

*The Board of Game generated this board proposal during the January 2022 Central & Southwest Region meeting and scheduled it for consideration at the March 2022 Statewide Regulations meeting.*

**PROPOSAL 271**

**5 AAC 92.990. Definitions.**

Establish a definition for “position” as it applies to using a snowmachine to take game as follows:

For purposes of 5 AAC 92.080(4)(B), “position” means a snowmachine may be used to approach within 300 yards of individual game at speeds under 15 miles per hour, in a manner that does not involve repeated approaches or that causes the game to run. A snowmachine may not be used to contact an animal or to pursue fleeing game and may not be used to molest game.

**What is the issue you would like the board to address and why?** This definition would align with the determination made by the Board of Game in 2018 and would more closely align with hunting on federal lands for federally qualified users. The state regulation uses different language for different areas regarding whether it is allowed to position a hunter or position an animal for harvest, and this definition would apply to all activities statewide.

The intent is to provide clearer direction to hunters regarding use of snowmachines while hunting, and to help the Alaska Wildlife Troopers distinguish between allowable positioning as compared to prohibited “driving, herding, or molesting game” with the use of a motorized vehicle (5 AAC 92.080(5)).

The current regulation, including the amendment to allow snowmachines to position wolves and wolverine for harvest in Unit 17 is:

**5 AAC 92.080 Unlawful methods of taking game; exceptions.**

....

(4) unless otherwise provided in this chapter, from a motor-driven boat or a motorized land vehicle, unless the motor has been completely shut off and the progress from the motor's power has ceased, except that a

....

(B) motorized land vehicle may be used as follows:

(i) in Units 22, 23, and 26(A), a snowmachine may be used to position a caribou, wolf, or wolverine for harvest, and caribou, wolves, or wolverines may be shot from a stationary snowmachine;

(ii) notwithstanding any other provision in this section, in the wolf control implementation areas specified in 5 AAC 92.111 - 5 AAC 92.113, 5 AAC 92.118, and 5 AAC 92.121 - 5 AAC 92.124, a snowmachine may be used to position a hunter to select an individual wolf for harvest, and wolves may be shot from a stationary snowmachine;

(iii) notwithstanding any other provision in this section, in Units 9(B), 9(C), 9(E), 17, 18, 19, 21, 22, 24, 25(C) and 25(D), except on any National Park Service or National Wildlife Refuge lands not approved by the federal agencies, a snowmachine may be used to position a hunter to select an individual wolf for harvest, and wolves may be shot from a stationary snowmachine;

(iv) notwithstanding any other provision in this section, in the bear control implementation areas specified in 5 AAC 92.111 - 5 AAC 92.113, 5 AAC 92.118, and 5 AAC 92.121 - 5 AAC 92.124, a snowmachine may be used to position a hunter to select an individual bear for harvest, and bears may be shot from a stationary snowmachine;

(v) notwithstanding any other provision in this section, in Units 9(B), 9(C), 9(E), 17, 22 and 25(C), except on any National Park Service or National Wildlife Refuge lands not approved by the federal agencies, an ATV may be used to position a hunter to select an individual wolf for harvest, and wolves may be shot from a stationary ATV;

(vi) under authority of a permit issued by the department;

(vii) in Units 17 and 18, a snowmachine may be used to position a wolf or wolverine for harvest, and wolves or wolverines may be shot from a stationary snowmachine;

(viii) in Unit 17, a snowmachine may be used to assist in the taking of a caribou and caribou may be shot from a stationary snowmachine. "Assist in the taking of a caribou" means a snowmachine may be used to approach within 300 yards of a caribou at speeds under 15 miles per hour, in a manner that does not involve repeated approaches or that causes a caribou to run. A snowmachine may not be used to contact an animal or to pursue a fleeing caribou.

**PROPOSED BY:** Alaska Board of Game

(HQ-BGP-01)

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