 8/5-9/20 (except designated highways)
Wood River CUA (20A) 5 AAC 92.540(2)(F)	1976	closed to use of any motorized vehicle except aircraft for big game hunting and transportation of game
Macomb Plateau CUA (20D) 5 AAC 92.540(2)(G)	1974	closed to use of any motorized vehicle for hunting or transportation of game from 8/10-9/30 (except some aircraft)
Yanert CUA (20A) 5 AAC 92.540(2)(H)	1973	closed to use of any motorized vehicle except aircraft for big game hunting and transportation of game
Ladue River CUA (20B) 5 AAC 92.540(2)(I)	1994	closed to use of any motorized vehicle except aircraft for big game hunting and transportation of game (except designated highways)
Nenana CUA (20A & C) 5 AAC 92.540(2)(J)	1996	closed to use of airboats for hunting moose, transporting moose hunters or their gear
Kenai CUA (15A) 5 AAC 92.540(3)(A)	1982	closed to use of aircraft during moose season until 9/11 (except at airports)
Lower Kenai CUA (15C) 5 AAC 92.540(3)(B)	1985	closed to use of any motorized vehicle except aircraft or boat for hunting 9/11-14 and 9/17-20 (except designated highways)
Kalskag CUA (18) 5 AAC 92.540(4)	1977	closed to use of aircraft for hunting big game, transporting hunters or game (except from public airport)

*effective date of access restriction, not when the area was established

Controlled Use Area	Eff. Date*	Restriction
Upper Kuakokwim CUA (19D) 5 AAC 92.540(5)(A)	1981	closed to use of aircraft for hunting moose, transporting moose hunters or moose parts (except from public airport)
Hohitna-Hoholitna CUA (19A & B) 5 AAC 92.540(5)(B)	1992	closed to use of boats equipped with motors over 40hp for big game hunting, transporting hunters and game from 8/1-11/1
Koyukuk CUA (21 & 24) 5 AAC 92.540(6)(A)	1978	closed to use of aircraft for hunting moose, transporting moose hunters or moose parts (except from public airport)
Kanuti CUA (24) 5 AAC 92.540(6)(B)	1979	closed to use of aircraft for hunting moose, transporting moose hunters or moose parts (except from public airport)
Paradise CUA (21) 5 AAC 92.540(6)(C)	1977	closed to use of aircraft for hunting moose, transporting moose hunters or moose parts (except from public airport)
Noatak CUA (23) 5 AAC 92.540(7)	1988	closed to use of aircraft for hunting big game, transporting hunters or game (except from public airport)
Upper Mulchatna CUA (17B) 5 AAC 92.540(8)	1990	closed to use of any motorized vehicle except aircraft or boat for hunting big game (except vehicle in camp)
GMU 26A CUA 5 AAC 92.540(9)	1990	closed to use of aircraft for hunting moose, transporting moose hunters or moose parts from 8/1-31 and 1/1-3/31 (except from public airport)
Naknek CUA (9C) 5 AAC 92.540(10)(A)	1991	closed to use of any motorized vehicle except aircraft, boat or snowmobile for hunting from 8/1-11/30 (except designated areas)
Izembek CUA (9B) 5 AAC 92.540(10)(B)	1993	closed to use of any motorized vehicle except boats for hunting, transporting hunters or game

*effective date of access restriction, not when the area was established

Management Area	Eff. Date*	Restriction
Dalton Highway Corridor MA 5 AAC 92.530(7)	1987	no motorized vehicles, except aircraft, boats and licensed highway vehicles may be used to transport game or hunters
Minto Flats MA (20B) 5 AAC 92.530(8)	1995	aircraft and airboats may not be used for moose hunting or to transport moose, moose hunters or their equipment
Northwest Alaska Brown Bear MA 5 AAC 92.530(16)	1992	aircraft (except regularly scheduled flights) may not be used in any manner for brown bear <i>registration permit</i> hunts
Lake Louise MA (13A)**	1971 Repealed 1979	closed to use of any motorized vehicle for hunting and transportation of game (except designated roads)
Alaska Peninsula MA (9)**	1973 Repealed 1986	closed to use of any motorized vehicle for big game hunting (except boats and aircraft)
Lime Village MA (19A)	1985 Repealed 1986	closed to use of aircraft during moose season (except at airports)
West Chugach MA (14)**	1968 Repealed 1979	closed to motorized transport (except boats) for hunting (except established roads and public airports) from 8/1-11/30

*effective date of access restriction, not when the area was established

**although designated as "management areas" when they were established, if created now, these areas would be "controlled use areas."



ALASKA CENTER *for the* ENVIRONMENT

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501
(907) 274-3621 • fax: 274-8733

April 23, 1998

House Resources Committee
Alaska State Legislature
State Capitol (MS 3100), Room 124
Juneau, AK 99801-1182

Re: SB 262

Dear Committee Members:

Since I will be unable to attend this afternoon's hearing on SB 262, we would like to submit this brief letter for your record. We oppose this bill.

One of the things that this bill does is severely restrict the ability of the Board of Game and the Department of Fish and Game to manage lands under its jurisdiction for non-motorized hunters and other recreationists and, incidentally but very importantly, to protect home and cabin owners from the loss of the quiet enjoyment of their private property. In this regard SB 262 is similar to three bills to which we have devoted a significant amount of time: HB 23 and SB 35 from last year, and this year's HB 168. All of these bills discriminate against the majority of Alaskans who do not use motorized recreational vehicles. Their effect will be felt most strongly on state lands, which are Alaska's most accessible and should be managed for a spectrum of recreational opportunities, not just one interest group.

We believe a majority of Alaskans would agree with us. For example, more than 50% of the respondents to DNR's recent Statewide Comprehensive Outdoor Recreation Plan (SCORP) said that recreational motorized vehicle noise adversely affected their outdoor recreational experience; more than 70% said that the state should designate more non-motorized trails.

This bill, however, goes way beyond just affecting motorized vehicle use and the impacts of that use on other users, wildlife, and habitat. It affects the Board of Game's authority to enact any regulation unless it's necessary for the biological management of game. The many types of traditional regulations strongly supported by the vast majority of Alaskans that would be prohibited by this bill have been ably outlined by the Department of Fish and Game. This bill would return game management in Alaska to the days of the 19th century, and will surely do nothing but harm the confidence of other Americans in our ability to responsibly manage our fish and wildlife. We strongly recommend that this bill not be moved out of committee.

Sincerely,

Cliff Eames
Issues Director

National Audubon Society



April 22, 1998

The Honorable Bill Hudson
The Honorable Scott Ogan
House Resources Committee
Juneau, AK

ALASKA STATE OFFICE
308 G Street, Suite 217
Anchorage, AK 99501
Tel: (907) 276-7034
Fax: (907) 276-5069

Dear Chairmen Hudson and Ogan:

On behalf of the Alaska Audubon Society and our 2,000 members with chapters in Juneau, Kodiak, Anchorage, and Fairbanks, I request that you not pass SB 262. This bill will reduce the ability of the Alaska Board of Game and the Alaska Department of Fish and Game to restrict the use of methods or means to access, take, or transport game unless there has been significant biological harm to a game population. This kind of statutory restriction will reduce the flexibility of the board and department in managing and conserving wildlife in Alaska. This will result in very reactive management requiring harm to be caused before action can be taken. This bill ties the hands of the board and department and will not serve the public interest in management of the state's wildlife resources.

A key part of this bill is the phrase "necessary for biological management of game." The Board of Game is responsible for allocation of wildlife resources for beneficial uses. This bill will restrict the board's ability to provide a diversity of hunting and wildlife recreation opportunities. Addressing such issues as quality of hunt, different kinds of hunts, and public safety generally fall outside of biological management. Nevertheless they are important issues. Many hunters desire a diversity of hunting opportunities and recognize the importance of hunter ethics and fair chase. For example, this bill would restrict the board's authority to prohibit shooting from a vehicle or vessel. These are issues of public safety, fair chase, and common sense. Hunting organizations like the Izaak Walton League, Boone and Crocket Club, and Ducks Unlimited have long recognized the importance of ethics and fair chase.

Hunting is part of the Alaska Heritage. Unfortunately, this legislation will alienate mainstream Alaskans from hunting. A recent survey found that 73% of Americans are accepting of hunting. However, 62% don't like hunters because of unethical behavior. This bill will further drive a wedge between hunters and nonhunters.

Another critical element of this bill is that it will force the department's conservation into an entirely reactive mode. The most successful and cost-effective conservation actions are proactive not reactive. The requirement that no restrictions can take place until the action has resulted in significant biological harm is clearly irresponsible. This defies common sense and would force the department to abrogate its conservation responsibilities. This bill will not serve the public interest in wildlife conservation and management. Please don't let this bill pass your committee.

Sincerely,

A handwritten signature in cursive script that reads "John W. Schoen".

John W. Schoen, Ph.D.
Executive Director