

Denali Borough, Alaska  
ORDINANCE NO. 10-11  
VERSION A

INTRODUCED BY: Robert Kohlsdorf

AN ORDINANCE AMENDING TITLE 9 OF THE CODE OF ORDINANCES OF THE DENALI BOROUGH BY ADDING CHAPTER 9.30 TITLED WILD LAND RESOURCES, AND CREATING DENALI BOROUGH FORM X.

BE IT ENACTED BY THE ASSEMBLY OF THE DENALI BOROUGH:

Section 1.) Classification

This ordinance is of a general and permanent nature.

Section 2.) Purpose

The purpose of this ordinance is to amend the Denali Borough code of Ordinances and create Chapter 9.30 to read as follows:

Sections:

9.30.000 Purpose

9.30.010 Authority

9.30.020 Definitions

9.30.030 Permit required

9.30.035 Harvest Report required

9.30.040 Penalties

9.30.050 Denali Borough Form 'X'

**9.30.000 Purpose**

The purpose of this chapter is to provide the Denali Borough a method of tracking wild land resource use by nonresidents, thereby identifying management issues which require mitigation in order to enhance the safety, well being and quality of life of the residents of the Denali Borough.

**9.30.010 Authority**

Authority for this chapter is granted by AS 29.25.010(a)(2), AS 29.25.070

### **9.30.020 Definitions**

For the purpose of this chapter, the following definitions shall apply.

- A. "Wild land resources" means all organic natural resources occurring in the Denali Borough, including animals, plants, and fungus, either alive or which have perished yet retain value as a resource, including bones, feathers, antlers, horns, roe, berries, fruit or any other naturally occurring separated parts; but does not include those parts which have been humanly altered or preserved, or which are contained within archeological sites, or which by their nature are regulated and/or extracted as a mineral, or anadromous fish and their spawn.
- B. "Resident" means any person who physically resides in the Denali Borough; or is a registered voter in the Denali Borough; or whose physical residence outside the Denali Borough is such that one day round trips to the Denali Borough, generally considered to be 25 miles one way, are traditional by normal means of ground or water transportation; and shall include relatives within the 2<sup>nd</sup> degree of kindred when accompanied by a resident as defined above.
- C. "Nonresident" means any person not included in "B" above who enters the Denali Borough with the intent of harvesting and/or removing wild land resources.
- D. "Incidental harvest" means any harvest which occurs due to opportunity rather than design, is one hour or less in duration and which is located within 500 feet of a state-maintained easement.

### **9.30.030 Permit required.**

- A. All nonresidents wishing to harvest wild land resources in the Denali Borough are required to obtain a permit.
- B. A harvest permit will include both beginning and ending dates, and the name, driver's license number or state I.D. number, phone number, and dated signature of the applicant, and any other information needed for contact purposes.
- C. Permits shall be issued by the administration of the Denali Borough.
  - 1.) Permits must be dated and signed by the Mayor or his designee.
  - 2.) Copies of permits will be kept on file at the Denali Borough office.
  - 3.) The mayor or his designee is authorized to charge an administrative fee for the issuance of harvest permits and record keeping associated with harvest reports.
- D. Permits must specify by common name(s) the species of intended harvest and number(s) sought.

- 1.) For plant or fungal material gathered en masse, the number sought will be expressed as a weight or volume.
  - 2.) For harvest of animals classified as big game, common name must include age and sex.
  - 3.) For harvest of animals classified as furbearers or small game, the number sought is exempt.
- E. Permit holders are required to carry a permit at all times when in the field.
- F. Permits will expire at midnight of the last day specified on the permit.
- G. Permits are not required for incidental harvest.

#### **9.30.035 Harvest report required**

- A. Anyone who applies for and receives a harvest permit is required to complete a harvest report and return it to the Denali Borough office within 30 days of termination of the permit.
- B. A harvest report will contain a dated signature of the permit holder, a description of the area where the harvest attempt took place, a list of all wild land resources harvested, and the inclusive dates of the trip.

#### **9.30.040 Penalties**

Failure to comply with the conditions of this chapter shall carry the following penalties.

- A. Any person required to obtain a wild land harvest permit who fails to do so is subject to a civil penalty of not less than \$1000.
- B. Any person who obtains a wild land harvest permit and fails to carry the permit in the field; or fails to submit a completed harvest report; or who falsifies information on a permit or a report, is subject to a civil penalty of not less than \$1000 and immediate revocation of permit.
- C. Any person subject to these penalties is ineligible to obtain a permit for a period of not less than 5 years.

#### **9.30.050 Denali Borough Form 'X'**

For the purpose of administration of the requirements of this chapter, there is hereby created Denali Borough Form 'X', titled "Wildland Harvest Permit and Report".

**DENALI BOROUGH WILD LAND RESOURCES HARVEST PERMIT AND REPORT**

(Form X)

**HARVEST PERMIT**

*This permit must be carried when in the field*

(Please type or print using blue or black ink. If more space is needed, use back of form.)

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Drivers License (State and #): \_\_\_\_\_

I intend to harvest \_\_\_\_\_ between the dates of \_\_\_/\_\_\_/\_\_\_ and \_\_\_/\_\_\_/\_\_\_

Describe approximate area of intended harvest and method/route of access:

I agree to comply with all laws of the Denali Borough, and further agree to notify the Denali Borough in writing of any changes to the information outlined in this permit.

Signature and date: \_\_\_\_\_

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*Do not detach*

**HARVEST REPORT**

I was present in the Denali Borough from \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_ near \_\_\_\_\_ (specify town, mountain, or river drainage) and I harvested: (specify common name and number of all species harvested.)

Signature and date: \_\_\_\_\_

Please send completed harvest report to: Denali Borough, P.O. Box 480, Healy, Alaska 99743

-----Office use only-----

Permit valid from \_\_/\_\_/\_\_ to \_\_/\_\_/\_\_ \_\_\_\_\_, Mayor, Denali Borough

Received by \_\_\_\_\_ Date \_\_/\_\_/\_\_

Section 3.) Effective date

A. This ordinance becomes effective upon adoption of the Denali Borough Assembly and signature of the Mayor.

DATE INTRODUCED: SEPTEMBER 8, 2010

FIRST READING: OCTOBER 13, 2010

PUBLIC HEARING: OCTOBER 13, 2010

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor David M Talerico

ATTEST: \_\_\_\_\_  
Gail Pieknik, Borough Clerk