

PROPOSAL 211

5 AAC 92.074. Community subsistence harvest hunt areas.

Repeal the Copper Basin area community subsistence harvest hunt area for moose and caribou as follows:

Repeal 5 AAC 92.074(d)(1) - (13)

The Alaska Board of Game would then implement **AS 16.05.258. Subsistence use and allocation of fish and game** consistent with **Article 8, Section 3. Common Use** under 5 AAC 92.070 - 71 whenever a reasonable opportunity for harvesting amounts necessary for subsistence are not being met.

What is the issue you would like the board to address and why? Repeal the **Gulkana, Cantwell, Chistochina, Gakona, Mentesta, Tazlina, Chitina, and Kluti Kash Community Harvest Area for moose and caribou 5 AAC 92.074(d)**; it has not achieved the goal intended by the Board of Game (board) when it was adopted. In 2006 the board assumed that under the current Tier I & II system (5 AAC 92.070 and .071) hunting permits had shifted from the most dependent local residents to less subsistence dependent urban residence. The board took action to provide local communities in the Copper Basin with a priority to hunt moose and caribou. The board’s action was challenged in state court and determined to be unconstitutional, **Alaska State Constitution, Article VIII. Sec. 3 Common Use**.

After 15 years of implementation by ADF&G, the proposers of the proposal to create the Copper Basin Community harvest area are achieving their original request to the board on federal lands through the Federal Subsistence Board.

Federal law, ANILCA Title I, Sec.101(b)(C) allows for Ahtna Intertribal Resource Commission (AITRC) to achieve their goal of exclusive community member moose and caribou hunts on federal lands in Units 11, 12, and 13.

PROPOSED BY: Alaska Outdoor Council (EG-F21-038)
