

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

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Dear Alaska Air Carriers,

I'm writing to request your support to empower the Commissioner of DNR to implement *concessions* for "Big Game Commercial Services." This issue is currently before the legislature in the form of HB158 and SB160. The impetus for this legislation is the Alaska Professional Hunters Associations' (APHA) advocacy for *hunting guide concessions*. That is: the APHA as a professional organization, representing hunting guides, is requesting that the State regulate and limit our numbers to ultimately insure the long term survival of our historic profession and industry. Limiting the number and type of commercial uses of Alaska's renewable resources is not a new concept but this legislation will, in the long-term, affect the *status quo* for your members that hold "Transporters licenses." Because the support and understanding of this issue by the Air Carriers is critical to getting it passed in the legislature, I'm willing to do anything I can to educate and reach out to your membership to raise their understanding of positive effects of the *Big Game Commercial Services Concessions*.

Transporters are defined in AS 08.54.720 (10):

(10) "transportation services" means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; "transportation services" does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between airports listed in the Alaska supplement to the Airmen's Guide published by the Federal Aviation Administration; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of its business; in this subparagraph, "incidental" means transportation provided to a big game hunter by an air taxi operator or air carrier who does not

(i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or

(ii) advertise transportation services or big game hunting services to the public; in this sub-subparagraph, "advertise" means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.

Empowering the DNR to create "Big Game Commercial Services Concessions" will affect two types of professionals; Big Game Guides and Big Game Transporters. Even though I know that your membership is sophisticated in their understanding of regulations I want make be clear that the intention is to ONLY regulate Transports and not regular Air Taxis or Air Carriers. The powers of the DNR would be confined to creating concessions for services described in 08.54 and

NOT extend to all commercial services involving hunting or transport of hunters and their gear. Only Air Carriers that advertise big game commercial services and charge premiums for these services are required to hold a transporter license. A Part 135 operator who takes a call from a hunters who wants to go to his favorite lake or cabin, to hunt moose, and who charges the same to transport a bird watcher to the same location or fisherman would never be restricted or required to hold a Transporter Concession. However, responsible and safe Air Carriers, such as your members, would be HIGHLY advantaged should they choose to compete for a concession in the future, thus giving them more stability to operate their business and a better long term viability. Concessions will eventually eliminate the transitory, opportunistic businesses that “follow the caribou herds.” This is a huge benefit in local relations for all Guides and responsible Air Carriers across Alaska not to mention animals such as Caribou and Moose that do not require a guide to hunt and can be easily over exploited by unethical Guides and Transporters.

The Alaska Professional Hunters Associations request for your support comes at a critical point on this issue. There is a real chance that one of the two versions of the concession bills (HB158 and SB160) will make it through both houses. The APHA has not supported transporters until now but because other group’s support is contingent on their inclusion, we are reaching out to you. We have always agreed that transporters need to be more regulated and that they impact the resource but we have not felt comfortable “going after another business model.” Now, we understand that in order to regulate ourselves, transporters must be regulated as well. Since our survival depends on having a Guide Concession Program, the choice is easy. We ask that you consider the facts, we understand that some of your members are transporters, we will do anything we can to help your board come to a quick decision on whether or not you support our legislation.

One other pertinent fact to consider, the Federal Agencies have been considering limiting Transporters for some time. If the State has the regulatory authority that HB158 and SB160 propose, the State will be able to put a program in place ahead of the Federal Agencies. Speaking from a Guide’s point of view, Transporters are way better off with a State program than a Federal one. Alaska’s history is full of tragic examples of the State failing to regulate because of the Legislature’s unwillingness only to have the Federal Government come in instead and fill the vacuum. Transporter concessions are ultimately in the best interest of businesses with a long-term perspective.

Sincerely,

Thor Stacey

