

Guide Concession Program: Commercial Guiding on State Lands

House Resources Committee
March 11, 2013

Dept. of Natural Resources and Dept. of Fish & Game

Guide Industry History

- In 1973 the Alaska Legislature created Guide License and Control Board
- In 1974 the Board established an area system limiting guides within Exclusive Guide Areas (EGA) and by 1976 the program was extended statewide
- In 1988 the Alaska Supreme Court found the EGA system unconstitutional due to the following traits:
 - Lack of connection to wildlife management
 - No remuneration to the state
 - Not subject to competitive bidding and exclusivity
 - Unlimited duration without contractual terms or restrictions

WHAT IS THE GUIDE CONCESSION PROGRAM (GCP)?

- DNR is responding to a problem identified by members of the guiding community, Big Game Commercial Services Board(BGCSB) and Board of Game(BOG) by creating a system that manages and distributes guided hunting pressure through a competitive process that would be implemented on all state lands.

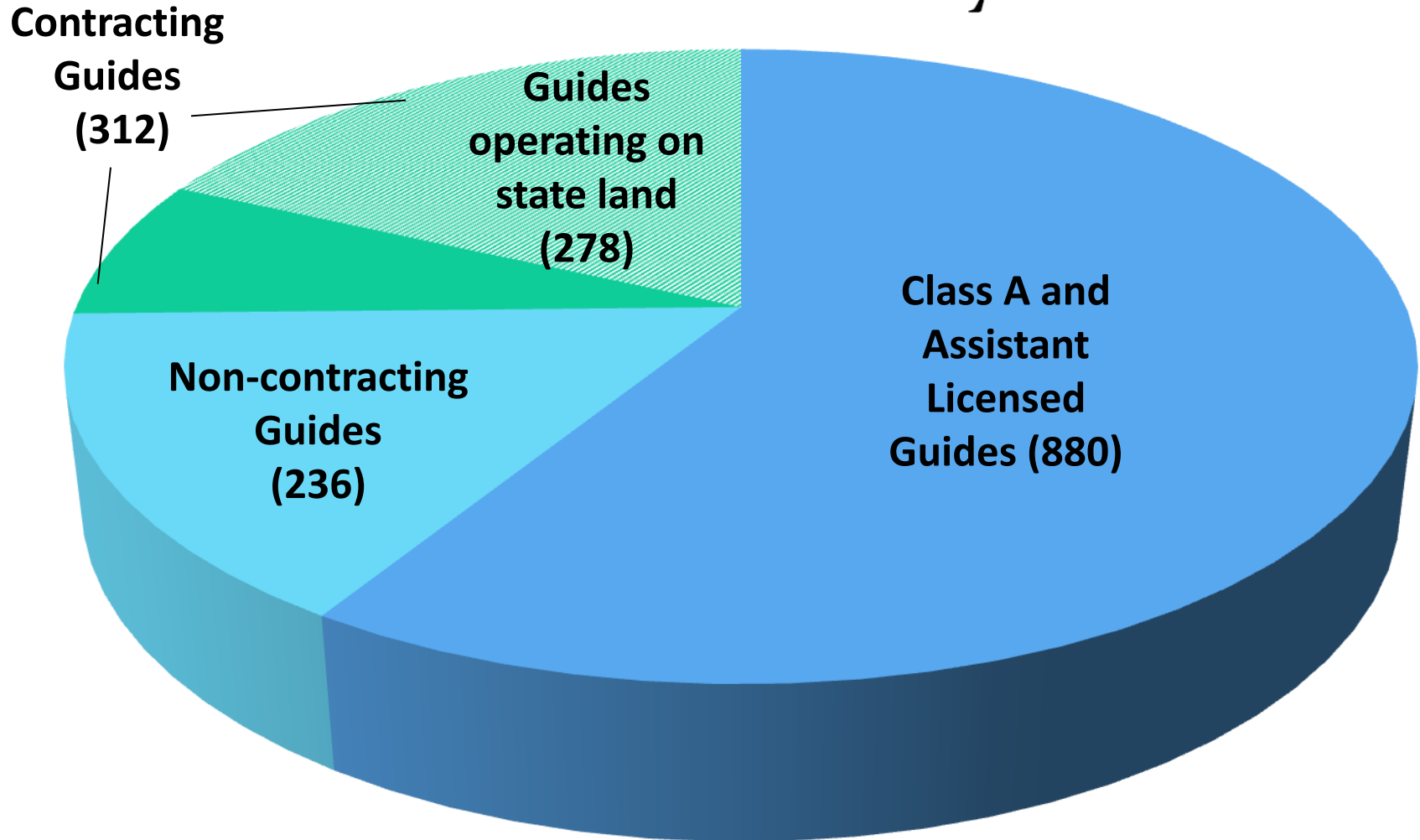
Why Implement the GCP on State Lands

- Address the issues identified by the guide industry, the BGCSB and the BOG related to the ongoing problems identified in the field:
 - Decreased incentive to practice wildlife conservation
 - Decreased quality of experience for guided clients
 - Conflicts between user groups
 - An overall lack of land stewardship
 - Difficulties enforcing game laws

Anticipated Benefits and Most Common Concerns of the GCP

- GCP will benefit the state, local communities, and residents by creating incentives for positive performance in the guiding industry
- Even though the goal of the GCP is to promote a healthy guide industry, there are concerns that remain about the program

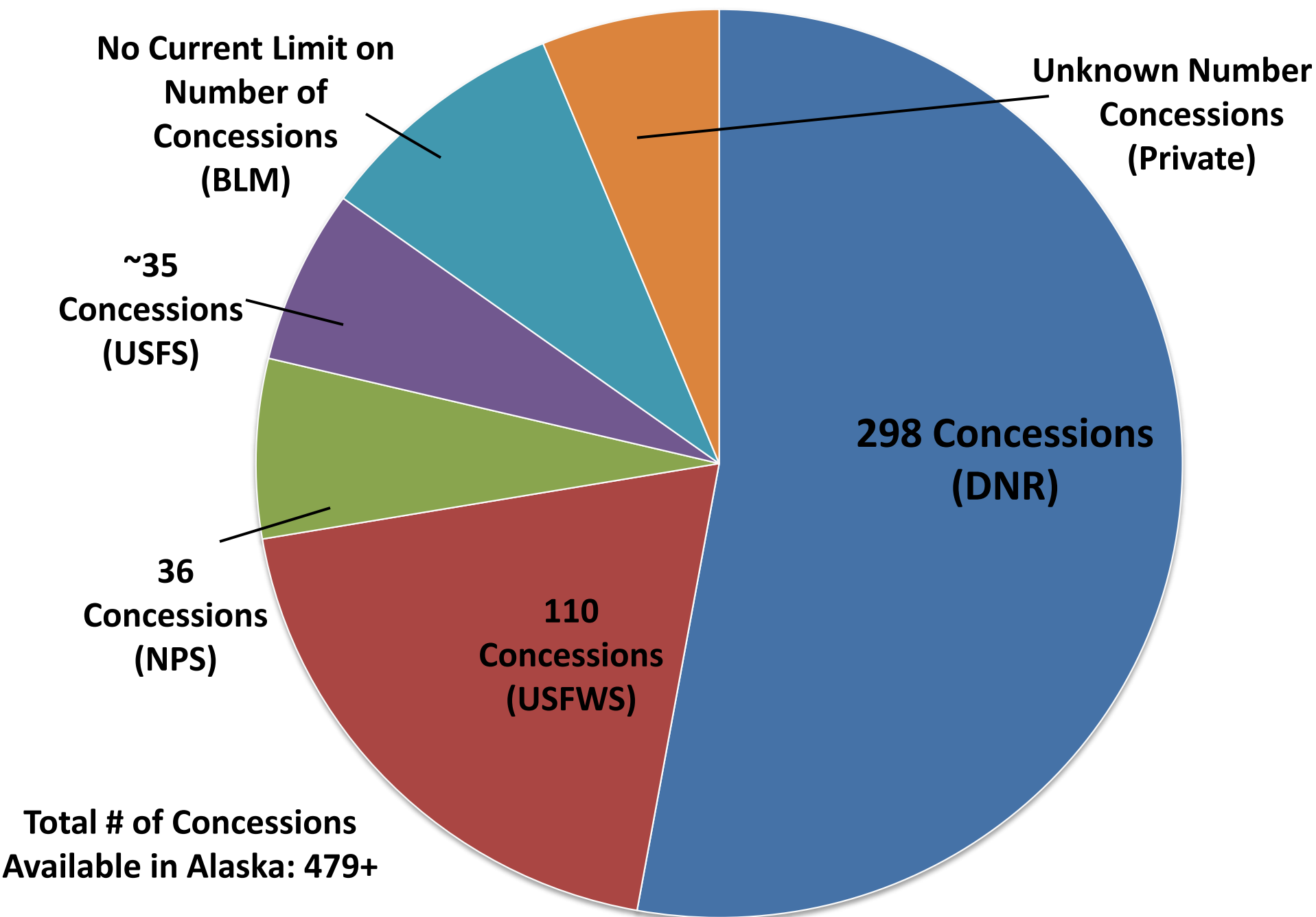
2011 Guide License by Class



Total Licensed Guides in Alaska: 1428

*Data from Occupational Licensing, Big Game Commercial Services Board, and Alaska Department of Commerce, Community, and Economic Development. The Division of Mining, Land and Water reserves the right to waive technical defects in this publication.

Guide Concession Area Opportunity for State of Alaska



GCP Public Involvement

- Whitepaper distributed in 2009
 - 113 day comment period; 277 comments received
- Proposed Decision released February 15, 2012
 - 68 day comment period; 190 comments received
- Framework Management Document released January 23, 2013
 - 37 day comment period; 77 comments received

GCP Design

- Two types of Concessions – Full (208) and Limited (90)
- GCP application has minimum requirements and four sections
- All applications will be evaluated and scored by panels comprised of agency staff
- Concessions will be offered to the highest scoring applicants within each guide concession area and according to number of concessions available and type of concession applied for

Violations

- Points will be deducted for convictions during the evaluation of applications
- AS 08.54.740 Responsibility of Guide or Transporter for Violations - The registered guide is equally responsible for violations committed by business partners, assistant guides, and employees
- Convictions of game and non-game felonies, misdemeanors, violations, and non-compliance with land agencies will be considered during evaluation

Fees

- **All fees will be established by regulation**
- Application fee: \$250
- Annual fee:
 - Full - \$2000 per year
 - Limited - \$1000 per year
- Client fee:
 - Guide required species - \$500 per client
 - Non-guide required species - \$250 per client
 - Client fee waived for Alaska State resident
- Insurance will be required
- Bonding may apply
- All other land owner fees still apply

Transferability and Vacancies

- Concession areas will not be allowed to be transferred, sold or exchanged
- Vacancies:
 - Vacant concession with more than 1 year on authorization offered to next highest eligible applicant from:
 - I. Guide Concession Area
 - II. Guide Use Area
 - III. Game Management Unit
 - No eligible concession holder
 - I. Concession re-offered at next scheduled offering (approximately 2 yrs)

**STATE OF ALASKA
GENERAL LAND STATUS
WITH GUIDE USE AREAS, CONCESSION BOUNDARIES
AND UNIFORM CODE UNITS
SOUTHCENTRAL ALASKA
December 2011**

Scale: 0 to 100 Miles

Alaska State Lands

- State Forest, State Wildlife Refuge or Other State Acquired Lands (Acquisition Date: 1967)
- State Wildlife Refuge (Acquisition Date: 1967)
- State Mineral Rights (Acquisition Date: 1967)
- State Marine Parks (Acquisition Date: 1967)

Alaska Native Claims Settlement Act (ANCSA) Lands

- ANCSA Villages (Acquisition Date: 1971)
- ANCSA Villages and Subdivisions (Acquisition Date: 1971)
- ANCSA Villages and Subdivisions (Acquisition Date: 1971)

Other Municipal and Private Lands

- Municipal or Other Private Property (Acquisition Date: 1971)
- Private Land (Acquisition Date: 1971)

Federal Lands

- National Forest, Monument, Preserve, and Conservation Area
- National Park System
- National Wildlife Refuge
- National Wild and Scenic River
- National Wildlife Refuge
- National Wetlands
- National Petroleum Reserves - Alaska (NPRAs)
- Bureau of Land Management Public Lands
- Marine Mammals

Guide Use Areas

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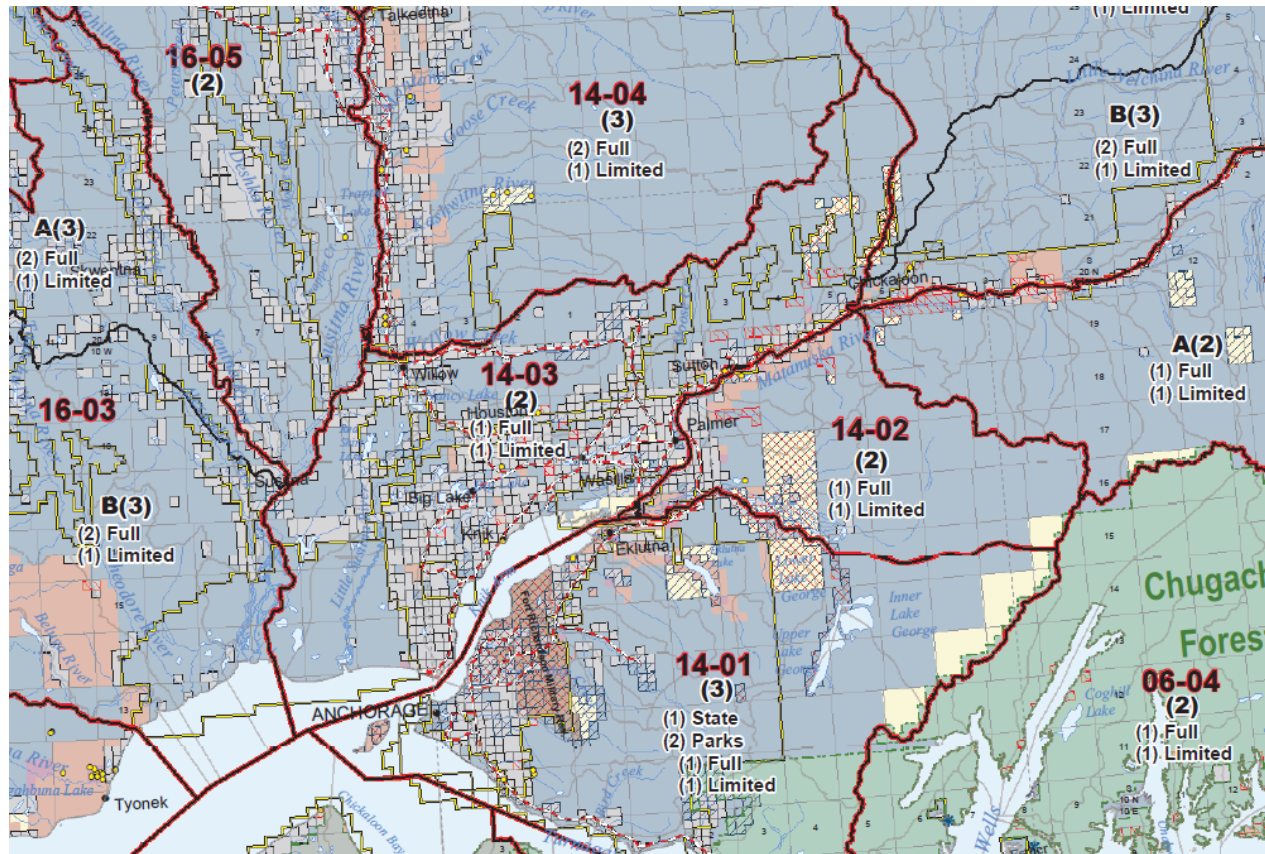
Other

- Census Area Boundaries
- Number of Concessions
- Uniform Code Units - 2009

Table of Guide Numbers and Land Status

Guide Number	Land Status
01-01	State Forest
01-02	State Wildlife Refuge
01-03	State Mineral Rights
01-04	State Marine Parks
01-05	ANCSA Villages
01-06	ANCSA Villages and Subdivisions
01-07	ANCSA Villages and Subdivisions
01-08	Municipal or Other Private Property
01-09	Private Land
01-10	National Forest
01-11	National Park System
01-12	National Wildlife Refuge
01-13	National Wild and Scenic River
01-14	National Wildlife Refuge
01-15	National Wetlands
01-16	National Petroleum Reserves - Alaska (NPRAs)
01-17	Bureau of Land Management Public Lands
01-18	Marine Mammals
01-19	Guide Use Areas
01-20	Guide Use Areas
01-21	Census Area Boundaries
01-22	Number of Concessions
01-23	Uniform Code Units - 2009

GCA Map Close-up



Historical Information

Issue	2009 White Paper	2012 Proposed Decision	2013 Framework Doc
# of Applications	3	2	3
# of Concessions Awarded	2	2	3
Application Fee	\$250	\$250	\$250
Per client Fee	\$200	\$500/\$750	\$250/\$500 AK resident exempt
Annual Fee (Full)	Flat fee and bid	\$4000	\$2000
Annual Fee (Limited)	n/a	\$2000	\$1000
Assistant Guides (Full)	Set by operations plan	3 per concession	6 per concession
Assistant Guides (Limited)	0	1 per concession	1 per concession
Clients (Full)	No limit on clients	No limit on clients	No limit on clients
Clients (Limited)	6 – 8 annually	No limit on clients	4 annually, per GCA
Transferability	Not transferable	Not transferable	Not transferable
Transporters	Not included in program	Not included in program	Not included in program
Concession Term	5 yr term with 5 yr reissue	5 yr term with 5 yr evaluation and reissue	5 yr term with 5yr evaluation and reissue
# of Full Concessions	244	215	208
# of Limited Concessions	0	85	90

Current and Required Statute Authority

Current Authority

- AS 38.05.020 –Duties of the Commissioner
- AS 38.05.035 – Power and duties of the Director
- AS 38.05.850 – Permits

Required Authority

- Limited enforcement authority to allow DMLW to create enforceable regulations which can be carried out by any peace officer of the state
- Program receipt authority to grant DNR the ability to utilize funds generated from the program fees to pay for the annual cost

Timeline

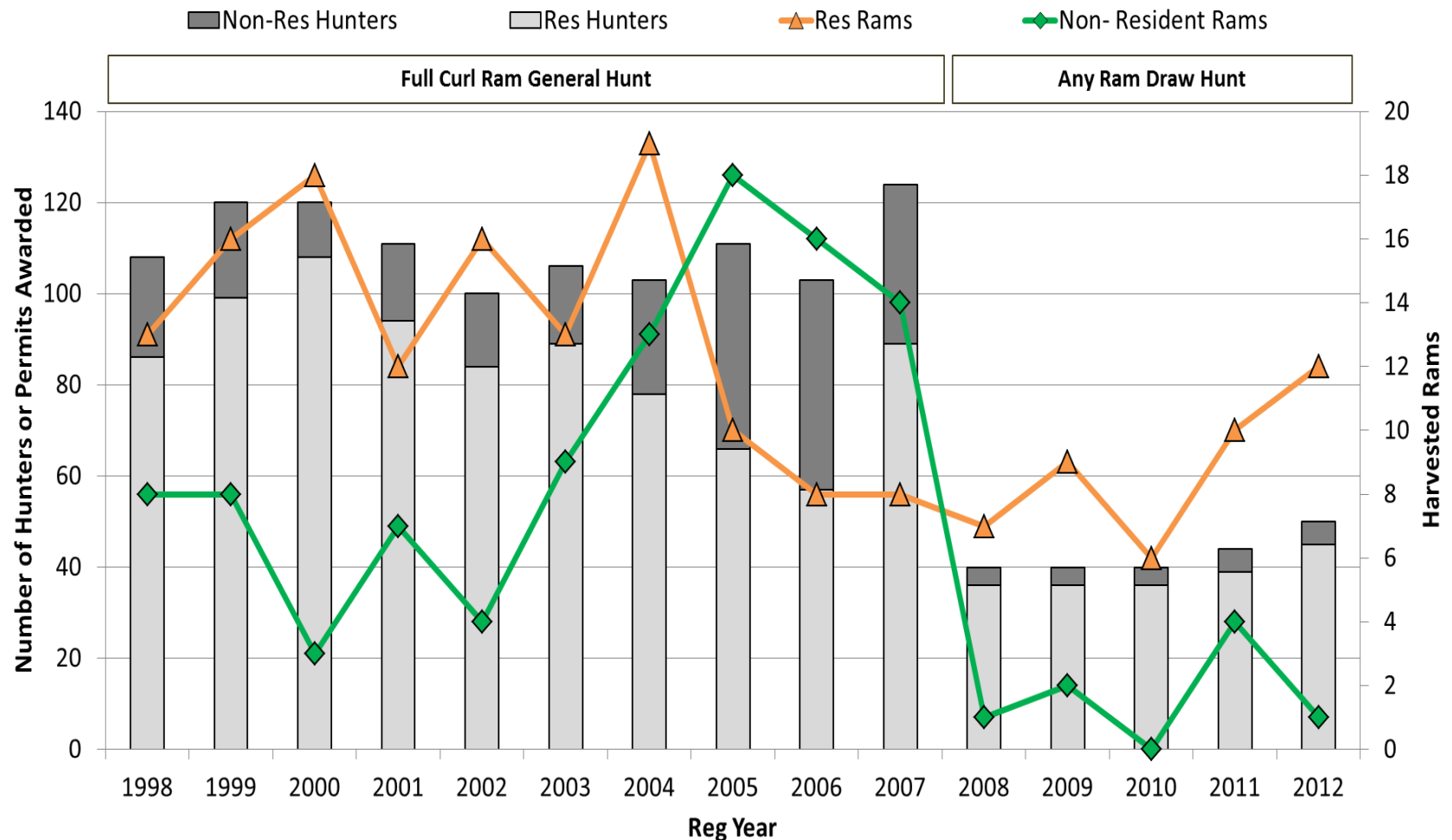
- January 23, 2013 – GCP Management Framework Document issued
- January 23-February 28, 2013 – Public comment period
- Spring 2013 – Regulations development
- Spring 2013 – GCP Development completed
- April 2013 – Legislature approves FY14 budget
- Fall 2013 – Hire staff
- January 1, 2014 – Applications available
- April 1, 2014 – Deadline for applications to be submitted to DNR
- April-July, 2014 – Scoring of applications
- August-September 2014 – Notification of areas, permit sent for review and signature, payment
- January 1, 2015 – Guide concession areas effective

ADF&G – Overview

- Impacts to wildlife
- Changes in abundance where overcrowding occurs
- Declining stewardship
- Example of user conflict
- Need for action

Case Study – Chugach Sheep

14A Chugach Ram Harvest and Hunter Numbers (1998-2012)



GMU 13D and 14A

Before and After Management Change *

	<u>#Hunters/ Permits</u>	<u>Harvest</u>	<u>Resident Success</u>	<u>NR Success</u>
<u>13D Tazeast</u>				
2003-07 GS000	88	27	19%	65%
2008-12 Draw	43	11	26%	79%
<u>13D Tazwest</u>				
2003-07 GS000	51	19	17%	79%
2008-12 Draw	11	4	41%	90%
<u>14A South</u>				
2003-07 GS000	547	128	15%	43%
2008-12 Draw	214	52	37%	59%

* Reduction in hunt opportunity of 50 - 80 % resulted from change
In harvest management strategy from General Hunt to Draw Permit

ADF&G – An example of GCP Benefits

- Unit 8 (Kodiak) is by far our most active area for guides in Region II.
- Within the Kodiak archipelago there are 30 guide use areas about 6 of which have significant state lands within them.
- Although there are rarely guide-resident conflicts in GMU 8, passage of the proposed guide concession would enhance our ability to work cooperatively with guides to assure residents have fair treatment.
- If history is a good teacher, we can learn from the Kodiak NWR exclusive guide areas that the guides who are awarded these concessions are better stewards of the resources, better partners to let us know what is going on within their areas, and are more engaged in the public process.
- The guides are also able to provide better services for their clients because they are more willing to invest in infrastructure (e.g. cabins or tent platforms) and they have a better ability to advertise and provide hunts in the future.
- It would be an asset to state resources to implement a fair guide concession program.

Challenges for Board of Game

- Conservation of our wildlife resources
- Mitigation for overcrowding and competition between resident and non-resident hunters

Big Game Commercial Services Board - Perspective

- Alaska can't avoid restricting guide activities
- Guide concessions promote good citizenship and stewardship
- Land managers are able to help BGCSB enforce regulations
- Insures long term stability for future guides
- Promotes multi generation family businesses



Guide Concession Program

Questions?

<http://dnr.alaska.gov/mlw/gcp/>