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**Vice Chairman - Board of Game.**  
**125 Mile Kantishna River**  
**Nenana, Alaska 99760**  
**March 20, 2014**

**Honorable Cathy Giessel**  
**Chair, Senate Resources Committee**  
**State Senate**  
**Alaska State Capitol, Room 427**  
**Juneau, Alaska 99801**

**Re. DNR Guide Concession Program SB 160**

Dear Senator Giessel and Resource Committee Members,

Please find this letter as a statement of support your efforts to move forward Senate Bill 160. I participated in the Senate Resources Committee hearing on March 19<sup>th</sup>, and shared some of the following views there. I am writing to you from two different perspectives: first as an active Registered Guide and secondly as a member of the Alaska Board of Game.

**Registered Guide perspective:**

I have been working in guide camps for 17 years now, and operating as a Registered Guide for the last 14 years. I have never had a hunting violation, permit compliance issue, nor complaint filed with the troopers or state that I am aware of. I have guided hunters primarily in three diverse regions of the state: the northern Brooks Range, Western Interior and on the Alaska Peninsula. I have guided hunters primarily on Federal lands through concession programs with the US Fish and Wildlife Service, the National Park and Preserve System, and have also guided extensively on Bureau of Land Management and State of Alaska lands adjoining these federal areas for more than 15 years.

I entered the guiding profession a few years after the original guide-area system was abolished through the Owsechek decision and witnessed firsthand the rush for both obtaining guide licenses and the carving up of the old established guide areas. My own entry into the profession was accompanied by a great number of inexperienced guides, and when I think back on the training that was required for me to obtain both my Assistant and Registered guide licenses in those years, and the quality of guides that I worked with in some of the camps, I am thankful that I had older guides who provided good counsel or I could easily have been led down the wrong trail – in my opinion- on what it means to be a professional hunter in Alaska.

What has ensued over the last two decades, in my view, is that the guiding industry has seemingly grown into at least two broad factions. I suspect most of the following elements and viewpoints have always been somewhat mixed within individual operators and the profession as a whole, but it

seems clear to me that issues like the proposed Guide Concession Program help more clearly define the industry into these two major groups factions.

The first group I would identify as those who view this profession as:

- being part of the original fabric that our state was made from; an historic way of life
- a profession that requires high standards of conduct in the field,
- requiring fair and honest dealings with our clients,
- requiring the sustainable harvest of our shared wild resources,
- requiring cooperation with land management goals and law enforcement agencies,
- requiring the recognition of the right for subsistence and other resident hunters to share the hunting fields.

Members of this group typically consider themselves as being first and foremost Alaskans and secondly Professional Hunters, regardless whether they have another means of income in the off-season.

The Second group is not as easily defined since they rarely attend professional or industry-related meetings and represent a somewhat diverse group of viewpoints or positions. Their voice is heard loudly at time such as these, however, when regulatory or public discussion turns once again toward raising professional standards or placing performance or ethical limitations on our own industry.

Members of this second group include:

- Those who know that they likely will not receive a concession area due to having a history of wildlife/ guiding violations and/or permit non-compliance issues.
- Those who have built their business model upon a wide network of subordinate registered guides so that they can operate in multiple areas annually across the state – essentially subcontracting - which is contrary to the intent of the 3 Guide-Use-Area registration limitation, state and federal permit requirements, and the intent of the Commercial Services Board.
- Those who know that they have a long list of client complaints on file with the state
- Those who know that they will stand to lose any areas they gain through this program if they plan to continue to use threatening or aggressive competitive hunting tactics on resident hunters
- Those who oppose hunting, and do not want to see long term stability in the guiding industry (hoping problems will get worse, and dealt with through limited drawing permits)
- Those transporters/air-taxis who fear their industry problems will be addressed next
- Those who do not consider themselves as full time professional guides, but do take a few hunters each year as a type of hobby or tax benefit
- Those who believe the government should not meddle with anything they do, in any aspect of their lives.
- Those who are afraid, generally, that they will not be successful in obtaining an area because of their inexperience within the industry and profession

While a several of these points are spoken openly in public forums, and deserve due consideration, most of these points are not spoken openly for obvious reasons. You have had representatives of each viewpoint testify before your committee already, however.

Unfortunately it seems that the arguments against creating guide concession areas, and the need for more industry oversight in general, are not easily made without the need to cast doubt upon the intentions of those who promote the programs.

### **Alaska Board of Game Perspective**

The second point of view I would like to bring forward is that of a member of the Alaska Board of Game. As you have heard a number of times already, the development of this type of program has been both requested and strongly supported by the Board of Game since the beginning of these discussions.

Since the Board of Game is tasked with the primary responsibility regarding most management and policy decisions regarding wildlife in Alaska, including allocation decisions between both users and types of uses, our work at the board often involves regulating the guiding industry. We have often been challenged to create very complicated permit and hunt structures as well as unique permit stipulations that are at times burdensome to the Dept. of fish game - in the attempt to both limit the extent of guided non-resident participation in areas where residents hunters or resources may be unduly affected, and at other times even creating complicated hunt structures in the attempt to provide stability for the guiding industry where external issues threaten to severely impact or even force guided hunt opportunity off from the landscape entirely. The Guide Concession Program will help the Board of Game address two goals that the Board has already established: limiting highly competitive guiding activity in areas of concern, and simultaneously providing some assurance that this historic type of hunting opportunity and experience has a place in Alaska's future.

Examples of where this program will directly help mitigate user conflicts are in sub-unit 20A Wood River drainage, sub-unit 19c sheep country, and the Chandalar country. Reducing the number of guide-operations in these areas will bring direct benefit to land use and wildlife conservation goals, resident hunter satisfaction, stability for the remaining guide operations, and their hunting guests.

The best example I am aware of how the landscape will look after the implementation of the proposed DNR guide concession program are on US Fish and Wildlife Refuges. With the aid of having a similar program in place, the Board of Game will be able to more accurately identify and specifically address the conflicts and concerns within each affected area as needed.

For example, the Board has had an increasing amount of public testimony regarding dramatically increasing Dall sheep hunting pressure and rising user conflicts within the Arctic National Wildlife Refuge, which encompasses a very large geographic region of the state. These conflicts are often identified with in-the-field conflicts and the general sense that there are too many hunters for the limited amount of hunting space and sheep resources. These perceptions have contributed to the submission of a number of proposals to the Board requesting that non-resident hunters be severely

restricted or even eliminated from the landscape in the entire state. Much of the public seem unaware that the entirety of ANWR is currently under limited guide concessions, non-resident Dall sheep hunters are *required* to be guided, and that even these limited uses have been further reduced over the last 15 years through the Federal competitive process (without justification).

Since there is a concession type of program in place within ANWR, and guided hunters are already at a fixed allocation for the entire region, the Board will be able to more accurately assess what remaining factors are contributing to increasing user complaints, identify to what other hunting-related commercial services are being used on these lands, and determine the exact balance of resident vs. nonresident hunting pressure in specific areas. The Board and ADF&G are in the process of doing this at this time on a statewide level. Some commercial use data is available through the Division of occupational licensing, but individual guide and transporter hunt records are privileged and there is no established framework in place for the Board or ADF&G to access such data. Note that these identification and impact assessment difficulties are especially true in regards to transporter and air taxi drop-off service providers, a portion of which have no reporting requirements whatsoever. Neither the state nor federal land managers have developed the necessary processes that will be required to address issues that have been linked to these types of commercial operations.

- One important request that the Board has for the development of this program is that our existing Board of Game processes be required to be involved in the administration of this Guide Concession Program as it considers any potential hunting restrictions or limiting hunt opportunities for guided clients in general. Addressing these types of issues and other issues that fall under our Board authorities through the Board of Game process is important in that it will assure that the industry has an external venue to appeal to for allocation adjustments as needed, assure that broader allocation, conflict, and wildlife conservation goals are being met, and provide regular input from all affected parties through a public forum.
- We also believe that the Big Game Commercial services Board should retain its authority as to whether there should be limitations on the number of assistant guides, for example, and to address other areas of industry oversight through the authority that currently reside with that Board. It may be necessary that some form of joint board process is built into this program to address special circumstances on a case by case basis.

I thank you for taking the time to review these comments, and your service to the State. If there are any questions that require further explanations, or if I can be of service in any other way, you may contact me at any time.

**Sincerely,**

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