HB 137 Public Testimony as of February 18, 2020

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From: Mike Zweng

Sent: Tuesday, February 18, 2020 12:44 PM

To: Rep. Chris Tuck; Rep. John Lincoln; Rep. Geran Tarr; Rep. David Talerico; Rep. Grier Hopkins; Rep. Sara

Hannan; Rep. George Rauscher; Rep. Sara Rasmussen; Rep. Ivy Spohnholz; House Resources

Subject: Re: Opposition to HB137

Follow Up Flag: Follow up Flag Status: Flagged

In addition to the information below please also look at Alaska Statute 16.05.020 #2

AS 16.05.020. Functions of Commissioner.

The commissioner shall

- (1) supervise and control the department, and may appoint and employ division heads, enforcement agents, and the technical, clerical, and other assistants necessary for the general administration of the department;
- (2) manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well-being of the state;
- (3) have necessary power to accomplish the foregoing including, but not limited to, the power to delegate authority to subordinate officers and employees of the department.

The function of the commissioner in #2 says ...".in the interest of the economy and general well-being of the state"4

It is clear that the guiding industry is in the best interest of the economy and the general well being of the state due to the information others have provided regarding the economic benefits to the state directly to guides as well as all of the supporting business.

HB137 will make it so that it is not economically feasible for guide businesses to function per the reasons in the e-mail below. Thank you for your consideration.

Mike Zweng Alaska Registered Guide #1290

From: Mike Zweng

Sent: Monday, February 17, 2020 8:56 PM

To: rep.chris.tuck@akleg.gov <rep.john.lincoln@akleg.gov <rep.john.lincoln@akleg.gov <rep.john.lincoln@akleg.gov <

rep.geran.tarr@akleg.gov <rep.geran.tarr@akleg.gov>; Representative.David.Talerico@akleg.gov

- <Representative.David.Talerico@akleg.gov>; Representative.Grier.Hopkins@akleg.gov
- <Representative.Grier.Hopkins@akleg.gov>; Representative.Sara.Hannan@akleg.gov
- <Representative.Sara.Hannan@akleg.gov>; Representative.George.Rauscher@akleg.gov
- <Representative.George.Rauscher@akleg.gov>; Representative.Sara.Rasmussen@akleg.gov
- <Representative.Sara.Rasmussen@akleg.gov>; Representative.Ivy.Spohnholz@akleg.gov
- <Representative.lvy.Spohnholz@akleg.gov>

Subject: Opposition to HB137 Dear Representatives,

I am writing to respectfully oppose HB 137. It is clear that the RHAK association is set on eliminating the guiding industry in Alaska based on the multiple initiatives they are pursuing. Guiding is a very seasonal business and although guides charge well for their services, the overall yearly income for the average guiding business is not very much once all expenses are paid, especially for small family businesses. Further reducing the opportunities for non-resident hunters will drive most guiding businesses out of business since they will not be able to plan a season, commit hunting dates to clients, nor will they have sufficient income to sustain their household. RHAK realizes this and is taking the strategy of limiting non-resident opportunity under the pretense of righteousness for resident hunters. This is evident by the law suit they have filed against the BOG. One of their agendas is to severely reduce the non-resident opportunity for Kodiak bear hunts. The numbers that they are proposing are so low that it will essentially wipe out brown bear guiding on Kodiak because it will not be worth keeping the infrastructure and equipment required to operate on Kodiak, and Kodiak bears are not even a subsistence animal for resident hunters. This will cause my business to fold immediately. As a note, the current Kodiak brown bear hunting model is a beacon of success for Alaska and the rest of the country for that matter. It is, and should be, used as an example of how to manage an ecosystem.

Should initiatives like these pass, there will be a cascade effect since resident hunters do not bring the funding to the state like non-residents do. The following is a list of items that will be impacted:

Big Game Commercial Services will not have the income from guide licenses and will have difficulty funding a staff to regulate the industry thus reducing jobs.

Non Resident hunters provide the lions share of funding for ADF&G through license fees. ADF&G will not be able to be funded like they are now and conservation of the animals will be impacted. If license fees are passed on to resident hunters who currently do not have to buy hunting licenses and most tags, I suspect many of them will quit hunting.

Current Big Game guides may leave the state and go to the lower 48 to guide in another state or find another line of work thus removing tax base.

Air charters, hotels, restaurants, sporting goods stores, etc... will be impacted.

Many guides have invested in real estate, boats, airplanes, and other very expensive infrastructure to conduct their business. Many could go bankrupt without non-resident hunters. I myself have just made an investment of over \$300,000.00 in a new boat in which to conduct my business and it will be a hardship if I am unable to use the revenue from guided hunting to pay for the boat and the expenses.

I employ guides, boat captains, pilots, cooks, taxidermists, etc, in my business as so almost all guides. The majority of this business will be gone which will cause businesses to fail.

The Board of Game has ample tools to provide reasonable opportunities for resident hunters and has done so by utilizing resident only seasons, controlled use areas, tier permits, etc...

I have done some research on the Alaska State constitution as well as court cases where rulings have been made on topics like this. The following excerpts have come from McDowell v. State Alaska Supreme Court decision:

"In Owsichek v. State, 763 P.2d 488 (Alaska 1988), we observed that the article VIII provisions were designed to ensure to the public the broadest possible access to wildlife. We noted that "the common use clause impose[s] upon the state a trust duty to manage the fish, wildlife and water resources of the state for the benefit of all the people." Id. at 495 (emphasis added). "[A] minimum requirement of this duty is a prohibition against any ... special privileges." Id. at 496. In State v. Ostrosky, 667 P.2d 1184, 1191 (Alaska 1983), we observed that the common use and no exclusive right of fishery clauses reflected "antiexclusionist values."

The decision says "benefit of the people". This does not mean only the benefit of the residents to hunt for food, but also means the commercial benefit of the resources for the financial wellbeing of the people.

It also says "article VIII provisions were designed to ensure to the public the broadest possible access to wildlife." This also means access for commercial use, not to mention access to the public that are non-residents. Since several of Alaska's species can only by hunted by non-residents that are guided (due to safety issues), removing the guiding industry would eliminate these opportunities.

Another excerpt below states:

"Article VIII, section 3 (the "common use" clause) is derived from laws designed to guarantee the common citizen participation in wildlife harvest, and to divest the Crown of exclusive entitlement to those resources.[8] It is said that this "public trust" doctrine[9] "impose[s] upon the state a trust duty to manage the fish, wildlife and water resources of the state for the benefit of all the people." Owsichek v. State, 763 P.2d 488, 495 (Alaska 1988) (citations omitted); see also Metlakatla Indian Community, Annette Island Reserve v. Egan, 362 P.2d 901, 905 (Alaska 1961), aff'd, 369 U.S. 45, 82 S. Ct. 552, 7 L. Ed. 2d 562 (1962); Herscher v. State, Dep't of Commerce, 568 P.2d 996, 1003 (Alaska 1977)."

Note the wording "public trust" doctrine[9] "impose[s] upon the state a trust duty to manage the fish, wildlife and water resources of the state for the benefit of all the people"

All the people, not just for personal use. In reading the entire document, it is clear to me that the Common use Clause is equally applied to personal and commercial uses of the natural resources.

Another excerpt:

"[9] The public trust doctrine maintains that government holds untaken wildlife in trust for public use, and that government owes a fiduciary duty to manage such resources for the common good of the public as beneficiary. See Owsichek v. State, 763 P.2d 488, 493-95 (Alaska 1988)."

The fiduciary duty to maintain such resources for the common good of the public as a beneficiary. It cannot be argued that commercial use in the form of guiding does not bring financial benefits to the public. I have seen numbers in excess of \$50 Million per year is generated by non-resident hunters.

And another:

"Section 15 of article VIII of the Alaska Constitution provides: No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for the purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State."

"Although the ramifications of these clauses are varied, they share at least one meaning: exclusive or special privileges to take fish and wildlife are prohibited. Section 15 states this explicitly with respect to fisheries. The proceedings of our Constitutional Convention show that the same meaning was intended with respect to sections 3 and 17."

I contend that severely reducing the availability of non-resident hunting opportunities in HB 137 will essentially decimate the guiding industry to the point that it will create an exclusive right for resident hunters that is addressed in Section 15. I believe this to be the goal of RHAK.

In closing I would like to highlight the rich tradition of Alaskan guiding and the benefits it brings to the entire state. I apologize for the long letter, but I wanted to call at least some of these points to attention. I have confidence that you will give careful consideration to extreme ramifications of passing HB137 and devastation it would bring to hundreds of people in the guiding industry, and thousands of people across the state. Businesses have been built, and investments have been made in the communities. As mentioned, changing allocations would essentially bankrupt most guiding businesses and the ones that were remaining would only be hobby businesses and probably not be able to provide the quality services that they do now. Alaska is not like other states and the tag ratio's proposed to mirror allocations in the lower 48 will have dire consequences due to the reliance of non-resident money coming to the state.

Mike Zweng

Alaska Registered Guide # 1290

From: Mike Zweng

Sent: Tuesday, February 18, 2020 12:36 PM

To: House Resources

Subject: Fw: Opposition to HB137

Follow Up Flag: Follow up Flag Status: Flagged

From: Mike Zweng

Sent: Monday, February 17, 2020 8:56 PM

To: rep.chris.tuck@akleg.gov <rep.chris.tuck@akleg.gov>; rep.john.lincoln@akleg.gov <rep.john.lincoln@akleg.gov>;

rep.geran.tarr@akleg.gov <rep.geran.tarr@akleg.gov>; Representative.David.Talerico@akleg.gov

- <Representative.David.Talerico@akleg.gov>; Representative.Grier.Hopkins@akleg.gov
- <Representative.Grier.Hopkins@akleg.gov>; Representative.Sara.Hannan@akleg.gov
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Mike Zweng

Alaska Registered Guide # 1290

From: Gene Scarboro

Sent: Tuesday, February 18, 2020 6:54 AM

To: House Resources
Cc: Michael Mason

Subject: HB 137 Please Support HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Co-Chair Tarr, Co-Chair Lincoln, and Members of the House Resources Committee,

Please support HB137.

As written in the ADFG Hunting Regulations, "Nonresidents are allowed to hunt when there is enough game to allow everyone to participate. When there isn't enough game, nonresident hunters are restricted or eliminated first. If more restrictions are necessary, seasons and bag limits may be reduced or eliminated for some residents."

HB137 reinforces our Constitution. Residents should be given priority for harvest of our big game resources. Nonresident hunters shall be restricted or eliminated first.

This is not a fiscal issue. Natural resources of the state should be reserved to the people for common use.

Thanks for your consideration. Pls include this letter in the document packet for HB137.

Thomas Scarboro

North Pole, AK 99705

From: Kodiak Adventures Lodge

Sent: Monday, February 17, 2020 2:34 PM

To: House Resources
Cc: Michael Mason

Subject: HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Hello Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

I would like to ask you to move this bill forward so that it can be passed, H.B. 137, As I feel it is an important change that needs to be addressed.

As a lodge owner and Big Game transporter of both resident and non resident hunters I still believe that Alaskan resident hunters should have first access to the resources of this state.

I also firmly believe that for years the board of game has been favoring non resident hunters on behalf of the guide association and their interests which needs to end now. I also held an assistant guide license for many years and have seen first hand the bias of the board of game.

This Bill would be the first step in making sure that Alaskans are taken care of and that they have the opportunity that state constitution affords them.

Thanks for your consideration.

Larry Carroll Kodiak Adventures Lodge

From: Shawn-Maria

Sent: Thursday, February 13, 2020 8:49 PM **To:** House Resources; Michael Mason

Subject: HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee

I am writing this letter in support of HB 137. I hope that you, our elected officials, see that by simply changing one word from may to shall for appropriation of game to residents before non residents during a time of shortage or when deemed necessary, is not only the correct thing to do, but what all of our neighboring states in the west have done for years. Alaska residents should always have preference to game, especially when there is a shortage in a certain group/species.

Thank you: Shawn Davis Fairbanks, AK

From: Steve Gabrielsen

Sent: Thursday, February 13, 2020 8:00 PM

To: House Resources
Cc: Michael Mason

Subject: HB 137

Follow Up Flag: Follow up Flag Status: Flagged

I would like to express my support for this bill. Ensuring that AK residents are afforded preferential hunting opportunities over non-residents, when needed, is a good, common sense measure. This bill is in keeping with the State government's mission of looking out for the interests of its residents.

Please add this letter to the document packet as a letter of support.

Respectfully,

AK Resident & RHAK member -Steve Gabrielsen

From: Michael B Jones

Sent: Thursday, February 13, 2020 4:44 PM

To: House Resources

Subject: HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear chair and co chairs My name is Michael Jones I am in support of HB 137. I am one of several .

From: Justin Harris

Sent: Friday, February 14, 2020 7:18 PM

To: House Resources

Subject: HB 137 Non-resident Taking of Big Game

Follow Up Flag: Follow up Flag Status: Flagged

Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

I support HB 137 and the resident priority over non-residents when it comes to the taking of big game, I hope you support your fellow Alaskans as well.

Thank you,

Justin Harris

Kenai

From: Aldean Kilbourn

Sent: Tuesday, February 18, 2020 6:51 AM

To: House Resources

Subject: HB 137 supporting change from May to Shall

Follow Up Flag: Follow up Flag Status: Flagged

Nonresidents are allowed to hunt in Alaska when there is enough game for all to participate. When shortages exist, the Board of Game should be making certain that Alaskans have a much greater chance of success. Not a "may" but a "shall" requirement for non-residents to be either restricted (e.g., 10% of permits only, with 90% going to Alaskans) or eliminated first.

Those who guide argue that this change will hurt their business; I argue that as an Alaskan, not filling my freezer with big game meat every year hurts me financially as well as health wise. Guides are successful in Western states where nonresidents are severely restricted; they can do the same in Alaska.

Alaska's Constitution enshrined its regard for natural resources in its constitution by saying for the maximum benefit of the people of Alaska. It doesn't say anything about nonresidents getting the same maximum benefit.

Aldean Kilbourn

Fairbanks, AK 99709

What if heath insurance companies could operate/sell us insurance like the cell phone companies?

From: David <bowyer

Sent: Tuesday, February 18, 2020 12:08 PM

To: House Resources

Subject: HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Please support action HB 137. Thank you Sent from my iPhone

From: james campbell

Sent: Tuesday, February 18, 2020 10:05 AM **To:** House Resources; Michael Mason

Subject: HB137

Attachments: HB137 Support.docx

Follow Up Flag: Follow up Flag Status: Flagged

Please place my letter of support into the document packet for next Wednesday's hearing on HB137. Thank you for your time.

James Campbell

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

18 February 2020

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources

Committee,

My name is James Campbell and I am a 15 year resident of Anchorage, AK. I

am writing to express my strong support for HB137. I believe placing the needs of

Alaska's resident population should be a priority over nonresidents that would like

the opportunity to harvest game.

I sincerely hope you will support the interests of Alaskan residents over

nonresidents in regards to the taking of game by passing HB137.

Thank you for your time in thought on this matter.

James Campbell

From: Colt Foster

Sent: Tuesday, February 18, 2020 9:56 AM

To: House Resources
Cc: Michael Mason

Subject: HB137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee, I support House bill 137 sponsored by Representative Chris Tuck asking for a one word change from May to Shall as below:

Whenever it is necessary to restrict the taking of big game so that the opportunity for state residents to take big game can be reasonably satisfied in accordance with sustained yield principles, the Board of Game **SHALL** (may), through a permit system, limit the taking of big game by nonresidents and nonresident aliens to accomplish that purpose.

We all hope for well managed renewable resources for the state of Alaska, but there will always be fluctuations in big game populations. When resources are limited there must be a priority given to AK residents. We are the people that live here all year and support the local communities and in turn the economy. This is already the policy of most of the other western states in regards to big game hunting opportunities. Please help support the residents of this great state and protect our hunting opportunities.

Sincerely, Colt Foster Lifetime Alaskan hunter

Sent from my iPhone

From: Watkins, Brian

Sent: Tuesday, February 18, 2020 8:52 AM

To: House Resources

Subject: HB137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee, I support House bill 137 sponsored by Representative Chris Tuck asking for a one word change from May to Shall as below:

Whenever it is necessary to restrict the taking of big game so that the opportunity for state residents to take big game can be reasonably satisfied in accordance with sustained yield principles, the Board of Game **SHALL** (may), through a permit system, limit the taking of big game by nonresidents and nonresident aliens to accomplish that purpose. Why?

- Big Game resources are the property of the people of Alaska.
- Around 100,000 Alaska residents purchase hunting license annually
- Only approximately 3,000 nonresident guided hunters buy hunting license each year
- However these nonresident guided hunters account for over 40% of the Kodiak bear tags and 50% of the moose tags in some areas
- -The national standard for nonresident draw tag percentage is up to 10% for nonresidents
- -Alaska residents spend 88% of the hunting dollars in the state annually. Alaskans rely on the taking of game resources to sustain families and friends. The cost of living in Alaska is obscured by the fact that it does not include gas and groceries. Our grocery bills are easily double that of the L48 and to circumvent that, we hunt for our families. When a resource is limited, there Shall be a limit on non resident take to sustain our way of life.

Please support Alaska residents and your constituents by supporting a resident's first legislation!

Best Regards,
Brian Watkins
Project Manager/Field Service Supervisor

Honeywell International

From: Frank Casey

Sent: Monday, February 17, 2020 12:01 PM

To: House Resources
Cc: Rep. Geran Tarr

Subject: HB137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

Please support HB137 and

ensure that Alaska residents are given a preference to hunt big game over nonresidents during times of shortages.

Thank you,

Frank Casey

Clam Gulch, Alaska

Get Outlook for iOS

From: Kelly Daniels

Sent: Monday, February 17, 2020 8:55 AM

To: House Resources

Subject: HB137

Follow Up Flag: Follow up Flag Status: Flagged

Good morning. My name is Kelly Daniels and I live in the Goldenview district. I am a 22 year Department of Corrections employee with the state and a Big game hunting assistant guide. I'm emailing you regarding HB137 (Non resident game draw tag permit). As a soon to be retired State employee I have been working years to set up hunt guiding for a retirement job for myself (Getting repeat clients, buying equipment etc). I work for guides across the state that employ hundreds of Alaskans in the guiding industry. HB137 essentially cuts myself and hunting guides across the state who have put hundreds of thousands of dollars into the economy to grow their businesses. As well as revenue put into the state by non-resident hunters for licenses/tags/flights/gear. This is literally millions of dollars per year. Not to mention the amount of meat donated to villages across the state. (My employer donates the meat of 12-15 moose per year to the village of Tetlin) this is all made possible by non-resident hunters. I feel this bill is a short sited bill to cut out non resident hunters. I appreciate you to not support HB137. Thank. You. Kelly Daniels.

Sent from my iPhone

From: Andrew Weaver

Sent: Monday, February 17, 2020 9:36 PM

To: House Resources

Subject: HB137 bill

Follow Up Flag: Follow up Flag Status: Flagged

Hi this is Andrew Weaver I am a resident Alaskan and live in Palmer. I have lived here for 11 years now. I work as a hunting guide and aircraft mechanic. I am concerned about this bill and the negative impact it will have on me and my family if it goes through. There are so many areas that will be effected by this bill in a negative way. All of my clients are non resident hunters that pay high tags fees and spend alot of money in our state. This money is used for conservation and by removing the money coming in from non resident hunters effects resident opportunity more than sharing the field with non-residents.

- "Reasonable resident opportunity" is impossible to define
- Board of Game has adequate tools to ensure resident opportunity is met
 - o limit non-resident seasons
 - o limit methods and means
 - o selective closures of non-resident hunts
 - o controlled use areas

As a resident hunter I have more hunting opportunity in this state than I would ever have the time to explore. If you feel like your opportunity is limited you have not tried very hard, the state is HUGE!!! even if you do not draw the tag you are trying for. The little this bill would gain is a few more tags for residents and there would still be unhappy residents. The losses to our state far out way the positives this bill is a bad idea.

Thank you for your hard work and service! Sincerely Andrew Weaver

From: Bob Cassell

Sent: Monday, February 17, 2020 4:07 PM

To: House Resources **Subject:** HB137 letter of support

Attachments: HB137 letter 2-17-2020.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Please place the attached in the document packet for Wednesday's hearing on HB137 as a letter of support. Thank you,

Bob

Dear Co-Chair Tarr, Co-Chair Lincoln and members of the House Resources Committee;

I support HB137 wholeheartedly. I am currently suing the state of Alaska over brown bear allocation on Kodiak Island as currently the Board of Game has allocated 40% of the permits to commercial hunting guides guiding non-resident hunters. I have yet to draw a brown bear permit my whole adult life and two years ago received my permanent hunting license to give you an idea of how long I have been trying. The Board of Game has systematically been allocating in favor of non-resident hunters at the expense of the residents of Alaska in clear violation of Alaska's constitution with the current chairman using words like "work around" to accomplish these goals. This small step will give a clear signal to the Board of Game that this management perspective is not appropriate. In times of restricted harvest, they should act to reduce non-resident allocation first, before Alaska's resident hunters.

Thank you for your consideration.

Respectfully.

Robert Cassell

From: Rick Houck

Sent: Tuesday, February 18, 2020 10:33 AM

To: House Resources
Cc: Michael Mason
Subject: HB137 Support.docx
Attachments: HB137 Support.docx

Follow Up Flag: Follow up Flag Status: Flagged

Please include my letter of support in the document packet for Wednesday's hearing on HB 137 as a letter of support.

Thank you,

Rick Houck

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

My name is Rick Houck and I am a 41 year resident of Anchorage, AK. I am writing to express my strong support for HB137. I believe placing the needs of Alaska's resident population should be a priority over nonresidents that would like the opportunity to harvest game.

I sincerely hope you will support the interests of Alaskan residents over nonresidents in regards to the taking of game by passing HB137.

Thank you for your time in thought on this matter.

Rick Houck

From: KING, CHARLES R CTR USSF SPOC 13 SWS/CEN

Sent: Tuesday, February 18, 2020 10:27 AM

To: House Resources
Cc: Michael Mason

Subject: HB137

Attachments: HB137 Support.docx

Follow Up Flag: Follow up Flag Status: Flagged

All,

Please attach the letter of support to the package presented before the vote this week.

Charles King LRDR Project Integration Clear AFS, AK Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

My name is Charles King and I am a 33 year resident Alaska. I am writing to express my strong support for HB137. I believe placing the needs of Alaska's resident population should be a priority over nonresidents that would like the opportunity to harvest game.

I sincerely hope you will support the interests of Alaskan residents over nonresidents in regards to the taking of game by passing HB137.

Thank you for your time in thought on this matter.

Charles King

From: George Casey

Sent: Monday, February 17, 2020 1:18 PM

To: House Resources

Subject: Hunting

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee, Please support HB137 and ensure that Alaska residents are given a preference to hunt big game over nonresidents during times of shortages. Thank you,
George Casey

Ninichik ak

From: Adam Grenda

Sent: Monday, February 17, 2020 5:58 PM

To: House Resources
Cc: Michael Mason
Subject: I support HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-chair Lincoln, and members of the House Resources Committee,

My name is Adam Grenda and I'm a resident hunter of Alaska. I'm writing you in my SUPPORT of House Bill 137. I have personally been affected by the lack of reasoning from Alaska's Board of Game.

When there was a biological concern of brown bears in unit 9, the board decided to reduce the season dates for both resident and non resident hunters. This tag is a trophy brown bear area and has virtually unlimited tags to non resident hunters. Also non residents were harvesting nearly 80% of the bears and they were the real problem. Its asinine to think that out State's constitution has been some blatantly and absurdly violated, but it has.

Written above is my personal testimony but many resident Alaskans have their own story to tell about this issues. This has been going on for far too long and the board of game has yet to make any changes. They are heavily influenced by the guides and outfitters of the state, many of whom are nonresidents that come up here for a short 2 month season and then leave the state.

I plead that you help us pass this bill to hold the board of game accountable for their future actions. When there is not enough game to meet the demands of hunting, we MUST limit non resident hunters first and foremost before we limit the hunters who live here, pay taxes here and hunt here year round.

Please put this in the document packet for Wednesday's hearing on HB137 as a letter of support.

Thank you for you time, Adam Grenda

From: Mike Makar

Sent: Monday, February 17, 2020 11:32 AM

To: House Resources
Cc: Michael Mason

Subject: Mike Makar in Support of HB137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, Co-Chair Lincoln, and members of the House Resources Comittee,

I, Michael Makar lifelong resident of the state of Alaska would like to show my support for HB137.

Thank you for your time and representation,

Michael Makar

From: Treasure Hunter Lodge Alaska

Sent: Monday, February 17, 2020 9:03 AM

To: House Resources
Cc: Rep. John Lincoln
Subject: Opposition to HB137

Follow Up Flag: Follow up Flag Status: Flagged

Please record our comments below in the official record.

Thank you.

Begin forwarded message:

From: Treasure Hunter Lodge Alaska < treasurehunterlodge@gmail.com

Date: February 17, 2020 at 8:25:32 AM AKST

To: "Rep.Chris.Tuck@akleg.gov" < Rep.Chris.Tuck@akleg.gov>, "Representative.Chris.Tuck@akleg.gov" < Representative.Chris.Tuck@akleg.gov>

Cc: "Rep.Geran.Tarr@akleg.gov" <Rep.Geran.Tarr@akleg.gov>, Sitka JKT <Rep.Jonathan.Kreiss-Tomkins@akleg.gov>, "Rep.Peggy.Wilson@akleg.gov" <Rep.Peggy.Wilson@akleg.gov>, rep.john.lincoln@akleg.gov, rep.david.talerico@akleg.gov, rep.grier.hopkins@akleg.gov, rep.sara.hannan@akleg.gov, rep.sara.rasmussen@akleg.gov, rep.ivy.spohnholz@akleg.gov, rep.george.rauscher@akleg.gov

Subject: Opposition to HB137

My wife and I are full time real Alaskans that have been operating a small hunting and fishing guide business on Prince of Wales Island(PoW) in Klawock, AK since 2006. I came to AK right out of college in 1995 and haven't looked back:)

Several years ago we purchased a home and have renovated it into a lodge. We provide a high quality, fully guided experience to a small number of clients every year that are 99% non residents. We live in Klawock year round and the money we earn is spent in and around Klawock, AK. We pay for sales taxes, moorage, utilities, groceries, fuel, etc. etc. We support Klawock and other communities on PoW.

We are staunchly OPPOSED to HB137.

HB 137 seeks to mandate drawing hunts to be put in place when resident hunting opportunity needs to be "reasonably satisfied." If passed, HB 137 will require a massive review and overhaul of hunt structures by the Board of Game (BOG). At a minimum the BOG will need to review each and every hunt structure in the state to determine if "resident hunting opportunity is being reasonably satisfied" and then determine if a drawing structure will need to be put in place.

Drawing hunts are the kiss of death to many guide operations. The majority of our clients do not want to play the lottery game of drawing a tag. This destabilizing management tool should be an item of last resort.

Just yesterday, we booked a spring black bear client who will be here with his nephew in 64 days experiencing wilderness hunting at its finest. They will be hunting for the large male Coastal black bears that are managed very effectively on Prince of Wales Island without subjecting guided non-res to the dreaded drawing permits.

Most of our clients are here for the experience first and foremost and many come with friends and family. They pay the lions share of ADFG's budget and are glad to do so.

In return they get to experience quality wilderness hunting in Alaska for the best managed game animals in the world and they do it with professionals that ensure their safety.

They do not want drawing permit hunts.

If my wife and I had to operate under drawing hunt restrictions, our guided hunting business would NOT survive. Period.

We do not want drawing permit hunts.

Drawing hunts are necessary in a few hotly contested areas for certain games species but HB137 will turn the guiding industry upside down(which RHAK likely wouldn't mind.)

It continues to blow my mind that Alaskan residents don't have to pay for ANY tags other than Muskox and a mere \$25 for a griz/brown bear, have arguably the lowest hunting licenses/tag fees in the US(especially if you consider the Permanent ID), have the best hunting in the US, can collect a windfall of cash for free(Permanent Fund), don't pay state income taxes and yet they still find something to complain about???

ADFG has submitted an indeterminate fiscal note estimating the loss of revenue to the Division of wildlife to be between \$5-\$25 million annually. Real costs to the state extend beyond the impacts to state revenue. The private sector guiding community will lose, at a minimum, half of its total output. This will remove \$25-\$30 million new dollars to the state economy each year. Job losses (approx 1000 jobs) and economic impacts in rural Alaska will be devastating as permit hunts are implemented across the state but especially on state land areas without concessions.

The loss of revenue to the state, ADFG and the guide industry will be staggering.

How can ADFG implement such a subjective standard as "reasonable resident opportunity"?

The BOG has plenty of tools to ensure resident opportunity is met by:

- -limiting non-res seasons
- -limiting methods and means
- -selective closures of non-res hunts
- -controlled use areas

Drawing hunts will negatively impact Alaska, ADFG, our local communities, future non-resident hunters and my wife and I.

Please vote NO on HB137.

Thank you!

Kurt Whitehead & Trina Nation Treasure Hunter Lodge LLC-Alaska

From: Daniel Jirak

Sent: Tuesday, February 18, 2020 8:49 AM

To: House Resources
Cc: Michael Mason

Subject: Please put it in the document packet for next Wednesday's hearing on HB 137 as letter of support

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

I support the HB 137 bill to change "may" to SHALL For far to long the BOG has ignored the resident hunters of Alaska on resource allocation in this state. I am a 15 year resident of this state and used to work in the guiding industry and have seen how the BOG has slowly shown preferential treatment and laws passed favoring the guiding industry and nonresidents along with it. I hope you will pass this bill for when times of low game populations that nonresidents will be limited first.

Thank you Dan Jirak

From: Mark Oppe

Sent: Friday, February 14, 2020 4:10 PM

To: House Resources

Cc: Michael Mason; Mike Prax

Subject: Support for HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

I am writing to urge you to support HB 137, "An Act relating to the taking of big game by nonresidents; and providing for an effective date" and I ask that you place my comments in the document packet for the hearing on this bill.

A significant factor in the push for Alaska statehood was to gain control of Alaska's resources for the benefit of Alaskans. Article 8 of our constitution reflects the determination of the framers to ensure that Alaskans would always have priority over outside interests in the use and enjoyment of our land, fish, game, and resources. HB 137 does not limit nonresident hunting opportunities in any way so long as big game populations are sufficient to provide for the needs of residents. It is only appropriate, and should go without saying, that when populations fall to a level at which it becomes necessary to restrict the taking of big game animals in order to meet sustained yield goals nonresidents should be the first to have reduced hunting opportunities. I firmly believe that it is impossible to read sections 1-4 of Article 8 without acknowledging that this must have been the intent of those who wrote and ratified the constitution.

While there are certainly benefits that come from allowing nonresident hunters opportunities to harvest big game in Alaska, those opportunities should not come at the expense of residents in times of shortage.

I thank you for your consideration, and I hope you will support this bill.

Mark Oppe

Sent with ProtonMail Secure Email.

From: Adam Owen

Sent: Friday, February 14, 2020 12:06 PM

To: House Resources
Cc: Michael Mason
Subject: Support HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee: I have lived in the State of Alaska since 1983 and my wife and I have raised five sons in this great state. Over those years my sons and I have been active hunters and fishermen providing natural, organic meat and fish for our families.

Over those years I have also seen resident hunters rights be given the short end of the stick over non-resident hunters rights and this bill would put an end to that.

The change in this bill would simply change a single word in the current statute from "may" to "shall" and would ensure that me, my sons, and my fellow Alaskans would have hunting priority over non-residents during times when those resources are limited.

Therefore. I ask that you support me and include HB137 in the packet.

Respectfully,

Adam Owen

Member of Resident Hunters of Alaska

Fairbanks, Alaska 99709

From: M C

Sent: Friday, February 14, 2020 7:43 PM

To: House Resources
Cc: Michael Mason
Subject: SUPPORT HB137
Attachments: SUPPORT HB137 .pdf

Follow Up Flag: Follow up Flag Status: Flagged

Please place the attached letter in the document packet for next Wednesday's hearing on HB 137 as a letter of SUPPORT.

Thank you.

~mike mccrary

February 14, 2020

RE SUPPORT HB137 "Whenever it is necessary to restrict...."

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee

There can be no doubt that there exists an hierarchy to the allocation of Alaskans game resources.

Explicitly HB137 requires; going forward, that when the BOG determines it necessary to [restrict] shorten any season *or* reduce any bag limit *or* otherwise impose any limitation or restriction related to opportunity to harvest game resources HB137 directs the BOG how to provide the maximum benefit to the citizens of Alaska for that hunt.

HB137 ensures the orderly allocation of the opportunity to harvest Alaskan's game resources.

A brief look back.

In the beginning Alaskans enjoyed; mostly on a statewide basis, consistently broad harvest seasons with comparable regulatory limitations across the board.

The BOG was established in 1975 for the purpose of allocating opportunity and divided [not statutorily] Alaska into 26 Game Management Units. Over time the BOG further divided these 26 units into 63 additional subunits that now also includes multiple special use areas as well. Each of these 89+ areas come with their own regulatory restrictions and limitations.

The BOG; in collaboration with Department of Fish and Game managers and in support of sustained yield management principals, has and continues necessarily to [restrict] shorten

seasons, reduce bag limits, established limited draws, establish Intensive Management areas, implement TierII and TierI hunts, and establish special use areas. Despite all those mitigating tools BOG utilizes it can and has still ended up closing seasons entirely.

Today, HB137 is aimed at the BOG's 45 year practice of enabling; allocating annually, unlimited numbers of non resident and non resident alien hunting licenses. This 4 decades practice of selling annually unlimited opportunity to non residents and non resident aliens has not likely provided the maximum benefit to the citizens of Alaska...especially for future generations of Alaskans.

If, for the last 45 years the BOG practice would have been to voluntarily adopt the "shall" doctrine embedded in HB137 instead of the "may" doctrine in current statute and limited non resident and non resident alien opportunity to participate in every hunt BOG was restricting at that time...it is at least likely that many of the literally hundreds if not thousands of regulatory changes [restrictions] implemented by BOG the last 45 years may not have been necessary.

So, at least going forward HB137 ensures anytime the BOG finds it necessary to limit [restrict] an opportunity that effects resident opportunity BOG shall directly limit any opportunity for non residents and non resident aliens to participate in that hunt.

To be clear, HB137 does not express or imply residents must compete with other residents through a draw opportunity...HB137 is related only to limiting non resident and non resident aliens participation in any hunt going forward where BOG is further restricting a hunt via any regulatory change.

Please Support HB137

Respectfully ~mike mccrary

From: JR Gates

Sent: Tuesday, February 18, 2020 11:01 AM **To:** Michael Mason; House Resources

Subject: Support HB137

Follow Up Flag: Follow up Flag Status: Flagged

Honorable Co-Chairs and Members of the House Resources Committee,

Please support HB137 to favor Alaskan residents hunters in times of reduced hunting.

The existing loophole language in AS 16.05.256 has allowed residents to be sidelined in favor of non-Alaskan trophy hunters in many areas across the state. Currently, by allocation percentage, Alaskan resident hunters are treated the worst of any western state.

HB137 allows Alaska's game to be available for residents first, and then when abundance exists, we can host non-resident hunters.

Thank you

Christopher Gates

Chugiak, AK

From: Brad Sparks

Sent: Monday, February 17, 2020 9:57 PM **To:** House Resources; Michael Mason

Subject: Support of HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

I support House bill 137 sponsored by Representative Chris Tuck asking for a one word change from May to Shall as below:

Whenever it is necessary to restrict the taking of big game so that the opportunity for state residents to take big game can be reasonably satisfied in accordance with sustained yield principles, the Board of Game **SHALL** (may), through a permit system, limit the taking of big game by nonresidents and nonresident aliens to accomplish that purpose.

Why?

- Big Game resources are the property of the people of Alaska
- Around 100,000 Alaska residents purchase hunting license annually
- Only approximately 3,000 nonresident guided hunters buy hunting license each year
- However these nonresident guided hunters account for over 40% of the Kodiak bear tags and 50% of the moose tags in some areas
- -The national standard for nonresident draw tag percentage is up to 10% for nonresidents
- Alaska residents spend 88% of the hunting dollars in the state annually

Please support Alaska residents and your constituents by supporting a resident's first legislation!

Brad Sparks, Alaskan resident hunter

From: Darcy Etcheverry

Sent: Saturday, February 15, 2020 7:09 PM

To: House Resources
Cc: Michael Mason
Subject: Support of HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

I am writing you today to voice support for HB 137. This bill is a seemingly small word change, but is in-fact an important step towards safeguarding resident hunting opportunities in Alaska and providing basic guidelines to the Boad of Game during allocation decisions.

I have heard those that oppose this bill say that it is not necessary to make changes to AS 16.05.256 at this time, that non-residents only had 6% of the big game tags last year. But what about 10, 20, 50 years into the future? We can assume that hunting pressure will be higher than it is today and the need for resident preference will be even more contentious due to competing demands from guide services and non-resident hunters. Please ensure 'May' becomes 'Shall' with the passage of HB 137 and help safeguard the rights of future generations of Alaskans to harvest wild game.

I am a lifelong resident of Alaska, I vote, and I support HB 137. Please support this bill and pass it out of your committee as written.

Thank you for your consideration of this matter, Darcy Etcheverry

North Pole, Alaska

From: Kate Lamal

Sent: Tuesday, February 18, 2020 9:33 AM

To: House Resources

Cc: Michael Mason; Rep. Geran Tarr; Rep. John Lincoln; Rep. Sara Hannan; Rep. Grier Hopkins; Rep. David

Talerico; Rep. Chris Tuck; Rep. Sara Rasmussen; Rep. George Rauscher; Rep. Ivy Spohnholz

Subject: Support of HB 137

Follow Up Flag: Follow up Flag Status: Flagged

Please pass the much needed HB 137 so that the board of Game has a clear precise legal manner of managing our game resources with a priority for Alaska residents, the people you work for in Juneau

House Bill 137 makes a simple one-word change to state law to help ensure that Alaska residents are given a preference to hunt big game over nonresidents during times of shortages.

Kathryn Lamal

Fairbanks, Alaska 99709

From: Dave M

Sent: Tuesday, February 18, 2020 1:35 PM

To: House Resources

Subject: HB137

Follow Up Flag: Follow up Flag Status: Completed

Dear Representatives,

My name is David Morris and I am writing in OPPOSITION to HB137 which seeks to mandate drawing permits for non-resident hunters in areas of Alaska where resident hunter opportunity is not being reasonably satisfied.

I am a life long Alaskan of 57 years and have guided big game hunters for 35 of those years. Nonresident hunters make up virtually all of my clientele whom I depend on for my livelihood.

Nonresident hunters are already sufficiently restricted by reduced season dates, trophy size minimums, etc without further regulation, especially considering that they represent 70-80% of the wildlife management budget. We need to encourage their continued participation, not stifle it. Furthermore, it would be impossible to determine if "resident hunter opportunity is being reasonably satisfied".

The average resident hunter in Alaska has a relatively low success rate compared to the guided non-resident hunter, especially on species such as Dall Sheep which require advanced skills to consistently harvest. That is their real gripe and what fuels their continued obsession of flooding the Game Board with time and money-wasting restrictive proposals, litigation, and now attempted legislation, etc. Does it really demonstrate that they are not receiving adequate opportunity? It does not!

Taking Dall Sheep as an example, resident hunters already represent 80% of the hunters in the field, yet account for only 20% of the harvest. How much more opportunity do they need? If we magically eliminated ALL non-resident competition, it would not noticeably change resident success rates.

HB137 is a bad idea that would make operating a viable hunting guide business unpredictable at best, drive non-resident hunters away, and cost the State of Alaska significant revenue. In the long term, this will hurt the resource and the resident hunter far more than sharing the field.

Please oppose HB137.

Respectfully, David Morris

From: Pat Baucom

Sent: Tuesday, February 18, 2020 1:47 PM **To:** House Resources; Michael Mason

Subject: Pllesse supoort HB 137

Follow Up Flag: Follow up Flag Status: Completed

Dear Co-Chair Tarr, co-Chair Lincoln, and members of the House Resources Committee,

Please support HB137 and

ensure that Alaska residents are given a preference to hunt big game over nonresidents during times of shortages.

Thank you,

Pat Baucom Clam Gulch Ak

Frank Casey

Clam Gulch, Alaska



unapologetically FOR ALASKAN RESIDENTS

PO Box 60095, Fairbanks, Alaska 99706 (907) 371-7436 email info@residenthuntersofalaska.org web www.residenthuntersofalaska.org

HB 137 Statement of Support

February 7, 2020

To: House Resources Committee

Re: HB 137, An Act relating to the taking of big game by nonresidents; and providing for an effective date.

Dear Co-Chairs Tarr and Lincoln, Vice-Chair Hopkins, and members of the House Resources committee,

Resident Hunters of Alaska (RHAK) strongly **supports** HB 137.

This legislation helps to ensure that when wildlife populations are diminished or there are conservation or other concerns that lead to restrictions or reductions in resident hunting opportunities – such as seasons or bag limits – that nonresident hunters bear the brunt of those restrictions or reductions.

The existing statute (AS 16.05.256) doesn't require the Board to limit nonresident hunters after restricting resident hunting opportunity, and over the years has led to decisions that we don't believe conform to our state constitution or the intent of the legislature. This is why we support the change from "may" to "shall" in the statute, to require the Board to place the burden of any restrictions or reductions in resident hunting opportunity, for any big game species, on nonresident hunters.

One clear example of Board of Game actions that led to this legislation:

The Central Arctic Caribou herd is an identified Intensive Management (IM) prey population whose highest and best use is to provide food for Alaskans. In 2016 the herd dramatically declined from ~50,000 animals to ~22,000 animals, falling well below the IM population objective, and the Department of Fish & Game asked for reduced seasons and bag limits for all hunters. This caribou herd provides the last remaining general season caribou hunt along the road system, off the haul road in Unit 26B on the North Slope. Many Alaskans depend upon this hunt and this herd to fill their freezers and feed their families.

The Board ended up severely reducing seasons and bag limits for both residents and nonresidents, yet for inexplicable reasons allocated a projected 43 percent of the harvest of this declining herd to nonresident hunters. That projection was off on the low side and the next year (2017) nonresident hunters took the majority of the harvest of the Central Arctic Herd. In 2018 and 2019 nonresidents took nearly half the harvest.

Again, this is a wildlife population whose highest and best use is to feed Alaskans, and the severe decline of the Central Arctic Herd should have led to much more severe restrictions or elimination of nonresident hunting until the herd rebounded.

The Board's decision that ended up giving nonresident caribou hunters half of the harvest of a declining population also spiraled into the federal side. Rural north slope communities were also concerned with the decline of the Central Arctic herd and the Board's actions and used the federal subsistence board system to attempt to ban all non-local non-federally qualified hunters from hunting the herd on federal lands. The federal system doesn't allow any step-down discrimination between residents and nonresidents; if you are a resident living in Fairbanks or Anchorage or anywhere else outside the zip-code to meet the federally qualified subsistence requirements, you are considered the same as a nonresident living in the Lower 48, and so residents again lose out when these type of federal decisions are made.

On page 7 within what is known as the "Handy Dandy" – the ever-growing hunting regulation booklet – is a statement long thought by Alaskans to be how things worked. It reads: "Nonresidents are allowed to hunt when there is enough game to allow everyone to participate. When there isn't enough game, nonresident hunters are restricted or eliminated first. If more restrictions are necessary, seasons and bag limits may be reduced or eliminated for some residents."

That statement, however, is not how the Board of Game always operates and is an unfulfilled promise by the state. Which again is the intent of this legislation; to require the board to adhere to these common-sense provisions that say, if and when game populations decline and you need to restrict resident hunters, when you reduce their hunting opportunities you better make sure the brunt of any restrictions fall on the nonresident component.

In closing, this legislation is very narrow and does not in any way affect the Board's overall authority on allocation decisions. The Board will still be allowed to offer unlimited nonresident sheep hunting opportunity in areas of the interior where nonresident guided hunters take 60-80 percent of the sheep. The Board will still be allowed to allocate 40 percent of Kodiak brown bear tags to nonresident guided hunters. The Board will still be allowed to institute moose draw permit hunts where nonresident hunters receive 50 percent of the allocation. The Board will still be allowed to create new must-be-guided species outside the species listed in our must-be-guided law (AS 16.05.407/408), contrary to legislative intent.

This is a small step to finally ensure the Board does the right and proper thing when seasons or bag limits for any wildlife population need to be reduced: Limit the nonresident hunter first.

Sincerely,

Mark Richards Executive Director Resident Hunters of Alaska (907) 371-7436