

HB

158

<TARGET><BILL>HB 158</BILL><SUBJECT>HB
158</SUBJECT><COMM>HRES28</COMM></TARGET>

Linda Hay

From: Charles Guinchard
Sent: Monday, February 17, 2014 11:00 AM
To: Linda Hay; Rep. Eric Feige
Subject: FW: Economic Impacts of Guided Hunting Final
Attachments: Economic Impacts of Guided Hunting Final.pdf; ATT00002.txt

FYI-

-----Original Message-----

From: John Stacey [<mailto:thorstacey@gmail.com>]
Sent: Monday, February 17, 2014 10:11 AM
To: Charles Guinchard; Chad Hutchison; Rep. Mia Costello; Sen. John Coghill
Subject: Economic Impacts of Guided Hunting Final

All,

Here is our economic report. Please bring to resource committees and include in bill packet.

I will have nice hard bound copies for you and committee chairs when I return in Wednesday.

The Economic Impacts of
Guided Hunting
in Alaska



PREPARED FOR
**Alaska Professional
Hunters Association**



PREPARED BY
 **McDowell**
GROUP

February 2014

Economic Impacts of Guided Hunting in Alaska

Prepared for:
**Alaska Professional
Hunters Association**

Prepared by:



Juneau • Anchorage

February 2014

Table of Contents

Executive Summary	1
Introduction and Methodology	4
Introduction.....	4
Methodology	4
Profile of Alaska’s Guided Hunting Industry	6
Guided Hunting in Alaska.....	6
Types of Hunting Guides.....	6
Number of Guided Hunters.....	7
Number of Hunters by Geographic Region	8
Size of Alaska Guiding Operations.....	8
Alaska Guides’ Place of Residency.....	9
Economic Impact of Guided Hunting	11
Guide Business Revenues and Expenditures.....	11
Guiding-Related Employment, Payroll, and Spending in Alaska	12
Multiplier Effects of Alaska’s Guided Hunting Industry.....	14
License and Game Tag Sales and Revenue.....	16
License and Tag Sales and Revenue from Nonresident Hunters (Guided and Unguided).....	16
License and Tag Sales and Revenue from Nonresident Hunters (Guided Only).....	16
Tags Purchased by Guided Hunters, by Species and Geographic Region Hunted	18
Appendix A	20
Pittman-Robertson Act/Fish and Game Fund.....	20

Executive Summary

The Alaska Professional Hunters Association (APHA) contracted with McDowell Group to conduct a study of the economic impact of guided hunting in Alaska. Because guided hunting occurs in remote parts of the state, many Alaskans are not aware of the significant contributions that hunting guides and their clients make to the state's economy, especially the rural economy. Following are key findings from the study.

Guided hunting in Alaska accounted for a total of 2,210 jobs and \$35 million in total labor income in 2012, including all direct, indirect and induced impacts.

An estimated 1,620 people were directly employed in guiding activity in Alaska in 2012. While most of these jobs were seasonal, they provided \$21 million in direct wages and guide income. Those directly employed in the industry include registered guides, assistant guides, packers, pilots and boat captains, camp support, cooks, mechanics, and accountants. Multiplier effects generated another 590 jobs and \$14 million in wages in Alaska's support sector.

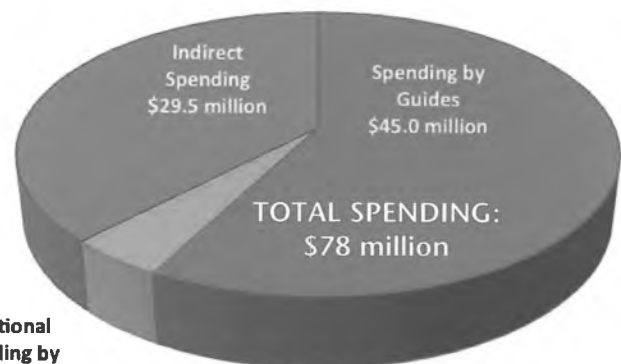
Employment Associated with Guided Hunting in Alaska, 2012



Guided hunting generated a total of \$78 million in economic activity in Alaska in 2012.

In 2012, guides contracted with 3,207 hunters, 3,055 of them nonresidents. In total, hunters spent \$51 million on guided hunts. Of the total, nonresident hunters spent an estimated \$48 million. In addition to hunting packages, non-resident hunters and their companions spent another \$3.5 million on lodging, food and beverage, clothing, souvenirs, and outdoor equipment, among other purchases while in Alaska. Dollars spent in Alaska by non-residents provides new dollars that help support the state's economy.

Spending Associated with Guided Hunting in Alaska, 2012



Additional Spending by Hunters \$3.5 million

Including \$29.5 million in direct and indirect (multiplier effects) associated with this spending, guided hunting in Alaska accounted for \$78 million in total economic activity in 2012.

Guided hunters purchased nearly \$2 million in hunting license and game tags.

Revenues from the sales of license and tags are an important source of funding for Alaska Department of Fish & Game (ADF&G) and sales are part of the funding formula used to allocate Pittman-Robertson Act funds. ADF&G's Fish and Game fund provides a source of matching funds for wildlife management-related projects. In addition to the total economic activity mentioned above, guided hunters spent **\$361,500** on hunting licenses and **\$1.6 million** on game tags in 2012.

Guided hunting operations provided \$13 million in wages and guide income and \$12 million in spending for goods and services in areas outside urban Alaska.

Nearly nine out of ten guides are Alaska residents. They live in communities throughout the state, with about half living outside urban communities. A significant portion of the assistant guides, packers, camp staff, pilots and boat captains also reside in the state, many in small communities. Guides spent **\$12 million** for goods and services and accounted for **\$13 million** in wages and income in outlying areas of the state. This **\$25 million** in economic activity is especially important in rural areas where opportunity for cash income is limited.

Guides provide significant non-monetary support to rural communities in the form of donated meat and other contributions.

In addition to the economic impact associated with jobs, payroll, and spending for goods and services, hunting guides provide a significant level of non-monetary support to residents of rural Alaska including distributing tens of thousands of pounds of game meat each year.

The table on the following page summarizes the highlights of guided hunting impacts.

Summary of Guided Hunting Economic Impacts in Alaska, 2012

	Impacts
Guided Hunting Industry Related Employment	
Direct employment	1,620 jobs
Indirect and induced employment	590 jobs
Total employment (direct, indirect, and induced)	2,210 jobs
Guided Hunting Industry Related Labor Income	
Direct labor income (payroll and guide income)	\$21 million
Indirect and induced labor income	\$14 million
Total labor income (direct, indirect, and induced)	\$35 million
Guided Hunting Industry Direct Spending for Goods and Services	
Guide spending on goods and services with Alaska-based vendors	\$24 million
Hunter and companion pre/post hunt spending	\$3.5 million
Indirect and induced spending	\$15.5 million
Total direct, indirect, and induced non-payroll spending	\$43 million
Total Guide Industry-Related Output	\$78 million
Guided Hunter License and Game Tag Spending	
License sales	\$361,500
Game tag sales	\$1.6 million
Guided Hunters	
Alaska residents	152
Nonresident US citizen	2,599
Foreign nationals	456
Total Hunters	3,207

Sources: Registered Guide Survey, ADF&G, and McDowell Group Estimates.

Introduction and Methodology

Introduction

The Alaska Professional Hunters Association hired McDowell Group to conduct a study of the economic impacts of the guided hunting industry in Alaska. The purpose of this study is to measure the economic contribution of guided hunting, including employment, payroll, and spending on goods and services (by both the hunter and the guide), as well as “multiplier effects” resulting from guide industry-related spending circulating through the Alaska economy.

Methodology

Data Sources

Two primary sources of data were used to analyze the economic impacts of guided hunting in Alaska, a detailed analysis of guided hunt records maintained by the State of Alaska, and a survey conducted with registered hunting guides.

DCCED HUNT RECORDS

The Alaska Commercial Big Game Services Board regulates the big game commercial services industry in Alaska. The Board is staffed by the Division of Corporations, Business and Professional Licensing within the State of Alaska, Department of Commerce, Community, and Economic Development (DCCED). The guided hunting industry is governed by a myriad of statutes and regulations which, among other things, require detailed reporting of hunt activities to the state.^[1]

For every guided hunter, DCCED requires a hunt record be submitted following completion of the hunt. The record includes information on the hunter’s place of residence, hunt dates, hunt location, number and types of game tags acquired, as well as the names and status of all guides associated with the hunt. While hunt record data was used, confidentiality restrictions and database management limitations prohibited detailed analysis of hunt record data.

REGISTERED GUIDE SURVEY

In consultation with the Alaska Professional Hunters Association, an online survey was designed and administered by McDowell Group. Survey content included species hunted, duration and price of hunts, number of hunters, number of employees, and business revenues and expenses (by type and location), among other questions. Each licensed guide was sent a letter in late November 2013 inviting them to participate in the survey, using their own secure unique password to access the online survey. The survey was conducted between late November 2013 and mid-January 2014.

^[1] Guide industry statutes and regulations can be found at: <http://commerce.alaska.gov/dnn/Portals/5/pub/BGCSStatutes.pdf>.

Of the 566 licensed guides who received the survey (having valid mailing addresses), 111 accessed the survey website for a response rate of 20 percent. Of the 111 respondents, 75 were a contracting guide for at least one hunt in 2012. Respondents guided 1,167 hunters, or 36 percent of all guided hunters in 2012.

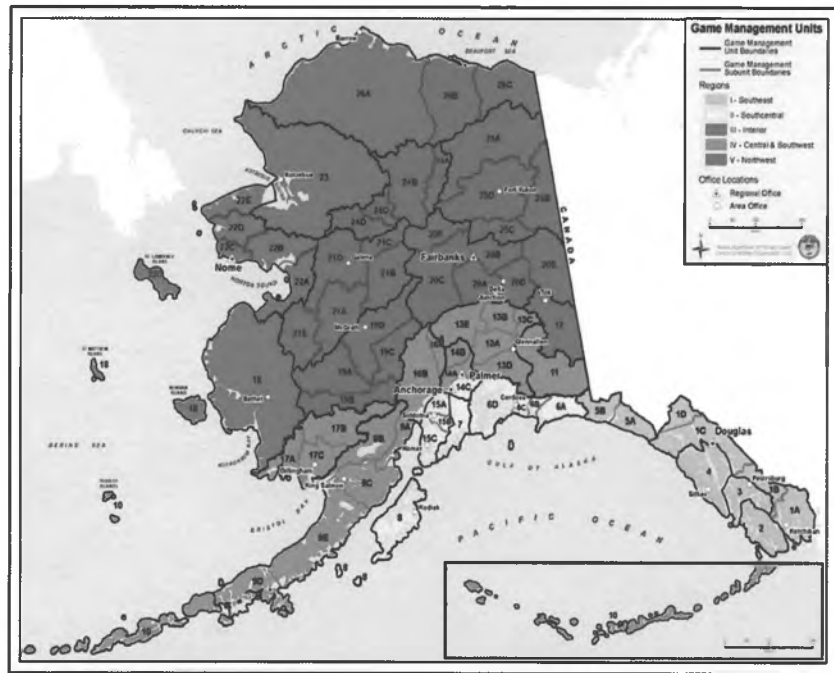
Additional Sources of Data

- Alaska Visitor Statistics Program VI (AVSP VI) data for **pre and post-hunt expenditures by nonresident hunters and companions**. Hunter spending in Alaska that occurs before or after the actual hunt, such as spending on lodging, food and beverage, clothing, souvenirs, gifts, equipment, and other items, are not part of the purchased hunting package. To estimate hunters' (and their companions') non-package spending, AVSP VI data was analyzed. AVSP is an intercept survey conducted for the State of Alaska, most recently in 2011; McDowell Group surveyed 6,700 visitors as they exited Alaska. A small sample of those visitors were hunters and their companions who had been on a guided hunting trip, and their spending in Alaska was captured in the AVSP data.
- **Alaska Department of Fish & Game (ADF&G) game tag and license sales data**. A list of all 2012 game tag sales was purchased from ADF&G. The list included hunter residency and type of tags purchased. Hunting license sales data is made publicly available annually by ADF&G.
- **Executive interviews with licensed guides**. Telephone interviews were conducted with guides to gain better insight into various aspects of guided hunting activity in Alaska.

This report includes a brief overview of guided hunting activity in Alaska, a profile of guided hunters, license and game tag sales and revenue, guide business expenses and revenue, and an economic analysis of how employment, payroll, and spending around guided hunting activities impacts Alaska's economy.

Regions

For this study, the state was split into five regions (Southcentral, Interior, Central/Southwest, Southeast and Northwest) to describe where hunting and spending took place, and where guides live. The regions are defined by Game Management Units (GMU) and Guide Use Areas (GUA), which are roughly equivalent. The accompanying map shows the GMU regional borders and can be found on the ADF&G website in the general information section of the 2012-2013 hunting regulations.¹



¹ <http://www.adfg.alaska.gov/index.cfm?adfg=wildliferegulations.hunting>

Profile of Alaska's Guided Hunting Industry

This section provides a profile of Alaska's guided hunting industry, including the number and types of guides working in Alaska, their place of residence, number of clients served, facilities and equipment used, lands on which they guide, and other information.

Guided Hunting in Alaska

Guided hunting is one of the oldest renewable resource industries in Alaska. Regulations require guides for nonresident hunting of three game species; mountain goats, Dall sheep, and brown/grizzly bear.² Many nonresident hunters choose to hire a guide for other species, especially moose, caribou, and black bear. Because of the inherent risks and logistics of hunting in remote Alaska, hunters are often willing to pay for professional assistance from someone able to provide a higher-quality hunt through extensive knowledge of the land and the target species.

Types of Hunting Guides

Alaska's professional guides consist of registered guide-outfitters (including master guides) and assistant guides, as described below.

- An "assistant guide" is required to be 18 years of age, and to either take an assistant guide training course or have a recommendation from a registered guide who intends to hire them. A class "A" assistant guide must be 21 years of age or older, been employed as a guide for at least three years in the game management unit where the endorsement is sought, and have at least 10 years of hunting experience.
- A "registered guide-outfitter" license may be obtained by a person 21 years of age or older, who has significant field experience related to hunting in Alaska, has hunted in the state for at least five years, passed an written and oral exam, has been an active licensed assistant guide for at least three years, and has positive recommendations from previous clients. They must be present and in close proximity of the hunter while in the field.
- "Master guide" status can be obtained by a registered guide after 12 years of guiding and with significant favorable recommendations from previous clients.
- A "contracting guide" is a registered or master guide who contracts with the hunter and is responsible for completing hunt records and other paperwork. Only master and registered guides can function as contracting guides. Some master and registered guides choose to work for other contracting guides. Assistant guides may not contract hunts.

Other positions such as packers and support staff are not currently licensed by the state. However, there are detailed limitations on what packers and camp support staff can and cannot do to assist guides.

² US citizens with first degree kindred may hunt these species with a relative who is a resident of the state. Foreign nationals must use a guide for these species.

Number and Type of Guides

As of August 2012, there were 575 registered guides in Alaska.³ Of these, 128 were classified as master guides. In addition, there were 930 licensed assistant guides; 130 had class "A" licenses.

	# of Guides
Registered Guides	
All registered guides	575
Contracting guides	299
Master guides	128
Assistant Guides	
All assistant guides	930
Class A assistant guides	130
Total Registered and Assistant Guides	1,505

Source: Division of Corporations, Business and Professional Licensing, DCCED, and McDowell Group estimates.

Number of Guided Hunters

Between 2007 and 2012, the number of guided hunters in Alaska ranged from 3,764 to 3,207 (resident and nonresident hunting clients). A dip in the number of hunters in 2009 and 2010 is likely the result of the recession. Preliminary estimates for 2013 show a 7 percent increase, to 3,443 guided hunters.

Year	Guided Hunters	% Annual Change
2007	3,623	
2008	3,764	4%
2009	3,337	-11
2010	3,260	-2
2011	3,301	1
2012	3,207	-3
2013*	3,443	7

Source: Hunt record data, Division of Corporations, Business and Professional Licensing, DCCED.

*Preliminary data.

In 2012, 152 guided hunters were Alaska residents, or 4.7 percent of all guided hunters. Approximately one out of five nonresidents (3,055 hunters) that bought an Alaska hunting license hired a registered guide.

³ Division of Corporations, Business and Professional Licensing, DCCED.

Non-Hunting Companions

In addition to 3,207 hunters guided in 2012, an estimated 500 non-hunting companions accompanied these hunters in the field.⁴ Many guide operations host non-hunting companions, charging a daily fee for lodging, transportation, and food expenses.

Number of Hunters by Geographic Region

In 2012, the most popular regions for guided hunting were Central/Southwest Alaska, with 1,018 guided hunters, and Interior Alaska, with 915 guided hunters. In Southeast and Southcentral Alaska, there were 505 and 471 guided hunters, respectively. The fewest number of guided hunters hunted in Northwest Alaska (298).

Number of Guided Hunters, by Geographic Region of Hunt, 2012

	# of Hunters	% of Total
Central/Southwest	1,018	32%
Interior	915	29
Southeast	505	16
Southcentral	471	15
Northwest	298	9
Total	3,207	100%

Source: Hunt record data, Division of Corporations, Business and Professional Licensing, DCCED.
Due to rounding, percentage column does not equal 100 percent.

Size of Alaska Guiding Operations

Over the last three years there have been roughly 300 guides each year that contracted hunts. Most contracting guides (about 80 percent) serve 15 or fewer hunting clients each year. In fact, many (40 percent) contracted with five or fewer clients. In 2012, 18 contracting guides guided more than 25 hunters; the largest operator guided about 50.

Contracting Guides, by Number of Clients Served, 2010-2012

# of Hunters Served	2010 # of Guides	2011 # of Guides	2012 # of Guides
1 – 5	120	107	119
6 – 10	67	77	67
11 – 15	51	51	52
16 – 20	33	26	24
21 – 25	22	26	19
26+	22	20	18
Total	315	307	299

Source: Hunt record data, Division of Corporations, Business and Professional Licensing, DCCED.

⁴ McDowell Group estimates, Registered guide survey data.

Land Use

Guides must obtain permits from the State of Alaska to guide in specific Guide Use Areas (GUA). They may apply to guide in a maximum of three GUAs. If predator hunting, guides can apply for permits for more than three GUAs. A complex matrix of land ownership/management underlies Alaska's GUA system. Land can be managed by the State, federal government (Bureau of Land Management, US Fish and Wildlife Service, US Forest Service, National Park Service), or by private landowners (including Alaska Native Corporations).

Guides pay fees to, and must have signed agreements with, relevant land managers prior to applying for a GUA permit where they wish to guide. Permits are often limited to specific species. Some land managers (through limited concessions) restrict the number of guides that may hunt in a specific area, or the overall number of hunts each year, to assure game sustainability and quality hunts.

Contracting guides reported that 46 percent of their 2012 revenues came from hunts conducted on land managed by the State of Alaska. Almost half of revenue was earned hunting on federal lands, including US Fish and Wildlife Service (22 percent), US Forest Service (11 percent), NPS (9 percent), and BLM (4 percent). Eight percent was derived from private land (including Alaska Native Corporation land).

Guide Revenue by Land Hunted, 2012

Land Manager	% of Guide Revenue
State of Alaska	46%
US Fish and Wildlife Service (USFWS)	22
US Forest Service (USFS)	11
National Park Service (NPS)	9
Private land owners (including Alaska Native Corps)	8
Bureau of Land Management (BLM)	4

Source: Registered guide survey.

Alaska Guides' Place of Residency

Among Alaska's 575 registered guides in 2012, 89 percent (510) were Alaska residents, while 11 percent (65) were nonresidents. Guides' place of residence is dispersed throughout the state with more than half (52 percent) living outside Alaska's major urban areas (areas with populations of less than 30,000). The largest concentration of guides was in Southcentral, with 43 percent (217 guides). Central/Southwest was home to 28 percent (141 guides), the Interior 14 percent (73 guides), Southeast 13 percent (64 guides), and Northwest 4 percent (15 guides).

(see table next page)

Registered Hunting Guide Place of Residence, 2012

	# of Guides
Southcentral	219 (43% of Total)
Anchorage/Chugiak/Eagle River	118
Kodiak	24
Soldotna	21
Homer	8
Kenai (7), Kasilof (6), Girdwood (4), Sutton (4), Anchor Point (3), Nikolai (3), Ninilchik (3), Cordova (2), Nikiski (2), Port Lions (2), Seward (2), Sterling (2), Valdez (2), Alexander Creek (1), Cooper Landing (1), Ft. Richardson (1), Moose Pass (1), Old Harbor (1), Seldovia (1)	
Central/Southwest	140 (28% of Total)
Palmer/Wasilla	71
Dillingham	8
Talkeetna	8
Gakona (6), King Salmon (6), Port Alsworth (6), Willow (6), Chickaloon (5), Pedro Bay (4), Iliamna (3), Cantwell (2), Chitina (2), Cooper Center (2), Ekwok (2), Trapper Creek (2), Chignik (1), Cold Bay (1), Glennallen (1), Kokhanok (1), Nondalton (1), Port Moller (1), Skwentna (1)	
Interior	72 (14% of Total)
Fairbanks/North Pole	35
Delta Junction	9
Tok (6), Healy (5), Ester (4), Aniak (2), Manley Hot Springs (2), Salcha (2), Sleetmute (2), Bettles (1), McGrath (1), Nenana (1), Tanana (1), Two Rivers (1)	
Southeast	64 (13% of Total)
Juneau/Auke Bay/Douglas	18
Sitka	13
Haines (5), Hoonah (5), Ketchikan (5), Petersburg (5), Gustavus (4), Klawock (2), Elfin Cove (1), Throne Bay (2), Yakutat (2), Wrangell (2)	
Northwest	15 (3% of Total)
Huslia (2), Mekoryuk (2), Nome (2), Bethel (1), Galena (1), Holy Cross (1), Kaltag (1), Kobuk (1), Kotzebue (1), Red Devil (1), Two Rivers (1) Unalakleet (1)	

Source: DCCED, Division of Corporations, Business & Professional Licensing.

Economic Impact of Guided Hunting

This chapter describes the economic impact of guided hunting activity in Alaska. Economic impacts are measured in terms of guide business-related revenues and expenditures, employment and income for guides and their employees, and all related multiplier effects.

Guide Business Revenues and Expenditures

Revenues

In 2012, purchases of guided hunting packages in Alaska generated an estimated \$51 million in total gross revenue, including an estimated \$1.3 million in non-hunting companion package sales. Approximately, 95 percent of the total revenue (or \$48 million), and all of the \$1.3 million in pre and post-hunt spending, was generated by nonresident hunters (U.S. and alien) and their non-hunting companions. These estimates are based primarily on the results of the registered guide survey.

Non-Payroll Expenditures in Support of Guiding Operations

Guides spend money on a wide variety of goods and services, including transportation (aircraft, boats, ATVs, other vehicles, and fuel), groceries, and a variety of outdoor equipment and gear. They also pay access fees to land managers (federal agencies and Alaska Native Corporations). The survey of registered guides indicated that non-payroll spending by contracting guides in support of guiding operations totaled about \$30 million in 2012. Approximately 81 percent (slightly more than \$24 million) of this spending was with Alaska vendors.

Where in Alaska spending occurs is largely determined by two factors; where the guide lives and where the hunting occurs. Often, the guide's hunt locations are far removed from their place of residence, and in many cases, they hunt two or three different remote locations. The net effect is that most guides have significant spending in their home community, the nearest hub community if they live in a remote rural area, and in communities near their hunt locations, most of which are in rural areas.

Southcentral had the highest level of guide spending for goods and services in 2012 at \$8.3 million. The Interior and Central/Southwest regions received roughly \$5 million in spending, while Southeast received \$3.4 million, and Northwest \$2.4 million.

Guide Spending in Alaska by Region, Guide Place of Residence by Region, and Number of Hunts by Region, 2012

Region	Guides Residing in Region	% of Hunts in Region	Guide Spending in Region
Southcentral	217	15%	\$8.3 million
Interior	73	29	\$5.4 million
Central/Southwest	141	32	\$4.9 million
Northwest	15	9	\$2.4 million
Southeast	64	16	\$3.4 million
Total	510	100%	\$24.4 million

Source: Registered guide survey and McDowell Group estimates.

Guiding-Related Employment, Payroll, and Spending in Alaska

Employment

Guiding related jobs include registered guides, assistant guides, packers, and camp/office support staff. Nine out of 10 contracting guides hired at least one person in 2012. Due to the seasonal nature of guiding, most of these jobs are seasonal.⁵

Registered and Contracting Guides: As described previously, there were 575 registered guides in 2012. Not all of those were active, however. According to the registered guide survey, 6 percent of registered guides (about 35 guides) did not guide in 2012. Therefore, it is estimated there were approximately 540 active guides that year. Just over half of the active registered guides in 2012 were contracting guides (299). Contracting guides market their businesses, communicate with clients, and sign contracts. Nearly half (46 percent) of contracting guides reported working at their business more than 8 months of the year. When not in the field, guides are engaged in logistics management, equipment and facility maintenance, marketing (such as attending trade shows), sales, and client relations.

Assistant Guides: There were 930 licensed assistant guides in 2012. The number of active assistant guides employed is unknown. Some assistant guides work for more than one contracting guide and some assistants maintain their license but no longer guide for a variety of reasons. Based on analysis of registered guide survey data and guide interviews, it is estimated that about 600 assistant guides were employed in 2012. On average, each assistant guide worked a little less than three months. Of all registered assistant guides, 54 percent are Alaska residents.

Packers: Based on the registered guide survey data and guide interviews, slightly less than half of contracting guides reported hiring packers. Total employment is estimated at about 180 packers in 2012. According to guides interviewed for this study, the vast majority of packers are Alaska residents and many are hired from small communities near the guide's hunting areas. Packers averaged slightly less than two months of employment in 2012.

Support Staff: About 60 percent of contracting guides reported hiring support staff. Total employment is estimated at about 300 support staff in 2012. Undoubtedly, some staff are employed year-round but the majority of support staff average two to four months of employment per year. An estimated three-quarters of support staff (or 225 people) are Alaska residents.

In summary, approximately 1,620 people were directly employed in Alaska's guided hunting sector in 2012.

⁵ Many guides hunt in the spring and/or the fall seasons; typically four to six weeks in the spring and six to eight weeks in the fall. Hunts catering to sea duck and deer hunters in more temperate areas of Alaska, as well as those hunting predators, tend to have extended seasons.

Alaska Hunting Guide Industry Employment, 2012

	Employment
Active master/registered guides	540
Assistant guides	600
Packers	180
Support staff	300
Total Employment	1,620

Source: Hunt record data, Division of Corporations, Business and Professional Licensing, DCCED, Registered guide survey, and McDowell Group estimates.

Wages/Income

Registered guides are either paid by a contracting guide on a per hunt basis or earn income from their own guiding business. Most of the 1,080 assistant guides, packers, and support staff are paid on a per day basis. Some administrative support staff are likely paid hourly and a small number of those working year-round may be salaried. Based on registered guide survey data, total industry payroll and business-owner net income (before taxes) is estimated to be \$21 million in 2012.

Pre and Post-Hunt Expenditures

Typically, hunters (and their companions) spend an average of about 2.5 nights per trip (pre and post-hunt combined) in addition to their time spent in the field. Expenditures related to this extra time in Alaska are usually not included in the hunting package. This additional spending may include transportation, lodging, food and beverages, clothing, souvenirs, and other goods and services.

Based on AVSP VI data, it is estimated that hunters and their companions spent an average of \$970 each for their pre and post-hunt stays, or about \$3.5 million for all nonresident guided hunting pre and post-hunt visits.

Nonresident Guided Hunters and Companion Pre and Post-Hunt Expenditures, 2012

	Count	Average Trip Expenditures	Total Spending
Hunters	3,055	\$970	\$3.0 million
Companions	500	\$970	\$0.5 million
Total	3,555		\$3.5 million

Source: Registered guide survey, AVSP VI, and McDowell Group estimates.

BED TAXES PAID

Of the \$970 spent on pre- and post-hunt stays, about one-third (\$1.2 million) of spending was on lodging. Many of Alaska's communities where nonresident hunters fly into, particularly the larger centers of Anchorage, Fairbanks, Juneau, and Kodiak, have a bed tax. Bed tax revenues are used for a wide variety of purposes, including funding destination marketing programs and local governments. These bed taxes can range from 5 percent (Kodiak) to 12 percent (Anchorage). It can reasonably be assumed that guiding hunting parties generate about \$70,000 in bed tax revenue statewide (assuming an average tax rate of 6 percent).

Multiplier Effects of Alaska's Guided Hunting Industry

The guided hunting industry's direct impact of 1,620 jobs and \$21 million in annual wages and owner's income is only part of the industry's impact on the Alaska economy. The guided hunting industry, much like the mining, tourism, and seafood industries, brings new dollars to the Alaska economy. As these new dollars circulate through the economy, additional jobs and income are created.

A full accounting of economic impacts, including direct, indirect and induced effects, includes:

- **Direct impacts:** jobs held by guides and their employees, and the income they earn.
- **Indirect impacts:** Jobs and income in businesses providing goods and services to guiding operations. This includes jobs with, for example, air taxi/charter operators, independent lodge operator, sporting goods stores, and grocery stores.
- **Induced impacts:** Jobs and income created as a result of guide operation employees spending their payroll dollars in the Alaska economy.

The economic impact estimates below are based on a widely used input/output model, IMPLAN, which provides multipliers for determining the indirect and induced impacts. IMPLAN multipliers are adjusted to account for nonresident workers in the guiding industry.

Indirect and Induced Impacts

Annual in-state spending of \$24 million in support of guiding operations, coupled with in-state spending of \$21 million in guiding industry wages and income, is estimated to account for approximately 590 jobs in Alaska's support sector. Therefore total direct, indirect, and induced employment associated with the Alaska guided hunting industry is estimate at 2,210 jobs.

Total direct, indirect, and induced income associated with the Alaska guided hunting industry is estimate at \$35 million, including \$21 million in direct wages and owners' income, and \$14 million in indirect and induced wages and income.

One additional measure of economic impact is output, or total spending activity. Including all direct, indirect, and induced wages and income, and all direct and indirect business non-payroll spending, guided hunting related economic activity in Alaska totals approximately \$78 million annually, based on 2012 data.

Total Guide Industry Employment and Income Impacts in Alaska, 2012

	Direct	Indirect & Induced	Total
Employment	1,620	590	2,210
Wages/income	\$21 million	\$14 million	\$35 million
Non-payroll spending	\$24 million	\$13 million	\$37 million
Pre and post-hunt spending	\$3.5 million	\$2.5 million	\$6 million
Total Output	\$48.5 million	\$29.5 million	\$78 million

Source: McDowell Group estimates.

Distribution of Economic Impacts Within Alaska

It is beyond the scope of this study to measure all of the regional indirect and induced economic impacts of the guiding industry in Alaska. However, it is evident from available data that the industry has an important impact in areas outside the state's primary centers of commerce.

GUIDE PLACE OF RESIDENCE

Revenues from guided hunting are distributed widely throughout the state in the form of payroll and owner's income as well as spending on goods and services. About half (52 percent) of registered guides live in areas outside Alaska's largest urban areas (Anchorage, Fairbanks, and Juneau). A significant portion of their annual expenditures take place outside the urban centers. Additionally, many of the people employed by hunting guides (regardless of where the guides live) also live in rural and smaller communities.

Hunting Guide Area of Residence, 2012

Residence	# of Guides	% of Total
Urban centers	242	47%
All other areas of Alaska	264	52
Guides Living in Alaska	510	100%

Source: Division of Corporations, Business, and Professional Licensing, DCCED.

GUIDE SPENDING

In 2012, half of all guide spending in Alaska on goods and services (an estimated \$12 million) took place in areas outside urban Alaska. At least an additional \$13 million was distributed in payroll and income to guides and their employees living in these areas. In many of these communities, especially the remote rural locations, the opportunities to earn cash income are limited.

Impacts Outside Urban Alaska, 2012

	Expenditures
Purchases of goods and services	\$12 million
Payroll and guide income	\$13 million
Total	\$25 million

Source: Registered guide survey data and McDowell Group estimates.

RURAL COMMUNITY SUPPORT

In addition to the impacts of jobs, payroll, and spending for goods and services, hunting guides provide a significant level of voluntary support to residents of rural Alaska. The most important of these is the distribution of meat donated by hunters. Because of the expense and logistics of taking meat home from Alaska, the majority of all game meat harvested in the state is donated. While the total amount of meat distributed is unknown, it could reasonably be assumed to be tens of thousands of pounds annually. Guides also often provide in-kind assistance such as monitoring remote cabins, and moving people and materials.

License and Game Tag Sales and Revenue

Following is a detailed look at revenue generated by all hunters (guided and unguided) through the purchase of hunting licenses and game tags. License and tag revenues accrue to the State's Fish and Game Fund and are used as matching funds for additional Pittman/Robertson funding. Combined, these sources of revenue fund a significant portion of ADF&G Wildlife Division research and other activities related to wildlife and habitat in Alaska. A brief discussion of these funding sources is provided in the appendix.

License and Tag Sales and Revenue from Nonresident Hunters (Guided and Unguided)

In 2012, 15,952 nonresidents (including U.S. residents living outside of Alaska and non-U.S. residents) purchased hunting licenses and 13,383 purchased game tags. This was the highest number of licenses sold to nonresidents since 2007. Tag sales in 2012 were well below the 16,218 sold in 2007, but sales were up about 10 percent from a low of 12,180 in 2009.

Total Nonresident Hunter License and Tag Sales and Revenue (in millions), 2007-2012*

	2007	2008	2009	2010	2011	2012
Tags						
Tag sales	16,218	14,857	12,180	12,829	12,970	13,383
Tag revenue	\$4.3	\$4.0	\$3.3	\$3.5	\$3.6	\$3.7
Licenses						
Hunting license sales	15,091	14,266	13,390	14,504	15,278	15,952
Hunting license revenue	\$1.2	\$1.1	\$1.0	\$1.0	\$1.0	\$1.1
Total combined revenue	\$5.5	\$5.1	\$4.3	\$4.5	\$4.6	\$4.8

Source: ADF&G.

*Includes all nonresident (guided and unguided) and foreign (alien) hunters. Also, includes combination hunting, sportfishing, and trapping licenses.

License and Tag Sales and Revenue from Nonresident Hunters (Guided Only)

In 2012, 3,207 guided hunters generated \$361,500 in hunting license revenue and \$1.6 million in game tag revenues (41 percent of all nonresident tag and license revenue). Guided hunters contribute approximately 39 percent of all ADF&G nonresident license and tag sales revenue.

(see table next page)

Guided Hunter License and Tags Sales and Revenue, 2012

Licenses	
Hunting license sales	3,207
Hunting license revenue	\$361,500
Tags	
Tag sales	4,513
Tag revenue	\$1,593,000
Total combined revenue	\$1,954,500

Source: ADF&G, Division of Corporations, Business and Professional Licensing, DCCED.

Of all 2012 nonresident guided hunters, 2,599 were nonresidents living elsewhere in the US and 456 were foreigners (referred to as "aliens"). Non-Alaska residents living in the U.S. paid a total of \$220,900 in license fees, aliens \$136,800, and Alaska residents \$3,800. Combined, nonresidents and aliens generated 99 percent of guided hunter license and tag revenue in 2012.

Guided Hunter License Revenue, by Hunter Residency, 2012

	Hunters	Revenue	% of Guided Hunters
Total Alaska resident	152	\$3,800	1%
Total nonresident (U.S.)	2,599	\$220,900	61
Total alien	456	\$136,800	38
Total Guided Hunters	3,207	\$361,500	100%

Source: Hunt record data, Division of Corporations, Business and Professional Licensing, DCCED, and McDowell Group estimates.

In 2012, nonresident guided hunters purchased an average of about 1.4 tags per hunter. About 2,300 hunters bought only one tag in 2012, while the remainder purchase 2 or more with a handful of hunters purchasing as many as six tags.

Tags Purchased by Guided Hunters, by Species and Geographic Region Hunted

The table below highlights tags purchased by guided hunters and provides a general measure of interest in each species. Some hunters plan multi-species hunts, paying higher package prices up front. Other hunters focus on a single species with “trophy fees” paid if an opportunity to harvest an incidental species arises.

In 2012, guided hunters purchased approximately 4,513 tags, including big game, wolf, and wolverine. By far, a brown/grizzly bear tag was the most popular tag purchased by guided hunters (1,598 tags in 2012). brown/grizzly bear tags represented about 35 percent of all guided hunter tags purchased and 51 percent of all guided hunter tag revenue. Other popular tags included black bear (655), moose (590), wolf (482), Dall sheep (429), and caribou (349).

Guided Hunter Tag Purchases and Revenue, By Species, 2012

	Resident			Nonresident			Alien		Total Revenue by Species	
	#Tags	\$ Per Tag	Total Tag Fees	#Tags	\$ Per Tag	Total Tag Fees	#Tags	\$ Per Tag		Total Tag Fees
Brown/G. Bear	33	\$25	\$825	1,402	\$500	\$701,000	163	\$650	\$106,000	\$807,800
Black Bear	35	\$0	\$0	571	\$225	\$128,500	49	\$300	\$14,700	\$143,200
Moose	32	\$0	\$0	495	\$400	\$198,000	63	\$500	\$31,500	\$229,500
Wolf	2	\$0	\$0	408	\$30	\$12,200	72	\$50	\$3,600	\$15,800
Dall Sheep	6	\$0	\$0	390	\$425	\$165,800	33	\$550	\$18,200	\$183,900
Caribou	35	\$0	\$0	281	\$325	\$91,300	33	\$425	\$14,000	\$105,400
Mtn Goat	6	\$0	\$0	157	\$300	\$47,100	9	\$400	\$3,600	\$50,700
Deer	5	\$0	\$0	141	\$150	\$21,200	20	\$200	\$4,000	\$25,200
Muskox	29	\$500	\$14,500	8	\$1,100	\$8,800	1	\$1,500	\$1,500	\$24,800
Wolverine	0	\$0	\$0	18	\$175	\$3,200	13	\$250	\$3,300	\$6,400
Bison	1	\$0	\$0	1	\$450	\$450	0	\$650	\$0	\$450
Elk	1	\$0	\$0	0	\$300	\$0	0	\$400	\$0	\$0
Total	185		\$15,300	3,872		\$1,377,000	456		\$200,300	\$1,593,000

Source: ADF&G and McDowell Group estimates.

Tags Purchased by Region Hunted

The most tags were purchased by hunters who hunted in Interior (1,441) and Central/Southwest (1,333) Alaska. Southeast and Southcentral Alaska hunters purchased 633 and 566 tags, respectively. The Northwest region saw the fewest number of tags purchased (383).

Guided Hunter Tags Purchased, by Geographic Region Hunted and Species, 2012*

	Northwest	Interior	South-central	Central/Southwest	Southeast	Total
Brown/G. Bear	111	304	212	728	188	1,543
Black Bear	5	138	98	153	237	631
Moose	49	328	20	173	0	570
Wolf	38	133	21	182	92	466
Dall Sheep	6	323	9	77	0	415
Caribou	134	193	4	5	0	336
Mtn. Goat	0	3	104	7	53	167
Deer	0	0	98	0	61	159
Muskox	37	0	0	0	0	37
Wolverine	3	17	0	8	1	29
Bison	0	2	0	0	0	2
Elk	0	0	0	0	1	1
Total	383	1,441	566	1,333	633	4,356

Source: Division of Corporations, Business, and Professional Licensing, DCCED, and McDowell Group estimates.

*Total count and by species counts are slightly different than in the previous table due to incomplete information in the DCCED data base.

Pittman-Robertson Act/Fish and Game Fund

The Pittman-Robertson Act was passed in 1937. Revenue generated from excise taxes on sporting goods is apportioned to state wildlife agencies for hunter education, shooting ranges, and wildlife conservation programs. Funds can be specifically used for the following:⁶

Wildlife Restoration

- Surveys and inventories of wildlife
- To acquire, manage and improve habitat
- Wildlife relocation
- To improve public access and enjoyment of wildlife

Hunter Education

- Develop hunter education programs
- Develop and manage shooting and archery ranges

Taxes are levied on the wholesale price of some sporting goods (long guns, ammunition, and archery equipment at 11 percent and handguns at 10 percent). The taxes are collected by the federal government and distributed according to a set formula. Some funds are set aside for specific programs, such as hunter education and grants for specific projects. The remaining funds are distributed to states based on population, land area and number of paid hunting license holders. There are minimum and maximum adjustments to assure that no state receives an unreasonably large portion of the annual funding. States must provide 25 percent matching (non-federal) funds for projects. Typically these matching funds come from the ADF&G's Fish and Game Fund. Fish and Game Fund revenues are received primarily from the sale of hunting licensees, big game tags, and drawing permit fees.

In 2012, 38 percent of ADF&G's Division of Wildlife expenditures were paid by Pittman Robertson Funds and 20 percent from the Fish and Game Fund.

Pittman-Robertson Fund and Fish and Game Fund Expenditures by ADF&G, \$Million, FY2007-FY2013

	2007	2008	2009	2010	2011	2012	2013
Pittman-Robertson	\$9.1	\$10.0	\$10.9	\$11.7	\$14.9	\$14.9	\$15.7
Fish and Game Fund	7.5	7.7	8.2	8.4	7.8	7.9	8.3

Source: ADF&G

⁶ For Alaska, approximately 95 percent of funding received is allocated to wildlife restoration projects.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 12, 2014

SUBJECT: Questions relating to transporters licensed under AS 08.54
(Work Order No. 28-LS1447)

TO: Representative Mia Costello
Attn: Charles Guinchard

FROM: Alpheus Bullard
Legislative Counsel

Charles Guinchard asked that I clarify how the transporter license requirement under AS 08.54 applies to air taxi operations.

AS 08.54 relates to the regulation of persons who provide services to big game hunters. Under the chapter, persons who provide transportation services to big game hunters must obtain a transporter license. AS 08.54.650. The transporter license requirement is intended to achieve several goals, including allowing the state to determine who is in the business of transporting big game hunters, collecting information on the take of big game by hunters who use transporters, and recovery of economic rent by the state for the direct commercial benefit that transporters receive from the use of big game. It is unlawful for a person to provide transportation services to big game hunters for compensation without obtaining a transporter license. AS 08.54.720(a)(12). "Transportation services" are defined for the purposes of AS 08.54 at AS 08.54.790(12):

(12) "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;¹ "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

¹ Under AS 08.54.790(7), "field means an area outside of established year-round dwellings, businesses, or other developments associated with a city, town, or village;" "field" does not include permanent hotels or roadhouses on the state road system or state or federally maintained airports[.]

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.

Accordingly, an air-taxi operator who has a transporter license may, for compensation, provide all lawful means of aerial transportation to big game hunters, their equipment, or animals harvested by hunters. Such air taxi operators (licensed as transporters) may charge hunters more than the usual tariff or charter rate for their services and may solicit big game hunters as customers of the transporter's operation.

An air taxi operator who is not licensed as a "transporter" under AS 08.54 may transport big game hunters, their equipment, or big game animals harvested by hunters on nonstop flights between certain airports. These air taxi operators, who are not licensed as transporters, may also transport big game hunters, their equipment, or big game animals harvested by hunters to or from the field if the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of the operator's business.

I hope the above is helpful. if you have further questions, please do not hesitate to contact me.

ALB:Ind
14-054.lnd

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 20, 2013

SUBJECT: Concession permit programs and information relating to transportation services provided to big game hunters (CSHB 158() (Work Order No. 28-LS0555\U))

TO: Representative Eric Feige
Attn: Linda Hay

FROM: Alpheus Bullard *LAB*
Legislative Counsel

The committee substitute accompanying this memorandum authorizes the commissioner of natural resources to implement concession programs on state land. The bill specifically authorizes the commissioner to implement both a big game guide commercial concession program and a big game transporter concession program.

Big game guide concession program

The big game guide concession program is subject to several conditions. The commissioner of fish and game is tasked with determining the number and type of concessions offered in each game management unit of the state and is required to review the effects of the program every five years once the program is implemented. The bill also limits a big game guide to three concession permits at a time. If the guide holds a comparable permit, or permits, issued by the United States Department of the Interior Bureau of Land Management, these permits are to be counted against the individual guide limit of three permits.

Big game transporter concession program

The bill also authorizes the commissioner to implement a big game transporter concession program. The statutory authorization for this concession program under 38.05.023(a) does not take effect until one year after the date that the commissioner implements a hunting guide concession program. However, sec. 38.05.023(b) is not subject to this delayed effective date and permits the commissioner to gather information relevant to a transporter concession program from other state agencies,¹ transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters. The commissioner may gather this information

¹ Under sec. 38.05.023(c), added by sec. 2 of the bill, "state agencies" include the Big Game Commercial Services Board and the Department of Fish and Game. Note that the reports filed by transporters under AS 08.54.650(c) may be made available to other state agencies by the Department of Commerce, Community, and Economic Development under AS 08.54.760(b).

Representative Eric Feige

March 20, 2013

Page 2

before the transporter concession program is implemented. Sec. 38.05.023(b) is effective on the effective date of the bill.

Collecting information

In a telephonic conversation on the afternoon of March 19, you expressed your intent that the bill require greater reporting from both big game transporters and from air taxi operators who provided transportation services to big game hunters.

Because transporters are already required to report certain information under AS 08.54.650(c) and AS 08.54.750(f), and are required upon request to provide copies of the contracts with their clients under AS 08.54.680(c) to the Department of Commerce, Community, and Economic Development (which may be shared with the Department of Natural Resources under that subsection), it was not clear to me what additional information might be required of transporters. Similarly, under the definition of "transportation services" at AS 08.54.790(12), an air taxi operator or air carrier may not provide transportation services to big game hunters unless the transportation provided is "only an incidental portion of its business." If it is your desire to amend the definition of "transportation services" at AS 08.54.790(12), please advise.²

Note that for the purposes of implementing a concession program for persons who provide transportation services to big game hunters, the commissioner of natural resources will be authorized to gather information from state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters under sec. 38.05.023(b).

If you have questions, please do not hesitate to contact me.

TLAB:ljw
13-185.ljw

Enclosure

² The definition of "transportation services" could be amended to remove the exception provided by AS 08.54.790(12)(B) for air taxi operators and air carriers. So, amended, the definition would read:

(12) "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 on nonstop flights between airports listed in the Alaska supplement to the Airmen's Guide published by the Federal Aviation Administration.

28-LS0555U
Bullard
3/20/13

CS FOR HOUSE BILL NO. 158()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES COSTELLO, Austerman, Feige, Herron, Millett

A BILL
FOR AN ACT ENTITLED

1 **"An Act authorizing the commissioner of natural resources to implement concession**
2 **programs on state land; providing for the implementation of concession programs for**
3 **big game guides and persons who provide transportation services and accommodations**
4 **to big game hunters; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 *** Section 1. AS 38.05.020(b) is amended to read:**

7 (b) The commissioner may

8 (1) establish reasonable procedures and adopt reasonable regulations
9 necessary to carry out this chapter and, whenever necessary, issue directives or orders
10 to the director to carry out specific functions and duties; regulations adopted by the
11 commissioner shall be adopted under AS 44.62 (Administrative Procedure Act);
12 orders by the commissioner classifying land, issued after January 3, 1959, are not
13 required to be adopted under AS 44.62 (Administrative Procedure Act);

14 (2) enter into agreements considered necessary to carry out the

1 purposes of this chapter, including agreements with federal and state agencies;

2 (3) review any order or action of the director;

3 (4) exercise the powers and do the acts necessary to carry out the
4 provisions and objectives of this chapter;

5 (5) notwithstanding the provisions of any other section of this chapter,
6 grant an extension of the time within which payments due on any exploration license,
7 lease, or sale of state land, minerals, or materials may be made, including payment of
8 rental and royalties, on a finding that compliance with the requirements is or was
9 prevented by reason of war, riots, or acts of God;

10 (6) classify tracts for agricultural uses;

11 (7) after consulting with the Board of Agriculture and Conservation
12 (AS 03.09.010), waive, postpone, or otherwise modify the development requirements
13 of a contract for the sale of agricultural land if

14 (A) the land is inaccessible by road; or

15 (B) transportation, marketing, and development costs render
16 the required development uneconomic;

17 (8) reconvey or relinquish land or an interest in land to the federal
18 government if

19 (A) the land is described in an amended application for an
20 allotment under 43 U.S.C. 1617; and

21 (B) the reconveyance or relinquishment is

22 (i) for the purposes provided in 43 U.S.C. 1617; and

23 (ii) in the best interests of the state;

24 (9) lead and coordinate all matters relating to the state's review and
25 authorization of resource development projects;

26 (10) exercise the powers and do the acts necessary to carry out the
27 provisions and objectives of AS 43.90 that relate to this chapter;

28 **(11) implement commercial concession programs on state land.**

29 * **Sec. 2.** AS 38.05 is amended by adding new sections to read:

30 **Sec. 38.05.022. Big game guide commercial concession program. (a)**

31 Subject to (b) of this section, the commissioner may implement a big game guide

1 concession program or otherwise limit the number of individuals authorized to
2 conduct big game commercial guiding on land in the state.

3 (b) Notwithstanding the commissioner's authority to implement a big game
4 guide concession program under (a) of this section, the commissioner of fish and game
5 shall

6 (1) determine, based on management objectives and historical data, the
7 number and type of concessions that may be provided in each game management unit
8 under a big game guide concession program implemented under this section; and

9 (2) review the effects of a big game guide concession program on the
10 state's game resources every five years, beginning January 1 of the year that a program
11 is implemented under (a) of this section.

12 (c) A big game guide may not hold more than three concession permits at a
13 time under the big game guide concession program established under this section.
14 However, if a big game guide holds a comparable concession permit or comparable
15 concession permits issued by the United States Department of the Interior, Bureau of
16 Land Management, to conduct big game commercial guiding on federal land within
17 the state, the number of concession permits available to the big game guide under this
18 section shall be reduced by the number of federal concession permits held by the big
19 game guide.

20 (d) In this section,

21 (1) "concession permit" means a permit granting a big game guide the
22 right to conduct commercial big game hunts on state land within a geographic area
23 defined by the department;

24 (2) "game management unit" has the meaning given in AS 08.54.790.

25 **Sec. 38.05.023. Big game transporter concession program.** (a) The
26 commissioner may implement a concession program or otherwise limit the number of
27 individuals who provide transportation services to big game hunters in the field.

28 (b) In implementing this section, the commissioner may gather relevant
29 information from other state agencies, transporters licensed under AS 08.54, and other
30 persons who provide transportation services to big game hunters.

31 (c) In this section, "state agency" means a department, office, agency, public

1 corporation, board, commission, authority, or other organizational unit of the
2 executive branch.

3 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 **CONDITIONAL EFFECT.** (a) AS 38.05.023(a), enacted by sec. 2 of this Act, takes
6 effect only if the commissioner of natural resources implements a big game guide commercial
7 concession program under AS 38.05.022, enacted by sec. 2 of this Act.

8 (b) The commissioner of natural resources shall notify the revisor of statutes of the
9 date of implementation of a big game guide commercial concession program under
10 AS 38.05.022, enacted by sec. 2 of this Act.

11 * **Sec. 4.** If AS 38.05.023(a), enacted by sec. 2 of this Act, takes effect under sec. 3 of this
12 Act, it takes effect one year after the date that the commissioner of natural resources
13 implements a big game guide commercial concession program under AS 38.05.022, enacted
14 by sec. 2 of this Act.

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 158

BY REPRESENTATIVE TARR

1 Page 1, line 3, following "land":

2 Insert "and requiring the commissioner to provide a report on the guide
3 concession permit program to the legislature"

4

5 Page 2, following line 29:

6 Insert a new bill section to read:

7 **** Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
8 read:**

9 **REPORT ON HUNTING GUIDE CONCESSION PERMIT PROGRAM. For each of**
10 **the first five years following the year a hunting guide commercial concession permit program**
11 **is implemented by the Department of Natural Resources, the commissioner of natural**
12 **resources shall make a report available to the legislature on the hunting guide commercial**
13 **concession permit program within 10 days after the regular session of the legislature**
14 **convenes. The report shall include the number of applications for concessions available under**
15 **the program, the number of concessions granted, the number of guided hunts that have**
16 **occurred since the implementation of the program, the number of assistant guides employed**
17 **in each concession area, the number of successful hunts since the implementation of the**
18 **program, a description of any violations of the program's regulations, and a summary of**
19 **program costs."**

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 15, 2013

SUBJECT: Duties of the Department of Fish and Game --
Effect of Amendment A.1
(HB 158; Work Order No. 28-LS0555\A.1)

TO: Representative Peggy Wilson
Attn: Chere Klein

FROM: Alpheus Bullard *TLAB*
Legislative Counsel

You requested an amendment to HB 158, a bill authorizing the commissioner of natural resources to implement a guide concession program.¹ You asked that the amendment require the Department of Fish and Game to (1) establish the number, and type, of concessions² that the Department of Natural Resources could offer in each game management unit of the state, (2) review the concession program every five years, and (3) set harvest levels for game.

The enclosed amendment requires, in any guide concession program implemented by the commissioner of natural resources, the Department of Fish and Game to establish the number and type of concessions that the Department of Natural Resources could offer in each game management unit of the state and to review any implemented concession program every five years.

The amendment does not require the Department of Fish and Game to set harvest levels, because if such a guide concession program is established, harvest levels for the state game's resources will continue to be set by the Board of Game under AS 16.05.255(a)(4).

¹ Under the Department of Natural Resources' proposed program, a "guide concession program" is an "area based allocation program under which big game hunting guides would competitively apply for and potentially be awarded specific, enumerated guide concessions within present guide use areas. These concessions would not be transferable and would be of limited duration. Each concession will be either a full or limited concession. These concessions would only be in effect on state and possibly BLM [Bureau of Land Management] managed lands." See <http://dnr.alaska.gov/mlw/gcp/documents/GCPMF-2013-Appendix-G-Definitions.pdf> (accessed on March 14, 2013).

² The Department of Natural Resources defines "concession" as "the number of permits available within a concession area." See *id.*

Representative Peggy Wilson
March 15, 2013
Page 2

If you have questions, or if I have misconstrued your intent, please do not hesitate to contact me.

TLAB:ljw
13-173.ljw

Enclosure

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 158

BY REPRESENTATIVE PEGGY WILSON

1 Page 1, line 3, following "land":

2 Insert "; requiring the commissioner of fish and game to determine the number
3 and type of concessions that may be offered under a hunting guide concession program;
4 and requiring the commissioner of fish and game to conduct periodic reviews of guide
5 concession programs implemented by the commissioner of natural resources"

6

7 Page 1, line 5, through page 2, line 29:

8 Delete all material and insert:

9 ** Section 1. AS 16.05.050(a) is amended to read:

10 (a) The commissioner has, but not by way of limitation, the following powers
11 and duties:

12 (1) through the appropriate state agency and under the provisions of
13 AS 36.30 (State Procurement Code), to acquire by gift, purchase, or lease, or other
14 lawful means, land, buildings, water, rights-of-way, or other necessary or proper real
15 or personal property when the acquisition is in the interest of furthering an objective or
16 purpose of the department and the state;

17 (2) under the provisions of AS 36.30, to design and construct
18 hatcheries, pipelines, rearing ponds, fishways, and other projects beneficial for the fish
19 and game resources of the state;

20 (3) to accept money from any person under conditions requiring the
21 use of the money for specific purposes in the furtherance of the protection,
22 rehabilitation, propagation, preservation, or investigation of the fish and game
23 resources of the state or in settlement of claims for damages to fish or game resources;

1 (4) to collect, classify, and disseminate statistics, data and information
2 that, in the commissioner's discretion, will tend to promote the purposes of this title
3 except AS 16.51 and AS 16.52;

4 (5) to take, capture, propagate, transport, buy, sell, or exchange fish or
5 game or eggs for propagating, scientific, public safety, or stocking purposes;

6 (6) under the provisions of AS 36.30, to provide public facilities where
7 necessary or proper to facilitate the taking of fish or game, and to enter into
8 cooperative agreements with any person to effect them;

9 (7) to exercise administrative, budgeting, and fiscal powers;

10 (8) under the provisions of AS 36.30, to construct, operate, supervise,
11 and maintain vessels used by the department;

12 (9) to authorize the holder of an interim-use permit under AS 16.43 to
13 engage on an experimental basis in commercial taking of a fishery resource with
14 vessel, gear, and techniques not presently qualifying for licensing under this chapter in
15 conformity with standards established by the Alaska Commercial Fisheries Entry
16 Commission;

17 (10) not later than January 31 of each year, to provide to the
18 commissioner of revenue the names of those fish and shellfish species that the
19 commissioner of fish and game designates as developing commercial fish species for
20 that calendar year; a fish or shellfish species is a developing commercial fish species
21 if, within a specified geographical region,

22 (A) the optimum yield from the harvest of the species has not
23 been reached;

24 (B) a substantial portion of the allowable harvest of the species
25 has been allocated to fishing vessels of a foreign nation; or

26 (C) a commercial harvest of the fish species has recently
27 developed;

28 (11) to initiate or conduct research necessary or advisable to carry out
29 the purposes of this title except AS 16.51 and AS 16.52;

30 (12) to enter into cooperative agreements with agencies of the federal
31 government, educational institutions, or other agencies or organizations, when in the

1 public interest, to carry out the purposes of this title except AS 16.51 and AS 16.52;

2 (13) to implement an on-board observer program authorized by the
3 Board of Fisheries under AS 16.05.251(a)(13); implementation

4 (A) must be as unintrusive to vessel operations as practicable;
5 and

6 (B) must make scheduling and scope of observers' activities as
7 predictable as practicable;

8 (14) to sell fish caught during commercial fisheries test fishing
9 operations;

10 (15) to establish and charge fees equal to the cost of services provided
11 by the department, including provision of public shooting ranges, broodstock and eggs
12 for private nonprofit hatcheries, department publications, and other direct services, and
13 reasonable fees for the use of state facilities managed by the department; fees
14 established under this paragraph for tours of hatchery facilities, commercial use of
15 sport fishing access sites, and for operation of state hatchery facilities by private
16 aquaculture associations are not subject to the cost limit under AS 37.10.050(a);

17 (16) to permit and regulate aquatic farming in the state in a manner
18 that ensures the protection of the state's fish and game resources and improves the
19 economy, health, and well-being of the citizens of the state;

20 (17) to operate state housing and facilities for employees, contractors,
21 and others in support of the department's responsibilities and to charge rent that is
22 consistent with applicable collective bargaining agreements, or, if no collective
23 bargaining agreement is applicable, competitive with market conditions; rent received
24 from tenants shall be deposited in the general fund;

25 (18) to petition the Alaska Commercial Fisheries Entry Commission,
26 unless the Board of Fisheries disapproves the petition under AS 16.05.251(g), to
27 establish a moratorium on new entrants into commercial fisheries

28 (A) that have experienced recent increases in fishing effort that
29 are beyond a low, sporadic level of effort;

30 (B) that have achieved a level of harvest that may be
31 approaching or exceeding the maximum sustainable level for the fishery; and

1 (C) for which there is insufficient biological and resource
2 management information necessary to promote the conservation and sustained
3 yield management of the fishery;

4 (19) to promote fishing, hunting, and trapping and preserve the
5 heritage of fishing, hunting, and trapping in the state;

6 (20) under AS 38.05.023, to determine the number and type of
7 concessions that may be offered in each game management unit and to review the
8 effects of a guide concession program established by the commissioner of natural
9 resources.

10 * Sec. 2. AS 38.05 is amended by adding a new section to read:

11 **Sec. 38.05.023. Hunting guide concession program.** (a) Subject to (b) of this
12 section, the commissioner may implement and administer a hunting guide concession
13 program or otherwise limit the number of individuals authorized to conduct big game
14 commercial guiding on state land.

15 (b) Notwithstanding the commissioner's authority to implement a hunting
16 guide concession program under (a) of this section, the commissioner of fish and game
17 shall

18 (1) determine, based on management objectives and historical data, the
19 number and type of concessions that may be provided in each game management unit
20 under a program implemented under this section; and

21 (2) review the effects of a hunting guide concession program on the
22 state's game resources every five years, beginning January 1 of the year that a program
23 is implemented under (a) of this section.

24 (c) In this section, "game management unit" has the meaning given in
25 AS 08.54.790."

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE JOHNSON

TO: HB 158

1 Page 1, lines 2 - 3:

2 Delete "or otherwise limit the number of individuals authorized to conduct big
3 game commercial guiding on state land"

4 Insert "and relating to that program"

5

6 Page 1, line 5, through page 2, line 29:

7 Delete all material and insert:

8 **"* Section 1.** AS 38.05 is amended by adding a new section to read:

9 **Sec. 38.05.023. Hunting guide concession program.** (a) The commissioner
10 may implement a hunting guide concession program or otherwise limit the number of
11 individuals authorized to conduct big game commercial guiding on land within the
12 state.

13 (b) If the federal government authorizes the commissioner to implement the
14 hunting guide concession program established under this section on land owned and
15 managed by the federal government, the commissioner shall include that land in the
16 hunting guide concession program established under this section.

17 (c) A hunting guide may not hold more than three concession permits at a time
18 under the hunting guide concession program established under this section.

19 (d) In this section, "concession permit" means a permit granting a hunting
20 guide the right to conduct commercial big game hunts within a geographic area with
21 boundaries defined by the department within the state."

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 18, 2013

SUBJECT: Excessive delegation of legislative authority
(Amendment 28-LS0555\A.3 to HB 158)

TO: Representative Eric Feige
Attn: Linda Hay

FROM: Alpheus Bullard 
Legislative Counsel

This memo is to advise you that this amendment to HB 158 may involve an excessive delegation of legislative authority to the commissioner of natural resources.

This amendment authorizes the commissioner to implement any type and number of commercial concession programs and provides criminal penalties for violations of the regulations that may be adopted under the concession programs. The bill provides no statutory guidelines as to who or what the commissioner may regulate through concession programs, or how the commissioner will put the programs into effect.

The constitutionality of a delegation is determined on the basis of the scope of the power delegated and the specificity of the standards to govern its exercise. "When the scope increases to immense proportions . . . the standards must be correspondingly more precise." The essential inquiry is whether the specified guidance 'sufficiently marks the field within which the administrator is to act so that it may be known whether he has kept within it in compliance with the legislative will.'

State v. Fairbanks North Star Borough, 736 P.2d 1140, 1143 (Alaska 1987) (internal quotes and citations omitted).

Accordingly, this amendment, which delegates broad authority to the commissioner of natural resources to broadly regulate an undefined field of persons and activities without explicit and detailed purposes and standards, could be interpreted as an unconstitutional excessive delegation of the legislative law-making power to the executive branch.

If you have questions, please do not hesitate to contact me.

TLAB:Ind
13-158.lnd

Enclosure

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 158

BY REPRESENTATIVE FEIGE

1 Page 1, lines 1 - 3:

2 Delete "a hunting guide concession program or otherwise limit the number of
3 individuals authorized to conduct big game commercial guiding on state land"

4 Insert "commercial concession permit programs on land in the state and relating
5 to that program"

6

7 Page 2, lines 27 - 29:

8 Delete all material and insert:

9 **"(11) implement commercial concession permit programs under**
10 **AS 38.05.021 - 38.05.024.**

11 * **Sec. 2.** AS 38.05 is amended by adding new sections to read:

12 **Sec. 38.05.021. Commercial concession permit programs.** (a) The
13 commissioner may, in consultation with other state agencies, implement commercial
14 concession permit programs on land in the state for the purposes of

15 (1) conserving the state's fish and game resources;

16 (2) preventing overuse of, and damage to, land in the state;

17 (3) reducing land use conflicts between commercial and public users;

18 (4) stewardship of the state's land and resources;

19 (5) enhancing economic development;

20 (6) improving public safety; and

21 (7) sustaining long-term commercial and noncommercial use of land in

22 the state.

23 (b) If the commissioner establishes a commercial concession permit program

1 under (a) of this section, the commissioner may

2 (1) prohibit or restrict commercial concession use of land in the state;

3 (2) limit participation in a concession program;

4 (3) charge fees for applications and concessions provided under the
5 program;

6 (4) hold concession applications and certain program records and
7 associated documents confidential unless the information is requested by

8 (A) a law enforcement agency for law enforcement purposes;

9 or

10 (B) the person who submitted the information to the
11 commissioner.

12 (c) permits for the concessions provided under the program established by this
13 section shall be issued by the director under AS 38.05.850.

14 **Sec. 38.05.022. Penalty.** A person who violates a regulation adopted under
15 AS 38.05.021 is guilty of a class A misdemeanor punishable as provided under
16 AS 12.55.

17 **Sec. 38.05.023. Enforcement authority.** (a) For the enforcement of
18 regulations adopted under AS 38.05.021, the following persons are peace officers of
19 the state and they shall enforce the regulations adopted under AS 38.05.021:

20 (1) an employee of the department authorized by the commissioner;

21 (2) a police officer in the state;

22 (3) any other person authorized by the commissioner.

23 (b) Each person designated in (a) of this section may, when enforcing the
24 provisions of this chapter or a regulation adopted under this chapter,

25 (1) execute a warrant or other process issued by an officer or court of
26 competent jurisdiction;

27 (2) administer or take an oath, affirmation, or affidavit; and

28 (3) arrest or issue a citation to a person who violates a regulation
29 adopted under this chapter.

30 **Sec. 38.05.024. Form and issuance of citation.** (a) When a peace officer
31 under AS 38.05.023 stops or contacts a person concerning the commission of a

1 misdemeanor offense under a regulation adopted under AS 38.05.021, the officer may
2 issue a citation to the person, subject to the provisions of AS 12.25.175 - 12.25.230.
3 The person receiving the citation may not be required to endorse the citation.

4 (b) The state supreme court shall identify those offenses that are amenable to
5 disposition without court appearance and shall establish by rule or order a schedule of
6 bail amounts, not to exceed fines prescribed by law, for those offenses. Before
7 establishing or amending the schedule of bail amounts required by this subsection, the
8 supreme court shall consult with the commissioner. If the offense for which the
9 citation is issued is one that may be disposed of without court appearance, the citing
10 officer shall write on the citation the amount of bail applicable to the cited offense.

11 (c) If a person cited for an offense for which a bail amount has been
12 established under (b) of this section does not contest the citation, the person may, on
13 or before the 30th day after the date of the citation, mail or personally deliver to the
14 clerk of the court having jurisdiction over the place where the offense occurred

15 (1) the amount of bail indicated on the citation for that offense; and

16 (2) a copy of the citation indicating the offender's waiver of
17 appearance, plea of no contest, and direction to forfeit the bail and any items seized
18 from the offender.

19 (d) When bail has been forfeited under this section, a judgment of conviction
20 shall be entered. Forfeiture under this section of bail and items seized from the
21 offender is a complete satisfaction for the offense, and the clerk of the court shall
22 provide the offender with a receipt stating that fact if requested.

23 (e) A person cited under this section is guilty of failure to obey a citation
24 under AS 12.25.230 if the person fails to pay the bail amount established under (b) of
25 this section or fails to appear in court as required.

26 (f) Notwithstanding other provisions of law, if a person cited for a
27 misdemeanor for which a bail amount has been established under (b) of this section
28 appears in court and is found guilty, the penalty that is imposed for the offense may
29 not exceed the bail amount for that offense established under (b) of this section."
30

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE TARR

TO: HB 158

1 Page 1, line 3, following "land":

2 Insert "and requiring the commissioner to provide a report on the guide
3 concession permit program to the legislature"

4

5 Page 2, following line 29:

6 Insert a new bill section to read:

7 **"* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to**
8 **read:**

9 **REPORT ON HUNTING GUIDE CONCESSION PERMIT PROGRAM. The**
10 **commissioner of natural resources shall make a report available to the legislature on the**
11 **hunting guide commercial concession permit program within 10 days after the regular session**
12 **of the legislature convenes in the year following the date a hunting guide commercial**
13 **concession permit program is implemented by the Department of Natural Resources. The**
14 **report shall include the number of applications for concessions available under the program,**
15 **the number of concessions granted, the number of guided hunts that have occurred since the**
16 **implementation of the program, the number of assistant guides employed in each concession**
17 **area, the number of successful hunts since the implementation of the program, a description of**
18 **any violations of the program's regulations, and a summary of program costs."**

House Resources Committee

Monday, March 11th

HB 158 DNR Hunting Concessions (Rep. Costello)

Testimony by Invitation Only

DNR – Ed Fogels, Deputy Commissioner

**DNR – Rick Thompson & Clark Cox from DMLW
(in audience available for questions)**

Fish & Game – Craig Fleener- Deputy Commissioner

Board of Game – Ted Spraker

**Big Game Commercial Services Board – Kelly Vrem – Chair
(on line)**

Paul Johnson – former Chair BGCSB (in audience)

Bill Stevenson – Master Guide (constituent)

**Alaska Professional Hunters Association – Joe Klutsch
Thor Stacey**

**Captain Burke Waldron – Alaska Wildlife Troopers (on line
available for questions)**

**Don Habeger – Director, Div of Corporations, Business and
Professional Licensing – DCCED (in audience for questions)**

Kirk Schwalm – Dept of Law (on line for questions)



Representative Mia Costello
Member, House Finance Committee

House Bill 158

Sponsor Statement

"An Act authorizing the commissioner of natural resources to implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land."

House Bill 158 provides statutory authority to the commissioner of the Department of Natural Resources to establish a guide concession area program.

A guide concession area program would allow the Department of Natural Resources to restrict the number of professional guides that can operate in particular areas. Currently, the department is not able to do this, and the result has been that certain high-demand hunting areas suffer from over-harvest, leading in turn to increased drawing hunts and fewer hunting opportunities for Alaska's resident hunters. A guide concession area program would enable the department to ensure a more suitable distribution of guide operations across state lands, and would allow the state to improve state land and game management for the benefit of Alaskans.

While the development of a guide concession area program has heretofore been carried out using fund provided in the operating budget, it has been the intent of the Legislature that implementation of any such program come under prior review by the Legislature to ensure a comprehensive evaluation. House Bill 158 ensures that this is accomplished as the bill moves through the legislative process.

SESSION:
Alaska State Capitol
Juneau, AK 99801
Tel: 907-465-4968
Fax: 907-465-2040

rep.mia.costello@akleg.gov
1-800-773-4968

Sand Lake, Jewel Lake, Dimond and Campbell Lake

INTERIM:
716 W. 4th Ave.
Anchorage, AK 99501
Tel: 907-269-0117
Fax: 907-269-0119

ALASKA STATE LEGISLATURE

Session:

State Capitol, Room 501
Juneau, AK 99801

Phone: (907) 465-4968

Toll-free: 1 (800) 773-4968

Fax: (907) 465-2040



Email: Rep.Mia.Costello@akleg.gov

Interim:

716 West Fourth Avenue
Anchorage, AK 99501

Phone: (907) 269-0117

Toll-free: 1 (800) 773-4968

Fax: (907) 269-0119

REPRESENTATIVE MIA COSTELLO
District 20 - Jewel Lake, Sand Lake, & Kincaid

MEMORANDUM

Date: March 5, 2013

To: Representative Eric Feige, Co-Chair
Representative Dan Saddler, Co-Chair
House Resources Committee

From: Representative Mia Costello

Re: Hearing Request for House Bill 158

I respectfully request that House Bill 158, entitled "An Act authorizing the commissioner of natural resources to implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land" be scheduled for a hearing in the House Resources Committee. Please feel free to contact me or my aide Josh Walton at 465-4968 with questions.

Attached you will find a background packet for HB 158. This includes the current version of the bill, a sponsor statement, a sectional analysis, and letters of support. Thank you for your consideration.

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HB 158
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB158-DNR-MLW-3-8-13
Title: DNR HUNTING CONCESSIONS
Sponsor: COSTELLO
Requester: House Resources Committee

Department: Department of Natural Resources
Appropriation: Land & Water Resources
Allocation: Mining, Land & Water
OMB Component Number: 3002

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates					
			FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES								
Personal Services		535.0	945.0	945.0	945.0	945.0	945.0	945.0
Travel		57.5	85.0	85.0	85.0	85.0	85.0	85.0
Services		75.0	337.0	337.0	337.0	337.0	337.0	337.0
Commodities		27.5	35.0	35.0	35.0	35.0	35.0	35.0
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	695.0	1,402.0	1,402.0	1,402.0	1,402.0	1,402.0	1,402.0

Fund Source (Operating Only)

1004 Gen Fund		695.0	1,402.0	1,402.0				
1005 GF/Prgm					1,402.0	1,402.0	1,402.0	
Total	0.0	695.0	1,402.0	1,402.0	1,402.0	1,402.0	1,402.0	1,402.0

Positions

Full-time		1.0	11.0	11.0	11.0	11.0	11.0	
Part-time								
Temporary		10.0						

Change in Revenues								

Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/14

Why this fiscal note differs from previous version:

Initial Version

Prepared By: Brent Goodrum, Director
Division: Mining, Land & Water
Approved By: Daniel S. Sullivan, Commissioner
Department of Natural Resources

Phone: (907)269-8625
Date: 03/08/2013 12:00 PM
Date: 03/08/13

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. HB158

Analysis

HB158 amends AS 38.05.020(b), which lists out the duties of the commissioner of the Department of Natural Resources, and specifies that the commissioner may implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land.

In the Governor's FY14 budget request, DNR requested \$450.0 for Guide Concession Area Program Implementation, \$125.0 to restore a one-time increment for Guide Concession Area Program Development, and \$120.0 in the department's base budget for a total of \$695.0. The fiscal note may need to be amended if the FY14 budget request is not included in the final operating budget as approved by the Legislature.

FY14 Cost breakdown

FY14 Personal Services:

The Division of Mining, Land, and Water anticipates a significant effort will be required for the completion of the development, regulation adoption and implementation of a hunting guide concession program. While the division anticipates using existing staff to the extent practicalable, this effort will require new staff in the division as the program is developed and fully implemented.

For FY14, the Division of Mining, Land, and Water will need:

- 1 full time Natural Resource Specialist II/III (Range 16/18) for 1 year = \$97.1
- 1 non-Perm Natural Resource Specialist II (Range 16) for 1 year = \$86.5
- 1 non-Perm Natural Resource Manager I (Range 18) for 7 months = \$49.6
- 2 non-Perm Natural Resource Specialist III (Range 18) for 7 months = \$98.0
- 2 non-Perm Natural Resource Specialist II (Range 16) for 6 months = \$75.5
- 2 non-Perm Natural Resource Specialist I (Range 14) for 6 months = \$67.1
- 2 non-Perm Natural Resource Technician II (Range 12) for 6 months = \$61.2

These positions will require support costs of: Travel = \$57.5, Services \$75.0, and Commodities \$27.5. Services include other costs associated with new positions and are budgeted in the services line for telecommunications/phones, computer services, DOA Core and Direct Service charges, etc. (\$5.5 x 9 new positions = \$49.5) as well as contractual costs of \$25.5.

FY15 and FY16 Personal Services: In addition to FY 14, DNR will need further GF funding for FY15 and FY16, specifically the Division of Mining, Land, and Water will need:

- 1 full time Natural Resource Specialist II/III (Range 16/18) per year = \$97.1
- 1 full time Natural Resource Specialist II (Range 16) per year = \$86.5
- 1 full time Natural Resource Manager I (Range 18) per year = \$100.0
- 2 full time Natural Resource Specialist III (Range 18) per year = \$194.2
- 2 full time Natural Resource Specialist II (Range 16) per year = \$173.0
- 2 full time Natural Resource Specialist I (Range 14) per year = \$154.6
- 2 full time Natural Resource Technician II (Range 12) per year = \$139.6

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. HB158

Analysis Continued

These positions will require support costs of: Travel = \$85.0, Services \$115.0, and Commodities \$35.0. Services include other costs associated with new positions and are budgeted in the services line for telecommunications/phones, computer services, DOA Core and Direct Service charges, etc. (\$5.5 x 9 new positions = \$49.5) as well as contractual costs of \$65.5.

Additionally in FY15 and FY16 DNR will have \$222.0 in contractual costs to fund, through Reimbursable Services Agreement, the functions of the following positions in the Division of Parks and Outdoor Recreation the Department of ADF&G and the Department of Law:

- 1 Natural Resource Specialist III (Range 18) for 6 months = \$48.6
- 1 Wildlife Biologist III (Range 18) for 1 year = \$97.1
- 1 Assistant Attorney General for 3 months = \$56.3
- Travel Services and Commodities = \$20.0

For FY17 and beyond, the department anticipates that the program will be self-supporting through program receipts and assumes that DNR will request a funding change to receive program receipt authority.

If for some reason DNR does not get approval to implement a hunting guide concession program during this legislative session, the fiscal note costs will need to be rolled forward one year and the personal services costs for the first year adjusted to reflect one full year for each of the positions listed rather than partial year costs.

DNR must adopt regulations prior to the implementation of a hunting guide concession program addressed in this legislation. DNR anticipates that, once initiated, the regulations adoption/filing process will take between eight and 12 months. DNR anticipates the program can be fully implemented through regulations by December 31, 2014 if the proposed legislation becoming law.



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.

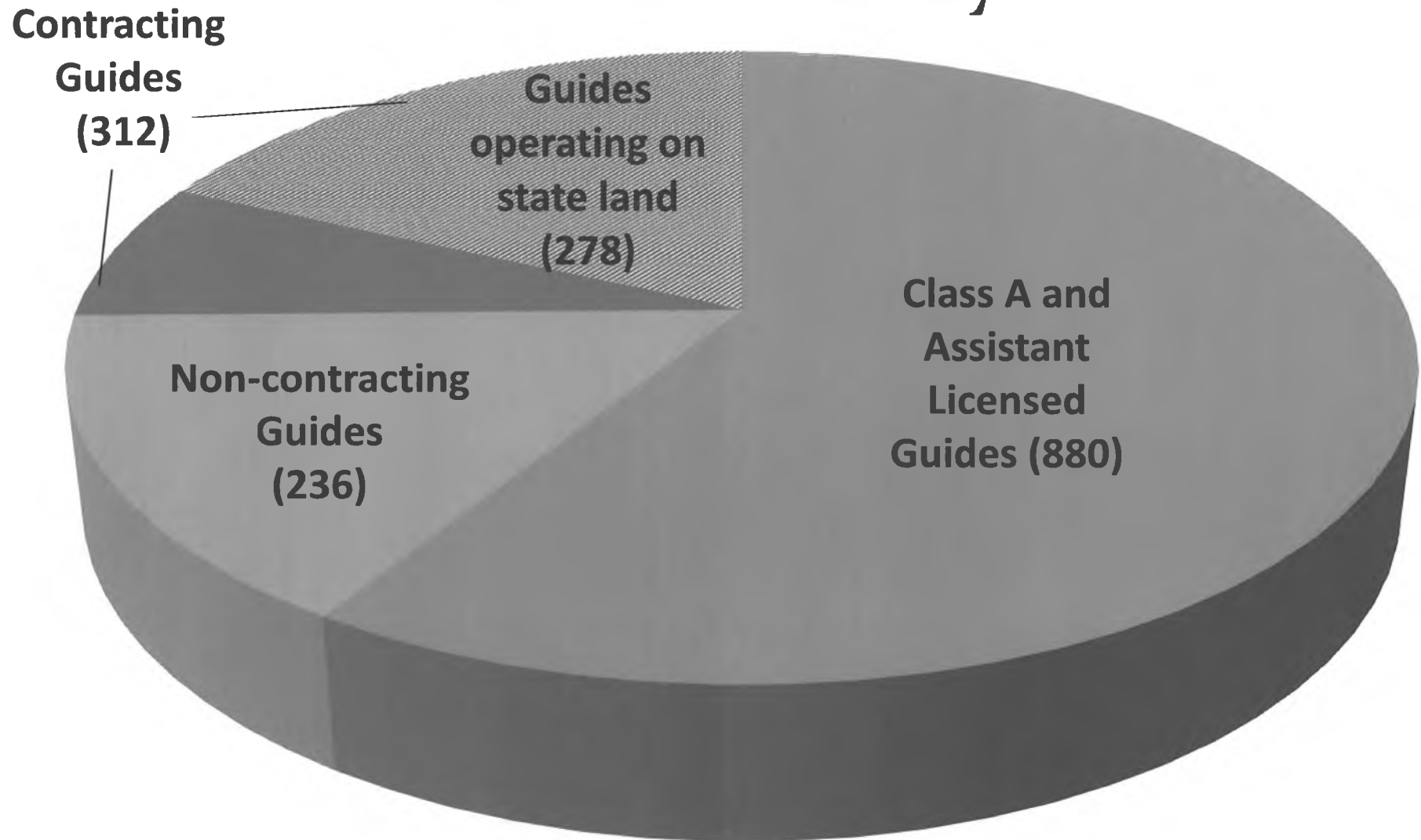
Why Implement the GCP on State Lands

- 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

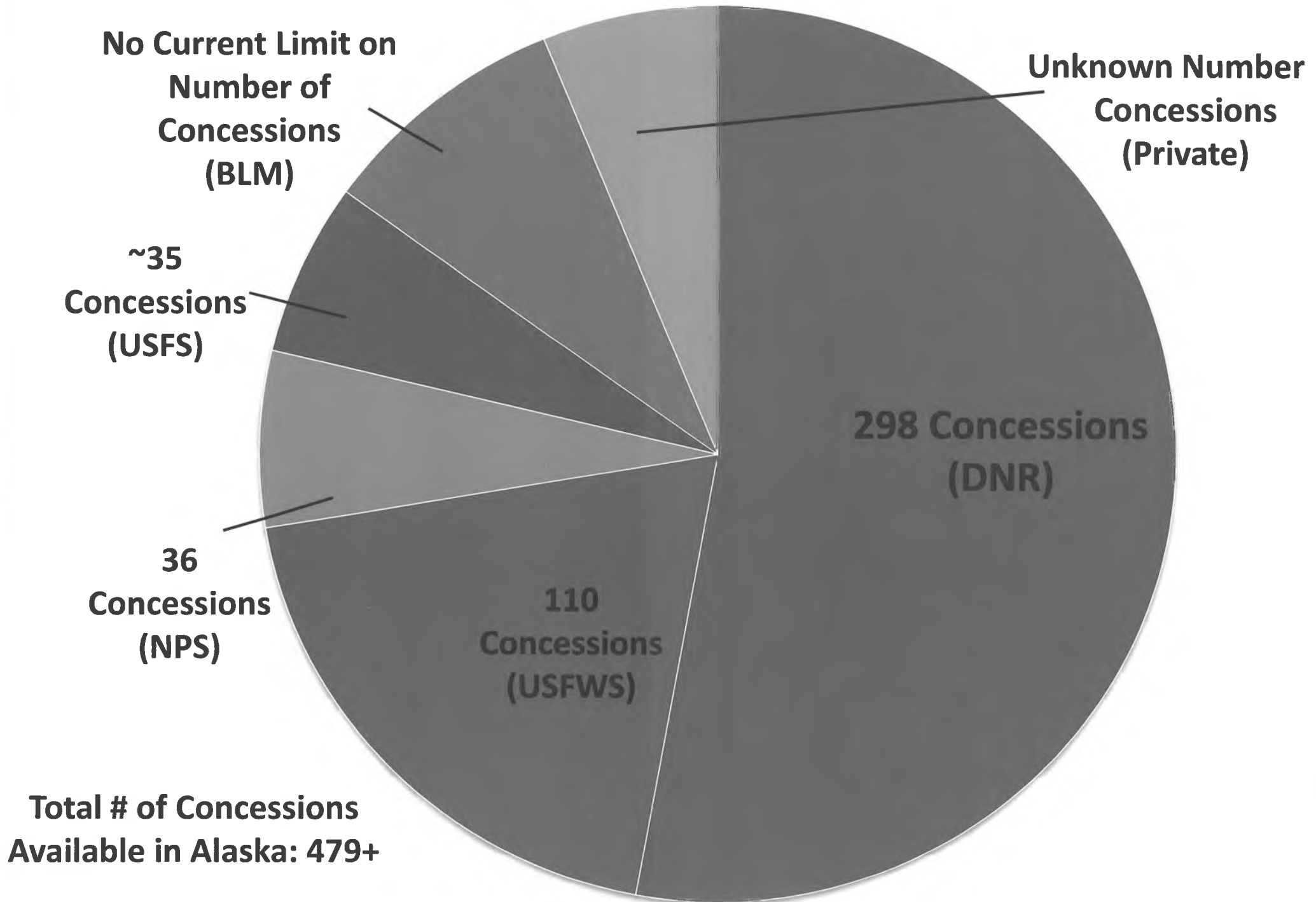
2011 Guide License by Class



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

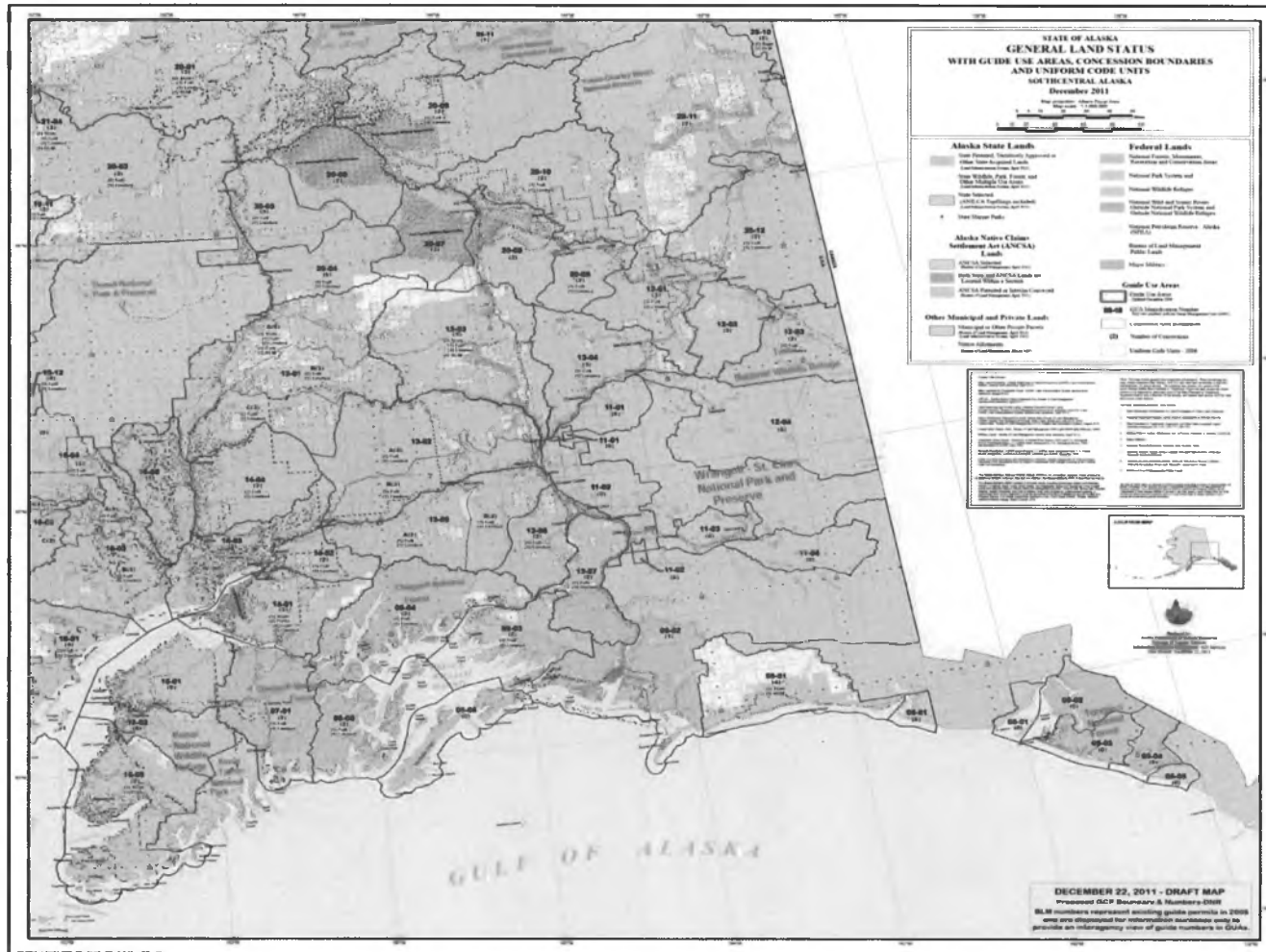
Fees

- **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

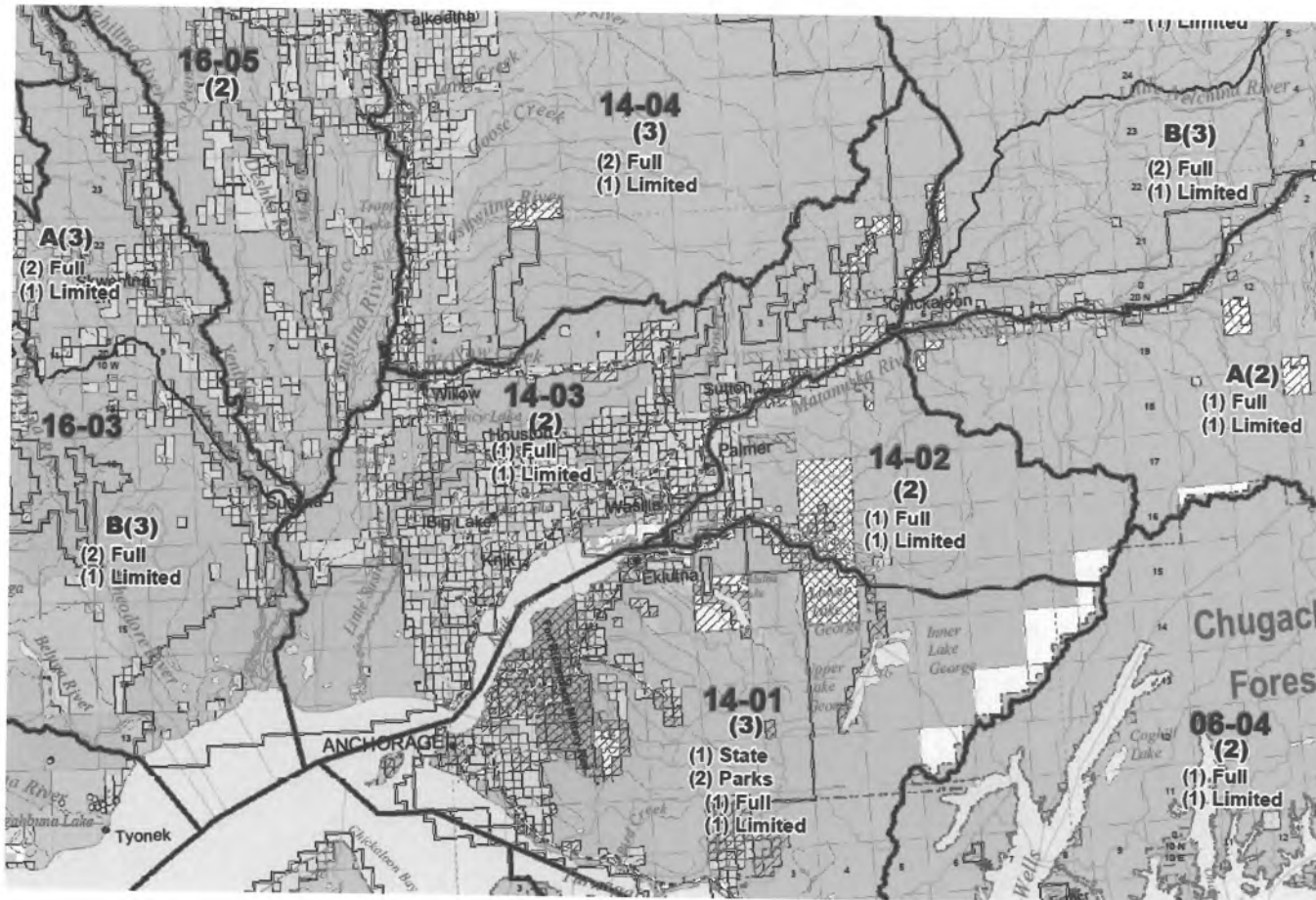
Transferability and Vacancies

- 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)

Proposed Area Map



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

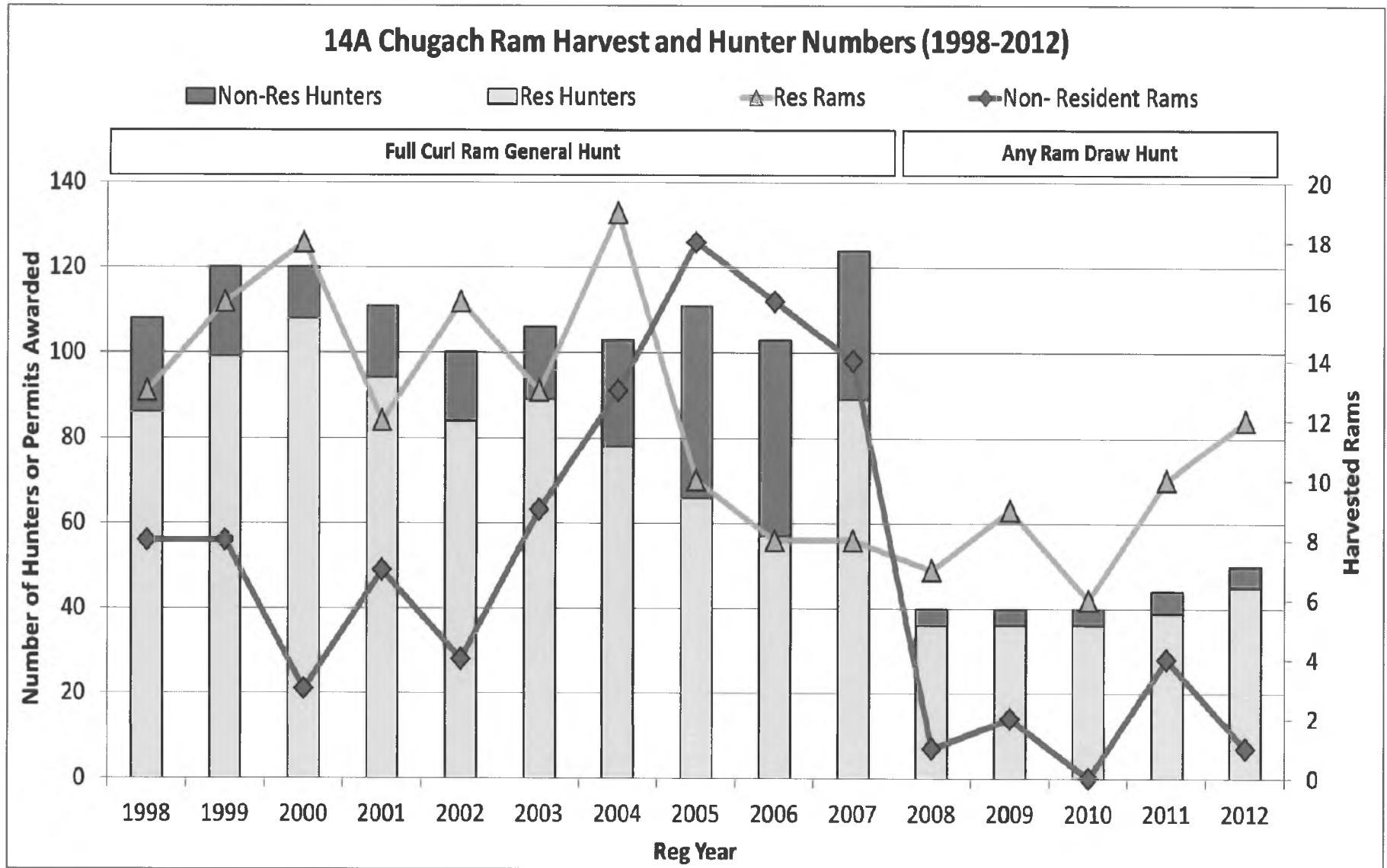
- January 23, 2013 – GCP Management Framework Document issued
- January 23-February 28, 2013 – Public comment period
- Spring 2013 – Regulations development
- Spring 2013 – GCP Development completed
- April 2013 – Legislature approves FY14 budget
- Fall 2013 – Hire staff
- January 1, 2014 – Applications 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



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/>

Linda Hay

From: Alitakrat@aol.com
Sent: Friday, March 22, 2013 7:30 AM
To: Linda Hay
Subject: HB 158

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

Please relay these sentiment to the HRC

This is GROSS

Please be reminded that hunting in Alaska is a privilege granted to all who qualify for a license and tag and we are free to hunt where we choose regardless of how many others choose to hunt there.

A big game Transporter service is just a transportation service, just like any other taxi service. A hunter tells a Transporter where to go and when to pick up and that's it.

To try to limit Transporter activities to exclusive areas and client numbers is a gross intrusion into free enterprise and free choice.

STOP IT

Rick Metzger

DBA:

Alpine Cove Cabins and Transporting

Linda Hay

From: Mike Quinn <mhq@gci.net>
Sent: Thursday, March 21, 2013 5:53 PM
To: Linda Hay
Subject: HB 158

Ms. Hay, I would like to voice my opposition to any restriction of free trade in this state. Restricting businesses that provide transportation to hunters is NOT the way to go. It is the job of the BoG to limit hunter numbers. Not the Dept. of F&G thru manipulating transporters!!

Mike Quinn
934 Vide Way
Fairbanks, Ak. 99712

Linda Hay

From: Hugh Clark <alaskadh01@gmail.com>
Sent: Thursday, March 21, 2013 5:08 PM
To: Linda Hay

Linda

WE need to really think this over... I oppose this bill as many other Alaksa hunters might.

Hugh Clark

Background: Have been following and commenting on a bill now in the legislature, HB 158, which is in House Resources now, which would give DNR authority to implement and oversee a Guide Concession Program (GCP). Our org has been opposing this GCP for various reasons that I won't go into now.

This GCP was pushed from the get-go by the Alaska Professional Hunters Assn. (APHA). And during hearings there have been quite a lot of APHA members testifying in favor of this bill, in favor for the GCP, and alluding that the problems of overcrowding and conflicts that the GCP ostensibly seeks to curb by limiting guides (and thus the # of total clients) is also very much about no limits on transporters and air taxis and the number of hunters (mostly residents btw) they fly out. **And that something should also be done to limit that group of hunters if guides were to be limited.**

I was asked by one legislative office to comment about this issue of air taxis and transporters, if it was a "significant" part of the "overcrowding" issues brought up by so many guides. I explained that, first off, not all air-taxis are "transporters." Neither are they required to be a licensed transporter just because they fly out hunters. And that many air-taxis that fly out hunters choose not to be licensed transporters, because there is no benefit, only added fees and paperwork. And that the Big Game Commercial Services Board had sought a way to force all air-taxis that fly out hunters to become transporters, under the belief that then that Board could limit all those businesses, to no avail. And even if they could have forced all air-taxis to become transporters, the Dept of Law has still concluded that it would be illegal to impose limits on fly-out access for hunters. So while, yes, surely some overcrowding can happen via no limits on the # of hunters who can be flown out, if you think about it, it is the state of Alaska that sells unlimited hunting licenses, and the Board of Game that sets seasons and bag limits, draw hunts or open hunts, CUAs, and only the BOG can legally limit hunter access, per se, via a CUA or a draw hunt scenario.

Anyway, such a big brouhaha was made over this air taxi/transporter issue by so many guides that the House Resources committee inserted committee substitute language yesterday, and here we get to the crux of this post. Here is the newly inserted amendment to

the bill:

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

I hope it is crystal clear to everyone reading this what that above language means! **Your access** could be blocked by a program that all along was supposed to be about solving the issue of unlimited guides and their unlimited clients.

Truly this boggles the mind. I urge everyone to write or call House Resources asap and oppose this bill so it doesn't pass out of committee tomorrow. Here is the contact info for House Resources committee aide, which is easiest way to get comments to the whole committee:

Linda Hay
House Resources Committee Aide
Representative Eric Feige
House Resources Co-Chair
State Capitol Room 126
907-465-3715 - Direct
907-321-1249 - Cell
linda.hay@akleg.gov

Here is the link to the bill as it now stands:

<http://www.legis.state.ak.us/basis/g...=28&docid=4198>

Mark Richards

www.alaskabackcountryhunters.org

--

Thanks
Hugh

Linda Hay

From: don duncan <apgs@gci.net>
Sent: Thursday, March 21, 2013 4:37 PM
To: Rep. Eric Feige
Cc: Rep. Paul Seaton; Rep. Chris Tuck; Rep. Peggy Wilson; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson
Subject: HB 158 comments on amendments
Categories: Linda

Dear House Resource Committee Members;

Thank you for the amendments and the opportunity to comment this Friday.

I listened to the amendments and comments and questions the committee made on Wed.

The following is advice and comments concerning the amendments and DNR's GCP.

Concerning the maximum number of Guide Use Areas: In the BGCSB Statutes Sec. 08.54.750 (b) (1) A guide may only register for 3 guide use areas. There are some very restrictive circumstances where a guide could get more than 3 but it is because F&G asks, or another adjacent GUA will go un-used or for predator control. So under the BGCSB statutes it does not matter who owns the land. Please note that if you stay with your amendment it probably would prevent a guide from using unused land or participating in predator control if those special circumstance are not listed here in this amendment. Judicial will have a problem with competing and conflicting Statutes. Further below; I will discuss the difference between a Guide Use Area and a Concession Area as it may make a big difference how you word this amendment.

Concerning the addition of transporters: Thank you for adding them to the program. That is the first step. However it will have limited effect. I have been arguing for 8+ years that transporters must be regulated and part of any concession plan if it is to be based on the concerns used to promote the need for a GCP. At the BGCSB's first meeting Dec. 2005, Board member Dick Rorher stated emphatically that "We will never regulate transporters because they will simply become air taxis." He could be right. But the fact is; the BGCSB has never attempted to establish Transporter Use Areas to begin with. And they never had the authority to restrict them to Transporter Use Areas. DNR has refused to create any kind of restrictions on transporters or air taxis. Now DNR at least admits they can and have promised to do so. Two problems here that need addressing. First; by federal law, we may not be able to restrict where air taxis go, who or how many they take, but; DNR can restrict where they land and how many they drop off on State land or water. DNR may need additional Statutory support or they may be able to simply change what is "Generally Allowed". Secondly; If Mr. Rorher is correct the legislature may need to create a Statute that requires any commercial enterprise that transports hunters to have a transporter license and be subject to the Guide and Transporter Concession Program if DNR can not regulate them as mentioned above. I am not so sure "All the big air taxi businesses are already

transporters." but we need to close that loop hole for this whole deal to work. And the wording does need to say 'DNR SHALL REGULATE'. "May Regulate" means it will never happen. That is just reality.

While it is good to hear that transporter will eventually be regulated one year after the GCP is implemented. Forgive me, but I do not believe it. The fact is; guides have lost every single battle they started with air taxis and transporters. But let us say it is true and will happen. My concern is that the current DNR GCP allows you to apply for 3 areas, or say you get an area and then F&G or DNR allows basically a lot of transported hunters to go to that area. My point is that we guides, would be bidding on an area not knowing what kind of transported competition is going to bring in the near future. That is not fair to the guides. But it is clear that all forms of hunter transportation services must be regulated as a transporter whether they are by air, marine, horse back, 4 wheeler, etc...

It was indicated that now F&G would be involved and allocations/ GUA would be evaluated and made on an area by area basis. To be effective, it must be area by area or use area by use area or concession by concession. Thank GOD! Finally! A program being based on facts, real numbers and historical use; based on something identifiable and defensible. Now read this closely: Assuming residents have priority and can be restricted little if any, then the allocations will eventually be between guides and transporters in all varieties and concerning the non-resident clients only. It was also indicated that it would take some good deal of time for F&G to finally get on board and began generating real numbers in the GCP allocation process. It only makes sense that we do this allocation business all at once. There is no reason F&G should do this twice, once for guides and once for transporters. Get the cards on the table for guides and transporters and do it once and do it right. Make the allocations between us and implement the program all at once.

Concession VS Guide Use Area: In some cases they are in fact the same. In others it is not the same. DNR's GCP is addressing State lands only but the GUA boundaries can include State Park, Native or Federal lands and they can have their own concessions. So it would be possible for one guide to have 1 guide use area, but 3+ concessions from the different landowners in that GUA. The wording between GUA and concession area makes a big difference. Just so you know. I think it would be prudent to change each Federal concession into its own Guide Use Area.

One person that testified before you and more than one of the strong GCP supporters are in exactly that same situation. They want the unrestricted guides that use State lands adjacent to their Federal exclusive concession area restricted or eliminated. They want it all. And the GCP is the only hope they have to get it all. The personal problem I have is that these areas are frequently in highly desirable and highly profitable areas of State land. And under DNR's GCP many supporting guides will get these areas for next to nothing. And that is why I say that the GCP must include some form of monetary bid to acknowledge that some areas are in fact much more valuable than others.

There are 2 important points to make at this time. Since it will take time, probably a year or more for F&G to come on board with recommendations and allocations, we should first identify these "problem" or highly contested areas first and deal with them first. And 2, if we do that, then we will also have time to construct real transporter regulations and Statutes. One way to make it fair to all guides regardless of business size and other factors is to identify some of the best sheep, goat, and brown bear areas particularly the ones that had a drawing permit put in place because they were too popular/crowded. And make one or more of those prime areas for each species open to any and all guides OR their

clients under a "premium" drawing permit system with the following rules. A guide or his client can only draw one premium permit / year/ species and the permit does not have to be in the guides chosen GUAs That is to say, the 3 guide use area rule is waived for the "premium" permit. This eliminates the all or nothing attitude and spreads the opportunity fairly. Personally, I do not want to guide sheep or goat hunters for a living, but I would like to occasionally take a preferred client. There is no chance for that under the DNR's GCP.

While these proposed amendments can make some positive changes, I still have grave concerns if HB 158 passes because it does not fix the majority of problems in DNR's GCP. I predict that near 50% of the guide businesses, especially the smaller ones, will not even attempt to file an application because it will take months to fill one out. For example. DNR wants 3 copies and everything scanned onto a disc. Finding and copying and scanning the information will take months. Forget that DNR asks for irrelevant information and information no sane guide would ever have or keep. It all sounds good until you face reality and logistics.

And the bottom line is that if HB 158 passes, I do not trust DNR to fix what is broken because they obviously think it is a good program. And they think that because they have no clue about guiding or running a guide business and they chose to not involve guides in the program development. Fact.

On that note, I would like to thank Rep. Wilson for the comment to the effect that if there are no problems, don't fix it. That is what we have been saying for years. A few local problems with vocal guides should not and does not mandate a Statewide solution. Try fixing the few problem areas first before we put guides out of business for no good reason.

Sincerely;

Smokey Don Duncan Master Guide #136 who has operated exclusively on State Lands my whole career. (Since 1990)

299 Alvin St. Fairbanks AK 99712

907-457-8318

Linda Hay

From: faeo@mtaonline.net
Sent: Thursday, March 21, 2013 12:35 PM
To: House Resources
Subject: HB 158 Public Testimony

If the goal is protect our resources (wildlife), not including all hunters (resident and non-resident) is not going to accomplish the goal with an accurate accounting. Any hunter that is taken into the field needs to be accounted for by the concession plan, including guides, air taxi operators, transporters, horses, boats, atv's etc. Potentially there will be the same number of hunters, under HB 158 there will be just less guides, unless you implement this process for everyone at the same time, not just guides.

All this concession plan is going to do is cost the State more money and does NOT address the make believe problem as written.

Can you explain how HB 158 accomplishes the goal of protecting our resource (wildlife) OR is HB 158 a waste of tax payer money, while putting several Alaskan small businesses out of business. Once again, Alaska is not open to a competitive business.

John Faeo

License 1057

907 376 0374

Linda Hay

From: Alaska Backcountry Hunters & Anglers <kandik@starband.net>
Sent: Thursday, March 21, 2013 12:00 PM
To: Linda Hay
Subject: HB 158 CS version - further comments for the Committee

Hi Linda,

Not sure if the committee is still accepting comments on the CS version, but if so would you please get this to the committee, thanks,
Mark

To: House Resources Committee
Re: HB 158 CS amendments

Dear House Resources Committee,

Alaska Backcountry Hunters & Anglers (AK BHA) continue to **oppose** HB 158.

And with all due respect, we are appalled at committee substitute language that would potentially limit resident hunter access in some areas by seeking to limit air taxis and transporters that provide the needed air transportation so many resident hunters depend upon. The Dept of Law has already weighed in to the Big Game Commercial Services Board and informed them that it is not legal for them to limit air taxis or transporters. Neither would it be legal for DNR to do so. So we are unsure as to why this amendment was added.

Beyond that, air taxis and transporters and whatever significance they may contribute to overall "overcrowding" in the field, were never associated with the problems the Guide Concession Program sought to alleviate, which mostly centered around dall sheep hunting and sheep populations. As APHA stated, unlimited guides, and thus their unlimited nonresident sheep hunter clients, were causing "biological harm" to sheep populations in some areas, which then led to restrictive drawing hunts for all, resident and nonresident. Attempting to now limit resident sheep hunters, or any other resident hunters, because of well known problems in the guide industry, by giving DNR authority to determine what constitutes "crowding," and the authority to then limit the number of air taxis and transporters who primarily fly out resident hunters, is a slap in the face to all resident hunters this legislature should be looking out for, and only serves to undermine just what thw GCP and this bill is now really all about.

We continue urge you not to vote this bill out of committee in any form.

Respectfully,
Mark Richards
AK BHA co-chair

Linda Hay

From: Dave Korpi <dkwarthog@yahoo.com>
Sent: Thursday, March 21, 2013 11:50 AM
To: Linda Hay
Subject: I OPPOSE HB 158

I am strongly opposed to HB 158. Allowing APHA and the guides to control access to this state's hunting resources by locking out residents from transportation to the backcountry is a slap in the face to all of us. It is shady and underhanded.

Thanks

**Dave Korpi
Willow, AK
99688**

Linda Hay

From: Minnie & Brad Dennison <dennison@ptialaska.net>
Sent: Thursday, March 21, 2013 10:17 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Rep. Bill Stoltze; Rep. Bob Lynn; Rep. Bryce Edgmon; Rep. Cathy Munoz; Rep. Chris Tuck; Rep. Craig Johnson; Representative Dan Saddler; Rep. David Guttenberg; Rep. Gabrielle LeDoux; Rep. Geran Tarr; Rep. Kurt Olson; Rep. Lance Pruitt; Rep. Les Gara; Rep. Lindsey Holmes; Representative Mark Neuman; Rep. Max Gruenberg; Rep. Neal Foster; Rep. Paul Seaton; Rep. Peggy Wilson; Representative Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Wes Keller; Rep. Jonathan Kreiss-Tomkins; Rep. Mike Hawker; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Bert Stedman; Sen. Peter Micciche; Sen. Click Bishop; Senator Leslie McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: Fw: House bill 158

Legislators,

Dale Adams asked me to forward this letter to you regarding HB 158.

Brad Dennison
Sitka

----- Original Message -----

From: [Dale Adams](#)
To: [Brad Dennison](#)
Sent: Tuesday, March 19, 2013 8:23 AM
Subject: House bill 158

Brad,

Do you have the names and e-mail addresses of the representatives for House Bill 158? If so, I would like to send this to them. Thanks.

To the honorable representatives working on house bill 158:

I am a master guide, license #168 from Sitka, I have a Forest Service permit to guide hunts on the Tongass national forest here in S.E, 100% of my income is from guiding. The State of Alaska needs a guide concession program on state land to get control of too many guides operating on top of one another on state land. I like to sheep hunt with my boys up north but with guides on top of each other on state land in the alaska range we feel our best option is to hunt in the federally managed Brooks Range. This makes it very expensive because of the distance needed to fly to the Brooks range.

Also, many of my bear hunting clients while on a hunt ask for a reccomendation as to a good sheep hunt in Alaska. I have to tell them to make sure they are not on State land if they want a good hunt. We can do better than this. A concession program also makes guides with a concession more responsible and more ethical as they look more towards managing the guide area versus a rape and move on scenario. At the same time it builds viable businesses.

Thank you for your attention.

Dale Adams,Sitka

Linda Hay

From: MC <mccrary907@gmail.com>
Sent: Thursday, March 21, 2013 9:58 AM
To: Rep. Eric Feige
Subject: HB158 comments for the record 3/21/13
Attachments: HR com. HB158csU.pdf

Dear Representative Feige,

I am sure you are accustomed to dealing with complicated subject matter and long letters.

The attached document represents comments for the record relative to HB158 generally and CS version U.

It would be appreciated if you are able to find the time to read my letter. It will take 15 minutes to read. I am sorry about that.

Respectfully,

Mike McCray

Mike McCrary
March 20, 2013

Re HB 158 CS version U

Dear House Resources Committee Members:

Mr. Spaker, Chairman of the Board of Game said on the first day of hearings on this Bill:

"The problem is not too many guides. The problem is too many hunters."

Mr. Spraker did not in any way express or even imply the problem is too many transporters or air taxi's providing hunters access to public lands.

So, what is the source of "too many hunters"?

The source of too many hunters is the ADF&G policy and practices of the unlimited sale of hunting licenses.

Language matters

What is an Air Carrier? What is an Air Operator? What is an air taxi? What is a transporter?

For the purposes here, differences between the conduct of Air Carriers and Air Operators is irrelevant.

"Air taxi's" and/or "transporters" words amount to slang...very informal language used to describe a commercial flight service business that in this case, hauls hunters.

Of course slang is acceptable language when used socially...but in statute and law not so much.

Most understand the governing authority related to the conduct of commercial flight services is the exclusive domain of federal law and the Department of Transportation.

The FAA does not use slang; "air taxi" or "transporter" language, in it's authorities that incorporate commercial flight standards.

Regardless of the what language used the point here is that before an air "transporter" is "licensed" through the regulations found under the Big Game Commercial Services Boards authority....the entity making the application can only qualify for the license if there is evidence that the entity is recognized and authorized by the FAA as either an Air Carrier or an Air Operator.

There are no legally recognizable "air taxi" or "air transporter" entities.

So, a "Transporter license" issued by the SOA's Department of Commerce does not, and in fact can not authorize commercial transportation of cargo or people by air.

There are no SOA "transporter" knowledge based tests or practical tests standards. For boat or air "transporters".

A Transporter license is not an "occupational" license.

A Transporter license is not a "business" license.

A Transporter license authorizes no economic activity.

A Transporter license is not transferable.

An air operator; "Certificate" holder, is not required by SOA statute or regulation or by FAA statute or regulation to hold a pilot license of any type.

There are no limits to the numbers of transporter licensees that could be issued by the SOA...except by the total number of Air Carrier and Air Operator Certificates issued by the FAA nation wide.

Basically, an entity holding an Air Carrier or Air Operator Certificate makes an application to Occupational Licensing, pays a fee and gets a meaningless license. Meaningless to the operator, the SOA, the FAA and the public.

If for some reason Occupational Licensing revoked or suspended a "Transporter License" there is no state authority to prevent the holder of an FAA Certificate from continuing to carry hunters for hire.

So it's probably important to understand when considering any version of HB158 that not only is a "Transporter License" meaningless it is not required to transport hunters and their game.

And in most cases an Air Carrier "Certificate" or Air Operator "Certificate" is transferable and without approval by the FAA.

So, why do some Air Carriers' or Air Operators' voluntarily sign up for a "Transporter License" and other Air Carriers or Air Operators decline to 'sign up' for a "Transporter License"?

The license cost's the Air Operator a few hundred dollars annually. And, the license obligates the entity; transporter, to fill out BGCSB forms with what amounts to redundant information [the SOA gets the same if not more and better information directly from all hunters harvest report cards] that the "transporter" is required to keep for (4) four years.

The facts are there is no value in in air operator Transporter licenses. There is no public value and there is no economic value to a "Transporter License". Operating an 'air taxi' is all as much about mitigating risk and limiting liabilities as economic interest could be. And, there is just about enough regulation for an air taxi to comply with. So, that is primary reason some Air Carriers and Air Operators decline to volunteer to sign up for a Transporter License.

I'm guessing now, but it seems probable most Air Carriers and Air Operators who subject themselves to the Transporter Licensing have been led to believe law requires them to have the "license". I know many Troopers believed at one time that it was required an operator have the license if transporting hunters and/or big game.

So...all things considered, it is not much of a surprise legislators are confused and easily misled when it comes to all that is swirls around DNR's proposed program.

Like me, there are many people hoping this committee will take the time necessary to understand just how twisted DNR's and the Alaska Professional Hunters 'fix' is before even thinking about moving this Bill out of the committee.

Anyway, the back story.

The "transporter licensing" scheme does not go back far in Alaska history and it is appropriate to mention it was not until just a few years ago that boat based operators got drug into the mix. And, as has been pointed out before the committee that outfits that use horses, wheelers, dog teams etc to transport hunters and big game are not regulated. Why?

"Transporter Licensing" was the brain child of the guide board

The guides board believed transporter licensing of air operators would to be in their best interest. A tool that might enable 'guides' to limit the numbers of resident hunters going into the field by commercial air service providers putting limits on what an air operator could do by intimidating operators through ambiguous legislation through authority of the guide board was not a concept that came into being for any good reason. Like wildlife conservation.

Another short sighted benefit of inventing a Transporter License; sold by guides to previous legislatures, was that the licensing of "transporters" would be a means to defray the cost of increasing guide "licensing fees" which was...and is....necessary to pay the direct operating cost of the guide's governing board. *(The current guide licensing board is predicted by Legislative Audit to be to be in debt to the State \$800,000.00 by 2014.)*

There are a number of good reasons why 'transporter licensing' has not worked out for guides to limit competition and increase their licensing board revenues.

Likely the most relevant and fundamental reason transporter licensing has not worked out; and will never work to limit competition for guides, is because of the annual....unlimited sale of hunting licenses by ADFG.

There are two reasons 'transporter licensing' has not worked out to increase revenues.

One reason is there will never be enough Air Operators to absorb; through licensing fees, the guide boards continued and annual deficit spending.

The main reason is the guide board went in the hole 100's of thousand's of dollars in the last 5 years is from requiring the Department of Commerce to input all the redundant data collected annually in the field on guide "hunt records" and "transporter forms" into a database. The guide boards database is so unreliable that is entirely useless for enforcement purposes or for any type of legitimate data mining that might have been helpful for conservation and management purposes.

- *It is notable that just this week the Lt Governor signed into law the repeal of the requirement guide "hunt records" and "transporter records" be submitted to the Department of Commerce for the purpose uploading the data on these forms into an electronic data base. In other words, hunt records and transporter records...after spending hundreds of thousands of dollars including legislative and administrative time and effort that goes along with revising the special interest regulations and guide statutes....has been abandoned.*

Yet, the guide board continues to deny it's obligation to increase it's occupational licensing fees and continues its chronic behavior of tweaking regulations and statutes with the intention of continuing the un-limiting of the commercial hunt guide industry.

Air carriers are not concerned; economically speaking, with "why" a person needs access to public lands.

In other words, it is irrelevant to an Air Operator whether the person requesting commercial air service is wanting access to hunt, float a river, base camp, hike, mountain climb, build a cabin, photograph nature etc.

The economic interest of an Air Operator; in this matter, is unlimited public access and transportation. Not the activity of the person requesting transportation.

Nothing related to HB158 can change the law of the land

Every single time the ADFG sells a hunting license any downstream economic opportunity that comes from the sale of that license exists; as it should, equally for a guide as it does for an Air Operator. In this case, that equal footing is the essence of the common use clause.

Owsichek vs State made it very clear. Guides; for that matter Air Operators, are not entitled to any special, exclusive privilege or grant of public resources. Not land. Not wildlife.

Unfortunate as it might be for commercial hunting guides, the sale of hunting licenses to residents out numbers the sale of hunting licenses to non resident seeking the commercial services of a guide. It has always been that way. It will always be that way.

And especially in times of resource shortages, resident hunters are entitled a priority to the available public resources. This includes wildlife and unlimited access.

An Air Operators right to advertise it's transportation services is a right and is protected by commercial free speech.

What a commercial air carrier charges for service and where a commercial air carrier chooses to provide it's services is protected by laws of commerce. Air carriers were de-regulated about 1972

The continued practice and policy of the ADFG of selling hunting licenses in an unlimited fashion does not provide the foundation and constitute a rational basis to implement a scheme that limits guides and/or Air Operator's from providing commercial services to individuals ADFG sold hunting license to.

The continued practice and policy of the ADFG of selling hunting licenses in an unlimited fashion likewise can not serve to justify any back door limits on the numbers of hunters in the field and reduce competition between guided hunters and non guided hunters through the establishment of exclusive use areas and; more likely than not, an such imposed limits would be judged as an arbitrary and capricious act.

HB158 CS version U essentially is beyond the pale. I realize it's because the committee has not yet concluded how twisted things are that are put before them with regard to DNR's proposed 'plan'. None the less, version U puts on the table a scheme to limit air carriers ability to provide commercial flight services to non guided hunters (essentially residents) that rely exclusively on commercial air carriers yet imposes no limits on licensed hunters who use 'private' aircraft to access the same public land. Why?

Most resident hunters don't have their own airplanes and rely on commercial air service to provide them the access to public lands. Is the fact that most hunters do not have their own airplane a justifiable reason to discriminate against them?

Is a hunting license sold to a resident with an airplane somehow legally different than one sold to a resident with an airplane?

Can any citizen's right to access public lands to "hunt"; when ADFG continues the practice and policy to sell licenses in an unlimited manner, somehow be limited because

Linda Hay

From: Roger & Karen Morris <kirdmo@gci.net>
Sent: Thursday, March 21, 2013 2:16 PM
To: Rep. Mia Costello; Rep. Craig Johnson; Rep. Mike Hawker; Rep. Kurt Olson; Rep. Bob Lynn; Rep. Eric Feige; Rep. Les Gara; Sen. Lesil McGuire; Sen. Fred Dyson
Subject: Pass HB 158

Dear Sirs,

I am writing to you for your support of HB 158. My name is Roger D. Morris. I am a retired Master Guide. I had a guide area before they were declared unconstitutional in 1988. I had areas on Federal lands and State lands. The federal agency's have since all made managements plans that control and limit guide use. The State did not. I watched the game populations on Federal lands increase for use by residents and non-residents. I watched the game populations on State lands decrease as the number of guides increased to numbers which affected the quality of hunts for residents and non-residents alike. In one of the areas that I guided in on State land it went from 3 guides to 40 guides. This must be stopped.

For my protection as a resident hunter you must support and pass HB 158. Thank you.

Sincerely,

Roger D. Morris
Anchorage, AK
Retired Master Guide

Linda Hay

From: Stephen Stidham <stid2677@aol.com>
Sent: Thursday, March 21, 2013 2:05 PM
To: Linda Hay
Subject: HB 158

Miss Hay,,

I oppose this section of HB 158. Limits on resident hunter access is not acceptable.

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

Stephen Stidham
North Pole Ak

Linda Hay

From: DAVE SENG <dseng@gci.net>
Sent: Thursday, March 21, 2013 12:26 PM
To: Linda Hay
Subject: HB 158

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

If hunters, guides, or transporters need to be limited, they should be limited via the BOG by limiting the numbers of tags or limiting access.

This is crazy - my access as an Alaskan citizen & hunter could be blocked by a program that all along was supposed to be about solving the issue of unlimited guides and their unlimited clients.

Dave Seng

Juneau, Alaska

Linda Hay

From: Eric Lee <alaskaadventureservices@gmail.com>
Sent: Thursday, March 21, 2013 12:53 PM
To: Linda Hay
Subject: HB158

I believe hb158 is a classic case of unnecessary and unfair government intervention.

If there is overcrowding of hunters in areas then there are already means to limit that. The BOG could either limit the number of big game tags or limit access to that area.

If guides overcrowd an area then that would naturally correct itself via the free market. Hunters would not continue to do business with a guide who didn't provide a "quality experience". Why is it the government's business whether or not a consumer has a "quality experience" anyway?

The only thing hb158 does is allow those guides who have been around for a long time to keep competing guides out of thier market. The goverment interviening on behalf of a very select few is unfair and illegal.

Please don't let hb158 out of commitee.

Eric Lee
Houston, AK

Linda Hay

From: Lance Raymore <lraymore@gmail.com>
Sent: Thursday, March 21, 2013 12:13 PM
To: Linda Hay
Subject: HB 158 questions and comments

Ms. Hay,

I read this section of HP 158 today.

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

This appears to say that there will be a limit imposed on transporters of big game hunters. As a resident big game hunter that occasionally uses an air service to access remote parts of Alaska I feel this would violate my rights under the state constitution.

Isn't HB 158 supposed to address the unlimited number of big game guides and unlimited number of guided hunters? Why am I, as an unguided resident big game hunter being targeted with this legislation?

If the State of Alaska wants to limit my access to game animals, then why do it through the transportation system? The Board of Game can develop many different ways to limit my access by designating areas as drawing permit only or controlled use areas that restrict motorized access.

The state provides unlimited over the counter harvest tickets, but wants to limit transporters to take hunters to those areas that have unlimited harvest tickets available. That makes no sense whats so ever.

Does "other persons" mean my buddy with his Super Cub? We go flying together and hunt remotely once in every few years. Does he as a private pilot have to apply for a concession license for us to go hunting in his plane? What about me and my river boat with a few friends going moose hunting? What happens when I loan my neighbor my canoe for his moose or caribou hunt? We are all "other persons" so this law would apply to us.

Lance Raymore

Linda Hay

From: Martin Rinke <MRinke@sib.com>
Sent: Thursday, March 21, 2013 12:03 PM
To: Linda Hay
Cc: Sen. Click Bishop
Subject: HB 158

I am opposed to HB 158 as it is being proposed. The commissioner should not have the power to grant concessions to transporters or limit the number of individuals that can provide transportation services. This amendment to HB 158 has nothing to do with the GCP.

- (a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.
- (b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

Thank you

Marty Rinke

Linda Hay

From: John Rydeen <westby13@gmail.com>
Sent: Monday, March 18, 2013 7:53 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rrepresentative.Alan.Austerman@akleg.gov; Rep. Bob Herron; Rep. Charisse Millett; Rep.Dan.Sadler@akleg.gov; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rp.Peggy.Wilson@akleg.gov; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Wes Keller; Rep. Neal Foster; Rp.Gabrielle.LeDoux@akleg.gov; Rep.BobLynn@akleg.gov; Rp.Lance.Pruitt@akleg.gov; Rp.Max.Gruenberg@akleg.gov; Rep. Bill Stoltze

Members of the Legislature,

My name is John Rydeen. I live at: 1945 N Belmont Ave Palmer, Ak 99645. This letter is in response to HB158. As a young registered guide (#1269), this legislation would help outfitters like myself get a start. I have guided in Alaska for 13 years. I guide full time in Alaska which is not the whole year. However, guiding makes up about 70% of my income for the year.

Having a guide concession area on state land would bennefit the whole guiding industry as well as the game. It would give opportunity to young guides and outfitters like myself, and prolong the outfitting industry in this state.

Thank you,

John Rydeen

Linda Hay

From: don duncan <apgs@gci.net>
Sent: Monday, March 18, 2013 11:44 PM
To: Rep. Eric Feige
Cc: Rep. Paul Seaton; Rep. Chris Tuck; Rep. Peggy Wilson; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson
Subject: DNR Guide Concession testimony 3.18.13

Dear Legislators;

I was listening to Roger Skogen, Bobby Larson and Nick Johnson testify before you Wednesday afternoon. I thought you should know the rest of the story.

Roger said one outfitter killed 25 moose one year and cleaned out the area and left. Not true. 3 guides, myself, Aaron Kulis and Bob Wener killed about 25 moose one year. Our camps where we killed the moose the local residents never get to. Mine was a fly in camp and Bob and Aaron's camps are very far up river where the locals running prop boats do not get to. Bob did leave soon there after because there were fewer moose and Aaron went bankrupt when a spring flood destroyed his new boats and motors. The fewer moose was not from our hunting but wolf predation. When the caribou crashed and left an over abundance of wolves they had nothing left in the area but moose to prey upon which they did. The wolves wiped out the moose in all the headwaters and upper tributaries over the years of 2003-2004. F&G and the BOG refused to address concerns of over abundance of wolves for 10 years, concerns voiced by the villagers and guides. I was able to squeak by because my camp is the lowest on the river and closest to the village which is 34 miles down river. My camp site is where most prop boats have to turn around if they can make it that far. The denser brush, wider valleys and some home grown wolf control in the winter by a few of the villagers saved the moose from my camp and down river.

Nick said the guides were on the Nushagak and Nuyukuk. Of course we are. What he did not say was that from the upper end of private Village and Corporation lands, there is at least 200 river miles down river through 3 villages and to Dillingham. The moose population is far better, in fact abundant, throughout the private lands area. My camp is nine air miles up river from the nearest block of private land. Nick also said that the brown bear season opens the same day, August 20, that the local resident moose season opens. This is true. And frustrating for both of us to some degree, particularly on the Nuyukuk River which typically only has one channel. We are drifting or sitting and waiting for a bear to step out and grab a fish and they are running up and down the river trying to catch a moose standing on the bank. I do not feel that we are scaring the moose away since we camp near where we hunt. It is common practice for many villagers to shoot at bears on site regardless of season or location. My hunters moose season opens Sept. 5, some 15 days later. We have donated moose meat to both Bobby and Roger.

I am sure some of the villagers would like to see all guides out of the area. But the fact is that guides/guided hunters are responsible for 80% of the reported brown bears harvested in this area. And considering that most of the guides in this area are not operating anywhere near where the locals hunt, the supposition that there is crowding or conflicts to any great degree is unfounded. Since 2005, there has been an average of 25 non-resident moose hunters along the river corridors even though the registration hunt allows 75 permits. And most of those 25 permits are used where 95% of the locals do not go. But Nick and Roger have up river cabins they hunt from.

i would like to also make one correction to a previous letter. I said that APHA voted 5-4 to continue to support the GCP. That was the sentiment before APHA whipped their Board of Directors into shape before the "Official" and unanimous vote.

If you have begun to wonder why so many guides who operate on Federal lands, usually exclusive areas, are so strongly in favor of the GCP on State lands, it is because the Guide Use Area is not exclusively Federal lands in some, maybe many cases. They want it all. For next to nothing.

While the DNR GCP application looks simple and reasonable, it is neither. Those guides do not win the Federal areas with out help. And they have a law firm out of Washington DC that they hire to challenge the scoring if their members are not selected. And the law firm seldom looses the appeal. Lawyers and professional prospectus writers are being and will be hired. Is that what we want?

Please do not pass HB 158. I fear we will all be hiring lawyers and get nowhere. Save us all the trouble. The DNR's GCP is not fixable and not reasonable.

Sincerely;

Smokey Don Duncan Master Guide #136 who actually operates exclusively on State lands.

299 Alvin St.

Fairbanks AK 99712

907-457-8318

apgs@aci.net

Linda Hay

From: Richard Guthrie <n8484q@hotmail.com>
Sent: Monday, March 18, 2013 8:45 PM
To: Rep. Eric Feige
Subject: HB 158

Dear Representative Feige,

I am writing today to ask for your support for House Bill #158, which would authorize the Alaska DNR to implement a Guide Concession Program on State Land.

I am a long time Alaskan who has been involved in Guiding since the mid 1970's and have held a Registered Guide's License since 1978 (Currently Master Guide #94). I have conducted guided hunts in Alaska for 35 years and prior to the Owsichek Decision held 3 Guide Use Areas under the old State Guide Area system. I currently utilize 3 Guide Areas where I conduct hunts on Federal and Private land as well as State land.

Currently, the situation on State Land could only be viewed as chaotic. Particularly, in locations where hunting for Moose, Sheep and Bears is productive the areas are virtually overrun with guides. The problems created by this situation are not just limited to the guides and their Non-Resident clients but Residents suffer as well. In fact, the ramifications for Residents may be far worse than what the Guides and their Non-Resident clients face.

A system for allocation of Guide Use Areas on State Land is long overdue. Truthfully, some type of system which would have satisfied the guidelines of the Owsichek Decision should have been instituted as soon as possible after that decision. However, that did not happen and today we have reached a point where to do nothing is no longer an acceptable option. Frankly, to allow the chaotic situation, with regard to guiding on State Land, to continue would be a dereliction of the duties of those in State Government who are charged with the oversight of Alaska's Lands and Wildlife.

I list below some of the detrimental results from unregulated access to State Land for the purpose of Guiding:

1. Ever increasing pressure on Alaska's Wildlife resources.
2. Increasing numbers of Alaska Game Board Regulations which will shorten seasons and impose Drawing Permit requirements in additional areas where pressure is to great. This is already happening and the downside is as great or greater for Residents than it is for Non-Residents.

3. Conflicts between all user groups, not just Non-Residents but Residents as well, will continue to increase.

4. Alaska's reputation as a "World Class" hunting destination will be further tarnished. Alaska's reputation has already suffered in this regard!

5. The ability to sustain a viable guiding business on State Land will eventually become impossible. Every year more individuals obtain Guide Licenses. With access to Federal and Private land strictly controlled, it is inevitable that State Land will become even more saturated than it is now.

I hope you will consider the long term ramifications of unlimited access for guiding on State land and realize that it is unsustainable and detrimental to all user groups. Residents, Non-Residents, Sport Hunters, Subsistence Hunters and even Non-Consumptive users all suffer under the current unregulated situation.

Quite frankly, I feel that anyone in the Guiding business who opposes a system of well regulated access to State Land certainly can not have the well-being Alaska's Wildlife resources in mind.

Thank you for your consideration of my comments and concerns.

Sincerely,

Richard Guthrie, Master Guide #94

Linda Hay

From: Keegan McCarthy <akpointer@hotmail.com>
Sent: Monday, March 18, 2013 4:19 PM
To: thorstacey@gmail.com
Subject: HB 158- Please Read

To Whom it May Concern,

My name is Keegan McCarthy, I am a registered hunting guide, license number 1061, based out of my home town of Juneau, Alaska. I was raised in Juneau, and am proud to be operating as a hunting guide in SE Alaska for nearly 12 years. My wife, our newborn son and I rely solely on my guide income, and we offer hunting opportunities for up to 30 non-resident hunters each year for black bear, brown bear, deer and mountain goat. I have worked very hard to create and maintain this business, which was my lifelong dream.

In 1999 I was working as an assistant guide for a Master Guide outside of Lake Iliamna, AK. As I sat with my client, glassing the Mulchatna Flats looking for caribou, I counted 7 tents within 2 miles of where we were hunting. My client looked over at me "wow, real Alaska wilderness experience". I felt my heart sink, this was not the Alaska I wanted to share. This is the not Alaska where I grew up. The son of an ADFG Wildlife Biologist, I had spent my entire life exploring remote Alaska, knowing from a young age I wanted to be a hunting guide and share the wild places our great state is known for. I did not want to explain to my client that he had just flown thousands of miles and spent a great deal of money to compete with other guides on state land for his chance at a caribou. In those days we tried as hard as we could to create the illusion of being alone in the wilderness, with no regulation on how many guides could operate on state land, there were times we had planes nearly land on our tent. I was disgusted, no matter where I went to work there was competition for hunting areas. After a few years working in western Alaska, I hung up my hat, thoroughly dissuaded with the Alaska dream of being a guide. Luckily, the next season I felt the itch, and was offered a job with an outfitter close to home in SE Alaska, hunting on federal land, regulated by use permits and controlling the number of hunters and guides. While no system is perfect, at least now we knew what area was who's, and were able to develop a close working relationship with the small number of other operators in the area. We rarely overlapped and could finally offer the experience our clients pay for and deserve.

I started my own business in 2004, and through a hard work and diligence I was able to obtain my own federal land use permits, some through allocation and some I purchased from retiring outfitters/guides. If I had not had the opportunity for such controlled use on federal land and had to guide only on State land, I would not have started my business, as I do not feel I could offer my clients the experience they deserve. Having systems in place to control the use on any land is VITAL to our industry and way of life. When not guiding, I have worked as a commercial fisherman, and without the limited entry system there would be very little controls and less stability in the fishing industry. Through implementation of the Limited Entry System the State of Alaska stabilized the fishing industry, creating many opportunities for young fisherman and a future for the industry. I honestly believe that by passing HB 158 we will help to create stability that the guide industry in Alaska is greatly lacking, insuring that there is

opportunity for other young or new guides well into the future. These are the two most important reasons to implement a Guide Area System on State land- future sustainability of the industry and the experience for the hunter/land user, not just the non resident hunter making use of a guide, but the resident hunter or land user who will see and understand that the guides work under constraints and are dedicated to conservation.

Thank you for your time and consideration, I hope you will all work to insure the future of Alaska's wild places and the sustainability of our way of life. I can only hope that someday I can pass this lifestyle on to my new son.

Keegan McCarthy

9803 Nine Mile Creek Rd

Juneau, AK 99801

(907) 723-3006

Registered Guide #1061

Linda Hay

From: Jeff Chadd <sheephunter@majesticmountainoutfitters.com>
Sent: Monday, March 18, 2013 3:14 PM
To: Rep. Eric Feige
Subject: RE: Yes to HB158

I strongly support HB158 because it gives the go-ahead for a guide area system on state land. I was just getting into to guiding in 1988 when the guide area system was thrown out. I can see that the resource has suffered from that decision. We are now looking at more areas that are permit-only and more “hobby guides” taking resources anywhere and everywhere. I think that if something isn’t done to allow guides areas so that guides can farm the resource and care for their areas without interference, the states resources are on a slippery slope. This isn’t even taking into consideration the amount of revenue brought into the state via our clients.

Sincerely,

Jeff Chadd

Master Guide #125

29 years of guiding in Alaska

We take about 20 clients a year.

We make 100% of our living from guiding and have for 25 years.

Linda Hay

From: Zernia, Ed <EZernia@SouthcentralFoundation.com>
Sent: Monday, March 18, 2013 11:10 AM
To: Rep. Eric Feige
Subject: HB 158 testimony

Dear Representative Eric Feige,

Please include this record in testimony to House Bill 158

I am disappointed that the State of Alaska could potentially pass a Bill so flawed that we already know it will have to be fixed after it is passed at a greater expense. That is irresponsible. The pro HB158 supporters are dominated by veterans in the guiding industry that are motivated to not have any competition. There are methods that could be used in a different concession plan to limit the number of guides on state land but they have been shot down by 'professional guide organization' members/lobbyist who prefer a monopoly in their select guide use areas. The current plan will almost eliminate any new recruits from entering this industry as a "contracting" guide unless they are independently wealthy and are guiding only as a hobby.

I am against HB 158

Thank You for this opportunity to Testify.

Sincerely,

Ed Zernia Registered Guide #969

Phone (907)360-1267

PO Box 242011

Anchorage, AK 99524-2011

Linda Hay

From: Tracy Vrem <tracy@bluemountainlodge.com>
Sent: Monday, March 18, 2013 10:55 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Subject: HB 158

Dear Rep. Feige and members of the House resources committee;

My name is Tracy Vrem I live in Eagle River and I'm a lifelong resident of Alaska. I've been in the guiding industry since 1978. I hold master guide license number 96 and am a member of APHA. This is my full time occupation. I have a Lodge on the Alaska Peninsula and 90% of my family's income is derived from guided hunting and fishing clients.

I am in full support of HB 158. The guiding industry depends on a harvestable surplus of Alaska's wildlife. If there is not a surplus of big-game animals the non-resident hunter will be the 1st user to be eliminated. Without the nonresident hunter the big game guiding industry will be nonexistent.

I am not aware of any state resources that are not managed by some sort of concession/lease program; i.e., oil and gas, fish, mining, timber and agriculture.

Big game guiding in the state of Alaska is an earned privilege not a right. I believe for the long-term sustainability of the guiding industry there has to be some sort of guide area concession. I don't believe just because you have a registered or master guide license that the State of Alaska must provide you with a place to conduct your business.

An open entry program with no limitations to the amount of users impacting a resource can only be managed by reaction from the Board of Game i.e. drawing permit, shortening a season or eliminating a season all together. For the hobby guide this is no big deal, for the guide that has his whole livelihood tied up in a guide area, it is financially devastating.

The Alaska State Constitution has a common use clause for the fish and game, for Alaska residents. I'm not aware of the State of Alaska's Constitution having a common use clause for non-resident hunters?

Please support HB 158

Sincerely,

Tracy Vrem

Tracy Vrem
Alaska Master Guide #96
tracy@bluemountainlodge.com www.bluemountainlodge.com
907-360-0541

Linda Hay

From: Gary Gray <alsekriverguideservice@yahoo.com>
Sent: Monday, March 18, 2013 2:42 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler; Rep. Wes Keller; rep.bill.stoltz@akleg.gov; Sen. Cathy Giessel
Subject: Support of HB158 Guide Area System for State of Alaska Land

Dear Legislator,

My name is Gary Gray and I live in Yakutat, Alaska (P.O.Box 304.) I am a registered guide, license number 592, and have been guiding for 31 years. I take about 16 hunters each year, primarily for brown bear but also for black/glacier bear, moose, goat and wolf. My guiding business accounts for essentially 100% of the annual income for my family.

I strongly support HB158, the proposal to create a guide area system on State of Alaska land. I believe that a system like this would be improve the guiding business as well as protect the wildlife resources of Alaska.

Clients coming to Alaska are often on a "once in a lifetime" trip and should be able to expect a quality wilderness experience. You can't assure your clients of a good experience if you don't know from one year to the next if you will be competing for the wildlife resource with one other guide or ten other guides in the same area.

Thank you,
Gary Gray
907-784-3451

Linda Hay

From: Zachariah Decker <z.decker@me.com>
Sent: Monday, March 18, 2013 2:15 PM
To: Rep. Eric Feige
Subject: HB 158

I SUPORT HB158 AND THE DNR GUIDE CONCESSTION PROGRAM

Zachariah Decker

1. Alaska Registered Guide #1263
2. 10 + years of guiding experience in Alaska
3. 35-45 Non resident clients guided each year.
4. 100% of my income comes from guiding.

Plus \$300,000 to \$400,000 is add to local community through, local income, Local air charters, and supplies, State licenses, tags, and USFS permit fees to name a few elements,

5. No other state in America has a Guide industry like Alaska,

Hunting Draw system kill Guiding Industry,

6. Guide concession program would help reduce crowding by limiting number of guides to a area and a allocation of number of clients they can hunt. Witch will allow resident opportunity.

Thanks for your time

Zach Decker

Zach and Alisha Decker
Glacier Guides Inc.
Glacier Bay, Alaska
907-321-2180
www.glacierguidesinc.com

Linda Hay

From: Thor Stacey <thorstacey@gmail.com>
Sent: Monday, March 18, 2013 9:20 AM
To: Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; Rep. Chris.Tuck@akleg.gov; Rep. Dan Saddler; Rep. Eric Feige
Cc: Rep. Charisse Millett; Rep. Mia Costello; Rep. Alan Austerman; Rep. Bob Herron; Sen. Click Bishop; Sen. Cathy Giessel; Sen. Hollis French; Sen. Peter Micciche; Sen. Anna Fairclough; Sen. Fred Dyson; Sen. Lesil McGuire; Sen. Charlie Huggins
Subject: HB 158 Public Testimony

Dear Resource Committee,

I'm writing to summarize the public testimony, thus far, on HB158 from the Alaska Professional Hunters perspective and make suggestions amenable to my group. This is a simple outline format. I can go into greater detail if I'm requested to do so.

Resident Hunters

- A vast majority of the HB158 supporters (approx. 85%) were concerned about resident hunter opportunity
- HB 158 Supporters clearly described the benefits of limiting guides to resident hunters
- Those **opposed** to HB158 offered zero input as to how the status-quo benefits resident hunters

Transporters

- Both those opposed and those in support of HB158 mentioned transporters as part of the problem of crowding
- Both those opposed and in support of HB158 approached this issue from the standpoint of guiding and transporters being competition
- Transporters **are** identified in the original problem statement brought forward by DNR

Demographics

- Support and opposition has been almost exclusively guides
- Long term operators and master guides were heavily in support of HB158
- A low percentage of the **opposition** to HB 158 could demonstrate a track record of success on State Land, instead focusing on their dreams and the alleged potential of their businesses as justification
- There was a strong support from **young guides** for a GCP

The APHA would like to make the following suggestion regarding transporters:

Direct the DNR to begin developing a management strategy, that will include public comment, similar to the process the GCP has gone through. With 7 years of development (the work done on the GCP should speed this process considerably), the GCP is an extremely well vetted and legitimate option for our state. **If we take the necessary step of addressing transporters with hb158, the APHA will only support this effort if it does not unduly burden resident hunters or restrict their access. The APHA has first hand experience with this process and it has taken 7 years of input and effort to support the GCP.** We believe that a viable plan can be achieved only if a robust public comment occurs. We support the effort to create a transporter management strategy, entirely, and look forward to helping adapt a workable program!

Please call or email me with any questions regarding the APHA's positions on HB158.

Regards,

Thor Stacey

--

Thor Stacey
907 723 1494

Linda Hay

From: Cole Kramer <kodiakhunter19@hotmail.com>
Sent: Monday, March 18, 2013 7:43 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Sen. Gary Stevens; Cole Kramer
Subject: House Bill 158

Rep. Costello, Feige, Austerman, Herron, and Millett,

Thank you for sponsoring House Bill 158. I strongly support this bill and the development of a Guide Concession Program.

My name is Cole Kramer and I am 29 years old. My Registered Guide License number is #1249. I am also a Professional Member of APHA.

As a young hunting guide, I am seriously concerned about my future and the future of guiding. Without a Concession Program to regulate the numbers of guides on state lands, I fear that continued overcrowding will force the Board of Game to continue to reduce nonresident opportunity which will in turn prevent me from operating a viable business on state lands.

Some guides have complained that this program will discriminate against younger guides getting into the business, however it is my opinion that without this program, there won't be a business left worth getting into on state lands. I have been an APHA member for almost ten years now, showing up to meetings at age 19. I have been the "young" guy at the meetings for years. I have always been in support of APHA opinions if it will be bettering our industry.

Thank you for your time & again for supporting this bill.

Sincerely,

Cole Kramer

Kramer's Kodiak Guide Service

#1249

Po box 1249

Kodiak AK 99615

Sent from my iPhone

Linda Hay

From: Scott Newman <seaguide@gci.net>
Sent: Saturday, March 16, 2013 9:45 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler; scrabb_jt5146qaj@members.ebay.com; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; "Rep..Chris.Tuck"@akleg.gov; Rep. Wes Keller; Rep. Neal Foster; Rep. Gabrielle LeDoux; Rep. Bob Lynn; Rep. Charisse Millett; Rep. Lance Pruitt; Rep. Alan Austerman; Rep. Mark Neuman; "Rep. Bryce Edgmon"@akleg.gov; "Rep. Lindsey Holmes"@akleg.gov; "Rep. Mike Hawker"@akleg.gov; Rep. Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Les Gara; Rep. David Guttenberg; "CHAIR: Senator.Cathy.Giessel"@akleg.gov; Sen. Fred Dyson; Sen. Peter Micciche; "Senator.Click.Bishop"@akleg.gov; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French; Rep. Bill Stoltze
Subject: DNR guide concession program
Categories: Linda

Dear Sirs,

I am a lifelong year-round resident of Petersburg. I have been guiding hunters for over 25 years. I take approximately 24 hunters per year and make 100% of my income from guiding. This income supports my family which in turn helps support this community in a much needed way. Even though I conduct my guiding operation on federal land, and I am permitted to do so, I fully support the DNR Guide Concession Program.

The one element that is responsible for successful guide operations on federal land is that guide permits are regulated, through numbers of permits and allocations. The guiding industry in Alaska has been in turmoil since October of 1989 when the Owsich decision was decided and allowed unregulated growth in the guiding industry. This has resulted in resource overharvest situations and significant conflict 'in the field' on state lands. This cannot be overstated. Anybody and everybody who qualifies to be a registered guide in Alaska can instantly conduct guiding on state lands to the detriment of the resource and the reputation of the industry.

Passage of HB 158 will regulate the guiding industry on state lands and help to restore wildlife populations on state lands. Alaska is literally giving away her wildlife to the detriment of the people who live here year round and support our communities. The success of the permitting on federal lands and the model of the guide concessions in Canadian provinces should be proof that HB 158 will be successful.

Please pass HB 158. The people and the wildlife of Alaska depend upon it.

Respectfully submitted,

Scott Newman-Master Guide 157
Alaska Bear Guides LLC
PO Box 1348
206 Fram St.
Petersburg, Alaska 99833
www.alaskabearguide.com
907-723-1053

Linda Hay

From: Gus Lamoureux <info@alaskafishandhunt.com>
Sent: Sunday, March 17, 2013 3:45 PM
To: Rep. Mia Costello
Subject: HB 158

Importance: High

Representative Mia Costello,

My name is Gus Lamoureux, I was born in Anchorage AK and I maintain a residential address at 3230 West 79th Anchorage. I have been involved in the guide industry for about forty years. My master guide license number is #M480. Guiding is a very large percentage of my income and we accommodate at least 26 clients per season. We used to take more clients but the dwindling Caribou population in Western Alaska which eventually went to a Tier II hunt also dwindled our client list.

I am writing in support of HB158. I think it is past time the State of Alaska initiates a guide program for State land. I know it will alleviate pressure from all the entities wanting to partake on State land hunts. I know it will bring back healthy game populations in some areas that are today over hunted. I know it will make the last frontier a more desirable destination for a non resident hunter. I guide exclusively on Federal Land and while in some cases the Fed's are not the greatest land holders at least your clients are guaranteed a little exclusivity without crowding. Almost all the clients I book ask what the land status is prior to booking a hunt. I could ramble on and on about the pro's of have a Federal area but the bottom line is that the State of Alaska needs to do something similar if we are to succeed in the big game hunting business. A business that brings a considerable amount of money into State coffers.

I encourage you to try to make this bill work and I would like to thank Mia Costello who is my Sand Lake representative for having the fore sight to sponsor this bill. Thank you for your time.

Sincerely,
Gus Lamoureux

ULKBC, Inc
Ugashik Lake and Kodiak Bear Camps
P.O. Box 90444
Anc., AK 99509-0444
www.alaskafishandhunt.com <<http://www.alaskafishandhunt.com/>>
info@alaskafishandhunt.com
907-248-3230 p
907-245-7338 f
907-240-6821 m-Gus
907-240-8070 m-Koreen

Linda Hay

From: Frank Bishop <frankabishopawa@yahoo.com>
Sent: Saturday, March 16, 2013 10:41 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; Rep..Chris.Tuck@akleg.gov; Rep. Neal Foster; Rep. Bob Lynn; Rep. Charisse Millett; Rep. Mark Neuman; Rep. Mia Costello; Rep. Steve Thompson; Rep. Tammie Wilson; Sen. Cathy Giessel; Rep. Les Gara; Sen. Fred Dyson; Rep. David Guttenberg; Sen. Lesil McGuire; Rep. Bryce Edgmon; Rep. Lindsey Holmes; Rep. Mike Hawker; Rep. Scott Kawasaki; Rep. Lance Pruitt; Rep. Bill Stoltze
Subject: HB 158

Honorable Alaskan Legislators,

My name is Frank A. Bishop . My guide license number is Master guide #191

My adress is PO Box 2491 Kodiak , 99615

I have guided on kodiak , and on the mainland for the past thirty years.

I do six to eight hunts each year. Guiding makes up to fifty percent or more of our income

I am asking you to vote in favor of HB158 because if we don"t we are going to see the continuing abuse of one of alaska"s most valuable resource our wildlife!

Thank You

Frank A. Bishop

Linda Hay

From: akg@gci.net on behalf of Scott McLeod <akrg@gci.net>
Sent: Saturday, March 16, 2013 5:41 PM
To: Rep. Eric Feige
Subject: Hb158
Attachments: My name is Scott McLeod.docx

My name is Scott McLeod . I live in Sitka Alaska. My guide # is 188.I have over 20 year guiding. Approximately 90 % of my family's income comes from guiding. I support HB158 it gives a go ahead for a guide system on state land. The overcrowding issue on the states land is a concern not only to guides but the resident hunter. It is apparent from conversation with public & guides that their experience in the field has diminished. And to solve some this problem would be to pass HB158 easing the pressures on resident hunter and better experience for guides & residents . Sincerely Scott McLeod

Linda Hay

From: Dave Morris <alaskahuntguide@yahoo.com>
Sent: Sunday, March 17, 2013 9:41 AM
To: Rep. Eric Feige
Subject: Support of HB 158

Dear Representative Feige

I am writing today to express my **support of HB 158**, relating to the establishment of hunting guide concessions on Alaska public lands managed by the Department of Natural Resources, and perhaps subsequently those managed by the Bureau of Land Management as well.

I have been actively guiding here in Alaska for 30 years and currently hold Master Guide license #133. My guiding business has been my sole means of financial support for at least half of that tenure. I typically run an average of 10-12 hunters per season on a full time basis.

During my extensive career I have seen some drastic changes occur on State and BLM lands, none for the better, and all leading up to the current "mess" we are dealing with now. The sheer number of guides that have saturated most of the available and relatively unrestricted public land is shocking, and has destroyed many of the important aspects of the Alaska hunting experience that clients seek, as well as had a detrimental effect on the animals we pursue. Conflicts and diminished experiences are a common occurrence between competing camps and the number of trophy quality animals available for harvest has plummeted in many areas.

I have the added perspective of having also been operating on National Wildlife Refuge lands for the past 10 years. Those hunts are conducted under exclusive guide use permits, and I can attest that the difference in quality of experience and trophy class animals is significantly superior to that which occurs on any of the State and BLM land with which I am familiar.

Frankly, it is with much personal apprehension that I must voice my support of this more exclusive system proposed by DNR, not because of the concept, but due to knowing full well that I may not even prevail in obtaining a permit for myself, and could lose everything I have worked so hard for these past 30 years, since I cannot make a viable income from my Refuge permits alone, and I very much depend on those State camps to extend my season and target species characteristics unavailable on Refuge land. However, I know that I must look past these selfish concerns and stand behind what I know is best for the Guiding Industry as a whole...and even more importantly, what is best for the resource that we all depend on.

You will likely hear a great deal of negativity and witness significant resistance to this program from some of the guides out there, but please bear in mind that a high percentage of this guide element is the very reason that we have a problem today. Many of them lack any sort of ethics and readily disrespect established operators, creating conflict and a diminished experience for all. Naturally, a good many of them realize they have little chance of securing a permit due to past behavior or reputation, and would obviously prefer to leave things just as they are.

The problem is, leaving things as they are is what we have been doing for a good number of years and it is simply not working. By and large the most long standing, knowledgeable and respected names in this industry are in favor of returning to a "limited entry" type system in the best interest of providing better

quality hunts and protecting our most valuable wildlife resource. Their advice should be more seriously heeded.

There is a big problem out there and it needs to be addressed right now before it is too late.

I urge you to support HB 158 and help us take the first steps toward restoring the dignity that the Alaska guiding industry once had.

Respectfully,

David Morris Master Guide #133
Fairbanks, AK 99701

Linda Hay

From: Wayne <args@mtaonline.net>
Sent: Sunday, March 17, 2013 3:13 PM
To: Rep. Eric Feige
Subject: I support HB 158 and the DNR GCP
Attachments: Judiciary letter 3-14-13.doc

Representative Feige,

It was good to see you last week, although only briefly. I sincerely thank you for co sponsoring HB 158 and for all of your efforts to keep it moving. Thor Stacey showed me around and I got to see most of the Mat Su delegation as well as several others. I enjoyed meeting Representative Costello personally too. You people need the wisdom of Solomon to know what to do, but I sincerely feel a gcp is needed and tried to explain why in my letter to the judiciary committee attached above I'm sorry the letter is so long, but I heard a lot of questions while I was in Juneau and I tried to address as many as I could. I think the DNR GCP is a good start. If you have any questions what so ever, don't hesitate to ask, but my bear hunts do start April 1st, and I'll be gone a lot after that. I wish you, your staff, and your family a blessed and Happy Easter, and I wish you success on your efforts in Juneau.

Wayne Kubat

Alaska Remote Guide Service

PO Box 874867

Wasilla, Alaska 99687

Phone/Fax:907-376-9568

Linda Hay

From: Wayne <args@mtaonline.net>
Sent: Sunday, March 17, 2013 1:54 PM
To: Rep. Wes Keller; Rep. Charisse Millett; Rep. Bob Lynn; Rep. Max Gruenberg; Rep. Neal Foster; Rep. Gabrielle LeDoux; Rep. Lance Pruitt
Cc: Sen. Charlie Huggins; Sen. Mike Dunleavy; Sen. Cathy Giessel; Sen. Click Bishop; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French; Rep. Bill Stoltze; Rep. Lynn Gattis; Rep. Shelley Hughes; Rep. Mark Neuman; Rep. Dan Saddler; Rep. Eric Feige; Rep. Mia Costello; Rep. Alan Austerman; Rep. Bob Herron; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Bryce Edgmon; Rep. Lindsey Holmes; Rep. Cathy Munoz; Rep. Scott Kawasaki; Rep. Tammie Wilson; Rep. Steve Thompson; Rep. Les Gara; Rep. David Guttenberg
Subject: I support HB 158 and the DNR GCP

March 17th, 2013

To The House Judiciary Committee: Chairman Keller, Vice Chair Lynn, Representative Gruenberg, Representative Foster, Representative LeDoux, Representative Millett and Representative Pruitt,

I anticipate that your committee will be hearing HB 158 in the near future, which would allow the Department of Natural Resources (DNR) to establish a Guide Concession Program (GCP) on state land. Thank you for all of your efforts on this important issue. **I hope you will support it and move it along speedily!!** There is no doubt in my mind that the currently proposed DNR GCP is a big improvement over the current status quo for guides - free, unregulated, unlimited, open entry - on state land. It will benefit Alaska's wild life resource, all resident hunters, the guide industry both young and old (but especially the young), and guided clients.

There are roughly 1400 licensed Alaska guides of various levels. About 550 of those are registered and master guides and can sign contracts them selves, but many of them don't. Last year, only 312 signed at least one contract. You have to be a registered or master guide to be a professional member of APHA. APHA'S professional membership averages about 125 per year or over 1/3 of the number who signed contracts last year. Further research in the past has shown that APHA professional members conduct 50 – 70% of the total number of guided hunts per year. The argument by the opposition that APHA doesn't represent the industry or that they represent less than 10% of the industry is entirely false. **APHA represents a majority of the guides that conduct the majority of the guided hunts in Alaska.**

In early February, APHA'S Board of Directors invited the entire professional membership to participate in a teleconference on the DNR GCP. It went on for several hours and 45 professional members were in attendance. Support for the latest version of the DNR GCP wasn't unanimous but was a very significant majority. As a result, the BOD voted unanimously to support the latest version of the DNR GCP, and subsequently supports HB 158.

My reason for supporting HB158, has nothing to do with setting up a monopoly for existing guides or keeping new or young guides out. Certainly you have heard that from some of those who oppose HB 158 and the proposed GCP. I

don't even oppose "part time" or "hobby guides". There are currently several federal concessions that only allow a few hunts, and with the 90 limited concessions (only 4 clients per year allowed) proposed in the GCP, there is considerable opportunity for those trying to get started or who only want to do it part time. **I do oppose letting a long time, important industry decline to the point that only "part timers" – some body who makes most of their living some other way and often uses guiding mostly to write off their boats, planes, gear and "other toys" – can afford to participate.** I feel that if "open and unlimited entry" continues on state land, that more areas will continue to go to drawing, and then large scale booking agencies will be in the driver's seat and not Alaska. The "luck of the draw" is certainly no way to run a business. Also, instead of competing for concessions based on experience and qualifications, guides will have to compete for representation by the big agencies with huge data bases to get hunters, because agency clients will get many if not most of the draw permits. The agencies will choose the guides they want to represent, and that could easily favor non resident guide-outfitters.

For most or at least many of us who support HB 158, the desired end result is more about "guide businesses being able to provide a quality experience for their clients that reflects well on Alaska" and "the guide industry remaining viable, credible, beneficial to Alaska's economy and residents, and able to exist far into the future" than "who the players are in the short term", even if it's not us.

While it will most likely require more effort initially to be able to guide on state land for all level of guides, I strongly feel that in the long term, the GCP will benefit the new registered guide trying to establish his own business, as much or more than any other segment of guides. **The new, young guide absolutely has the most to lose if the guide industry continues to decline,** because while many older guides will leave the industry soon, the new guy still has the potential for a 30 – 50 year career. It's important for credible guides who are committed to a profession in guiding, to be able to assure potential clients that they can indeed provide them a good experience. Many operators on state land can't honestly do that now, and many have already left state lands because of that. Also, the word is certainly out to many non resident hunters and outside organizations, to "beware" on state land.

Treating state land as an entitlement to anyone with a registered guide license, encourages more guide competition than our state land wild life resources can stand, and ultimately sets many new guides up for failure. Many new guides have gotten too big too fast, and incurred numerous negative consequences. Also, there are many instances of it reflecting negatively on Alaska and the guide industry as a whole. "Open entry" on state land has impacted Alaska's game resource and the hunt quality of multiple thousands of Alaska residents that hunt on state land. **The situation will only continue to get worse if we continue with status quo.**

Some guides say they don't have problems where they operate – now. Also some people hunt mostly bear and they have fewer issues than sheep and moose hunters. So if we just deal with the hot spots and sheep, then guess where all those that don't get what they want, will end up and what animals they will be guiding for. Some that already deal with permits think everyone should have to. I spoke to this earlier and want to avoid drawing permits.

Some guides say the DNR GCP isn't needed because non resident participation has declined. Well "Go Figure"! The Mulchatna Caribou herd has collapsed from 200,000 plus animals to almost nothing, and

moose populations in as much as 75% of Alaska have also declined during much of the last decade, due in large part to over predation. Recent predator control efforts are working but it will still be a long time before we get back to where we were in many places. Also, the national economy has been poor and many outside hunters are well aware of the excessive guide pressure that currently exists on many state lands in Alaska, and are going elsewhere. **If and when things improve, you can be sure that guide pressure will again exceed the supply of game animals in many areas if no changes are made now.**

300 or so registered and master guides are in disagreement over whether a guide concession plan will help or hurt their business, and guiding *is* a very important industry in Alaska and should be treated as such. **But - what about the health of our wild life resource? What about the multiple thousands of Alaskan Resident Hunters, and all residents?** Do you think they really want the state to continue to allow unlimited guide opportunities on state land so that more and more areas go to draw? If you take a look in any recent Board of Game proposal book, I think you will agree that the answer is no. You will find multiple proposals by resident hunters to eliminate or restrict non resident hunting and guiding opportunities.

I think DNR is the proper entity to manage land use and the board of game and the big game commercial services board should be consulted in their areas of expertise. Enacting the DNR GCP for guides now is like taking a big bite out of an apple. Trying to resolve transporter issues in the same bill at the same time would be like swallowing the whole apple in one bite, you'll end up choking. **I feel that trying to add transporters to this bill is just another attempt by the opposition to kill it by adding one more hurdle.** Addressing the transporter issue is certainly important ASAP, but needs to be done in the next bite, not now.

There was a joke circulating in the Midwest in the 70's and 80's about the Iowa farmer who went to prison for child abuse because he sold his son the family farm for 1 dollar. I know Chairman Keller has an agricultural background, and has probably heard and understands this joke. The short explanation is that after decades of stability, agricultural land prices in the Midwest tripled and quadrupled. Many bought heavily and then after a few years the prices crashed and many went broke. Similar circumstances occurred when the old guide use area system ended in the late "80's", and I feel a "crash" is close. I think the joke still "rings true" if you change "Iowa farmer" to "Alaskan Guide" and "family farm" to "guide operation on state land". And I would add that if "unregulated open entry guide opportunity" on state land continues, that before long, the joke will eventually apply to any guide operation in Alaska. I hope you pass and move HB 158 along speedily.

If you have any questions, feel free to contact me. I'll do my best to answer promptly, except that I do have spring bear hunts starting April 1st.

Sincerely,

Wayne Kubat

PO Box 874867 / Wasilla, Alaska 99687 / Ph. & fax: 907-376-9568 / cell: 907-376-9568

PS: I have lived in Alaska for 37 years and hold Alaska master guide-outfitter license #147. I became an assistant guide in 1981, have lived in the Mat-Su Valley since 1984, got my registered guide license in 1986, and joined Alaska Professional Hunters Association (APHA) that same year. I started my own guide business – Alaska Remote Guide Service in 1987 I served on the Mat-Su Valley Fish and Game Advisory Committee from 1998 to 2007 and as chairman the last 4 of those years. **Two years ago, the Mat Su Valley AC did write a letter of support for the DNR GCP** and I think they would do so today as well. I also serve on the Board of Directors for APHA. I take between 8-12 fully guided hunts per year, split between single species and combination hunts and the average length is 11-15 days. Guided hunts account for about 70% of my total income per year.

Linda Hay

From: dennis harms <alaskatrophy@yahoo.com>
Sent: Sunday, March 17, 2013 3:46 PM
To: Rep. Eric Feige
Subject: Re: DNR Guide concession program

03-18-2013

Dear Honorable Eric Feige,

This letter is in regard to the importance of the "DNR Guide program".

The funding and implementation of the DNR Guide program is especially important to help the game populations rebuild, and the biggest beneficiaries are the subsistence and resident hunters as well as re-establish a professional guide system in Alaska.

At my age, I will see no personal benefit from the implementation of the DNR guide program, but I know that we must establish some sort of a program to protect the wild game resources of Alaska for subsistence users and residence users and to promote a system that rewards good stewardship of Alaska's game by Alaska guides.

The greatest losers of the Owsichek decision in 1988 was not the guides, but was the wild game resources, the subsistence users, and resident sport hunters. This was predicted following the 1988 decision, and sadly it has come to pass.

In 1988 when Alaska went from one guide per area on State land, an area I am intimately familiar with, on the western slopes of the Alaska Range, was flooded with more than 20 guides in one area. The game population was transformed from a near Serengeti Plains of Africa to a population of less than 20% of the original population and a mature age population of game to 5% of what existed before 1988.

The two principal reasons for decline of game were lack of guide control and lack of effective wolf control. Other factors were weather and transporter drop offs.

The funding and implementation of the DNR guide program will help start the long healing process for Alaskan big game. With the DNR guide program and with some luck with the weather, and hopefully reasonable wolf control, subsistence and resident sport hunters may one day be able to visit the vast game populations that, from my research and personal experience, existed from the late 1890's through 1988.

Please seriously consider the implementation and funding of the DNR guide program solution. The winners will be the wild game of Alaska, the subsistence hunter, the resident hunter and a viable professional guide system.

Thank you,

Dennis Harms Alaska Master Guide #48

Linda Hay

From: James P. Jacobson <huntfish@ak.net>
Sent: Sunday, March 17, 2013 9:46 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; "Rep..Chris.Tuck"@akleg.gov; Rep. Wes Keller; Rep. Neal Foster; Rep. Gabrielle LeDoux; Rep. Bob Lynn; Rep. Mark Neuman; "Rep. Bryce Edgmon"@akleg.gov; "Rep. Lindsey Holmes"@akleg.gov; =?iso-8859-1?Q?Rep=2E_Cathy_Mu=F1oz?=@akleg.gov; Rep. Scott Kawasaki; Rep. Lance Pruitt; Rep. Max Gruenberg; Rep. Bill Stoltze; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Les Gara; Rep. Mike Chenault; Rep. David Guttenberg; Rep.Harriett.Drummond@akleg.gov; Rep. Lynn Gattis; Rep. Pete Higgins; Rep. Shelley Hughes; Rep. Doug Isaacson; Rep. Andy Josephson; Rep. Beth Kerttula; Rep.Johathan.Kreiss-Tomkins@akleg.gov; Rep. Benjamin Nageak; Rep. Lora Reinbold
Subject: Support for HB158

Dear Alaska State Representative, March 17,2013

By way of introduction, I am James P. "Jake" Jacobson, Alaska Master Guide #54. I have lived in Alaska most of my life, coming to this wonderful state in 1967.

My winter address is PO Box 1313 (4010 Woodland Drive) Kodiak, Ak.99615

I began my guiding career in 1967 as an Assistant Guide, became a Registered Guide in 1972 and a Master Guide in 1984.

Although I passed the tests and am Certified to Guide in Game Management Units 6 through 26, I use two Guide/Outfitter Use areas in GMU 23 and one in GMU26.

I have also held a Transporter license and believe that GMU usage by Transporters should be limited to one, or certainly not more than three GMUs.

Nearly all of our guided hunts take place on foot from our family's deeded property. Under National Park Service regulations, we are limited to twelve (12) guided guests per year at our lodge, which sits on 80 acres of deeded Fee Simple land and is surrounded by the National Park Service. For any year in which we do not have 12 guest hunters, there is no carry over of guest numbers, i.e. if we have less than 12 hunters one year, we still can book only 12 hunters the next year. This rigidity does not take into account the vagaries of economics, luck in the Permit drawings and other factors. I believe that the state system should include a reasonable carry over.

Depending on our guest hunters success in the Permit Drawing, our family income from guiding varies from approximately 25% to 80%. Five generations of my family and I have been dependent on our guiding income for over four decades.

With stewardship of the land, fish, and game resources at stake as the ultimate objective, I believe passage of an act described in HB158 as:

“An Act authorizing the commissioner of natural resources to implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land.”

... would be in accordance with Article 8, Sections 3 and 4 our Constitution and should be carefully drafted. It, like all laws, should be kept as simple and clear as possible.

Along with limiting Guides operating on State land - with appropriate stewardship ever in mind - Transporters, too, should be limited, not only regarding number of operators per given area, but also number of clients placed in each area. In GMU23, Transporter drop outs of both Alaskan and non-resident hunters has led to great stress with local residents, particularly in the Squirrel River area.

It is not my intent to unduly restrict resident hunters or year-round air taxis that fly people to bush areas of their own choosing, with their own camping equipment.

May the final bill be a true reflection of its title and augment effective stewardship of our resources.

I believe that attention should be given to the future of guiding in Alaska as a financially viable profession, not just a part-time or weekend pursuit.

My thanks to all you Alaskan Legislators and staff for the time spent and work done on behalf of the citizens of our Great Land.

Respectfully,

J.P."Jake"Jacobson, Tel:907/486-5253

To maintain a united country, we must place common American nationality ahead of individual heritage. Our diversity did not make the U.S. great, our LIBERTY did.

Linda Hay

From: Wayne <args@mtaonline.net>
Sent: Saturday, March 16, 2013 10:11 AM
To: sean.parnell@alaska.gov
Cc: Sen. Charlie Huggins; Sen. Mike Dunleavy; Sen. Fred Dyson; Sen. Click Bishop; Rep. Mark Neuman; Rep. Wes Keller; Rep. Bill Stoltze; Rep. Eric Feige; Rep. Lynn Gattis; Rep. Shelley Hughes; Rep. Dan Saddler
Subject: FW: Big Game Commercial Services Board appointee

Governor Parnell,

I've been a registered guide since 1986 and have been active in all of the past guide boards. I was disappointed to hear that no one has been appointed yet to fill the guide seat on the Big Game Commercial Services Board that was vacated by former chair Paul Johnson.

I would highly recommend Michael Litzen for that position. He is very knowledgeable in the many aspects of guiding and transporting and the issues that face these industries. I've found him to take a very common sense approach to everything he takes on. He is also a very fine and hard working person, and a good friend. I think it will be very hard to find anyone more knowledgeable or better. I hope you fill the seat soon, and I hope you choose Michael Litzen.

Thank you!!

Sincerely,

Wayne Kubat

Alaska Remote Guide Service

PO Box 874867

Wasilla, Alaska 99687

Phone/Fax:907-376-9568

Linda Hay

From: Kim And Jason Bunch <jkbunch@acsalaska.net>
Sent: Friday, March 15, 2013 11:26 AM
To: Rep. Eric Feige; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; rep.kurt.olsen@akleg.gov; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Cc: jkbunch@acsalaska.net
Subject: HB 158 support

House Resource Committee Members,

I was online to provide testimony in support of HB 158, however was not given an opportunity to speak. Please find below the text of what was intended to be my verbal testimony:

My name is Jason Bunch Registered Guide #1311. I am a Professional Member of APHA and Big Game Guiding accounts for approximately 30% of my income. I strongly encourage you to support HB 158 and the development of a Guide Concession Program on State Lands.

I am a helicopter rescue swimmer for the US Coast Guard serving Alaskans since 1997. I have been guiding since 2006 and received my registered guide license in 2011. Instead of transferring from the state I have made the decision to get out of the Coast Guard to raise my family here in Alaska.

Although I am new to the guide industry I am not new to professionalism, integrity, respect or devotion to ones trade. It is these values that build a name, a successful business, and an industry. I have guided on state and federal land and have witnessed the value in limited user authorization. As a young guide just starting out and wanting to start my own business I want an area that sees limited commercial use. I want to know that for the next x amount of years I will be one of just a few users of a concession. With a GCP I will be able to discuss with a potential non resident client how many guides operate in my area and will not have to guess or cross my fingers. If I receive authorization to work a concession with another guide I will have to communicate with them and work to fulfill the responsibilities we owe Alaskans as public land users.

The potential to build a solid business plan using the states resources will be available to all professional guide/outfitters, young and old. If one cannot attain authorization they will be able to continue to grow as professionals, work for various guide/outfitters, learn the trade and eventually be successful with their own business.

The GCP has the potential to benefit long term conservation, guiding as a sustainable industry and continue to bring economic value to our state. It has the potential to aid resident hunters. I as a resident hunter will be able to contact just a couple of people and know what the exact intentions of the guide operations are in any given area. As one of the few authorized users of an area I will possess a higher regard for the expectations of land managers to be as professional as I can possibly be. I will be accountable as a public land user!

In just a few years I have attained a registered guide license, competed in my first federal prospectus, (of which I scored second in a highly competitive bid process on Kodiak Island) attained a seat on my local board of game advisory committee and am now writing an important letter to my legislators to help build our guide industry which will further provide the opportunity to grow and become successful as a professional.

Thank you for your time and consideration in support of HB 158 and on the most important issue for today's Alaskan resources and outdoorsman both private and commercial.

Jason Bunch

Kodiak backcountry Adventures
Kodiak, Alaska
(907)654-4649
jbunch@backcountry.com
www.backcountryadventures.com

Sent from my iPad

Linda Hay

From: Atlin Daugherty <akhomefire@yahoo.com>
Sent: Friday, March 15, 2013 2:18 PM
To: Rep. Eric Feige
Subject: HB158

Categories: Linda

Hello Mr. Feige,

My name is Atlin Daugherty I am a registered guide, a member of APHA, and do around eight guided hunts a year. I strongly support HB158. I am a young guide who will have a good future in the guiding industry if this bill passes. If this does not go through I don't see a long term future. I love guiding and I want it to be there for my son. Please pass this bill and give DNR the tools to allow this industry to have a long lasting viable future.

Sincerely,
Atlin Daugherty

Linda Hay

From: jkbunch <jkbunch@kodiakbackcountry.com>
Sent: Friday, March 15, 2013 2:41 PM
To: Rep. Eric Feige; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; rep.kurt.olsen@akleg.gov; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Cc: jkbunch@acslaska.net; alan@alanausterman.com
Subject: HB 158 Support

House Resource Committee Members,

I was unable to provide testimony in support of HB 158 during the scheduled public testimony. Please find below the text of what was intended to be my verbal testimony:

My name is Jason Bunch Registered Guide #1311. I am a professional member of the APHA and big game guiding accounts for approximately 40 % of my annual income. I strongly encourage you to support HB 158 and the development of a Guide Concession Program on State Lands.

I have been a helicopter rescue swimmer for the US Coast Guard serving Alaska since 1997. I have been guiding since 2006 and received my registered guide license in 2011. Instead of transferring from the state to continue my career in the Coast Guard I have decided to leave the CG within the next few months and stay in Alaska to raise my family.

Although I am new to the guide industry I am not new to professionalism with integrity, respect and devotion to one's trade. It is these values that build a name, successful business and an industry. I have guided on State and Federal lands and have witnessed the value in limited user authorization. As a young guide this value could prove highly beneficial to the success of my own personal business. In short; this authorization will afford us the benefit of upholding the professionalism and integrity with non-resident hunters when providing a service. We will have the opportunity to work with other users within the same area to manage the hunting experience one expects and pays for. It will be imperative we communicate and work together to fulfill the responsibilities we owe Alaskans as public land users.

The potential to build a solid business plan using the states resources will be available to all professional guide/outfitters, young and old. If one cannot attain authorization they will be able to continue to grow while working for various guide/outfitters throughout the state, learn the trade and eventually be successful with their own business.

A GCP has the potential to benefit all users of State lands as well as long term conservation, elevate guiding as a sustainable industry and continue to bring economic value to our state. It has the potential to aid resident hunters; as a resident hunter myself I will be able to contact the limited number of guide/outfitters and learn the intentions of their guiding activities. This will provide me with valuable information as I plan my personal expeditions afield and allows us all to share the states resources more evenly. As one of the few authorized users of an area I will possess a higher regard for the expectations of land managers to be as professional as I can possibly be. I will be accountable to a much higher level than with the current program.

In just a few years I have attained a registered guide license, competed in my first federal prospectus (of which I scored #2 in a highly competitive bid process on Kodiak Island), attained a seat on my local board of game advisory committee and am now writing an important letter to my legislators concerning our guide industry which will further provide the opportunity to grow and become successful as a professional. This bill is one of the most important issues to date for Alaska's resources and outdoorsmen, both private and commercial.

Thank you for your time and consideration in support of HB 158,

Jason Bunch
Registered Guide 1311
Kodiak Backcountry Adventures
Kodiak, Alaska
(907)654-4649
jkbunch@kodiakbackcountry.com
www.kodiakbackcountryadventures.com

Linda Hay

From: Joey Klutsch <joeyklutsch@gmail.com>
Sent: Friday, March 15, 2013 11:12 AM
To: Linda Hay
Subject: HB 158 testimony
Attachments: House Resource Committee Members.docx

Comittee Aid Hay,

I would like to viece my support for HB 158 and the DNR Guide Concessions Program. In the intrest of time, I have been advised not to publicly testify today, as there are already too many people signed up. Attached is a letter outlining what I had planed to say, had I testified.

Thank you for your time.

--

Joey Klutsch
Registered Guide
Katmai Guide Service

PO Box 222
King Salmon, AK 99613
(907) 439-3030

House Resource Committee Members,

My name is Joey Klutsch and I am a second generation Registered Guide (RG 1277) and rural Alaska resident living in King Salmon. Guiding is my sole source of income and full time profession. I am also an active subsistence user and member of APHA. I am writing because I strongly support, and encourage you to support, HB 158.

It is essential that the DNR Guide Concession Program be implemented on state lands not only for the guiding profession, but for all user groups. I would like to emphasize that the DNR GCP will not eliminate any opportunity for resident hunters. Resident opportunity will only improve. Having fewer guides in a given area will reduce conflicts in the field with resident hunters and subsistence users. It will also lead to a better quality of experience for guided hunters.

In addition to alleviating in the field conflicts, the DNR Guide Concession Program will benefit the resource, which is by far the most important factor to consider. In too many areas on state land, overuse of the resource by an unlimited number of guides has resulted in stressed game populations. The DNR Guide Concession Program will go a long way toward solving this issue. We need only look at the Federal areas (FWS, NPS) of the State where guide concession programs are already in place to see how effective such programs are at solving all the problems which the DNR GCP is addressing.

Finally, the program will not make it impossible for new entrance into the guiding business by younger guides. It does not favor the "good old boy" generation of guides, as many people claim. It is just not the case. As a 27 year old Registered Guide I was able to successfully compete for and be awarded 2 National Wildlife Refuge Areas last year. I know other young guides who had similar successes. The process for being awarded these areas is highly competitive. To me, this is proof positive that if you are a young guide who is committed to the profession you will stand a great chance at being awarded a DNR Guide Concession Permit.

Thank you for your consideration and time. At stake is nothing less than the sustainable future of guiding and the health of all Alaskans wildlife resources.

--

Joey Klutsch
Registered Guide 1277
Katmai Guide Service

PO Box 222
King Salmon, AK 99613
(907) 439-3030

Linda Hay

From: Joe Klutsch <joeklutsch@gmail.com>
Sent: Friday, March 15, 2013 12:10 PM
To: 'Rep.Eric.Feige@akleg.gov; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Subject: HB 158

House Resource Committee Memebers,

I am writing in support of HB 158. I have been guiding for 40 years now and during the course of my career I have seen the benefits of the guide concession programs that have been implemented on Fish and Wildlife Service and National Park Preserve lands. Nearly all of the issues which the DNR GCP is trying to address have been solved on Federal lands where similar guide concession programs have been in place. These programs are remarkably effective.

There are many people out there that oppose the DNR GCP. They are afraid that because of the evaluation criteria they would be at risk of loosing the easy come and go access that they presently enjoy on state lands. Some people who oppose the DNR GCP are afraid that because of their past history of compliance, permit violations, fish and wildlife violations, and safety issues they will not prevail in securing a permit. Mostly, it is the unknown which so many of the guides opposed to the DNR GCP fear.

If you are a guide with a good history of compliance, then there is nothing to fear of the DNR GCP. It will only help. More importantly, it will benefit the resource which all Alaskans depend upon. It will also improve the quality of experience for guided hunters, and other users as well.

Thank you for your consideration.

--

Joe Klutsch
Katmai Guide Service
Master Guide

Po Box 313
King Salmon, Alaska 99613
(907) 246-3030
www.katmaiguideservice.com
joeklutsch@gmail.com

MAR 11 2013

March 7, 2013

Rep. Eric Feige
State Capital Room 3
Juneau, AK 99801

Dear Rep. Eric Feige,

I'm sure you have been concentrating on other important issues recently however, I would like to take this opportunity to address an issue that will have multiple negative effects on Alaska.

The department of Natural Resources has been directed to implement a private guide concession program covering the entire state. This program has the potential to destroy the livelihood of more than 200 Alaskan families. The state government should support small business not bankrupt us.

One of the alleged reasons behind this program is overcrowding or too many guides. I have personally hunted and guide in one of the most popular areas of the state my entire adult life. I have no problem finding game and rarely see another hunter. Guided non-resident hunters are a very small percentage of Alaskan hunters therefore it is inconceivable that they could be responsible for these perceived problems. By example, the smaller state of Montana has 750 outfitters and 1800 guides! With less guides operating there will be less tourist hunter's dollars going into the state economy and budget of the Department of Fish & Game and causing harm to every business affiliated with the guiding industry.

The best stewards of the land and conservationists are indeed the guides who depend on the resource and their license for their livelihood. There is no true need to put Alaska families out of business and add more onerous regulation on an already over-regulated industry with this bureaucratic morass. No business in the country should be subjected to such restrictions.

The Alaska Professional Hunters Association has been lobbying for this program for years. It is important to note that a very small percentage of Alaska guides are members of this organization. The APHA lobbyist in Juneau may be a nice guy but he does not represent the wishes of the vast majority of the industry.

The state government normally spends a considerable amount of time and money to study various issues in order to determine if they have merit before spending public money to fund them. This program has never had an in depth study to determine if any of these problems exist. If there are problems to any degree in small areas of the state, we already have well-funded state agencies responsible for dealing with these issues.

Therefore, this conceived and expensive program with its incomprehensible 20 page application process that will take months to fill out is unnecessary, unfair and unreasonable. I ask you to use your considerable authority to research the true facts surrounding this assault on a traditional Alaskan way of life. I believe the results will clearly show that no problem exists that could justify destroying the livelihood of so many Alaskan families.

Sincerely,



Ken Lamb
1515 Noble Street
Fairbanks, AK 99701
907-455-7262

Rocking K Outfitters

Ken Lamb - Registered Guide
Alaska License #1241

International Hunting Consultant
Africa - Argentina - Alaska - New Zealand

1515 Noble Street
Fairbanks, Alaska

(907) 455-7262
clamb@acetekk.com

Dear Legislators;

This is Master Guide #136 Smokey Don Duncan. My sole source of income is from guiding on State lands. I am strongly and adamantly apposed to HB 158. DNR is a good land manager. Their attempt at designing a Guide Concession Program (GCP) is proof enough that they should not be in charge of a GCP. I seriously believe they intentionally put poison pills in the program to either relieve them from managing it or to kill the industry. DNR is not and never has been tasked to manage Guides or to manage game. Nor are DNR employees businessmen.

These are all facts and the facts are:

The BGCSB should never had turned designing a GCP over to DNR.

No one, not the BGCSB, DNR, the BOG, F&G or the Legislature asked, polled or surveyed the guides operating on State lands to get any input on how they felt or what they wanted. Why? Had that been done, the outcome would have been positively different.

Both the BGCSB and DNR have steadfastly refused to regulate transporters for 8 years even while promising to do so "one day". The BGCSB can create Transporter Use Areas under current Statute but they refused to ask for additional Statutes to restrict them to areas. DNR can simply change their own regulations to require transporter land use permits if they utilize State land or water.

There may be some problem areas that need addressing but they are few and usually have something to do with easy access or high dollar game. No attempt was ever made by DNR or the BOG to officially identify those areas and work to solve any problems in those specific areas. A GCP in those areas may be legally defensible. But a Statewide GCP is over kill, injurious and probably illegal according to the Owsichek decision and past A.G. opinion letters. To survive challenge, a regulation must be reasonably necessary to carry out the purpose of its enabling statutes. See *Kelly v. Zamarello*, 486 P.2d 906, 911 (Alaska 1971). This GCP is a Statewide solution when a Statewide solution is not needed. There is nothing that can not be solved by the BOG, BGCSB, DNR or F&G.

If transporters are not included in the Concession Program then the program can not claim to be based on resource conservation, wildlife management or addressing crowding, real or imagined.

DNR's current GCP does not come close to maximizing the value of the resource by any means. This is evidenced by the high dollar sheep and brown bear areas being priced the same as a black bear area and that will be ruled illegal making this all a waste of time.

DNR did not perform the research needed to call this program "based on resource management". The number of guides/ Guide use areas was a number greedy guides picked and was not based on past numbers or reality. For example Guide Use Area (GUA) 26-01 is about 30,000 square miles and has 350,000 caribou plus moose and

grizzly and it can only have one guide? This area would be exclusive and the lucky guide would get it without paying a premium for exclusivity.

DNR specifically chose to limit guide industry input. Once DNR was charged with the GCP they told the BGCSB that the "Board can comment on the plan just like anyone else." Guides got to comment on DNR's plan. Written comments were accepted and you got 2-3 minutes of public testimony to save your livelihood. Guides and the guide industry did not get to help develop the plan and that is why it is so bad. Repeatedly DNR (in the proposed GCP) asks for paperwork proof that no normal guide would keep or in many cases even have. DNR published a review of the comments by category but frequently failed to address the actual issue with facts or reasonable explanations.

If enacted, the GCP will put 50% of the guides out of business and injure close to 80%, and the 50% figure may now be too low! DNR evidently believes you can make a living or at least be profitable with one GUA that has an 11 day non-resident moose season. My operation uses 3 GUAs so I can have different seasons for various game. One of my areas has been used for 20 years for spring black bear only even though it has fall moose, caribou, black bear and grizzly bear hunting. The season is open year round and the limit is 3 bears/hunter. But I may very well lose or not be able to pick that area for no good biological reason or other GCP reasons. DNR never tried to prove 50% of the guides would not be put out of business or to reasonably estimate how many would be put out of business even by simple math. When you compare how many guides are in an area now and compare it to what DNR's GCP allows, you see a reduction of 50% or more in many areas.

DNR believes that as a guide business, you can move around the State at the drop of a hat and jump in and out of business every 4-10 years. For an old guide like me and many others that have made this our livelihood for 20+ years; once you get pushed out you stay out. My 2 camps and 8 of my 17 boats are in remote locations. They are worth a lot of money where they are and for what I use them for. But if I have to move them back to Fairbanks, they are a liability, not an asset. Portable equipment like the camps have to be worth at least \$2/pound in freight to justify bringing them out cost wise. Which brings me to my next point of fact.

DNR's GCP refuses to allow a retiring guide to sell his operation and equipment and the remaining Guide Concession years. We can not turn over our operation to one of the guides we trained and who knows the area and operation or sell everything to the highest bidder. The Owsichuk decision never said we could not sell our operation but DNR ignores that. I can think of no other business or industry treated this way.

DNR did not consult F&G or area biologists to the degree needed in developing the plan, game allocations, guides/area, resident or non resident use etc... So this plan is not based on management or conservation.

DNR's GCP charges guides extra money for the animals they hunt. \$500 for a brown/grizzly bear, goat or sheep hunter and \$250 for anything else. Plus we will have to

pay a concession fee and our typical land use fee. This will drive non-resident hunters seeking moose, caribou, wolf, black bear, elk, or deer towards a transporter just based on minimum costs. If I did not know better, I would think the GCP was drawn up by a transporter. Is this maximizing the value of the resource? Do you think it is legally defensible? Now consider Kodiak. Most or many of the guides operate on Federal lands under the Federal Concession Plan. But the game belongs to the State. And surely they use some State tidelands, water, roads, airports etc. during the hunt. So why are they exempt from the per hunter or per animal fees that the guides on State lands have to pay?

Back around 1994, Guides had to submit a yearly operations plan that detailed where you intended to hunt and how many animals by species you intended to take in each GUA. We paid a fee for each area and operations plan we submitted. F&G was supposed to review the plans to prevent over harvest when considering all the guides and game to be taken in the area. For 3 years, F&G never looked at the first operations plan even when they were paid. Why? Eventually the State was sued or otherwise forced to refund the operations plan fees that we paid in the form of reduced license fees for several years.

The 2 previous "Guide Boards" were sun-setted over the issue of Guide Concession Areas. The original good old boys Guide Board just could not keep from designing a scoring program that heavily weighted the time spent guiding in the area knowing full well that no one else could out point the guide that held the previous exclusive area. The second Board was axed for pretty much the same reason even though there were different players.

Alaska Professional Hunters Association pushed to get the BGCSB re-created in 2005 with the main purpose being to get back to the exclusive guide areas or as close to it as possible. Since 2005, only APHA members have been appointed to the BGCSB even though they represent **less than 10%** of the industry. According to the database I downloaded from the State web site in 2005, there were about 2500 guides of all classes and between 250-400 transporters, some of which were also licensed as guides. Now, in 2012, there are only about 1600 guides. During this time the BGCSB have raised, nearly doubled, the license fees TWICE, and the BGCSB is now broke and in debt \$600,000 by the end of this year! Why do transporters get 2 representatives on the BGCSB when in 8 years the BGCSB has done next to nothing when it comes to regulating transporters? Why has the Board refused to ask the Legislature to create the "assistant transporter license"? Shouldn't they pay their fair share? Currently a transporter only pays one license fee and they can have unlimited, unvetted pilots, planes, boats etc.....

The GCP was pushed and lobbied so that a few guides could get prime areas of State land with little, less or no competition. But those guides wanted a point system so they would not have to pay or bid a fair price for an area. APHA members and representatives went to every Board of Game meeting complaining of over crowding, reduced hunter experience, possible over-harvest etc... Then the BOG began parroting the same. Then the public. The truth and data facts were seldom used to justify the accusations. Then F&G, the BOG and some guides said all the legal sheep were being harvested in some areas that were used to make the area a drawing permit. Then in 2012 old timer guide Joe

Want mined F&G's database and proved that in that area, and in fact in all sheep areas, 50% of the legal rams survived the hunting season and lived to be taken in future hunting seasons. So that means when you consider the yearly non-hunting mortality the survival rate was well over 50%. His data also showed guided non-residents were more successful simply because they hunted longer. Thus one of the primary examples used to justify the GCP was proven to be invalid.

F&G and the BOG have been talking out of both sides of their mouth. With sheep they have said for 30 years that if we maintain a full curl minimum we can never over-harvest or do any kind of damage. When they thought all the legal sheep were being killed they said it was bad genetically. Now we see that is not and can not be the case. With moose it was 50 inch spread or 3-4 brow tines and we can not over-harvest. If non-residents are restricted to that, then there isn't, can't be, over-harvest. With bears, for 30 years, F&G has said to kill only big male bears. Now they say that killing all the big boars can lead to an over population of young sows and 3- 4 year olds because the big boars no longer kill some of the sows and or cubs. That may be true because now the BOG has been systematically removing the grizzly/brown bear tag requirement for residents to encourage the take of any and all bears nearly everywhere in the State.

Asking a guide to be a "good steward" of the game is crazy talk. We can only control what we do. We can not control transporters, residents or non-resident hunters or other guides. We do not set the seasons or bag limits, the BOG does. For a guide and from a business standpoint, if the game is not there, you will not sell many hunts for long. We are the first hurt by restrictions. If we can not move to another area like transporters do, then we are out of business. We are logistically restricted by the GUA, season, bag limits and the amount of equipment and employees etc...

APHA asked for the GCP and hoped they could control it. DNR did not let them in the end. But in the beginning DNR did hold what I call secret meetings that only APHA members knew about. APHA members and officers headed the sub committees. DNR kept most of the industry out of the loop. But now, I am told by an APHA Board member that in their last vote on whether to continue to support the GCP concept, the vote was 5 for and 4 against.

DNR obviously knows how to push paper around as evidenced by this ridiculous GCP application that will take a month or more for me to fill out. I'll wear out 2 printers and a copier. And after all that, people who know nothing about running a business or a guide business will judge my application. DNR says they will allocate about 2 1/2 hours per application. I doubt that would be enough time to even read what I submit at their request. No time has been allocated to confirm or verify that it is not a bunch of lies. So it boils down to a liars contest.

It is also evident that DNR knows next to nothing about running a business or a guiding business. They have no idea what the bills and logistics are or what they cost.

This GCP is set up as a cost plus operation with the guides paying whatever DNR tells them they have to pay. DNR has no incentive to minimize costs. If the Federal Guide Concession Plan is so good and cost effective then why are they so willing to turn it over to the State. The fact is, they try to hide the real costs figures related solely to their concession program but they are loosing money on their program. Furthermore their program equates fewer animals taken as a better operation. And the fact is, that is why the majority of proponents of a GCP on State land are also Federal permit holders. The Federal program is not better.

The GCP will have immediate and negative effects on game populations in some areas. In one of my guide areas, guides and their non-resident clients kill 80% of the brown bears and it is a 2 bear limit. Wolf control is being done in part of the unit. Right now their are about 17 guides, mostly bear hunting. The plan is to reduce that number to 5-6. Need I say more?

Knowing all of these facts listed above and seeing DNRs failed attempt at setting up a rational GCP that reasonably addresses the "problems" claimed, I find it unbelievable that anyone in their right mind could propose to let DNR run with this thing. And if HB 158 passes, do you think DNR will start over and try to do it right? Or, will they just run with what they have now?

For the record, what has worked in the past and what will continue to work in the future, is for the Boards and Departments to do their job. The BGCSB manages guides. DNR manages the land. The BOG manages game with input from the Dept. of F&G and the public. The BOG and DNR have been doing good work. I have no faith in the BGCSB since they have failed the industry. Do not destroy the industry because a few greedy guides want the prime areas for next to nothing. For the last 5 years, I have been saying the legislature should tell them (BGCSB, BOG and DNR) to do their job and let the chips fall where they may. Ask them why they can not do their job! And if everything goes to a drawing permit then fine. At least it will be fair. And the areas that need attention will get it. Then we can call it resource management and wildlife conservation. Lastly, after seeing DNRs chalk board with all the important projects they are currently working on and after talking with them and judging their feelings at the start; the rank and file employee never wanted this project. After seeing the poison pills in the work product, I say they still do not want this job. I believe it was forced on them by a governor that didn't stick around too long.

Feel free to pick up the phone and call me anytime for advice on guiding industry issues or explanations about this letter. Please do not support HB 158. And for God's sake; do not insult the other 90% of the industry by confirming another APHA member to the BGCSB.

Here is a web site link to a list of 55+ guides apposed to the GCP. The list grows daily.
<http://apgs.com/DNR-guide-concession-program.shtml>

Thank you.

Sincerely,

Smokey Don Duncan Master Guide #136
299 Alvin St.
Fairbanks AK 99712
907-457-8318
apgs@gci.net

Linda Hay

From: Rep. Mia Costello
Sent: Monday, March 11, 2013 10:13 AM
To: Linda Hay
Subject: FW: Please replace earlier letter re; HB 158
Attachments: TRC Ltr DNR GCP Stoltze -Austerman Finance.docx

Joshua Walton, Staff
Office of Representative Mia Costello

Interim phone: (907) 269-0117
Session phone: (907) 465-4968

From: Bobby Fithian [<mailto:bobbyfithian@gmail.com>]
Sent: Monday, March 11, 2013 12:33 AM
To: Rep. Alan Austerman; Rep. Bill Stoltze
Cc: Rep. Mark Neuman; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Lindsey Holmes; Rep. Cathy Munoz; Rep. Mike Hawker; Rep. Scott Kawasaki
Subject: Please replace earlier letter re; HB 158

Dear Representative,
Please replace the letter "TRC Ltr DNR GCP" sent a few minutes ago with the one attached to this email.
Thank you.

Robert R. Fithian
Chief Executive Officer
Taiga Resources Conservation
HC 60 Box 299C Copper Center, Alaska USA 99573
Phone: (907) 822-3410
www.taigaresources.com



Taiga Resources Conservation

a management and consulting firm specializing in conservation based natural resource industry support. We provide industry, governmental, regional, and community assistance in understanding, developing, and maintaining conservation based initiatives that will help sustain long term stewardship for important social/cultural atmospheres, fish wildlife, land or water habitats, and industry developments within them.

HC60 Box 299C Copper Center, Alaska USA 99573 Phone: 1.907.822.3410
Email: taigaresources@gmail.com Web: www.taigaresources.com

March 9, 2013
Lower Tonsina, Alaska

Representatives Austerman and Stoltze
Co Chairs, House Finance Committee
State Capitol
Juneau AK, 99801
Re. DNR Guide Concession Program

Dear Representatives Austerman and Stoltze,

Please receive this letter as a show of support and request for the same regarding development of the much needed and long overdue DNR Guide Concession Program (GCP). I am in full support of HB 158. Also, please consider and share as you may like, the following comments about the program.

The following comments are provided from the background of having a deeply bedded history as a leader of professional hunting guide/wildlife conservation advocacy for Alaska, the United States and countries throughout the world as well as a personal thirty year professional guide history in Alaska. Additionally, this history includes leadership within Alaska's mineral industry (past member elected AMA president), long time involvement within Alaska's forestry, energy and agriculture industries. As well, I currently have the honor of representing America's tourism and guide-outfitter industries serving under the appointment of the Secretaries of Interior and Agriculture on the respected Wildlife and Hunting Heritage Conservation Council. Regarding Alaska's subsistence and related social/cultural heritage, I have served at the pleasure of three governors and continue work within the Wrangell-Saint Elias National Park and Preserve Subsistence Resource Commission. I bring forward this unique history with the request that you place no respect for me personally but rather that you find respect for my knowledge, however limited, to the stewardship of natural resource related industry, especially, the professional guide industry.

Without question, the DNR GCP will provide Alaska, our rural communities and professional guide service providers with a viable and important, long term sustainable industry. Without this development, we will see implementation of restrictions on nonresident hunter opportunity that will reduce and in many cases eliminate the viable future of this profession. The reasoning behind this situation lies in the inability of the State of Alaska to restrict the amount of commercial enterprise from the hunting guide profession that currently impacts our precious wildlife populations, our social atmospheres relative to resident and subsistence hunters, other wilderness users and the related law enforcement/legal systems. Most of this negative impact falls into the lap of the Alaska Board of Game or the Federal Subsistence Board in proposal form from the resident public to eliminate or reduce nonresident hunter participation due to overcrowding of guides on state lands. As a person who has attended more Alaska Board of Game meetings than any sitting Board of Game member, I can assure you that the Board Of Game will have no choice but to eventually pass these proposal requests and by doing so, put the future of nonresident hunter participation into restrictive measures that closes the door on economic viability for a professional guide service provider.

Please know that I have seen this same equation play out in numerous western states throughout the

U.S. In each case, resident hunters put forth initiatives which unfairly reduce the number of nonresident hunters through restrictive measures that eliminate the viability of professional hunting guide businesses. The results in each case were as follows:

- A. Elimination of many long time established guide businesses.
- B. Significantly reduced rural economies.
- C. Significant loss of important historical State generated funding for wildlife conservation through nonresident hunting license sales.
- D. Substantial loss of the Pitman-Robertson Wildlife Restoration Funding which is generated by sportsman's excise tax and distributed to each state proportionately to their overall hunting license sales for wildlife conservation.
- E. Reduced overall wildlife conservation and stewardship.

For your review, there is an attachment sent with this letter copied from a Montana newspaper article which will help you further understand this situation. This article was written by a columnist without a full understanding of the impact on individual guide service providers or the fact that hunting is increasing in America but it will help you to see the path which Alaska is currently headed down. There are several other states in just as bad or worse situations that are not identified in this article. If you would like any more of this type of information or just general information on the GCP, please feel free to contact me and I will furnish whatever I can to help you.

What will actually happen to Alaska if we do not establish the GCP, is that long time service providers who have established successful businesses and maintain significant overhead investment, will not be able to effectively compete through the soon to be implemented games of chance that future restrictive drawing permit allocation will provide. These are the same business owners who have long established employee's and established relationships with a labyrinth of other types of rural Alaska businesses. These great service providers, many of them second and third generation will be replaced by service providers who can operate on a more part time basis without having to maintain substantial overhead. Many of these service providers will be nonresidents business owners who can secure licensing in numerous states, work the drawing permit games of chance and provide limited services wherever they may draw clients.

Alaska does not need to follow this course. With the GCP established, the Board of Game can be confident and fair with their conservation based decisions regarding allocation and social atmosphere considerations. Additionally, as a long time Alaska guide service provider who operated primarily on State lands before being awarded a Federal NPS Concession, I can assure you from experience that the GCP will develop better stewardship within the professional guide industry itself. There is a tenor of outcry that we do not need more government in our entrepreneurship world. Please know that after dealing with DNR for many years as a small business owner within the guiding, mining, forestry and agricultural arenas, that I have confidence that they can and will provide a GCP program that will work to provide the viability, sustainability and stewardship that all of us want for Alaska.

Please, I urge you to support and help pass HB 158 for the sustainable future of a important rural Alaskan industry. If I may be of any help to you in this or in any other consideration, please feel free to contact me at any time.

Very Respectfully,



Robert R. Fithian

Cc

House Resources

House Judiciary

House Finance

Senate Resources

Linda Hay

From: Israel Payton <truewildernessadventures@yahoo.com>
Sent: Monday, March 11, 2013 10:16 AM
To: Rep. Eric Feige
Cc: Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Peggy Wilson
Subject: Letter is attached this time/ Letter from A.G. to DNR ref. Limiting Guides
Attachments: Letter to DNR limiting fishing guides.pdf

Hi Linda,

Sorry, I had alot of windows open and forgot to attach to the email.

Is the Resources meeting today on HB 158 at 1pm?
And will it be on Legislative tv?

Thanks,
Israel

--- On Mon, 3/11/13, Rep. Eric Feige <Rep.Eric.Feige@akleg.gov> wrote:

From: Rep. Eric Feige <Rep.Eric.Feige@akleg.gov>
Subject: RE: Letter from A.G. to DNR ref. Limiting Guides
To: "Israel Payton" <truewildernessadventures@yahoo.com>
Date: Monday, March 11, 2013, 9:58 AM

Israel – There was no letter attached.

Linda Hay

House Resources Committee Aide

Representative Eric Feige

House Resources Co-Chair

State Capitol Room 126

907-465-3715 - Direct

907-321-1249 - Cell

linda.hay@akleg.gov

From: Israel Payton [<mailto:truwildernessadventures@yahoo.com>]

Sent: Monday, March 11, 2013 1:12 AM

To: Rep. Eric Feige

Cc: Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Peggy Wilson

Subject: Letter from A.G. to DNR ref. Limiting Guides

Dear Chair of the House Resources Committee,

Please see attached letter from the A.G. to the Commissioner of DNR I think it is very relevant to the issue at hand of HB 158.

The only facts that DNR has put forward in the reasoning for the GCP is Appendix C <http://dnr.alaska.gov/mlw/gcp/documents/appendix-C.pdf>

The numbers indicate that from 2000 to 2010 there was a DECREASE of guided hunters from 4678 hunters in 2000 to 3034 hunters in 2010 a 33% (1600 hunters) drop.

The facts for the need for this Bill/ GCP are not there.

Thank you,

Israel Payton

Hon. Harold C. Heinze
Commissioner
Department of Natural Resources

September 27, 1991

993-90-0049 and
993-91-0105
465-3600

Parks/Kenai River guide
regulations projects

Jeffrey W. Bush
Assistant Attorney General
and Regulations Attorney

As outlined below, we have completed our review and are prepared to approve for filing most of the general regulations on parks, file no. 993-90-0049, once the issue of helicopter use in the Wood-Tikchik State Park is resolved. With respect to the KRSMA sport-fish guide regulations, file no. 993-91-0105, we cannot approve them in their current form because, if put into effect, the limited entry permit system would clearly violate several provisions of the Alaska Constitution.

Parks, file no. 993-90-0049:

We recently received a copy of a memorandum from you to Lieutenant Governor Coghill dated September 18, 1991, which proposes to change 11 AAC 20.375 to outlaw the use of private helicopters in Wood-Tikchik State Park, but then proposes to "grandfather" in an exception to the prohibition for the single operator working in the area at the present time.

Our research concludes that to "grandfather" in one individual permittee on a permanent basis would violate the Alaska Constitution's equal protection clause (art. I, sec. 1) and equal application provision (art. VIII, sec. 17). Although we have opined in the past that certain grandfather provisions may be defensible (see 1986 Inf. Op. Att'y Gen. (883-86-0076; May 28)), that is only arguably true where the distinction created is based on a valid and substantial state interest. In the present case, we cannot find any significant state interest that is being furthered by the proposed exception. In fact, the exception is directly at odds with the management plan for the park, which was adopted by the Wood-Tikchik State Park Management Council in accordance with the legislative mandate under AS 41.21.164.

Therefore, the proposed revision cannot be approved.

Several other acceptable options are available, however. The department could simply remove 11 AAC 20.375 from the project. We understand that Lieutenant Governor Coghill prefers this approach. ^{1/} Alternatively, the department could leave the absolute prohibition on helicopters in 11 AAC 20.375; this was the substance of the regulation as adopted by your department. As a potential compromise, a third option would be for the department to adopt the absolute prohibition now but delay the effective date of the section, to allow the current operator to continue his helicopter operations for some period of time. We await your instructions before proceeding with these regulations.

Kenai River guide limitation, file no. 993-91-0105

The current proposal to limit the number of guides on the Kenai River is patently unconstitutional. The proposal would set up a system in which anyone wishing to guide on the river could apply to the department for a permit. Permits would be issued for a five-year period (1/5 each year) to those applicants scoring the highest number of points, which would be awarded based on several factors. Proposed 11 AAC 20.887. The most significant factor, and the one of greatest concern from a constitutional perspective, is the proposal to award five points for each year of guiding experience on the Kenai River. Proposed 11 AAC 20.887(d)(1). Since we can assume that all other factors will generally cancel themselves out, the system will naturally heavily favor current permittees over new entrants to the program, because a current permittee who is required to reapply when his/her permit expires would automatically get 25 points for the preceding five years of experience gained as a permit holder. This is precisely the kind of special preference rejected by the Supreme Court in Owsichek v. State, 763 P.2d 488 (Alaska 1988).

In Owsichek, the Supreme Court stated that it would not accept any monopoly system to regulate the use of our fish or wildlife. There are to be no "exclusive grants or special privileges." Id. at 493, citing Alaska Constitutional Convention papers; see also McDowell v. State, 785 P.2d 1, 6 (Alaska 1989).

This prohibition on exclusive grants or privileges applies not only to a grant to a single person or corporation but to any special group or number of people. McDowell, 785 P.2d at 7. The system that was rejected in Owsichek was "based primarily on use,

^{1/} If you would like to revisit this issue later, we could designate the rest of this project as Part 1 and submit it to the lieutenant governor at this time for filing, and designate 11 AAC 20.375 as Part 2 for further work.

occupancy and investment, favoring established guides at the expense of new entrants in the market." 736 P.2d at 496, emphasis added. The Court noted that "to grant such a special privilege based primarily on seniority runs counter to the notion of common use." Id.

Unlike under the current Kenai River proposal, in Owsichek the Court was faced with a system in which the guide permit, the "exclusive guide area," was of unlimited duration. The Court relied, in part, on this factor in its analysis in Owsichek. 763 P.2d at 496. We do not believe, however, that this distinction is significant enough to make the current proposal defensible. The Owsichek Court based its decision not only on the unlimited duration of the special privilege granted by the state, but also on the fact that the privilege was granted at all. Id. Moreover, the system proposed for the Kenai River so heavily favors established guides over new entrants as to make the permits effectively of unlimited duration.

Even if we were able to overcome these constitutional hurdles, there is a serious question whether any system to limit guide numbers would be defensible at the present time. Your department recently furnished us back-up information that supposedly justifies the proposed guide limits. This information, however, shows that the actual fishing pressure on the river has not significantly changed since 1983, and in fact it declined in 1990 and 1991. Furthermore, the evidence shows that although the actual number of guides has increased over this period, guided angler hours still constitutes only 40% of the total fishing effort on the river.

To survive challenge, a regulation must be reasonably necessary to carry out the purpose of its enabling statutes. See Kelly v. Zamarello, 486 P.2d 906, 911 (Alaska 1971). When the regulation affects access to fish, it must also impinge as little as possible on the constitution's open fishery clauses (Art. VIII, secs. 3 and 15). Johns v. CFEC, 758 P.2d 1256, 1266 (Alaska 1988); State v. Ostrosky, 667 P.2d 1184, 1191 (Alaska 1983). Assuming the department has the authority to adopt a regulation to limit the number of guides on the river and proposes to do so in a constitutional manner, the department still must be able to demonstrate that the limitation is reasonably necessary. The data supplied to us supports neither the conclusion that there is a problem of overcrowding or of increasing fishing pressure, nor the conclusion that limiting the number of guides alone would help solve the problem, if it were

found to exist. 2/

For the reasons outlined above, we cannot approve for filing any regulations proposing to limit the number of guides through a system that favors existing guides over new entrants. If we assume, however, that your department can find sufficient empirical evidence that a problem of overcrowding or increasing crowding exists on the river and that a limitation on the number of guides would alleviate the problem, we can suggest possible systems that would be defensible. A pure lottery system, in which lottery participants qualify based on criteria that do not favor established guides over new entrants, would be the best system and clearly would not violate constitutional prohibitions.

The length of the permit would have to be reasonable, but we believe the proposed five-year period would not cause any serious problems. We recommend the department seriously consider this option.

If the department finds the lottery option unpalatable, a concession system, in which any qualified guide applicant could bid and permits would go to the highest bidders, would arguably be defensible. The Court in Owsichuk indicated that such a system might survive constitutional challenge (763 P.2d at 497), although there is a strong possibility the Court would reject such a system because it would favor the wealthy. See Ostrosky, 667 P.2d at 1198 (Chief Justice Rabinowitz, dissenting). We would likely approve a regulatory scheme based on such a concession system (assuming that there is sufficient evidence that the system was reasonably necessary) and leave it to the courts to decide the program's legality.

Enclosed are your original adoption order and supporting documents for this project. We will now close our file on this project. If you wish to pursue an alternative guide limitation program for the river, please contact us and we will open a new regulations file for that project at that time.

JWB:cl

2/ Even if we assume that the river is overcrowded (and has been since 1983), DNR's current proposal is to issue 220 permits plus 30 lodge concession permits. Proposed 11 AAC 20.885(h) and (i). This further undermines our argument, because these figures do not represent a significant reduction from current guide numbers and thus are not designed to alleviate the alleged problem.

Hon. Harold Heinze, Comm'r, DNR
Our file: 993-90-0049 and 993-91-0105

September 27, 1991
Page 5

cc w/enc.: Neil Johannsen, Director
Division of Parks

John B. Coghill
Lieutenant Governor

Elizabeth Barry
Assistant Attorney General
Anchorage

APPENDIX C:

Occupational Licensing Guide and Contracted Hunt Data

The following spreadsheet details two types of information in three different years: 2000, 2009 and 2010. The first type of information is the number of hunting guides and the second is the number of contracted hunts per Guide Use Area. Each type is organized according to Guide Use Area and year.

Some Guide Use Areas are not on the spreadsheet. This occurs when there is either no or very little state land within the Guide Use Area.

Occupational Licensing Data

11-01-2011

Guide Use Area	2000	2009	2010
1-01	3 Guides/13 Hunts	3 Guides/2 Hunts	3 Guides/1 Hunt
1-02	7 Guides/55 Hunts	5 Guides/31 Hunts	5 Guides/36 Hunts
6-01	5 Guides/111 Hunts	6 Guides/120 Hunts	5 Guides/155 Hunts
6-02	6 Guides/34 Hunts	8 Guides/39 Hunts	8 Guides/44 Hunts
6-03	7 Guides/29 Hunts	5 Guides/47 Hunts	4 Guides/35 Hunts
6-04	4 Guides/16 Hunts	7 Guides/50 Hunts	7 Guides/36 Hunts
6-05	5 Guides/9 Hunts	3 Guides/13 Hunts	3 Guides/9 Hunts
7-01	5 Guides/4 Hunts	4 Guides/6 Hunts	6 Guides/7 Hunts
8-01	3 Guides/5 Hunts	4 Guides/4 Hunts	2 Guides/1 Hunt
8-02	3 Guides/3 Hunts	6 Guides/20 Hunts	8 Guides/31 Hunts
8-03	4 Guides/5 Hunts	14 Guides/29 Hunts	9 Guides/9 Hunts
8-04	2 Guides/8 Hunts	6 Guides/8 Hunts	7 Guides/5 Hunts
8-26	5 Guides/5 Hunts	5 Guides/4 Hunts	4 Guides/9 Hunts
8-27	3 Guides/6 Hunts	6 Guides/2 Hunts	5 Guides/4 Hunts
8-28	5 Guides/10 Hunts	7 Guides/19 Hunts	9 Guides/14 Hunts
8-29	12 Guides/42 Hunts	17 Guides/51 Hunts	17 Guides/34 Hunts
8-30	10 Guides/17 Hunts	17 Guides/52 Hunts	14 Guides/24 Hunts
8-31	No Data	No Data	1 Guide/9 Hunts
9-01	9 Guides/8 Hunts	7 Guides/12 Hunts	3 Guides/1 Hunt
9-02	14 Guides/24 Hunts	8 Guides/8 Hunts	4 Guides/3 Hunts
9-03	6 Guides/6 Hunts	3 Guides/1 Hunt	1 Guide/2 Hunts
9-04	27 Guides/106 Hunts	23 Guides/85 Hunts	18 Guides/40 Hunts
9-05	8 Guides/18 Hunts	2 Guides/6 Hunts	2 Guides/3 Hunts
9-06	2 Guides/10 Hunts	3 Guides/6 Hunts	3 Guides/No Data
9-07	2 Guides/15 Hunts	1 Guide/5 Hunts	2 Guides/2 Hunts
9-08	No Data	1 Guide/1 Hunt	1 Guide/ No Data
9-12	6 Guides/13 Hunts	4 Guides/29 Hunts	3 Guides/15 Hunts
9-19	4 Guides/ 2 Hunts	4 Guides/22 Hunts	2 Guides/1 Hunt
9-25	9 Guides/48 Hunts	11 Guides/54 Hunts	10 Guides/29 Hunts
9-26	6 Guides/33 Hunts	6 Guides/39 Hunts	6 Guides/22 Hunts
9-29	4 Guides/27 Hunts	9 Guides/62 Hunts	9 Guides/68 Hunts
9-30	6 Guides/38 Hunts	7 Guides/24 Hunts	6 Guides/32 Hunts
9-99	4 Guides/22 Hunts	6 Guides/42 Hunts	5 Guides/31 Hunts
12-01	6 Guides/35 Hunts	8 Guides/39 Hunts	8 Guides/24 Hunts
12-03	1 Guide/No Data	2 Guides/No Data	2 Guides/2 Hunts
13-01	26 Guides/133 Hunts	25 Guides/96 Hunts	25 Guides/99 Hunts
13-02	24 Guides/108 Hunts	20 Guides/28 Hunts	21 Guides/39 Hunts
13-03	8 Guides/14 Hunts	9 Guides/10 Hunts	13 Guides/11 Hunts
13-04	5 Guides/8 Hunts	9 Guides/7 Hunts	9 Guides/2 Hunts
13-05	19 Guides/123 Hunts	10 Guides/29 Hunts	13 Guides/26 Hunts
13-06	8 Guides/36 Hunts	6 Guides/6 Hunts	10 Guides/6 Hunts
13-07	3 Guides/4 Hunts	5 Guides/17 Hunts	9 Guides/24 Hunts
14-01	10 Guides/26 Hunts	9 Guides/25 Hunts	11 Guides/24 Hunts
14-02	8 Guides/12 Hunts	3 Guides/8 Hunts	5 Guides/3 Hunts
14-03	6 Guides/6 Hunts	5 Guides/8 Hunts	4 Guides/15 Hunts
14-04	13 Guides/23 Hunts	11 Guides/34 Hunts	13 Guides/31 Hunts

Occupational Licensing Data

11-01-2011

15-03	4 Guides/11 Hunts	2 Guides/45 Hunts	3 Guides/32 Hunts
16-01	5 Guides/8 Hunts	28 Guides/102 Hunts	28 Guides/59 Hunts
16-02	19 Guides/186 Hunts	33 Guides/88 Hunts	34 Guides/40 Hunts
16-03	16 Guides/37 Hunts	32 Guides/43 Hunts	32 Guides/28 Hunts
16-04	9 Guides/62 Hunts	17 Guides/39 Hunts	16 Guides/ 41 Hunts
16-05	2 Guides/12 Hunts	9 Guides/13 Hunts	13 Guides/23 Hunts
17-01	10 Guides/44 Hunts	8 Guides/3 Hunts	8 Guides/19 Hunts
17-02	35 Guides/203 Hunts	16 Guides/75 Hunts	17 Guides/52 Hunts
17-03	42 Guides/247 Hunts	23 Guides/116 Hunts	24 Guides/68 Hunts
17-04	19 Guides/153 Hunts	8 Guides/50 Hunts	7 Guides/26 Hunts
17-05	17 Guides/124 Hunts	13 Guides/60 Hunts	18 Guides/81 Hunts
17-06	8 Guides/37 Hunts	4 Guides/39 Hunts	4 Guides/20 Hunts
18-02	2 Guides/No Data	2 Guides/No Data	1 Guide/No Data
18-03	1 Guide/4 Hunts	3 Guides/28 Hunts	4 Guides/18 Hunts
19-01	4 Guides/8 Hunts	6 Guides/20 Hunts	5 Guides/11 Hunts
19-02	1 Guide/No Data	4 Guides/No Data	3 Guides/4 Hunts
19-03	26 Guides/472 Hunts	15 Guides/141 Hunts	15 Guides/118 Hunts
19-04	24 Guides/441 Hunts	18 Guides/52 Hunts	18 Guides/45 Hunts
19-05	7 Guides/18 Hunts	5 Guides/41 Hunts	6 Guides/40 Hunts
19-06	5 Guides/52 Hunts	7 Guides/6 Hunts	6 Guides/19 Hunts
19-07	9 Guides/115 Hunts	9 Guides/30 Hunts	9 Guides/19 Hunts
19-08	11 Guides/83 Hunts	9 Guides/26 Hunts	9 Guides/25 Hunts
19-09	6 Guides/49 Hunts	6 Guides/6 Hunts	7 Guides/15 Hunts
19-10	15 Guides/106 Hunts	15 Guides/62 Hunts	17 Guides/61 Hunts
19-11	No Data	2 Guides/2 Hunts	2 Guides/No Data
19-12	9 Guides/65 Hunts	12 Guides/83 Hunts	14 Guides/100 Hunts
19-13	No Data	2 Guides/No Data	1 Guides/1 Hunt
19-14	No Data/No Data	No Data/No Data	No Data/No Data
20-01	5 Guides/64 Hunts	5 Guides/13 Hunts	5 Guides/12 Hunts
20-02	5 Guides/21 Hunts	9 Guides/34 Hunts	8 Guides/10 Hunts
20-03	6 Guides/14 Hunts	8 Guides/48 Hunts	9 Guides/35 Hunts
20-04	20 Guides/148 Hunts	21 Guides/227 Hunts	22 Guides/194 Hunts
20-05	4 Guides/4 Hunts	6 Guides/14 Hunts	8 Guides/15 Hunts
20-06	3 Guides/1 Hunts	2 Guides/2 Hunts	3 Guides/5 Hunts
20-07	6 Guides/11 Hunts	9 Guides/18 Hunts	8 Guides/20 Hunts
20-08	3 Guides/4 Hunts	6 Guides/19 Hunts	7 Guides/10 Hunts
20-09	1 Guide/5 Hunts	1 Guide/2 Hunts	2 Guides/No Data
20-10	No Data	5 Guides/12 Hunts	4 Guides/5 Hunts
20-11	4 Guides/18 Hunts	6 Guides/7 Hunts	5 Guides/15 Hunts
20-12	No Data/2 Hunts	3 Guides/No Data	3 Guides/No Data
21-01	10 Guides/106 Hunts	6 Guide/7 Hunts	7 Guides/20 Hunts
21-02	2 Guides/6 Hunts	4 Guides/2 Hunts	4 Guides/No Data
21-03	4 Guides/20 Hunts	4 Guides/2 Hunts	4 Guides/11 Hunts
21-04	4 Guides/16 Hunts	2 Guides/35 Hunts	3 Guides/16 Hunts
21-05	6 Guides/35 Hunts	2 Guides/38 Hunts	2 Guides/33 Hunts
22-01	1 Guide/3 Hunts	2 Guides/20 Hunts	2 Guides/21 Hunts
22-02	1 Guide/10 Hunts	1 Guide/27 Hunts	1 Guide/22 Hunts

Occupational Licensing Data

11-01-2011

22-03	1 Guide/No Data	2 Guides/1 Hunts	2 Guides/No Data
22-04	1 Guide/5 Hunts	No Data	No Data
22-05	2 Guides/10 Hunts	2 Guides/4 Hunts	2 Guides/12 Hunts
22-06	4 Guides/35 Hunts	5 Guides/7 Hunts	3 Guides/3 Hunts
22-07	7 Guides/58 Hunts	5 Guides/46 Hunts	6 Guides/37 Hunts
23-01	3 Guides/39 Hunts	6 Guides/12 Hunts	5 Guides/15 Hunts
23-02	5 Guides/21 Hunts	3 Guides/32 Hunts	3 Guides/14 Hunts
23-03	No Data	No Data/4 Hunts	No Data
23-04	3 Guides/8 Hunts	5 Guides/7 Hunts	4 Guides/1 Hunt
23-05	2 Guides/2 Hunts	2 Guides/15 Hunts	2 Guides/13 Hunts
23-06	7 Guides/67 Hunts	9 Guides/41 Hunts	8 Guides/67 Hunts
23-07	2 Guides/10 Hunts	1 Guide/1 Hunt	1 Guide/No Data
24-01	5 Guide/42 Hunts	6 Guides/23 Hunts	5 Guides/35 Hunts
24-02	No Data	1 Guide/2 Hunts	1 Guide/1 Hunt
24-03	1 Guide/4 Hunts	2 Guides/12 Hunts	8 Guides/23 Hunts
24-04	2 Guides/21 Hunts	5 Guides/14 Hunts	2 Guides/1 Hunt
24-05	4 Guides/23 Hunts	4 Guides/24 Hunts	4 Guides/14 Hunts
25-01	1 Guide/11 Hunts	1 Guide/7 Hunts	1 Guide/21 Hunts
25-02	7 Guides/38 Hunts	5 Guides/73 Hunts	8 Guides/61 Hunts
25-03	5 Guides/19 Hunts	5 Guides/80 Hunts	2 Guides/32 Hunts
25-03A	No Data	No Data	4 Guides/20 Hunts
25-03B	No Data	No Data	2 Guides/7 Hunts
25-09	No Data/3 Hunts	1 Guide/1 Hunt	1 Guide/1 Hunt
25-10	No Data/1 Hunt	No Data	No Data/10 Hunts
25-11	2 Guides/No Data	1 Guide/No Data	1 Guide/ 1 Hunt
26-06	3 Guides/17 Hunts	5 Guides/82 Hunts	7 Guides/152 Hunts
26-07	2 Guides/6 Hunts	6 Guides/12 Hunts	6 Guides/5 Hunts
26-08	3 Guides/14 Hunts	3 Guides/23 Hunts	4 Guides/9 Hunts
26-09	1 Guide/22 Hunts	1 Guide/46 Hunts	2 Guides/37 Hunts
26-10	No Data	No Data	No Data
26-11	1 Guide/No Data	3 Guides/1 Hunt	2 Guides/7 Hunts
26-12	No Data	No Data	2 Guides/8 Hunts
26-13	3 Guides/3 Hunts	3 Guides/No Data	3 Guides/No Data

Linda Hay

From: aaron bloomquist <bloomya@hotmail.com>
Sent: Monday, March 11, 2013 12:01 PM
To: Rep. Mia Costello; Rep. Neal Foster; Rep. Lora Reinbold; Rep. Eric Feige; Rep. Craig Johnson; Rep. Wes Keller; Rep. Charisse Millett; Rep. Steve Thompson; Rep. Bill Stoltze; Sen. Click Bishop; Sen. John Coghill; Sen. Mike Dunleavy; Sen. Fred Dyson; Sen. Anna Fairclough; Sen. Lyman Hoffman; Sen. Charlie Huggins; Sen. Pete Kelly; Sen. Lesil McGuire; Sen. Kevin Meyer; Sen. Peter Micciche; Sen. Donny Olson; Sen. Gary Stevens
Subject: HB158

Representative Costello and others,

I read your article in the Fairbanks New Miner today about the guide bill HB158. I thank you for taking up this cause and support it, but I am also scared about what DNR is going to end up with.

I am a hunting guide that started my hunting business about 5 years ago and have gone out of my way to stay away from other guides and be helpful to resident hunter. I accomplished this by concentrating on lessor species, mostly black bears and bison. I built a viable business, but just barely (no pun intended). Although I have hunted some of the more crowded Game Management units, I have never had a conflict with another guide or a resident hunter. I actually had a couple resident hunters that I have helped out in the field write recommendations for me for Federal concessions. I could not make this method work under the new proposed fees, no WAY! I think this is sad but I guess I am willing to accept it for the better of the industry. I have moved on to more profitable species but I am proud of the way I scratched it out in the beginning without stepping on anyone. I have taken as many as 40 black bears per year in an area that ADF&G was begging people to take more bears without a single conflict. While in the same area (unit 16) there are almost constant conflicts between guides over brown bears and between guides and residents over moose. These hunts are very low-budget and I sold many of them at cost or less to Veterans Non-Profits.

I would encourage you to encourage DNR to develop a method that will allow for the targeting of less desirable species or under-utilized species in an area. If this does not happen, ADF&G's predator management areas will suffer. Guides can currently register for extra areas in predator control areas, this is not allowed for in the proposed DNR plan. Thanks!

I have cc'd this to a few other legislators.

Thanks,

Aaron Bloomquist Mae's Way, Tok AK 99780

Aaron Bloomquist
(907) 982-2471 cell

Full Curl Outdoors, LLC

www.fullcurlalaska.com

Alaska Fishing, Tours,
Hunting, and Resource Consulting

Linda Hay

From: Mark Miller <mark@talaheimlodge.com>
Sent: Monday, March 11, 2013 12:14 PM
To: Rep. Bryce Edgmon; Rep. Lynn Gattis; Rep. Bob Herron; Rep. Wes Keller; Rep. Charisse Millett; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Chris Tuck; Rep. Max Gruenberg; Rep. Pete Higgins; Rep. Craig Johnson; Rep. Beth Kerttula; Rep. Cathy Munoz; Rep. Lance Pruitt; Rep. Bill Stoltze; Rep. Peggy Wilson; Rep. Neal Foster; Rep. Lindsey Holmes; Rep. Andy Josephson; Rep. Jonathan Kreiss-Tomkins; Rep. Gabrielle LeDoux; Rep. Benjamin Nageak; Rep. Lora Reinbold; Rep. Geran Tarr; Rep. Harriet Drummond; Rep. Mike Hawker; Rep. Bob Lynn; Rep. Dan Saddler; Rep. Doug Isaacson; Rep. Alan Austerman; Rep. Eric Feige; Rep. Tammie Wilson; Rep. Steve Thompson; Rep. Scott Kawasaki; Rep. David Guttenberg; Rep. Mia Costello; Rep. Mike Chenault; Rep. Les Gara
Subject: guide areas on state land

Representatives, I am expressing my concerns over HB 158 that is in regard to establishing hunting guide concessions by the DNR on state land. I am not totally against guide areas as long as: they are needed, as long as they are fairly distributed, they cannot be bartered (passed down to a child or wife is good) and that the guide areas are implemated by the Guide Board, not DNR. Another issue is that any guide area should go along with air taxi or exporters. Air taxis have always put many more hunters in the field than all the guides.. We already work with many federal, state, and local agencies, why add another (DNR). Please let me view my "no vote" on HB 158

Sincerely,

Mark Miller
Lodge Owner
PO Box 190043
Anchorage, Alaska 99519
www.AlaskaTalaheimLodge.com
(907) 248-6205 office
(907) 440-0614 cell



Linda Hay

From: Clifford Smith <clifford@triplec outfittersalaska.com>
Sent: Monday, March 11, 2013 11:47 AM
To: Rep. Eric Feige
Subject: About House Bill 158 and My public comment about it
Attachments: my comment to hb158.docx

March 11th, 2014

Dear Representative,

My name is Clifford Smith, I moved here to Alaska with my dream of becoming a Alaska Guide in the hunting and fishing industry, I have put many hard years in the wild of Alaska, and many burdens upon my family to make this dream come true. I have final obtained my goal in becoming a registered Alaskan guide in Alaska. I have also invested my life's savings into my business, and the land in which I steward same as my grandfather did years ago when beginning his dairy farm in the 1900's. Now because of the Alaska Professional hunters Association and DNR, I stand to lose all I have invested in for myself and for my family. The APHA has introduced this idea to the DNR of a Permanent Guide Concession area on state land. Stating many untrue facts about overcrowding, and biological impact on our Sate resources, none of what the APAH asks and supports for HB158 is true and to the fact, APAH does not speak for the majority of the hunting guide industry either. They are but 144-160 of the 700 guides and their numbers also include assistant guides and class A guides who do not own nor operate a business in our state nor steward any land with in our state. Most of the guides in the APAH have federal concessions granting them sole use of their Federal area, they seek to eliminate all of their competition, and create a monopoly within our industry. They will say all kinds of things such as overcrowding, this is just plain wrong and untrue, I work in Unit 16 and have never had a problem with other guides our residents. There is no evidence that says there has been an impact on the biology of the game spices nor that it has affected the land our other natural resources in our grate state.

I would like you to please remember that our country is made from small business and this house bill 158 will destroy me, my family, and a majority of the small guiding business in our state. None of what is said in this HB 158 is based on Biological studies our impacts it is purely the matter of opinion and that opinion is mired in the APHA vision of what the industry should look like, and that is them controlling all hunting rights and areas for guiding big game in our state and increasing their business tenfold.

Besides the APHA, the DNR has better things to do with their time and money, than running a program that has no basis on the Biology of the ecosystem our the fundamental right of all to access it. I ask you to Please stop HB158 and that I do not support HB158. I ask that you please let this letter stand as my public comment for this committee on **House Bill 158.**

Sincerely

Clifford Smith

Guide#1318

907-864-9073

320 South Willow Lane #1

Wasilla AK, 99654

Linda Hay

From: Wayne <args@mtaonline.net>
Sent: Monday, March 11, 2013 6:37 PM
To: Rep. Eric Feige; Rep. Dan Saddler
Cc: Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; "Rep..Chris.Tuck@akleg.gov"@imta-38.everyone.net
Subject: HB 158

Representative Eric Feige, Representative Dan Saddler and the entire House Resources Committee.

Earlier today (March 11th) I listened to the House Resource Meeting on HB 158 concerning the proposed DNR Guide Concession plan. Thank you for your hard work on this important issue!

I'm Wayne Kubat. I hold Alaska master guide-outfitter license #147. I've lived in Alaska year round since 1976, became an assistant guide about 1981, have lived in the Mat-Su Valley since 1984, and got my registered guide license in 1986. I've owned my own business – Alaska Remote Guide Service since that time. I hope you will support HB158. There is no doubt in my mind that the currently proposed Department of Natural Resources (DNR) Guide Concession Program (GCP) is much better for the guide industry as a whole, their clients, Alaska's wildlife resource and all resident Alaskans, than the current free for all that exists on much state land now.

The demand from those who want to be guides is always going to be a lot more than what our finite wild life resources can with stand. Additionally, there are already too many guides operating on state land, and we are still licensing more all the time with no place else for them to go but state land as well. I've seen numerous new guides come and go on state land since 1988. They set up shop on state land with good intentions, but more often than not, in places where there are already way too many guides. It usually doesn't take long for even those that strive to avoid crowding current operators, to be crowded out by others who don't care. After a few years, many of them find out they can't make it and move on to some thing else, but then another new wave comes in to replace them.

If everyone lived by the –“Golden Rule” of “Do unto others as you'd have them do to you”, we wouldn't need HB158 or the DNR GCP. But not everyone does. Unfortunately the new measure for ethical conduct by many operators seems to be – “If I don't know someone personally, it's OK to set up shop right on top of them” and/or “I'm only going to take 3-4 hunters so I'm not hurting anyone”, but several such operators certainly will. If a ship with 400 people is sinking and the life boat can only hold 200, who do you take? It's a tough predicament to be in, but that's where we are.

Many members of the opposition to a guide concession plan, are trying to paint this as a David and Goliath battle with them being David and APHA guides being the evil giant Goliath. The DNR plan is certainly a limiting plan, but I don't see APHA guides fairing any better as a group than most others, yet most of us are willing to risk some sacrifice in the short term in hopes of stability and viability for the industry down the road.

Some guides say they don't have problems where they operate – now. Also some people hunt mostly bear and they have fewer issues than sheep and moose hunters. So if we just deal with the hot spots and sheep, then guess where all those that don't get what they want, will end up and what animals they will be guiding for. Some that already deal with permits think everyone should have to. I think it is very difficult to run a business under a drawing permit system.

A question for the opposition – If you are fortunate enough to get an area or two, do you think it will improve on the viability and stability of your business, over never knowing who is going to drop in on top of you next? The answer to that question for me is definitely YES!!

300 or so registered and master guides are in disagreement over whether a guide concession plan will help or hurt their business, and guiding *is* a very important industry in Alaska and should be treated as such. But - what about the health of our wild life resource? What about the multiple thousands of Alaskan Resident Hunters, and all residents? Do you think they really want the state to continue to allow unlimited guide opportunities on state land so that more and more areas go to draw? If you take a look in any recent Board of Game proposal book, I think you will agree that the answer is no. You will find multiple proposals by resident hunters to eliminate or restrict non resident hunting and guiding opportunities.

Certainly, the fact that 90% of guide complaints are against guides who operate on state land, indicates that there is a problem on state land. I think you will find that the great majority of those guides receiving complaints, are also *Non APHA members*. I sincerely thank Representatives Feige, Austerman, Herron, Millet and Costello for sponsoring HB158 and taking on this difficult task. I think the DNR GCP is a good start and we can't wait any longer to start fixing the problem. I hope the House Resources Committee will support and move HB158 speedily on the way. I will be in Juneau on Tuesday and Wednesday, March 12th and 13th and hope to be able to thank you in person for your efforts. I would be glad to meet with or reply to any of you who might have further questions.

Sincerely,

Wayne Kubat / Alaska Remote Guide Service / PO Box 874867 / Wasilla, Alaska 99687 / Phone/Fax:907-376-9568

PS I have been a professional member of Alaska Professional Hunters Association (APHA) since 1986, and was elected to the board of directors last December. I served on the Mat Valley Fish and Game Advisory Committee from 1998 to 2007 and was chairman the last 4 of those years. (The Mat Valley Advisory Committee did write a letter of support for the DNR GCP in the past) I've been active in the Big Game Commercial Services Board process, and March 12th and 13th will be the first time I've missed a single day of those meetings since 2008. I wish I could be in both places, but I felt it was more important to come to Juneau to speak in person to those of you who make the decisions.

Linda Hay

From: Thor Stacey <thorstacey@gmail.com>
Sent: Tuesday, March 12, 2013 7:21 AM
To: Fleener, Craig L (DFG); ed.fogels@alaska.gov; Habeger, Don E (CED)
Cc: Moreland, Stefanie L (GOV); Ted Spraker; Nathan Turner
Subject: House Resources Testimony 3/11/13

Messrs Fleener and Fogel,

thank you so much for your testimony and diligent preparation for yesterday's hearing in House Resources. I think that this was a good introductory presentation for the legislature on the GCP. I had a couple of ideas to help describe more accurately Guide Concessions as specific component of game management that I, as a private person, can not accomplish.

Approximately 3 weeks ago I made a data request to the department for all the sheep harvest data for non-res and res hunters in units 13D, 20A & 26C, years 1983-2008. 13D and 20A lost concessions in 1988, 26C did not. My goal was to isolate concessions and develop a picture of the resident hunters experience post 1988 on state land, while comparing that to an area that has never lost guide areas. I'm not a scientist, but a cursory analysis of the following factors were very enlightening:

Res vs. Non Res success rates (trends pre-post 1988)
Res vs. Non Res days hunted, for hunters who harvest
% harvest of sheep over 40" res vs. non-res
Percent of overall harvest AND hunter effort in the field, res vs. non-res

Tentative conclusions:

pre 1988 harvest levels were stable, success rates for both non-res and res were higher and RESIDENTS killed high percentage of the big sheep. This was in all three units. Post 1988, in 13D and 20A non-res effort began to grow, res success rates begin to decline and percentage of non-res allocation begin to rise. In 26C, these numbers remained steady and are similar to pre 1988 numbers, today, except we see rising res-hunter effort, probably due to hunter displacement. Interestingly enough, post 1988, non-res begin taking a higher and higher percentage of <40" rams. Also, successful hunters non-res hunters actually were hunting less days (high reliance on airplane as a competitive advantage is the probable explanation).

The goal was to isolate concessions and their effect on a guide required species to more fully defend the value of concessions. Can a real scientist re-do my work (should take a tech with good excel skills 2-3 days) and verify my cursory look? After yesterday, I think this would be valuable.

Another thought that a GIS technician could quickly do to help inform the legislators.

Make a map of all the drawing hunts in AK in 1988. Color code them blue for state areas, green for federal DOI lands. Then make a map of new drawing hunts, post 1988 same colors. Add to this, with Ted Spraker's help, areas that WILL be draw shortly without concessions. All of this on a state-wide map. I think would help legislators understand where drawing hunts, as a function of land status.

Another idea to include **Dept. Commerce**:

During the peak of the Mulchatna caribou hunt many guides and transporters moved to unit 9, 19 and unit 17. Give a pre-1988 number and a post peak mulchatna hunt number of guides who conducted hunts in those units. Overlay that

with an ADF&G population trend of the Mulchatna herd. This will be quite dramatic. Keep in mind that enough of unit 9, 19 and 17 are state land, and caribou are migratory, that they essentially all get hunted on state land.

Thank you for all your help yesterday. I just wanted to share my ideas with you that might help answer some of the unanswered question I perceived in committee.

Sincerely,

Thor

--

Thor Stacey
907 723 1494

Linda Hay

From: David Lazer <lazertours@yahoo.com>
Sent: Monday, March 11, 2013 4:51 PM
To: Rep. Eric Feige

Rep. Eric. Feige, This is my public opinoin.

I came to Alaska in 1968 and have been in the guiding business since 1969.

I am a Master Guide.

I am totally opposed to HB-158.

This bill is pushed by APHA. There are appox. 1428 people with a class of guide license in Alaska. APHA only has appox. 125 members. They (APHA) do not represent the guiding industry. They do not represent the majority of guides, They do not represent ME !!!!!!!!!!!

They are controlling and guiding DNR.for their own special interests.

Please appoint a independent person to contact all guides especially registered and master guides to give us a vote!

The majority needs to be heard.

Please oppose HB-158

THankyou

David L. Lazer

907-250-1120

PS. Put the guide board under the sunset law.

Do not let a APHA member on the guide board and especially a chairman , like they have had for the last 6 years !!!!

THankyou.

Linda Hay

From: Linda Leask <jandli@gci.net>
Sent: Tuesday, March 12, 2013 12:02 PM
To: Rep. Eric Feige
Subject: Bill 158

Categories: Linda

This Email is to express my support for bill 158

John Sadusky

Linda Hay

From: Israel Payton <truewildernessadventures@yahoo.com>
Sent: Tuesday, March 12, 2013 10:05 AM
To: Rep. Dan Saddler; Rep. Eric Feige; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Peggy Wilson
Subject: State Wide Sheep numbers for 29 years
Attachments: Sheep numbers.pdf
Categories: Linda

Dear House Resources Committee Members,

Here are 29 years of Sheep numbers copied from the ADFG website, I think they offer good insight.

Thank you,

Israel Payton

The Committee asked BOG and ADFG for some other numbers on sheep. Here they are. I'm not a biologist but it only took me a little bit of time on ADFG website to find lease. I don't know how to put numbers in fancy charts. These are just my observations but if you take the time to look I think the basic conclusion is for the last 29 years Sheep harvest and Non Res participation has been stable.

Non-Res participation- High 1990 @ 653 hunters/ Low 1983 @ 402 29 year average 529 hunters

Total sheep successful harvest Resident and Non Res- High 1989 44% / Low 2000 26% 29 year average is 35% success

The Resident vs Non Res success is roughly a 25% / 65% split and that is because guided hunters hunt longer and harder.

The Dept. of ADFG cherry picked 2 sub (14A & 13D) units out of the whole state of Alaska that has 26 units of which have up to 4 subunits in them to state their case on sheep. In those units ADFG identified a biological problem and fixed it with a drawing hunt. I say to that, good job that is what they needed to do.

2011

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	458	25.3% <i>25.2% of all overlays</i>	1351	74.7% <i>74.5% of all overlays</i>	5	0.3%	1814	100%
Non Res	333	72.9% <i>72.7% of all overlays</i>	124	27.1% <i>27.1% of all overlays</i>	1	0.2%	458	100%
Unspecified	21	29.2% <i>29.2% of all overlays</i>	51	70.8% <i>70.8% of all overlays</i>	0	0%	72	100%
No Overlay	7	50% <i>50% of all tickets</i>	7	50% <i>50% of all tickets</i>	0	0%	14	100%
Total	819	34.7%	1533	65%	6	0.3%	2358	100%

2010

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	446	23% <i>23% of all overlays</i>	1490	77% <i>76.8% of all overlays</i>	3	0.2%	1939	100%
Non Res	294	64.8% <i>64.8% of all overlays</i>	160	35.2% <i>35.2% of all overlays</i>	0	0%	454	100%
Unspecified	6	30% <i>30% of all overlays</i>	14	70% <i>70% of all overlays</i>	0	0%	20	100%
No Overlay	1	8.3% <i>8.3% of all tickets</i>	11	91.7% <i>91.7% of all tickets</i>	0	0%	12	100%
Total	747	30.8%	1675	69.1%	3	0.1%	2425	100%

2009

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	459	22.8% <i>22.8% of all overlays</i>	1550	77.2% <i>77.2% of all overlays</i>	0	0%	2009	100%
Non Res	336	66% <i>66% of all overlays</i>	173	34% <i>34% of all overlays</i>	0	0%	509	100%
Unspecified	5	27.8% <i>27.8% of all overlays</i>	13	72.2% <i>72.2% of all overlays</i>	0	0%	18	100%
No Overlay	15	55.6% <i>55.6% of all tickets</i>	12	44.4% <i>44.4% of all tickets</i>	0	0%	27	100%
Total	815	31.8%	1748	68.2%	0	0%	2563	100%

2008

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	480	23.4% <i>23.4% of all overlays</i>	1574	76.6% <i>76.6% of all overlays</i>	0	0%	2054	100%
Non Res	307	63.4% <i>63.4% of all overlays</i>	177	36.6% <i>36.6% of all overlays</i>	0	0%	484	100%
Unspecified	0	0% <i>0% of all overlays</i>	0	0% <i>0% of all overlays</i>	0	0%	0	100%
No Overlay	55	42.6% <i>42.6% of all tickets</i>	74	57.4% <i>57.4% of all tickets</i>	0	0%	129	100%
Total	842	31.6%	1825	68.4%	0	0%	2667	100%

2007

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	514	22.5% <i>22.5% of all overlays</i>	1769	77.5% <i>77.5% of all overlays</i>	0	0%	2283	100%
Non Res	403	67.2% <i>67.2% of all overlays</i>	197	32.8% <i>32.8% of all overlays</i>	0	0%	600	100%
Unspecified	2	66.7% <i>66.7% of all overlays</i>	1	33.3% <i>33.3% of all overlays</i>	0	0%	3	100%
No Overlay	18	43.9% <i>43.9% of all tickets</i>	23	56.1% <i>56.1% of all tickets</i>	0	0%	41	100%
Total	937	32%	1990	68%	0	0%	2927	100%

2006

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	484	22.7% <i>22.7% of all overlays</i>	1647	77.3% <i>77.3% of all overlays</i>	0	0%	2131	100%
Non Res	339	60.9% <i>60.9% of all overlays</i>	218	39.1% <i>39.1% of all overlays</i>	0	0%	557	100%
Unspecified	0	0% <i>0% of all overlays</i>	2	100% <i>100% of all overlays</i>	0	0%	2	100%
No Overlay	11	47.8% <i>47.8% of all tickets</i>	12	52.2% <i>52.2% of all tickets</i>	0	0%	23	100%
Total	834	30.7%	1879	69.3%	0	0%	2713	100%

2005

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	540	25.8% <i>25.8% of all overlays</i>	1553	74.2% <i>74.2% of all overlays</i>	0	0%	2093	100%
Non Res	372	67.1% <i>67.1% of all overlays</i>	182	32.9% <i>32.9% of all overlays</i>	0	0%	554	100%
Unspecified	3	37.5% <i>37.5% of all overlays</i>	5	62.5% <i>62.5% of all overlays</i>	0	0%	8	100%
No Overlay	6	66.7% <i>66.7% of all tickets</i>	3	33.3% <i>33.3% of all tickets</i>	0	0%	9	100%
Total	921	34.6%	1743	65.4%	0	0%	2664	100%

2004

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	582	26.3% <i>26.3% of all overlays</i>	1633	73.7% <i>73.7% of all overlays</i>	0	0%	2215	100%
Non Res	361	70.8% <i>70.8% of all overlays</i>	149	29.2% <i>29.2% of all overlays</i>	0	0%	510	100%
Unspecified	17	34% <i>34% of all overlays</i>	33	66% <i>66% of all overlays</i>	0	0%	50	100%
No Overlay	2	28.6% <i>28.6% of all tickets</i>	5	71.4% <i>71.4% of all tickets</i>	0	0%	7	100%
Total	962	34.6%	1820	65.4%	0	0%	2782	100%

2003

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	594	25.9% <i>25.9% of all overlays</i>	1699	74.1% <i>74.1% of all overlays</i>	0	0%	2293	100%
Non Res	360	64.9% <i>64.9% of all overlays</i>	195	35.1% <i>35.1% of all overlays</i>	0	0%	555	100%
Unspecified	3	23.1% <i>23.1% of all overlays</i>	10	76.9% <i>76.9% of all overlays</i>	0	0%	13	100%
No Overlay	1	9.1% <i>9.1% of all tickets</i>	10	90.9% <i>90.9% of all tickets</i>	0	0%	11	100%
Total	958	33.4%	1914	66.6%	0	0%	2872	100%

2002

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	561	24.1% <i>24.1% of all overlays</i>	1762	75.9% <i>75.9% of all overlays</i>	0	0%	2323	100%
Non Res	319	58.5% <i>58.5% of all overlays</i>	226	41.5% <i>41.5% of all overlays</i>	0	0%	545	100%
Unspecified	2	40% <i>40% of all overlays</i>	3	60% <i>60% of all overlays</i>	0	0%	5	100%
No Overlay	12	52.2% <i>52.2% of all tickets</i>	11	47.8% <i>47.8% of all tickets</i>	0	0%	23	100%
Total	894	30.9%	2002	69.1%	0	0%	2896	100%

2001

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	540	23.7% <i>23.7% of all overlays</i>	1738	76.3% <i>76.3% of all overlays</i>	0	0%	2278	100%
Non Res	338	65.3% <i>65.3% of all overlays</i>	180	34.7% <i>34.7% of all overlays</i>	0	0%	518	100%
Unspecified	0	0% <i>0% of all overlays</i>	4	100% <i>100% of all overlays</i>	0	0%	4	100%
No Overlay	11	34.4% <i>34.4% of all tickets</i>	21	65.6% <i>65.6% of all tickets</i>	0	0%	32	100%
Total	889	31.4%	1943	68.6%	0	0%	2832	100%

2000

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	486	19.9% <i>19.9% of all overlays</i>	1955	80.1% <i>80.1% of all overlays</i>	0	0%	2441	100%
Non Res	292	54% <i>54% of all overlays</i>	249	46% <i>46% of all overlays</i>	0	0%	541	100%
Unspecified	3	50% <i>50% of all overlays</i>	3	50% <i>50% of all overlays</i>	0	0%	6	100%
No Overlay	9	39.1% <i>39.1% of all tickets</i>	14	60.9% <i>60.9% of all tickets</i>	0	0%	23	100%
Total	790	26.2%	2221	73.8%	0	0%	3011	100%

1999

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	592	23.2% <i>23.2% of all overlays</i>	1961	76.8% <i>76.8% of all overlays</i>	0	0%	2553	100%
Non Res	348	61.8% <i>61.8% of all overlays</i>	215	38.2% <i>38.2% of all overlays</i>	0	0%	563	100%
Unspecified	0	0% <i>0% of all overlays</i>	1	100% <i>100% of all overlays</i>	0	0%	1	100%
No Overlay	11	64.7% <i>64.7% of all tickets</i>	6	35.3% <i>35.3% of all tickets</i>	0	0%	17	100%
Total	951	30.3%	2183	69.7%	0	0%	3134	100%

1998

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	619	24.1% <i>24.1% of all overlays</i>	1945	75.9% <i>75.9% of all overlays</i>	0	0%	2564	100%
Non Res	366	62.6% <i>62.6% of all overlays</i>	219	37.4% <i>37.4% of all overlays</i>	0	0%	585	100%
Unspecified	3	50% <i>50% of all overlays</i>	3	50% <i>50% of all overlays</i>	0	0%	6	100%
No Overlay	12	66.7% <i>66.7% of all tickets</i>	6	33.3% <i>33.3% of all tickets</i>	0	0%	18	100%
Total	1000	31.5%	2173	68.5%	0	0%	3173	100%

1997

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	553	22.8% <i>22.8% of all overlays</i>	1868	77.2% <i>77.2% of all overlays</i>	0	0%	2421	100%
Non Res	363	67.3% <i>67.3% of all overlays</i>	176	32.7% <i>32.7% of all overlays</i>	0	0%	539	100%
Unspecified	2	25% <i>25% of all overlays</i>	6	75% <i>75% of all overlays</i>	0	0%	8	100%
No Overlay	24	34.8% <i>34.8% of all tickets</i>	45	65.2% <i>65.2% of all tickets</i>	0	0%	69	100%
Total	942	31%	2095	69%	0	0%	3037	100%

1996

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	701	25.6% <i>25.6% of all overlays</i>	2032	74.4% <i>74.4% of all overlays</i>	0	0%	2733	100%
Non Res	365	66.5% <i>66.5% of all overlays</i>	184	33.5% <i>33.5% of all overlays</i>	0	0%	549	100%
Unspecified	6	40% <i>40% of all overlays</i>	9	60% <i>60% of all overlays</i>	0	0%	15	100%
No Overlay	17	43.6% <i>43.6% of all tickets</i>	22	56.4% <i>56.4% of all tickets</i>	0	0%	39	100%
Total	1089	32.6%	2247	67.4%	0	0%	3336	100%

1995

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	729	26.4% <i>26.4% of all overlays</i>	2035	73.6% <i>73.6% of all overlays</i>	0	0%	2764	100%
Non Res	402	68.7% <i>68.7% of all overlays</i>	183	31.3% <i>31.3% of all overlays</i>	0	0%	585	100%
Unspecified	2	25% <i>25% of all overlays</i>	6	75% <i>75% of all overlays</i>	0	0%	8	100%
No Overlay	3	15% <i>15% of all tickets</i>	17	85% <i>85% of all tickets</i>	0	0%	20	100%
Total	1136	33.6%	2241	66.4%	0	0%	3377	100%

1994

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	661	24.1% <i>24.1% of all overlays</i>	2083	75.9% <i>75.9% of all overlays</i>	0	0%	2744	100%
Non Res	347	67.4% <i>67.4% of all overlays</i>	168	32.6% <i>32.6% of all overlays</i>	0	0%	515	100%
Unspecified	6	33.3% <i>33.3% of all overlays</i>	12	66.7% <i>66.7% of all overlays</i>	0	0%	18	100%
No Overlay	13	61.9% <i>61.9% of all tickets</i>	8	38.1% <i>38.1% of all tickets</i>	0	0%	21	100%
Total	1027	31.1%	2271	68.9%	0	0%	3298	100%

1993

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	758	26% <i>26% of all overlays</i>	2157	74% <i>74% of all overlays</i>	0	0%	2915	100%
Non Res	323	65.4% <i>65.4% of all overlays</i>	171	34.6% <i>34.6% of all overlays</i>	0	0%	494	100%
Unspecified	15	36.6% <i>36.6% of all overlays</i>	26	63.4% <i>63.4% of all overlays</i>	0	0%	41	100%
No Overlay	9	42.9% <i>42.9% of all tickets</i>	12	57.1% <i>57.1% of all tickets</i>	0	0%	21	100%
Total	1105	31.8%	2366	68.2%	0	0%	3471	100%

1992

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	716	26.5% <i>26.5% of all overlays</i>	1988	73.5% <i>73.5% of all overlays</i>	0	0%	2704	100%
Non Res	368	69.2% <i>69.2% of all overlays</i>	164	30.8% <i>30.8% of all overlays</i>	0	0%	532	100%
Unspecified	9	31% <i>31% of all overlays</i>	20	69% <i>69% of all overlays</i>	0	0%	29	100%
No Overlay	16	43.2% <i>43.2% of all tickets</i>	21	56.8% <i>56.8% of all tickets</i>	0	0%	37	100%
Total	1109	33.6%	2193	66.4%	0	0%	3302	100%

1991

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	944	31.8% <i>31.8% of all overlays</i>	2028	68.2% <i>68.2% of all overlays</i>	0	0%	2972	100%
Non Res	447	73.2% <i>73.2% of all overlays</i>	164	26.8% <i>26.8% of all overlays</i>	0	0%	611	100%
Unspecified	8	40% <i>40% of all overlays</i>	12	60% <i>60% of all overlays</i>	0	0%	20	100%
No Overlay	22	52.4% <i>52.4% of all tickets</i>	20	47.6% <i>47.6% of all tickets</i>	0	0%	42	100%
Total	1421	39%	2224	61%	0	0%	3645	100%

1990

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	852	31.9% <i>31.9% of all overlays</i>	1819	68.1% <i>68.1% of all overlays</i>	0	0%	2671	100%
Non Res	493	75.5% <i>75.5% of all overlays</i>	160	24.5% <i>24.5% of all overlays</i>	0	0%	653	100%
Unspecified	9	45% <i>45% of all overlays</i>	11	55% <i>55% of all overlays</i>	0	0%	20	100%
No Overlay	52	50% <i>50% of all tickets</i>	52	50% <i>50% of all tickets</i>	0	0%	104	100%
Total	1406	40.8%	2042	59.2%	0	0%	3448	100%

1989 Year Full curl was expanded across most of Alaska.

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	930	35.4% <i>35.4% of all overlays</i>	1696	64.6% <i>64.6% of all overlays</i>	0	0%	2626	100%
Non Res	475	76.6% <i>76.6% of all overlays</i>	145	23.4% <i>23.4% of all overlays</i>	0	0%	620	100%
Unspecified	26	45.6% <i>45.6% of all overlays</i>	31	54.4% <i>54.4% of all overlays</i>	0	0%	57	100%
No Overlay	23	67.6% <i>67.6% of all tickets</i>	11	32.4% <i>32.4% of all tickets</i>	0	0%	34	100%
Total	1454	43.6%	1883	56.4%	0	0%	3337	100%

1988

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	886	34.9% <i>34.9% of all overlays</i>	1651	65.1% <i>65.1% of all overlays</i>	0	0%	2537	100%
Non Res	491	77.9% <i>77.9% of all overlays</i>	139	22.1% <i>22.1% of all overlays</i>	0	0%	630	100%
Unspecified	43	50.6% <i>50.6% of all overlays</i>	42	49.4% <i>49.4% of all overlays</i>	0	0%	85	100%
No Overlay	16	28.1% <i>28.1% of all tickets</i>	41	71.9% <i>71.9% of all tickets</i>	0	0%	57	100%
Total	1436	43.4%	1873	56.6%	0	0%	3309	100%

1987

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	869	32.9% <i>32.9% of all overlays</i>	1771	67.1% <i>67.1% of all overlays</i>	0	0%	2640	100%
Non Res	434	78.8% <i>78.8% of all overlays</i>	117	21.2% <i>21.2% of all overlays</i>	0	0%	551	100%
Unspecified	38	45.8% <i>45.8% of all overlays</i>	45	54.2% <i>54.2% of all overlays</i>	0	0%	83	100%
No Overlay	17	58.6% <i>58.6% of all tickets</i>	12	41.4% <i>41.4% of all tickets</i>	0	0%	29	100%
Total	1358	41.1%	1945	58.9%	0	0%	3303	100%

1986

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	853	33.9% <i>33.9% of all overlays</i>	1660	66.1% <i>66.1% of all overlays</i>	0	0%	2513	100%
Non Res	381	78.6% <i>78.6% of all overlays</i>	104	21.4% <i>21.4% of all overlays</i>	0	0%	485	100%
Unspecified	20	41.7% <i>41.7% of all overlays</i>	28	58.3% <i>58.3% of all overlays</i>	0	0%	48	100%
No Overlay	32	44.4% <i>44.4% of all tickets</i>	40	55.6% <i>55.6% of all tickets</i>	0	0%	72	100%
Total	1286	41.2%	1832	58.8%	0	0%	3118	100%

1985

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	784	33.9% <i>33.9% of all overlays</i>	1532	66.1% <i>66.1% of all overlays</i>	0	0%	2316	100%
Non Res	330	76.2% <i>76.2% of all overlays</i>	103	23.8% <i>23.8% of all overlays</i>	0	0%	433	100%
Unspecified	12	52.2% <i>52.2% of all overlays</i>	11	47.8% <i>47.8% of all overlays</i>	0	0%	23	100%
No Overlay	3	30% <i>30% of all tickets</i>	7	70% <i>70% of all tickets</i>	0	0%	10	100%
Total	1129	40.6%	1653	59.4%	0	0%	2782	100%

1984

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	657	27.7% <i>27.7% of all overlays</i>	1716	72.3% <i>72.3% of all overlays</i>	0	0%	2373	100%
Non Res	322	76.7% <i>76.7% of all overlays</i>	98	23.3% <i>23.3% of all overlays</i>	0	0%	420	100%
Unspecified	14	58.3% <i>58.3% of all overlays</i>	10	41.7% <i>41.7% of all overlays</i>	0	0%	24	100%
No Overlay	15	55.6% <i>55.6% of all tickets</i>	12	44.4% <i>44.4% of all tickets</i>	0	0%	27	100%
Total	1008	35.4%	1836	64.6%	0	0%	2844	100%

1983

	Successful		Unsuccessful		Did Not Hunt		Total Hunters	
	Number	Pct	Number	Pct	Number	Pct	Number	Pct
Residents	676	31.2% <i>31.2% of all overlays</i>	1492	68.8% <i>68.8% of all overlays</i>	0	0%	2168	100%
Non Res	282	70.1% <i>70.1% of all overlays</i>	120	29.9% <i>29.9% of all overlays</i>	0	0%	402	100%
Unspecified	12	34.3% <i>34.3% of all overlays</i>	23	65.7% <i>65.7% of all overlays</i>	0	0%	35	100%
No Overlay	9	56.3% <i>56.3% of all tickets</i>	7	43.8% <i>43.8% of all tickets</i>	0	0%	16	100%
Total	979	37.4%	1642	62.6%	0	0%	2621	100%

Linda Hay

From: Minnie & Brad Dennison <dennison@ptialaska.net>
Sent: Tuesday, March 12, 2013 1:57 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Rep. Bill Stoltze; Rep. Bob Lynn; Rep. Bryce Edgmon; Rep. Cathy Munoz; Rep. Chris Tuck; Rep. Craig Johnson; Representative Dan Saddler; Rep. David Guttenberg; Rep. Gabrielle LeDoux; Rep. Geran Tarr; Rep. Kurt Olson; Rep. Lance Pruitt; Rep. Les Gara; Rep. Lindsey Holmes; Representative Mark Neuman; Rep. Max Gruenberg; Rep. Neal Foster; Rep. Paul Seaton; Rep. Peggy Wilson; Representative Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Wes Keller; Rep. Jonathan Kreiss-Tomkins; Rep. Mike Hawker; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Bert Stedman; Sen. Peter Micciche; Sen. Click Bishop; Senator Leslie McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: HB 158

March 12, 2013

Dear Representative Costello, Representative Feige, Representative Austerman, Representative Herron, and Representative Millett

Re: HB158

I am writing in support of HB 158 which would allow the Department of Natural Resources to better manage guides on State lands. Currently there is little that can be done to limit the number of guiding operations on State lands. This has a negative impact on the wildlife resources in the area and every hunter in pursuit of these resources ... resident and non-resident alike. We had a similar situation in Southeast Alaska about 15 years ago and the situation just got worse over time until the USFS went to a restrictive permitting system similar to what DNR is proposing. In Southeast Alaska we now have healthy bear population, good resident hunting opportunities, and a healthy guiding industry.

The DNR Guide Concession Program is not perfect. Neither is the USFS permitting system even though it's been in place for quite a few years now. Over time the USFS system has improved and so will the DNR system if it is implemented. Please support the DNR program.

Brad Dennison

Sitka, AK

Master Guide #138

Linda Hay

From: Clifford Smith <clifford@triplec outfittersalaska.com>
Sent: Tuesday, March 12, 2013 3:45 PM
To: Rep. Bryce Edgmon; Rep. Lynn Gattis; Rep. Bob Herron; Rep. Wes Keller; Rep. Charisse Millett; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Chris Tuck; Rep. Max Gruenberg; Rep. Pete Higgins; Rep. Craig Johnson; Rep. Beth Kerttula; Rep. Cathy Munoz; Rep. Lance Pruitt; Rep. Bill Stoltze; Rep. Peggy Wilson; Rep. Neal Foster; Rep. Lindsey Holmes; Rep. Andy Josephson; Rep. Jonathan Kreiss-Tomkins; Rep. Gabrielle LeDoux; Rep. Benjamin Nageak; Rep. Lora Reinbold; Rep. Geran Tarr; Rep. Harriet Drummond; Rep. Mike Hawker; Rep. Bob Lynn; Rep. Dan Saddler; Rep. Doug Isaacson; Rep. Alan Austerman; Rep. Eric Feige; Rep. Tammie Wilson; Rep. Steve Thompson; Rep. Scott Kawasaki; Rep. Scott Kawasaki; Rep. David Guttenberg; Rep. Mia Costello; Rep. Mike Chenault; Rep. Les Gara
Subject: Public Comment about house bill 158

Members of the House Resources Standing Committee:

Greetings

Please allow me to voice my opposition to the APHA/DNR GUACP and HB 158. Although I did not submit my comments in opposition to the plan on the DNR public comment page of their web site during this last comment period I did attend the public meeting in Anchorage last month and I had an hour and a half long meeting with Clark Cox and Christy, his assistant, in the DNR office in Anchorage later that week. I have attended a number of DNR public comment meetings and each time there has been a 70% to 80% opposition to this plan.

Please find attached to this memo my previous comments posted on the DNR web site. As you can see in the introductory paragraph of my comments I have been a contracting big game sport hunting guide since 1995 and I began my career as an apprentice assistant guide in 1988. I have been a professional member of the APHA (Alaska Professional Hunters Association) since 1996.

The first vestige of the GUACP was hatched during an annual APHA membership meeting in the late nineties when Bobby Fithian was hired as the Executive Director. The current DNR/(ADF&G) GUACP handle is simply a smoke screen to hide the obvious croney capitalist connection of the handful of minority voice, special self interest motivated, primarily APHA past and present Board of Directors, and the various government bureaucrats that have bought into this scheme.

The membership of the APHA represents maybe 15% of the big game sport hunting industry in Alaska and the percentage of the professional membership in the APHA in favor of this program ... although there has never been an official consensus gathering effort made by the Board of Directors of the APHA ... is under 50% of the membership.

The APHA has suffered a steady loss in membership as a result of this flawed mission. The current President of the APHA stated in a recent memo to the APHA membership that \$600,000 in membership fees, "Hunters Conservation Fund" ... required extortion payments paid by a handful of the membership ..., and "gifts" payed to the APHA by national "Conservation" groups such as the elists "good ole boy's" clubs like the Dallas and Houston Safari clubs ... has been spent on the lobbying effort pushing the GUACP since its inception. Last July, as the result of an internal "coup" in the Board of Directors and the accusations of fraud leveled at the Executive Director, the membership of the APHA called for a meeting to get to the bottom of the problem.

As a result of the malfeasance perpetrated by the Executive director during the past 11 years of his supposed leadership he was fired ... (he was offered a contract position as "Government Liason" but he turned down the offer) ... and the past Treasurer, during the time of the malfeasance and the President at the time, of the membership called meeting, and the Secretary resigned. None of the details of the malfeasance or accusations of the fraud were presented at this meeting but the Board was unable to hide the fact that the "Simmon/Waugh tax exempt Charitable Trust" status of the organization had been taken away by the IRS due to taxes owed in arrears .

None of the original authors of this plan conducted their hunts on state land at that time of the inception of this scheme and all of them had and still have either sole use or limited USF&WS Refuge Permits, US Forest Service Permits, US Park Service, Permits, or exclusive trespass permits with native corporations. This plan has nothing to do with wildlife conservation and has everything to do with reducing the competition for clients for the same handful of self serving individuals that hatched this government "taking". Thor Stacey, the paid lobbyist for the APHA in Juneau, does not represent the Alaska big game sport hunting guide industry.

The President of the APHA has stated in various memos to the BOG addressing proposals calling for the reduction in non-resident allocations that the APHA endorses "no net loss". This statement must solicit the question from any thinking person ... " how then do you facilitate no net loss in allocation to nonresidents when the proponents of this GUACP are on record stating that the implementation of this program will result in a 50% to 70% loss of the guide industry on state land"?

Please read my comments on the APHA/DNR GUACP that I have attached to this memo. It has been my desire to stay engaged in this issue by providing alternatives to this subjective and capricious program. We as the shareholders in this issue must come together in the spirit of solidarity in our commitment to personal liberty and to the rule of Common Law and work from strength to strength to perserve this uniquely Alaskan sport hunting culture.

Your careful and thoughtful consideration of these comments will be greatly appreciated.

Sincerely

Tim Booch
Aleutian Islands Guide Service
907-487-4984

Linda Hay

From: Israel Payton <truewildernessadventures@yahoo.com>
Sent: Tuesday, March 12, 2013 10:36 AM
To: Rep. Geran Tarr
Cc: Rep. Dan Saddler; Rep. Eric Feige; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Chris Tuck; Rep. Peggy Wilson
Subject: Amend HB 158 to say.....

Representative Tarr,

Thank you for your response. This whole HB 158/ GCP is nothing more then guides trying to get rid of other guides. If you truly want to make a difference and wildlife and land stewardship are truly being abused then HB 158 needs to be amended to say something like- *DNR may not limit only hunting guides but all commercial operations involved with non- resident hunters, i.e. air taxi and transporters that do drop off hunts and only when DNR has developed a program to cover all commercial user groups will an type of program be allowed.*

Or something like that, you heard in the hearing that air taxis are a huge concern. It is not right to restrict one user group when the burden is shared by all.

I would encourage you or a colleagues to make an amendment to HB 158 before it goes to the other committees. If we are truly going to address/ fix problems lets do it and not band-aide it .

Thank you,

Israel Payton
354 4576

Linda Hay

From: Peter A Barela <barelaoutfitting@me.com>
Sent: Tuesday, March 12, 2013 7:47 PM
To: Rep. Eric Feige
Subject: Hb158

Hello House Representative,

My name is Peter Barela and I have a few concerns in regards to the DNR's idea of fixing the conflicts in the big game guiding industry on state land. What is being proposed will not only put so many of use out of business, but will not fix the original concerns that were brought up originally. The DNR should not have the authority to limit who does and who doesn't get to make an income for his/her family on state land. Fish and Games responsibility to manage wildlife, not DNR, Vote against HB158 Thank you, Peter Barela
Guide#1272

Ps. Has anyone thought of the idea of making changes to the law so it would be similar to the commercial fishing industry? Then the state can have control and we as business men would have an investment that would be worth something to pass on to family or sell and be more invested in the resources out there.
Sent from my iPad

Sent from my iPad



Anchorage, Alaska
99511-1394
(907) 349-4040
FAX (907) 349-2020

March 8, 2013

Dear Representative Costello,

It was great to have sat and talk to you a few weeks ago in Anchorage; I thank you for your time....

At this time, I want to thank you for sponsoring HB 158 which authorizes DNR to implement a Guide Concession Program. The Guide Concession Program is not just good for the guiding industry, but all Alaska, from the resident hunter to the rural subsistence user, but most of all the long term benefit to Alaska's wildlife.

The implantation of the Guide Concession Program will bring hundreds of jobs to Alaska, from the big cities, to our rural communities and villages which in some case bring the only economic income that they may have. The industry also provides hundreds jobs each year which include guides, packers, lodge and camp helpers, pilots, boat captains, cooks, expeditors, and taxidermist to name a few...

Putting the Guide Concession Program in place, will also reduce impact on the present state guide use areas that are currently over crowded. This in turn, will create less impact on Alaska's resources and wildlife.

With a stable guide concession program in course, will bring the non-resident hunter to Alaska which in turn will bring economic benefits to Alaska. Currently 70% of Fish and Game conservation budget is the result of revenues from the sales of non-resident tags and licenses in the state.

So I am encouraging you to support the Guide Concession Program for the future of the Alaska's guiding industry and for the future economic benefits for Alaska.

Any questions, please call my cell 907 229 5060 or viper@acsalaska.net

Regards,

Samuel T Fejes
Fejes Guide Service Ltd.
Board Member, APHA

Joshua Walton

From: Rep. Mia Costello
Sent: Friday, March 08, 2013 5:10 PM
To: Joshua Walton
Subject: FW: Guide Concession Program support

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Representative Mia Costello
House District 20 -- Sand Lake, Jewel Lake, Campbell Lake & Dimond
Alaska State Legislature
State Capitol, Room 501 Juneau, AK 99801
How to Reach Me: ☎ ☎ ☎
☎: (907) 465-4968 / 1-800-773-4968 | 📠: (907) 465

From: clover tiffany [<mailto:clovertiffany@yahoo.com>]
Sent: Friday, March 08, 2013 4:17 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Rep. David Guttenberg; Rep. Bryce Edgmon; Sen. Lyman Hoffman; Rep. Scott Kawasaki
Subject: Guide Concession Program support

Dear Senators and Representatives,

As a resident of Alaska who enjoys the outdoors and the hunting and fishing opportunities afforded us in our great state, I am in full support of House Bill 158 and the creation and implementation of a Guide Concession Program on State of Alaska land administered by the Alaska Department of Natural Resources. I realize how reducing the overcrowding of guides on State land will benefit all of Alaska. It will enhance the hunting opportunities for resident and non-resident hunters alike and promote better stewardship of our lands and resources by those guides that do operate on State lands. The Guide Concession Program will not adversely affect the rights of resident hunters whatsoever and can only enhance my experience when I am afield hunting each year as there will be less pressure on the resources.

This program will help to reduce the number of guiding operations in any given area and will benefit long term wildlife conservation. The guiding industry is one of our oldest industries here in Alaska and provides great economic benefit to small communities and villages around the state providing hundreds of good jobs in our communities including guides, pilots, boat captains, packers, cooks, expeditors and taxidermists, etc.. and contributes a lot of financial resources to our local economies. The Guide Concession Program is crucial to the long term stability and sustainability of the Big Game Guiding industry in the State of Alaska.

Please lend your full support to House Bill 158 and work towards making the Guide Concession Program a much needed reality.

Sincerely,

Clover Tiffany

Joshua Walton

From: Rep. Mia Costello
Sent: Friday, March 08, 2013 4:58 PM
To: Joshua Walton
Subject: FW: DNR Guide Concessions Program

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Representative Mia Costello
House District 20 -- Sand Lake, Jewel Lake, Campbell Lake & Dimond
Alaska State Legislature
State Capitol, Room 501 Juneau, AK 99801
How to Reach Me: ☎ 📧 📞
☎: (907) 465-4968 / 1-800-773-4968 | 📞: (907) 465

From: Dale Myers [<mailto:dalecmymers@yahoo.com>]
Sent: Wednesday, March 06, 2013 2:01 PM
To: Rep. Mia Costello
Subject: DNR Guide Concessions Program

Dear Representative Costello,

My name is Dale C. Myers and I am a life-long resident of Bristol Bay and South West Alaska. I am a commercial fisherman, pilot, guide and subsistence user. I have served on the South West Alaska Regional Advisory Council (RAC) and am active in other conservation areas. The health of this State's fish and game are very important to me. I have seen many changes in this area since I was younger and I am growing worried that the guided hunting pressure on state lands that is now so common is going to be very harmful to our game populations and the way of life that so many people out here depend on, both subsistence users and other guides. That is why I am asking for your full support of the DNR Guide Concessions Program. It is critical for maintaining a healthy sustainable guiding industry and for ensuring that subsistence users have ample opportunity to harvest the animals they need.

The DNR program, if it goes through, will go a long way in stopping many of the fly by night outfitters that abuse the resource and do not have any ethical standards. It will make enforcement easier and efficient. The DNR program will make sure that only the very best applicants are awarded guide areas and are allowed to operate. This will lead to better quality of experience for the non-resident guided hunter. Also, by reducing the number of guides on state lands, the serious guide overcrowding issue on state land will be completely eliminated. Similar concession programs and special use permits are used on Federal lands (NPS and FWS) and have worked great, benefiting all user groups and the resource. The same will happen on DNR lands. In the end, the DNR GCP will ensure that the game populations on our state's lands which so many people depend on will be safeguarded and used to the maximum benefit of all user groups. Subsistence users will have better opportunity. Non-resident guided hunters will have better quality of experience. General resident hunters will have less competition for the resource. Guides in general will be far better off because

the quality of experience for the clients will go up and the game populations will be healthier, for now and for future generations.

If the DNR GCP does not go through then there is a really good chance that the Board of Game will implement permit draw in order to deal with these serious issues facing state land. No guide wants this. It will ruin guiding making it impossible to make a living as a guide. Game populations will continue to suffer and all user groups will continue to lose allocation. Subsistence users will lose out as well. It is extremely important to keep in mind that this program is just not for the benefit of guides. I am a subsistence user myself and I know for a fact that this program will do more to benefit subsistence and other users more than anything else. A few guides will lose out in the end because the program limits the number of guides in an area, but the great majority will benefit and most importantly our animals, subsistence users and resident hunters will be better off.

I appreciate your time and hope you take this matter into consideration.

Sincerely,

Dale C. Myers

P.O. Box 433

King Salmon, Alaska

Joshua Walton

From: Rep. Mia Costello
Sent: Friday, March 08, 2013 4:50 PM
To: Joshua Walton
Subject: FW: House bill 158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Representative Mia Costello
House District 20 -- Sand Lake, Jewel Lake, Campbell Lake & Dimond
Alaska State Legislature
State Capitol, Room 501 Juneau, AK 99801
How to Reach Me: ☎ ☎ ☎
☎: (907) 465-4968/ 1-800-773-4968 | 📠: (907) 465

From: Brian Peterson [<mailto:brian.peterson4@att.net>]
Sent: Tuesday, March 05, 2013 1:51 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; representative.charrise.millet@akleg.gov
Subject: House bill 158

Representatives,

My name is Brian Peterson and I am a Master Guide and Outfitter in the state of Alaska. I would like to send my support for house bill 158 to save the guiding profession in the state of Alaska.

I am a full time resident who operates a hunting and fishing lodge on Kodiak Island. The guiding profession has been under attack by "hobby guides" for the last couple of decades. These guides are part timers, who generally arrive in an area and operate on top of the well established operators causing conflict and over harvest of resources. I personally have had four new "hobby guides" start operating on top of me in the last five years. I have been in the same location the last 29 years with substantial investment in the area.

If the DNR guide concession program is not implemented in the very near future the board of game will greatly reduce non resident harvest, reducing state income, and guaranteeing the entire industry becomes hobby guides, hoping to draw a permit for a client on rare occasion.

The industry has over seven years of developing the best option to save the profession. The DNR GCP is what has come out. While not perfect, it is the only legal option that can save the profession from the hobby guide industry.

To those who oppose this program, ask if they would prefer drawing permits for all non resident allocation and how long they have been operating in the same area. Also ask them what investment they have. This program has been a long time in being developed and is presently the only option that can save the profession.

You will find those who are opposed to this are generally part of the problem and do not offer a solution.

Thank you for your consideration.

All the best,
Brian Peterson

Joshua Walton

From: Rep. Mia Costello
Sent: Friday, March 08, 2013 4:21 PM
To: Joshua Walton
Subject: FW:

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Representative Mia Costello
House District 20 – Sand Lake, Jewel Lake, Campbell Lake & Dimond
Alaska State Legislature
State Capitol, Room 501 Juneau, AK 99801
How to Reach Me: ☎ ☎ ☎
☎: (907) 465-4968/ 1-800-773-4968 | 📠: (907) 465

From: justin moody [<mailto:justinmoody@gmail.com>]
Sent: Wednesday, March 06, 2013 6:12 PM
Subject:

Dear Representative,

My name is Justin Moody, I live at Lake Minchumina, and am an Assistant Hunting Guide. When not guiding I live a subsistence lifestyle, fishing, hunting, and trapping.

As a resident of Alaska who enjoys the outdoors and the hunting and fishing opportunities afforded us in our great state, I am in full support of House Bill 158 and the creation and implementation of a Guide Concession Program on State of Alaska land administered by the Alaska Department of Natural Resources. As a younger guide myself, I realize how reducing the overcrowding of guides on State land will benefit all of Alaska. It will enhance the hunting opportunities for resident and non-resident hunters alike and promote better stewardship of our lands and resources by those guides that do operate on State lands. The Guide Concession Program will not adversely affect the rights of resident hunters whatsoever and can only enhance my experience when I am afield hunting each year as there will be less pressure on the resources.

This program will help to reduce the number of guiding operations in any given area and will benefit long term wildlife conservation. The guiding industry is one of our oldest industries here in Alaska and provides great economic benefit to small communities and villages around the state providing hundreds of good jobs in our communities

including guides, pilots, boat captains, packers, cooks, expeditors and taxidermists, etc.. and contributes a lot of financial resources to our local economies. The Guide Concession Program is crucial to the long term stability and sustainability of the Big Game Guiding industry in the State of Alaska.

Please lend your full support to House Bill 158 and work towards making the Guide Concession Program a much needed reality.

Sincerely,

Justin Moody

Joshua Walton

From: Rep. Mia Costello
Sent: Friday, March 08, 2013 1:30 PM
To: Joshua Walton
Subject: FW: DNR Guide Concession Program letter of support

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

—

Mary Aparezuk Schlosser
Staff to Representative Mia Costello
☎ (907) 465-4968 / 1-800-773-4968 | 📠 (907) 465-2040

From: Horse Phallus [mailto:bcato_42@yahoo.com]
Sent: Friday, March 08, 2013 1:26 PM
To: Rep. Mia Costello
Cc: Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Wes Keller; Rep. Neal Foster; Rep. Gabrielle LeDoux; Rep. Bob Lynn; Rep. Charisse Millett; Rep. Lance Pruitt; Rep. Max Gruenberg; Rep. Bill Stoltze; Rep. Alan Austerman; Rep. Mark Neuman; Rep. Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Les Gara; Rep. David Guttenberg; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: DNR Guide Concession Program letter of support

Dear Representative Costello,

My name is Brian Cato I am a Bristol Bay resident that is asking for your support on the DNR Guide Concession Program. As a subsistence user, conservationist and guide (AG 7087) I believe this is a positive and long overdue step forwards in Alaska's long standing reputation of excellence in wilderness management and conservation.

The Guide Concession Program not only deals with overharvest of the animals I and so many others rely on to support our families but also addresses the problems involving overcrowding of guides on state lands. It limits the number of guides that can operate and restricts them to operations in designated areas according to set operations plans, much like on Federal Lands where similar systems have proven so effective. This will lead to better enforcement, increased numbers of quality healthy animals for everyone and provide the ideal wilderness experience for the hunters coming to Alaska.

If the DNR program is not implemented, we face the high likelihood that many of our hunting opportunities will be lost, and that permit draw will be implemented in areas that were once open. This will be detrimental to all users. If the DNR program does go through it will remove the legal and financial problems we face if game numbers dwindle to the point of having to implement a permit drawing for non-residents or have to eliminate

non-resident hunting altogether. In addition, this program will pay for itself off of fees collected from concessionaires.

For me this program is the best solution available for the use of State Lands, minimizing conflict between subsistence users and guides, increasing quality of experience for our visitors. Most importantly this program will protect the animals we are charged with safeguarding. As a subsistence user first and guide second, this is a critical, necessary program. Thank you for your time and consideration. Please support this program with your vote and the funding necessary to implement it.

With Best Regards,

**Brian Cato
Assistant Guide 7087**

Joshua Walton

From: Rep. Mia Costello
Sent: Thursday, March 07, 2013 3:53 PM
To: Joshua Walton
Subject: FW: HB 158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m

Mary Aparezuk Schlosser
Staff to Representative Mia Costello
S: (907) 465-4968/ 1-800-773-4968 | .: (907) 465-2040

-----Original Message-----

From: Frank Bishop [<mailto:frankabishopawa@yahoo.com>]
Sent: Thursday, March 07, 2013 3:20 PM
To: Rep. Mia Costello
Subject: HB 158

Rep. Mia Costello
I would like to thank you for your support on Hb 158

Frank A. Bishop
Master guide # 191

Joshua Walton

From: Rep. Mia Costello
Sent: Thursday, March 07, 2013 11:40 AM
To: Joshua Walton
Subject: FW: HB 158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m

Mary Aparczuk Schlosser
Staff to Representative Mia Costello
☎: (907) 465-4968/ 1-800-773-4968 | 📠: (907) 465-2040

From: Mike Munsey [<mailto:mmunsey@starband.net>]
Sent: Thursday, March 07, 2013 11:00 AM
To: Rep. Mia Costello
Subject: HB 158

Dear Rep. Costello,

My name is Mike Munsey and I am a Master Guide on Kodiak. I was born and raised in the guiding industry and my wife, Robin, and I have been running Munsey's Bear Camp for the past 35 years. I have seen many changes to the hunting and guiding industry in Alaska in my lifetime and the Guide Concession Program proposed by the DNR is one of those changes that will have a very positive impact on hunting in general in Alaska. I understand you have co-sponsored the bill (House Bill 158) and I wanted to thank you for this and to let you know that I 100% support this bill.

This Guide Concession Program will not only benefit the guides who work in those areas, but also the resident hunters who hunt there, because it would reduce the number of guides in the area. Probably the biggest benefactor of this program will be the wildlife and their long term population health. If a guide knows he will be operating in a particular area for a set amount of time, he will be more concerned about the long term and will tend to be more conscientious about the conservation of the animals in that area. The guiding industry in Alaska provides hundreds of jobs and economic benefits to the state as well as the local towns and villages, and this program is vital to the long-term stability of that industry.

I should point out that this program would not effect my business. I operate on a National Wildlife Refuge and we have had a similar program in effect for over 20 years. It has been a system that has greatly benefitted the wildlife populations, nonresident hunters, and economy here on Kodiak, and this state program will do the same for state lands.

Thank you for your support of this bill.

**Mike Munsey
Munsey's Bear Camp
Kodiak, Alaska**

--

**Mike Munsey
Munsey's Bear Camp**

Joshua Walton

From: Rep. Mia Costello
Sent: Thursday, March 07, 2013 11:39 AM
To: Joshua Walton
Subject: FW: HB 158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m

Mary Aparezuk Schlosser
Staff to Representative Mia Costello
S: (907) 465-4968/ 1-800-773-4968 | .: (907) 465-2040

-----Original Message-----

From: Crisenbery Engineering, Inc. [<mailto:crisenbery77@gmail.com>]
Sent: Thursday, March 07, 2013 10:35 AM
To: Sen. Lyman Hoffman; Rep. David Guttenberg
Cc: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; and Representative.Charisse.Millett@akleg.gov
Subject: HB 158

Dear Representative Guttenberg and Senator Hoffman,

I am writing to urge you to support HB158. As a resident hunter and outdoorsman, I fully support the creation of a Guide Concession Program on state land administered by the Alaska Department of Natural Resources. I feel that there are many areas of the state in which the game populations receive too much pressure from guided hunts. By implementing a Guide Concession Program this pressure should be reduced.

I believe that those guides who obtain these concessions will have an incentive to be good stewards of the land and the natural resources within their concessions. This can only benefit all Alaskans and visitors to our state who care about the state and its resources.

Therefore, I am asking you to lend your full support to House Bill 158 and work towards making the Guide Concession Program a much needed reality.

Thanks you for your time and consideration of this matter.

Sincerely,

Richard Crisenbery

Crisenberg Engineering, Inc.
3900 University Ave. South
PO Box 83881
Fairbanks, AK 99708
Phone(907)474-3971
Fax (907) 474-8240
Cell (907)388-3191
e-mail: crisenbery77@gmail.com
web: <http://www.crisenberveng.com>

Joshua Walton

From: Rep. Mia Costello
Sent: Wednesday, March 06, 2013 2:23 PM
To: Joshua Walton
Subject: FW: Please support House Bill 158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m

Mary Aparezuk Schlosser
Staff to Representative Mia Costello
☎ (907) 465-4968/ 1-800-773-4968 | 📠: (907) 465-2040

From: Kurt Whitehead [<mailto:kurtiw99@yahoo.com>]
Sent: Wednesday, March 06, 2013 11:43 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Subject: Please support House Bill 158

Dear Alaskan Legislator,

I am writing today to urge you to pass House Bill 158.

I am a registered hunting and fishing guide in Southeast Alaska and DO NOT operate on State Lands because it is such a MESS.

The first year I became a registered guide in 2001, I conducted 3 hunts on State Lands in GMU 19 and saw what a cutthroat, screwed up, convoluted, air war the hunting had become on these wonderful lands. I even guided for an operator the year before in an adjacent area and saw how he was forced to operate because of ALL THE COMPETITION.

This is not what our non-resident and resident hunters need to see or participate in when they hunt in Alaska. Canada has exclusive guide use areas and the average guided sheep hunt retails at about \$20,000. In Alaska, the same sheep hunt retail at around \$10,000 due to the overhunting, crowding and conflicts in the field.

You have the opportunity to fix a very real problem in this state that many guides, non-resident and resident hunters, board of game members, biologists and concerned citizens have been dealing with for many years and of which the vast majority support. The ones opposed are very likely the operators on State Lands that are the problem and would likely disappear or at the least have to win a prospectus.

This selection process of choosing the top 2-4 guides to share a guide use area is a good thing. This is how most of us guides that operate on federal lands are regulated and it promotes and benefits:

- Resident Hunters by reducing the number of Guided operations in any given area
- Long term wildlife conservation
- Members of the Board of Game because they won't have to deal with the trickle down issues of overcrowding
- Guides because it introduces much needed long term stability of the Big Game Industry
- Non-resident hunters by having a quality hunt
- Hundreds of jobs in small communities, including guides, packers, pilots, boat captains, cooks, expeditors, taxidermists, airlines, etc.

This is the right choice for Wildlife Conservation, Resident Hunters, Non-Resident Hunters, Guides and the People of Alaska.

I urge you to support House Bill 158.

Sincerely,

Kurt Whitehead

ALASKA GLACIER ADVENTURES

www.AlaskaGlacierAdventures.com

www.AlaskaFishingOutfitter.com

www.AlaskaHuntingFishingReports.com

Alaska Glacier Adventures on Facebook

Kurt@AlaskaGlacierAdventures.com

Kurt Whitehead

Trina Nation

P.O. Box 388

Klawock, AK 99925

(907) 738-5000 Kurt

(907) 738-5700 Trina

Joshua Walton

From: Rep. Mia Costello
Sent: Wednesday, March 06, 2013 10:58 AM
To: Joshua Walton
Subject: FW: House Bill 158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m

Mary Aparezuk Schlosser
Staff to Representative Mia Costello
☎: (907) 465-4968 | 1 800-773-4968 | 📠: (907) 465-2040

From: Henry D. Tiffany [<mailto:henrydtiffanyiv@yahoo.com>]
Sent: Wednesday, March 06, 2013 9:43 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; "Rep..Chris.Tuck@akleg.gov"@mxjnu01.legis.state.ak.us; Rep. Wes Keller; Rep. Neal Foster; Rep. Gabrielle LeDoux; Rep. Bob Lynn; Rep. Lance Pruitt; Rep. Max Gruenberg; Rep. Bill Stoltze; Rep. Mark Neuman; Rep. Bryce Edgmon; 'Rep. Lindsey'; "[@mxjnu01.legis.state.ak.us](mailto:Rep. Cathy)"; Rep. Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Les Gara; Rep. David Guttenberg; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Lyman Hoffman; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: House Bill 158

Dear Representatives Costello, Feige, Austerman, Herron and Millet,

I would like to sincerely thank you for sponsoring House Bill 158 and for lending your support to the creation and implementation of a Guide Concession Program. As a lifelong resident of Alaska who enjoys the outdoors and the hunting and fishing opportunities afforded us in our great state, I am in full support of House Bill 158 and the creation and implementation of a Guide Concession Program on State of Alaska lands administered by the Alaska Department of Natural Resources. As a resident, and a hunting guide, I realize how reducing the overcrowding of guides on State land will benefit all of Alaska. It will enhance the hunting opportunities for resident and non-resident hunters alike and promote better stewardship of our lands and resources by those guides that do operate on State lands. The Guide Concession Program will not adversely affect the rights of resident hunters whatsoever and can only enhance my experience when I am afield hunting each year as there will be less pressure on the resources.

This program will help to reduce the number of guiding operations in any given area and will benefit long term wildlife conservation. The guiding industry is one of our oldest industries here in Alaska and provides great economic benefit to small communities and villages around the state providing hundreds of good jobs in our communities including guides, pilots, boat captains, packers, cooks, expeditors and taxidermists, etc.. and contributes great financial resources to our local economies and is the way of life for many Alaskans and their families. The Guide Concession Program is crucial to the long term stability and sustainability of the Big Game Guiding industry in the State of Alaska and I firmly believe will, in the long term, be of great benefit to all Alaskans and our wildlife resources and lands.

Please continue to lend your full support to House Bill 158 and work towards making the Guide Concession Program a much needed reality and thank you again for taking the initiative and responsibility to sponsor this crucial bill and I look forward to its passage.

Sincerely,

Henry D. Tiffany IV

Joshua Walton

From: Rep. Mia Costello
Sent: Wednesday, March 06, 2013 10:50 AM
To: Joshua Walton
Subject: FW: Bill158

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m

Mary Aparezuk Schlosser
Staff to Representative Mia Costello
☎ (907) 465-4968 1-800 773-4968 | 📠: (907) 465-2040

From: Sofoulis [<mailto:sofoulis@ptialaska.net>]
Sent: Wednesday, March 06, 2013 10:44 AM
To: Rep. Mia Costello
Subject: Bill158

Thank you for co sponsoring Bill 158 This bill Benefits resident hunters and the guiding industry both. And promotes good wildlife conservation By reducing the number of guides in the field over the long term. thanks again and thank you for your hard work and dedication. Mike sofoulis registered guide # 811 phone # 209-0068

Joshua Walton

From: Rep. Mia Costello
Sent: Wednesday, March 06, 2013 10:50 AM
To: Joshua Walton
Subject: FW: DNR Guide Concessions Program
Attachments: DNR Guide Concession Program - Joey Klutsch.docx

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Regards,

~m
Mary Aparezuk Schlosser
Staff to Representative Mia Costello
☎: (907) 465-4968/ 1-800-773-4968 | 📠: (907) 465-2040

From: Joey Klutsch [<mailto:joeyklutsch@gmail.com>]
Sent: Wednesday, March 06, 2013 10:03 AM
To: Rep. Mia Costello
Cc: Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson; Rep. Geran Tarr; Rep..Chris.Tuck@akleg.gov; Rep. Wes Keller; Rep. Neal Foster; Rep. Gabrielle LeDoux; Rep. Bob Lynn; Rep. Charisse Millett; Rep. Lance Pruitt; Rep. Max Gruenberg; Rep. Bill Stoltze; Rep. Alan Austerman; Rep. Mark Neuman; Rep. Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Les Gara; Rep. David Guttenberg; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: DNR Guide Concessions Program

Please see attached document.

Respectfully,

--

Joey Klutsch
Registered Guide
Katmai Guide Service

PO Box 222
King Salmon, AK 99613
(907) 439-3030

Dear Legislators,

As a minority member in the guide industry in Alaska, I am voicing my opposition to the HB 158 DNR Hunting Concessions bill. I am a non-resident registered guide, thus a minority, and have made my living as an entrepreneur in a free market system, and along with a large number of other registered guides I am staring down the barrel of a legislative effort that will certainly encroach upon my ability to make a living, and conduct a legitimate business in the great State of Alaska.

I am honored to have been able to forge a living within such a wonderful industry, and after more than a dozen years as a non-resident business owner, I am very much aware of this concentrated effort by some elitist groups to infringe upon the free market within a heavily regulated industry, and those who would impose their wills upon you, and us, through you, seek to do so in order to foster a monopoly that can only hurt the entire industry in the long term.

This letter is in opposition to **House Bill 158**. Please include this as part of my public testimony. The GCP is a very complicated issue with many different tiers.

Reasons opposing implementation of the GCP/HB 158-

- Allocation of the guide industry, will create a monopoly/against free market values
- GCP was proposed to address *social issues*, including user conflict, on state lands associated with commercial hunting activity. This is not a conservation issue (which would clearly be the responsibility of the Department of Fish and Game)
- *"has not been well received by the industry and the public..."* Cliff Judkins as Chair of Board of Game (BOG)
- The need for the GCP is not fact based; it's based on **arbitrariness, personal preferences, blankets allegations, and antidotal information.**
- Up to 66% of guides/small business owners could be forced out of business making their current and past investments and hard work null and void. No such monopoly exist within other industries in the State of Alaska.
- It is a State wide blanket program when the perceived issues it will supposedly fix are in very few areas of the State.
- *"DRN may not be able to effectively address all of the issues noted..."* GCP Doc. ADL 230869
- A small segment of the guide industry, the Alaska Professional Hunters Association (APHA) has lobbied hard for the GCP. Not only have they lobbied the Legislature but also the BOG and the Big Game Commercial Services Board (BGCSB). Both of which will testify to HB 158 probably in support of it. It is important to remember that the APHA is a very small, but loud and connected segment of the guide industry with only roughly 125-140 members. That means **10%** of licensed guides.

- What this GCP/ HB 158 all boils down to is to cut down competition between guides/businesses and it will do that. The haves vs. the have nots, big vs. small. I guess you have to ask yourself if competition and free market is a good thing or not.

Reasons/Concerns with the specific points of the GCP-

- Set a maximum number of clients per calendar year, per concession area for Full Concession Areas. In order to reduce the perceived user conflicts resulting from too many guided nonresidents on state lands the state should cap the number of nonresident *clients*. The GCP has no stipulation of this for the Full Concession Areas. This just goes to show again that the GCP is an anti- guide compete program and nothing more. If it doesn't reduce the guided hunters coming into the State how is it reducing conflict with other user groups, i.e. resident hunters?
- Establish a fee/tax/royalty for the exclusive use of state resources to be deposited into the Fish & Game Fund, AS 16.05.100. The state of Alaska extracts monetary payment for the exclusive use of oil, gas, minerals, timber, fish and land. Exclusive hunting concession areas should be no different. To be clear, I acknowledge the proposed \$2000 and \$1000 concession fees for full and limited concessions, and per client fee of \$500/\$250 respectively. This is to cover the cost of administering the GCP and wholly separate from paying the state for exclusive use of a resource. As proposed by DNR no money will go to the general fund or even to a Fish and Game fund for harvesting an exclusive resource that we all as shareholders of the State own. This is why Exclusive Guide Areas (EGAs) were found unconstitutional in the *Owsichek* decision. *Owsichek* also stated assignments of EGAs were not based on wildlife management concerns and that is still the case today with the GCP.
- The GCP does not address transporters and air taxis. The point of the GCP is to relieve conflict. Any plan that does not account for, and address, the unregulated number of non-res and resident hunters that could be added to an area by transporters would be unreliable, and doomed to failure. That said, limiting access for Alaskan residents utilizing transporters is well outside of DNR's authority and mission.
- The 4 issues that DNR notes are problems- 1. *Lack of wildlife conservation* 2. *Loss of quality of experience*. 3. *Conflicts between user groups*. 4. *Lack of land stewardship*. Can all be addressed with the current boards and agencies in place thru current or modified alternatives.

Once again I urge you to recognize this bill for what it is, and understand that it is indeed an attempt to monopolize a public resource, and it will force small business owners out of a market that should indeed be free.

Sincerely,
Tony Dingess- Alaska Registered Guide #1043
Revelation Mountain Outfitters
1 B Perry Lane
Pecks Mill, WV 25547
304-239-0860
e-mail, tonv@alaskahunts.net

March 9, 2013

Dear Representative Costello,

My name is Mark Binggeli. I am an assistant guide, and have been a resident and hunting in Alaska for nearly 25 years. I **oppose of the GCP**. It will cost the state and hurt the majority of guides. It is an initiative supported by only the 125 members of the APHA and does not properly represent me or the guides I work with. The animals and many of the other thousand guides & assistant guides will be hurt by the GCP.

There has not been a vote of all registered guide about the GCP. If there was a vote, the majority of guide and assistant guide would not support this. This exclusive guide area only benefits the large guide operations with lodges and large client lists and a larger more damaging foot print on the resource. The limits to small guide businesses or limited guide use areas are at the mercy of the large operations with rights of refusal. This will kill the smaller operations and result in less revenue to the industry and the state. The reasons to bring this about are not based on facts only the opinions of a few. The APHA claims that the way things use to be is better is not factual. The claims that excessive guides are over harvesting a certain area are also false. The board of game can manage this if it is a problem. At the recent public meeting in Anchorage, only 3 guides (APHA members) supported the GCP while all of the other guides who spoke opposed it.

It is fiscally irresponsible to enact the GCP. It should not be funded. In the end, there will be less guides and this will reduce revenue to the state. The outlined fees per client will force large operations to have to kill more animals in the most economical way which in the end hurts the resource. All this program does is take business from one guide and give to another guide, it will not help the resource at all. In the end the state, the animals, and the small businesses lose.

Chairman of the BOG Cliff Judkins stated in his public comment, quote " Both times DNR has proposed this program it appears to have been not well received by the industry and the public....." It is important to recognize that large regions of this state do not have any identified conflict or conservation concerns related to the guiding industry. " I urge anyone that is opposed to the GCP to support House Bill 8 which would stop this program

Sincerely,



Mark Binggeli

907-355-2965 / mrkovis@yahoo.com

Joshua Walton

From: Rep. Mia Costello
Sent: Saturday, March 09, 2013 8:35 AM
To: joshua_walton@legis.state.ak.us
Subject: Fwd: Public Testimony HB 158

Sent from my iPad

Begin forwarded message:

From: <faeo@mtaonline.net>
Date: March 9, 2013, 7:54:24 AM AKST
To: <Representative.Mia.Costello@akleg.gov>
Subject: Public Testimony HB 158

Regards to House Bill 158

I am a registered big game guide, bought land and built two hunting lodges over the last 12 years. I am a lifelong Alaskan, who has made substantial investment. I made these investments based on the rules and regulations currently in effect. If the guide concession plan moves forward I will be out of business, and loose over \$300,000 investment. I am a small business and cannot afford to purchase guide concessions.

The Guide Concession Plan does not address a larger problem of transporters and air taxi operators – they do not have the same training as big game guides or investments that lodge owners have. They provide a drop off service, they have no regard for wildlife management to maintain adequate wildlife for future clients. Transporters and air taxi operator will not have to pay concession fee and will be able to drop off hunters anywhere, without regard of the quality of the Alaska Hunting Experience.

There are no guide conflict problems in any of my guide use areas, if there is problem in particular areas, they should be addressed and not place the burden on all guides.

I stand in opposition of HB 158. The worst case should be – if you are a small business (5 or less clients per year) registered guide, own a lodge, and have leased state land in accordance with Commercial Recreation Registration DNR permit in the past – you should be allowed to

continue business like today (exempt from guide concession plan). Investments have been made based on the rules in effect after Owsichek decision.

I stand in opposition of HB 158, please include this letter as public testimony.

John Faeo

Guide license 1057

PO Box 872795

Wasilla, Ak 99687

907 354 7590

Joshua Walton

From: Rep. Mia Costello
Sent: Friday, March 08, 2013 3:34 PM
To: Joshua Walton
Subject: FW: Opposition to HB 158 DNR HUNTING CONCESSIONS
Attachments: HB 158 Opposition.pdf

Importance: High

Follow Up Flag: Read
Flag Status: Flagged

Representative Mia Costello
House District 20 -- Sand Lake, Jewel Lake, Campbell Lake & Dimond
Alaska State Legislature
State Capitol, Room 501 Juneau, AK 99801
How to Reach Me: ☎️ 📧 📞
☎️: (907) 465-4968/ 1-800-773-4968 | 📞: (907) 465

From: Tony Dingess [<mailto:tony@alaskahunts.net>]
Sent: Friday, March 08, 2013 11:55 AM
To: Rep. Mia Costello; Rep. Alan Austerman; Rep. Charisse Millett; Rep. Eric Feige; Rep. Bob Herron
Subject: Opposition to HB 158 DNR HUNTING CONCESSIONS

Dear Legislators,

I have attached my letter of opposition to HB 158 DNY Hunting Concessions bill, and would like for it to be considered public testimony. I speak from the unique position of a non-resident business owner whose livelihood depends upon the continuation of my business of more than 12 years in Alaska, and I consider this Guide Concession Program a direct and implicit threat against the free market, and my ability to compete with others who have the exact same license and permits that I currently operate under.

Sincerely,
Tony Dingess
Revelation Mountain Outfitters
1 B Perry Lane

Pecks Mill, WV 25547
304-239-0860

Alaska Registered Guide #1043
e-mail, tony@alaskahunts.net

Linda Hay

From: Israel Payton <truewildernessadventures@yahoo.com>
Sent: Thursday, March 07, 2013 12:53 PM
To: Rep. Eric Feige
Subject: Letter of Opposition to HB 158
Attachments: Dear Representative.pdf; Dear Representative.docx
Categories: Linda

Dear Representative Feige,

Attached in PDF and MS Word format is my letter and written testimony to the House Resources Committee to **not support** HB 158.

Feel free to contact me with any questions.

Thank you for you time,

Israel Payton

7702 Stillwater Cir

Wasilla, AK 99623

354-4576

March 7, 2013

Dear Representative,

My name is Israel Payton. I was born in a 12 x 12 log trapper's cabin at the base of the Alaska Range at the mouth of the Hayes River near Skwentna. At birth I was weighed on a Zebco fishing scale, my father took me bear hunting when I was just 3 days old, or so the story goes. I grew up out there and consider myself a *Bush Rat*. I was taught to use the resources taking only what we needed no more, no less. Currently I'm raising my family in Wasilla, but will always consider the *Bush* my home and still take the family out to our cabin and teach family traditions.

I am a Registered Big Game Hunting Guide # 1111. Like many Alaskans I do various jobs to make a living. Just a few are airplane mechanic, boat builder, welder, hunting guide, tour guide, house builder, and landlord. I am also a member of the Mat- Su Fish and Game Advisory Committee and active in the Board of Game and Fish process. Recently we have been fostering a native youth from Nome; this has brought much joy to our family. With all this going on it has been very frustrating and time consuming opposing DNR's Guide Concession Program(GCP) and trying to keep more government control out of our lives and the free market system.

This letter is in opposition to **House Bill 158**. Please include this as part of my public testimony. The GCP is a very complicated issue with many different tiers. I will briefly explain why I am not for implementation of the GCP and also why, if implemented some of the many flaws and detriments of the GCP.

Reasons opposing implementation of the GCP/HB 158-

- Allocation of the guide industry, will create a monopoly/against free market values
- GCP was proposed to address *social issues*, including user conflict, on state lands associated with commercial hunting activity. This is not a conservation issue (which would clearly be the responsibility of the Department of Fish and Game)
- "*has not been well received by the industry and the public...*" Cliff Judkins as Chair of Board of Game (BOG)
- The need for the GCP is not fact based; it's based on **arbitrariness, personal preferences, blankets allegations, and antidotal information.**
- Up to 66% of guides/small business owners could be forced out of business making their current and past investments and hard work null and void.
- It is a State wide blanket program when the perceived issues it will supposedly fix are in very few areas of the State.
- "*DRN may not be able to effectively address all of the issues noted...*" GCP Doc. ADL 230869
- A small segment of the guide industry, the Alaska Professional Hunters Association (APHA) has lobbied hard for the GCP. Not only have they lobbied the Legislature but also the BOG and the Big Game Commercial Services Board (BGCSB). Both of which will testify to HB 158 probably in support of it. It is important to remember that the APHA is a very small, but loud and connected segment of the guide industry with only roughly 125-140 members. That means 10% of licensed guides.

- What this GCP/HB 158 all boils down to is to cut down competition between guides/businesses and it will do that. The haves vs. the have not, big vs. small. I guess you have to ask yourself if competition and free market is a good thing or not.

Reasons/Concerns with the specific points of the GCP-

- Set a maximum number of clients per calendar year, per concession area for Full Concession Areas. In order to reduce the perceived user conflicts resulting from too many guided nonresidents on state lands the state should cap the number of nonresident *clients*. The GCP has no stipulation of this for the Full Concession Areas. This just goes to show again that the GCP is an anti- guide compete program and nothing more. If it doesn't reduce the guided hunters coming into the State how is it reducing conflict with other user groups, i.e. resident hunters?
- Establish a fee/tax/royalty for the exclusive use of state resources to be deposited into the Fish & Game Fund, AS 16.05.100. The state of Alaska extracts monetary payment for the exclusive use of oil, gas, minerals, timber, fish and land. Exclusive hunting concession areas should be no different. To be clear, I acknowledge the proposed \$2000 and \$1000 concession fees for full and limited concessions, and per client fee of \$500/\$250 respectively. This is to cover the cost of administering the GCP and wholly separate from paying the state for exclusive use of a resource. As proposed by DNR no money will go to the general fund or even to a Fish and Game fund for harvesting an exclusive resources that we all as shareholders of the State own. This is why Exclusive Guide Areas (EGAs) were found unconstitutional in the *Owsichek* decision. *Owsichek* also stated assignments of EGAs were not based on wildlife management concerns and that is still the case today with the GCP.
- The GCP does not address transporters and air taxis. The point of the GCP is to relieve conflict. Any plan that does not account for, and address, the unregulated number of non-res and resident hunters that could be added to an area by transporters would be unreliable, and doomed to failure. That said, limiting access for Alaskan residents utilizing transporters is well outside of DNR's authority and mission.
- The 4 issues that DNR notes are problems- 1. *Lack of wildlife conservation* 2. *Loss of quality of experience*. 3. *Conflicts between user groups*. 4. *Lack of land stewardship*. Can all be addressed with the current boards and agencies in place thru current or modified alternatives.

I apologize for the length of this letter; the GCP is a very contentious and controversial subject. Please spend your time and the States money on more important issues that concern the majority of Alaskans, do not pass HB 158

Thank You,

Israel Payton
7702 Stillwater Cir.
Wasilla, AK 99623
907-354-4576

Linda Hay

From: Tim Booch <booch@ptialaska.net>
Sent: Thursday, March 07, 2013 12:58 PM
To: Rep. Eric Feige
Cc: coke wallace; truewildernessadventures@yahoo.com; rep.dan.sadder@akleg.gov; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Alan Austerman
Subject: APHA/DNR GUACP
Attachments: My name is Tim Booch dba Aleutian Islands Guide Service.doc
Categories: Linda

Members of the House Resources Standing Committee:

Greetings

Please allow me to voice my opposition to the APHA/DNR GUACP and HB 158. Although I did not submit my comments in opposition to the plan on the DNR public comment page of their web site during this last comment period I did attend the public meeting in Anchorage last month and I had an hour and a half long meeting with Clark Cox and Christy, his assistant, in the DNR office in Anchorage later that week. I have attended a number of DNR public comment meetings and each time there has been a 70% to 80% opposition to this plan.

Please find attached to this memo my previous comments posted on the DNR web site. As you can see in the introductory paragraph of my comments I have been a contracting big game sport hunting guide since 1995 and I began my career as an apprentice assistant guide in 1988. I have been a professional member of the APHA (Alaska Professional Hunters Association) since 1996.

The first vestige of the GUACP was hatched during an annual APHA membership meeting in the late nineties when Bobby Fithian was hired as the Executive Director. The current DNR/(ADF&G) GUACP handle is simply a smoke screen to hide the obvious croney capitalist connection of the handful of minority voice, special self interest motivated, primarily APHA past and present Board of Directors, and the various government bureaucrats that have bought into this scheme.

The membership of the APHA represents maybe 15% of the big game sport hunting industry in Alaska and the percentage of the professional membership in the APHA in favor of this program ... although there has never been an official consensus gathering effort made by the Board of Directors of the APHA ... is under 50% of the membership.

The APHA has suffered a steady loss in membership as a result of this flawed mission. The current President of the APHA stated in a recent memo to the APHA membership that \$600,000 in membership fees, "Hunters Conservation Fund" ... required extortion payments paid by a handful of the membership ..., and "gifts" payed to the APHA by national "Conservation" groups such as the elists "good ole boy's" clubs like the Dallas and Houston Safari clubs ... has been spent on the lobbying effort pushing the GUACP since its inception. Last July, as the result of an internal "coup" in the Board of Directors and the accusations of fraud leveled at the Executive Director, the membership of the APHA called for a meeting to get to the bottom of the problem.

As a result of the malfeasance perpetrated by the Executive director during the past 11 years of his supposed leadership he was fired ... (he was offered a contract position as "Government Liason" but he turned down the offer) ... and the past Treasurer, during the time of the malfeasance and the President at the time, of the membership called meeting, and the Secretary resigned. None of the details of the malfeasance or accusations of the fraud were presented at this meeting but the Board was unable to hide the fact that the "Simmon/Waugh tax exempt Charitable Trust" status of the organization had been taken away by the IRS due to taxes owed in arrears .

None of the original authors of this plan conducted their hunts on state land at that time of the inception of this scheme and all of them had and still have either sole use or limited USF&WS Refuge Permits, US Forest Service Permits, US Park Service, Permits, or exclusive trespass permits with native corporations. This plan has nothing to do with wildlife conservation and has everything to do with reducing the competition for clients for the same handful of self serving individuals that hatched this government "taking". Thor Stacey, the paid lobbyist for the APHA in Juneau, does not represent the Alaska big game sport hunting guide industry.

The President of the APHA has stated in various memos to the BOG addressing proposals calling for the reduction in non-resident allocations that the APHA endorses "no net loss". This statement must solicit the question from any thinking person ... " how then do you facilitate no net loss in allocation to nonresidents when the proponents of this GUACP are on record stating that the implementation of this program will result in a 50% to 70% loss of the guide industry on state land"?

Please read my comments on the APHA/DNR GUACP that I have attached to this memo. It has been my desire to stay engaged in this issue by providing alternatives to this subjective and capricious program. We as the shareholders in this issue must come together in the spirit of solidarity in our committment to personal liberty and to the rule of Common Law and work from strength to strength to perserve this uniquely Alaskan sport hunting culture.

Your careful and thoughtful considertion of these comments will be greatly appreciated.

Sincerely

Tim Booch
Aleutian Islands Guide Service
907-487-4984

Clark Cox
Natural Resource Manager
DNR

My name is Tim Booch dba Aleutian Islands Guide Service. I am a 31 year resident of Kodiak Island. I am a Master Guide/Outfitter and I conduct my guided trophy hunts in Game Management Unit (GMU) 8 (Kodiak), 9 (Alaska Peninsula), and 10, (Unimak and Adak Island in the Aleutian Islands). I am in possession of 2 "joint use" USF&WS Refuge Permits that allow me to conduct my trophy brown bear and Barren Ground caribou hunts in 2 separate Federal Refuge's in the Aleutian Islands. I have been awarded these permits since 1995. I conduct my Alaska Peninsula trophy brown bear and moose hunts from 2 separate DNR "seasonal recreation camp permit" (LAS) camps. I have used these camps since 1996. I conduct my Kodiak brown bear, Sitka blacktail deer, and Roosevelt elk hunts from State of Alaska "State Parks" permitted camps in the Afognak Island State Park.

I am opposed to the "Federal style" Prospectus and the Federal style bureaucratic "re-make" of a well established State of Alaska agency, the Department of Natural Resources (DNR), whose stated mission is to "conserve and protect the Natural Resources of Alaska for all Alaskans and Future Alaskans". No where in their mission statement, or in the past history of the department, is there any hint of the notion that they could, should, or would manage the professional sport hunting industry in Alaska on state land.

USF&WS Refuge permits are awarded to applicants that have submitted a "Prospectus" and that have presented an "Operations Plan" that is compliant with the "Terms and Conditions" of that permit and that reflects the recognition of the applicant of the personal opinions and goals of the individual Refuge managers and their colleagues in the Federal Dept. of the Interior. The conservation goals expressed by the State of Alaska Department of Fish and Game, and the allocation of those State of Alaska Constitutionally mandated, "held in common" game animals, are only secondary in degrees of importance to the Fed's when compared to their "Federal" mandate. Competition for these permits is high due to the limiting of the number of guides awarded these permits and law suits challenging the subjectivity of the scoring criteria from unsuccessful applicants are a common denominator in the process. Each page of a "Federal" prospectus is a legal "affidavit" and ANY "false statement", such as mistakenly accounting for the number of days in the field over the previous twenty years, automatically "disqualifies" the applicant. Personal from the USF&WS, or the same Federal style bureaucrat permit specialist that will be employed with DNR, won't inform the applicant of the mistake and allow that individual to correct it, like the Big Game Commercial Services Board Occupational Licensing permit specialists will do if they find that a guide has left something out in a State "Hunt Record", but they will simply send the applicant a certified letter thanking him or her for participating in the process but denying him or her the permit. Even a successful USF&WS permit applicant must sign a "release" before the permit is awarded holding the Refuge "blameless" should the Refuge decide to "revoke" the permit for ANY reason ... not just "noncompliance". The only reason that I participate in the "Federal bureaucratic Prospectus" permitting process is that I love hunting in the Aleutian Islands and the best trophy big game sport hunting in the Aleutians is found on the Federal Refuges. That fact has more to do with the remote location of those Refuges rather than any act of allocation of the resources that these Federal agents might facilitate.

The Department of Natural Resources provides a number of different seasonal recreational permits that the various commercial services providers can apply for so that they can establish their presence on state land and build a business. The "Terms and Conditions" of these permits "convey" a certain amount of "implied ownership" during the specified time of the use of the permit. The "Terms and Conditions" applicable in a "DNR seasonal recreational camp permit" (LAS) mirror the terms and conditions of a USF&WS Refuge permit. One of the conditions to a DNR (LAS) permit, and a condition that is not included in the conditions of a Federal Refuge permit, is that the DNR (LAS) permit holder must take photo's before, during, and after the permitted use and these photo's must be sent to the DNR "Permit Specialist" to be checked for his or her "compliance" to the conditions of that permit. Non-compliance can result in the permit holder losing the permit. A major contributor to the overcrowding problem on state land is the guide with a DNR "14 day statewide "permit". Unlike the DNR recreational camp "leases" and seasonal recreational camp (LAS) permits, that establish the camps by providing a GPS, Latitude and Longitude, and Township and Range, the 14 day state wide permits DO NOT establish a camp site and a guide with this kind of permit CAN NOT prove where they have camped or be held accountable for their impact on the environment. When an application for a recreational camp lease or permit is submitted to DNR they are sent out along with an "invitation to comment" to ALL government agencies, registered guides, and interested parties in the GUA for which the permit will be applied. No comments from the public are solicited from DNR for the approval of an application for a 14 day state wide permit.

The "Board of Game" (BOG) has been tasked for many years with regulating the access and allocation of the big game sport hunting and trapping species in the state of Alaska. The public's input is incorporated in the BOG proposal process and together with all of the shareholder voices in this shared culture the future of big game sport hunting in Alaska is determined by the adoption or denial of those proposals. Bag limits are set and allocation guidelines are established in regulation that will reflect the conservation goals of the State of Alaska Department of Fish and Game, the State of Alaska statutes pertaining to the commercial big game sport hunting industry, and the resident sport hunting and subsistence community. The most effective "tool" in the conservation and allocation "tool box" is the well established and precedent setting "limited drawing permit" allocation system manifest in the Kodiak brown bear drawing permit allocation guidelines. These fair, equitable, and logical allocation guidelines have effectively and positively addressed every problem that is inherent when too many "consumers" are in competition for too few resources. The BOG has in the past and will continue to implement in the future a limited drawing permit allocation when ever and where ever the competition between guides and residents reaches critical mass regardless if the APHA DNR/ GUACP is implemented or not. The latest assault on the Alaska big game sport hunting guide industry comes from the BOG's recent precedent setting Delta, Alaska Dall's sheep drawing permit regulation that sets the nonresident allocation of permits at "up to 10 %". If this and the TOK nonresident sheep allocation are left to stand then the death of the big game sport hunting guide industry in Alaska is set in stone.

Guides are already limited by established "ethics standards" not only in the BGCSB and BOG statutes and regulations but also by the Boone and Crocket and Pope and Young "fair chase" sport hunting ethics that have been the standard for achieving the high "quality of the hunting experience" in Alaska, that for the most part, as been the case for the last quarter century. This current attempt to "federalize" the guide industry on state

land is not a result of any "subsistence" issues, although there are a few "special interest" groups that would like to make it so, but it has everything to do with a few selfish and unethical residents, non-guided nonresidents, and big game guides and transporters competing for a harvestable surplus of the past their breeding prime, "guide required for non-residents", trophy big game animals.

It is my understanding that the previous "Guide Board" was "sunsetting" at the same time that the "sole use guide use areas" on state land were done away with as a result of the "Owsichuk Decision". The Big Game Commercial Service Board (BGCSB, the re-born Guide Board) was reestablished six or seven years ago to help bring the growing commercial big game sport hunting industry into the 21st century Alaska trophy big game sport hunting culture and to help police the industry. As a result of the aggressive lobbying of the State Legislature, the BGCSB, and the BOG, by a few individuals representing their "special interests" in the Alaska big game guide industry, the APHA (Alaska Professional Hunters Association)/DNR "Guide Use Area Concession Plan" (GUACP), that is designed to eliminate the competition for the authors of the plan, has put a "shackle" on the BOG and the BGCSB and has distracted them and kept them from performing their fiduciary and legal obligation to the industry and the public. It has kept them from adopting regulations that would effectively remedy the problems identified when and where they exist and to apply these remedies fairly to all the shareholders and without exempting the residents that have created a major portion of the problem in the first place.

The following regulation adopted recently by the BGCSB has set a precedent in the state.

ARTICLE 3,

12 AAC 75.340 PROFESSIONAL ETHICS STANDARDS FOR GUIDES.

(d) Field craft standards.

(7) ... " allow appropriate buffer areas between hunters and camps in order to avoid disrupting hunts and hunting experiences: in GMU 9, a person holding any class of guide license may not place a camp within two (2) miles of a permanent structure or permanent camp being used for big game guiding purposes, unless agreed upon by in a written agreement between the involved parties;

The authors of the wording of this regulation are the same individuals that created the APHA/DNR GUACP. Instead of allowing the BGCSB to use the terms "permanent structure or permanent camp" to legitimize these special interest motivated claims that these are the only established big game sport hunting guide operations on state land in GMU 9 we must DEMAND that the BGCSB rewrite this regulation with the terms " ... ? miles of a "DNR permitted recreational camp lease or seasonal recreational camp permit (LAS) camp" ... and adjust the miles appropriately for each GUA and start IMMEDIATELY implementing this regulation state wide. DNR should also do away with the "14 day state wide permit". I believe that it can be proven that there are many established DNR camps state wide already providing those guides an established base of operations that does not conflict with their neighbors at this time and has not in the past. I believe that any guides with DNR 14 day state wide permits wanting to establish their presence in an area can still go to the DNR and identify the existing camp permits

in the area and submit an application for a camp permit that doesn't infringe on the quality of the hunting experience for anybody. The BGCSB could include the big game sport hunting "Transporters" in this regulation and DNR could require Transporters to apply for and establish recreational camps as well. The BGCSB has adopted regulations dealing with "unlawful acts and ethics standards" that when violated by a guide can result in a fine and "disciplinary actions taken" by the Board. The State Troopers are tasked with enforcing guide regulations as well and they have the ability to write tickets so that the State Judicial Court System can exact fines and appropriate punishment.

According to the Owsichuk Decision ... "the common clause in the Alaska State Constitution makes no distinction between use for personal purposes and use for professional purposes". If we would allow ourselves to recognize that trophy big game sport hunting in Alaska is a "privilege" and not a "right" then we can begin to "call out" the few selfish and unethical individuals that are responsible for a majority of the problem and that pay the least for their consumption of and impact on the resources. We must DEMAND the State to properly fund Occupational Licensing enforcement and the Troopers and hold these agencies accountable for their lack of enforcement of the laws, statutes, and regulations. We guides must DEMAND that the resident sport hunters be held to the same ethic standards and regulations that the commercial service providers are required to obey. We guides must also DEMAND that the residents be ticketed, prosecuted and fined for violating those regulations.

A person doesn't need to be a "Profit" to see that where ever in the state that multiple guides and residents compete for "past their breeding prime, guide required for nonresidents, trophy big game sport hunting allocated species such as brown bear, grizzly, sheep, Mt goat, and moose? (Koyukuk) the BOG WILL implement a limited drawing permit allocation. I also believe that it is obvious that the "The Kodiak Model" drawing permit allocation guidelines ... along with the established BOG policy of determining the allocation in a drawing by looking at the "previous 10 year percentage average of resident versus nonresident" ... will sooner than later be implemented in ALL new and existing drawing permit hunts. If we can see the obvious benefit that the existing DNR permit process has brought and can continue to bring to the guide industry, as long as their mission and focus is not blurred by being forced to manage the big game guide industry on state land and as long as the BOG and BGCSB are held accountable, then it isn't hard to see that there should be and can be DNR permitted "resident" camps that are "designated" and associated with the drawing permits allocated to residents.

Please help the BOG and the BGCSB board members regain the prestige and focus that the Governor intended for them to have when he appointed them to these vitally important regulatory Boards by accepting and performing the equally important duties that you were originally designed and tasked to do. Please give the Alaska big game sport hunting industry and the rest of the Alaska big game sport hunting community as well the chance to rise to the highest calling and come together in the spirit of solidarity to enhance and protect the awesome hunting culture that we can all enjoy now and hopefully continue to enjoy in the future.

Sincerely

Tim Booch

Linda Hay

From: Sam Fejes <viper@acsalaska.net>
Sent: Friday, March 08, 2013 6:27 PM
To: Rep. Eric Feige
Subject: FW: Guide Concession Program

March 8, 2013

Dear Representative Feige,

At this time, I want to thank you for sponsoring HB 158 which authorizes DNR to implement a Guide Concession Program. The Guide Concession Program is not just good for the guiding industry, but all Alaska, from the resident hunter to the rural subsistence user, but most of all the long term benefit to Alaska's wildlife.

The implantation of the Guide Concession Program will bring hundreds of jobs to Alaska, from the big cities, to our rural communities and villages which in some case bring the only economic income that they may have. The industry also provides hundreds jobs each year which include guides, packers, lodge and camp helpers, pilots, boat captains, cooks, expeditors, and taxidermist to name a few...

Putting the Guide Concession Program in place, will also reduce impact on the present state guide use areas that are currently over crowded. This in turn, will create less impact on Alaska's resources and wildlife.

With a stable guide concession program in course, will bring the non-resident hunter to Alaska which in turn will bring economic benefits to Alaska. Currently 70% of Fish and Game conservation budget is the result of revenues from the sales of non-resident tags and licenses in the state.

So I am encouraging you to support the Guide Concession Program for the future of the Alaska's guiding industry and for the future economic benefits for Alaska.

Any questions, please call my cell 907 229 5060 or viper@acsalaska.net

Regards,

SAM

Samuel T Fejes

Fejes Guide Service Ltd.

Board Member, APHA

Linda Hay

From: Mark Miller <mark@talaheimlodge.com>
Sent: Saturday, March 09, 2013 9:52 AM
To: Rep. Eric Feige
Subject: HB 158

Dear Rep Feige,

I would like to express my concern over HB 158. I've been a registered guide (#390) since 1978. I've seen guide areas come and go. The last time we had guide areas it was like land dealings. Areas were sold and bought. I am not against guide areas entirely, but I am not for the DNR to implement it. We already have a Guide Board that was put in place to look after guides, so this should be taken care of by this appointed board. After attending several of the DNR meetings on these guide areas I came down to the conclusion that the best lier wins. I think if there are to be guide areas, the guide board should address this issue. Most guides already deal with about five government agencies at a minimum, why add another. Please consider my request when bringing up HB 158.

Sincerely,

Mark Miller

Mark Miller
Lodge Owner
PO Box 190043
Anchorage, Alaska 99519
www.AlaskaTalaheimLodge.com
(907) 248-6205 office
(907) 440-0614 cell



Linda Hay

From: Minnie & Brad Dennison <dennison@ptialaska.net>
Sent: Sunday, March 10, 2013 10:00 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Rep. Bill Stoltze; Rep. Bob Lynn; Rep. Bryce Edgmon; Rep. Cathy Munoz; Rep. Chris Tuck; Rep. Craig Johnson; Representative Dan Saddler; Rep. David Guttenberg; Rep. Gabrielle LeDoux; Rep. Geran Tarr; Rep. Kurt Olson; Rep. Lance Pruitt; Rep. Les Gara; Rep. Lindsey Holmes; Representative Mark Neuman; Rep. Max Gruenberg; Rep. Neal Foster; Rep. Paul Seaton; Rep. Peggy Wilson; Representative Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Wes Keller; Rep. Jonathan Kreiss-Tomkins; Rep. Mike Hawker; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Bert Stedman; Sen. Peter Micciche; Sen. Click Bishop; Senator Leslie McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: House Bill 158

March 10, 2013

Dear Representative Costello, Representative Feige, Representative Austerman, Representative Herron, and Representative Millett

Re: HB158

We, the undersigned, are a group of guides and outfitters in Southeast Alaska writing in support of HB 158, authorizing the Department of Natural Resources to implement a Guide Concession Program on State lands.

A proliferation of hunting guides in any area is detrimental to the wildlife resources in the area, and resident hunting opportunities, as well as to the stability of the guiding industry itself. We faced this problem in the late 80's and early 90's on the Tongass National Forest in Southeast. This led eventually to the USFS "Shoreline" EIS and a permitting system to restrict numbers of guides and their respective guiding allocations. ADF&G wildlife management strategies for brown bear, black bear, and goat in Southeast reflect these restrictions. Without these limitations on guide numbers and guiding opportunity, implemented on federal lands roughly 15 years ago, the guiding situation in Southeast would be vastly different than what we have today. Instead of having a healthy industry that contributes significantly to the rural local economies of Southeast Alaska, we would likely have a collection of "hobby" guides competing through drawing systems for a handful of low priced brown bear, black bear, and goat hunts.

Obviously, those of us who professionally guide hunters in Southeast, for the most part, will not likely see a short term difference whether the Guide Concession Program moves forward or is stopped. The reason for this is that there are only 4 Guide Concession Areas proposed for all of Southeast, these being near Haines and Skagway. If the program is not allowed to move forward, however, it is only a matter of time before proposals to the Board of Game to implement drawings, limit non-resident draw opportunity, and change hunting seasons to handicap non-resident hunters will

greatly impact the ability of non-residents to hunt in Southeast, thereby undercutting our businesses. Such changes will apply to federal lands where we currently hold special use permits as well as to State and private lands.

We saw an effort to do just that at the last Board of Game meeting in Sitka in January. A well managed and stable guide industry helps to deflect such hurtful proposals and helps to maintain healthy economic opportunities for rural residents and the needed cash flow to ADF&G to fund their programs.

We ask you to support HB158. The DNR Guide Concession Program is an effective and badly needed "fix" to a serious overcrowding situation on State lands that will benefit our wildlife resources and our resident hunters, as well as the non-resident hunter and the guiding industry.

Thank you for your attention.

Mike Sofoulis (Juneau)

Chris Erickson (Hoonah)

Bruce Parker (Sitka)

Ann Marie Parker (Sitka)

Scott Newman (Petersburg)

Hans Baertle (Juneau)

Scott McLeod (Sitka)

Jim Phillips (Sitka)

Dale Adams (Sitka)

Paul Johnson (Juneau)

Brad Dennison (Sitka)

Linda Hay

From: Bobby Fithian <bobbyfithian@gmail.com>
Sent: Sunday, March 10, 2013 11:29 PM
To: Rep. Eric Feige
Subject: Letter of Support for HB 158
Attachments: TRC Ltr DNR GCP Feige.docx; Billings Gazette Nonresident Hunters Cooler to Montana.docx

Dear Representative Feige,

Thank you for the work you do for Alaska. Please find attached a letter and a newspaper article regarding support for HB 158.

Please give my very best regards to Linda and Michael.

Thank you Respectfully,
Robert R. Fithian

Robert R. Fithian
Chief Executive Officer

Taiga Resources Conservation

HC 60 Box 299C Copper Center, Alaska USA 99573

Phone: (907) 822-3410

www.taigaresources.com



a management and consulting firm specializing in conservation based natural resource industry support. We provide industry, governmental, regional, and community assistance in understanding, developing, and maintaining conservation based initiatives that will help sustain long term stewardship for important social/cultural atmospheres, fish, wildlife, land/water habitats, and industry developments within them.

HC60 Box 299C Copper Center, Alaska USA 99573 Phone: 1.907.822.3410
Email: taigaresources@gmail.com Web: www.taigaresources.com

March 9, 2013
Lower Tonsina, Alaska

Representative Eric Feige
Co-Chair House Resources Committee
State Capitol Room 126
Juneau AK, 99801
Re. DNR Guide Concession Program

Dear Representative Feige,

Please receive this letter as a show of support for and appreciation of your leadership effort to help develop the much needed and long overdue DNR Guide Concession Program (GCP). I am in full support of HB 158. Also, please consider and share as you may like, the following comments about the program.

The following comments are provided from the background of having a deeply bedded history as a leader of professional hunting guide/wildlife conservation advocacy for Alaska, the United States and countries throughout the world as well as a personal thirty year professional guide history in Alaska. Additionally, this history includes leadership within Alaska's mineral industry (past member elected AMA president), long time involvement within Alaska's forestry, energy and agriculture industries. As well, I currently have the honor of representing America's tourism and guide-outfitter industries serving under the appointment of the Secretaries of Interior and Agriculture on the respected Wildlife and Hunting Heritage Conservation Council. Regarding Alaska's subsistence and related social/cultural heritage, I have served at the pleasure of three governors and continue work within the Wrangell-Saint Elias National Park and Preserve Subsistence Resource Commission. I bring forward this unique history with the request that you place no respect for me personally but rather that you find respect for my knowledge, however limited, to the stewardship of natural resource related industry, especially, the professional guide industry.

Without question, the DNR GCP will provide Alaska, our rural communities and professional guide service providers with a viable and important, long term sustainable industry. Without this development, we will see implementation of restrictions on nonresident hunter opportunity that will reduce and in many cases eliminate the viable future of this profession. The reasoning behind this situation lies in the inability of the State of Alaska to restrict the amount of commercial enterprise from the hunting guide profession that currently impacts our precious wildlife populations, our social atmospheres relative to resident and subsistence hunters, other wilderness users and the related law enforcement/legal systems. Most of this negative impact falls into the lap of the Alaska Board of Game or the Federal Subsistence Board in proposal form from the resident public to eliminate or reduce nonresident hunter participation due to overcrowding of guides on state lands. As a person who has attended more Alaska Board of Game meetings than any sitting Board of Game member, I can assure you that the Board Of Game will have no choice but to eventually pass these proposal requests and by doing so, put the future of nonresident hunter participation into restrictive measures that closes the door on economic viability for a professional guide service provider.

Please know that I have seen this same equation play out in numerous western states throughout the U.S. In each case, resident hunters put forth initiatives which unfairly reduce the number of nonresident hunters through restrictive measures that eliminate the viability of professional hunting guide businesses. The results in each case were as follows:

- A. Elimination of many long time established guide businesses.
- B. Significantly reduced rural economies.
- C. Significant loss of important historical State generated funding for wildlife conservation through nonresident hunting license sales.
- D. Substantial loss of the Pitman-Robertson Wildlife Restoration Funding which is generated by sportsman's excise tax and distributed to each state proportionately to their overall hunting license sales for wildlife conservation.
- E. Reduced overall wildlife conservation and stewardship.

For your review, there is an attachment sent with this letter copied from a Montana newspaper article which will help you further understand this situation. This article was written by a columnist without a full understanding of the impact on individual guide service providers or the fact that hunting is increasing in America but it will help you to see the path which Alaska is currently headed down. There are several other states in just as bad or worse situations that are not identified in this article. If you would like any more of this type of information or just general information on the GCP, please feel free to contact me and I will furnish whatever I can to help you.

What will actually happen to Alaska if we do not establish the GCP, is that long time service providers who have established successful businesses and maintain significant overhead investment, will not be able to effectively compete through the soon to be implemented games of chance that future restrictive drawing permit allocation will provide. These are the same business owners who have long established employee's and established relationships with a labyrinth of other types of rural Alaska businesses. These great service providers, many of them second and third generation will be replaced by service providers who can operate on a more part time basis without having to maintain substantial overhead. Many of these service providers will be nonresidents business owners who can secure licensing in numerous states, work the drawing permit games of chance and provide limited services wherever they may draw clients.

Alaska does not need to follow this course. With the GCP established, the Board of Game can be confident and fair with their conservation based decisions regarding allocation and social atmosphere considerations. Additionally, as a long time Alaska guide service provider who operated primarily on State lands before being awarded a Federal NPS Concession, I can assure you from experience that the GCP will develop better stewardship within the professional guide industry itself. There is a tenor of outcry that we do not need more government in our entrepreneurship world. Please know that after dealing with DNR for many years as a small business owner within the guiding, mining, forestry and agricultural arenas, that I have confidence that they can and will provide a GCP program that will work to provide the viability, sustainability and stewardship that all of us want for Alaska.

Please, I urge you to support and help pass HB 158 for the sustainable future of a important rural Alaskan industry. If I may be of any help to you in this or in any other consideration, please feel free to contact me at any time.

Very Respectfully,



Robert R. Fithian

Cc

House Resources

House Judiciary

House Finance

Senate Resources

Nonresident hunters cooler to Montana, Idaho

Print Email

September 02, 2012 12:00 am • RICH LANDERS The Spokesman-Review Billings Gazette

Weather, wolves, politics and the economy are slamming a quadruple whammy on the budgets of fish and game agencies in Idaho and Montana.

Nonresidents are no longer clamoring for the quota of permits the states offer for their fabled deer and elk hunts despite the standout hunting opportunities.

Nonresidents are cash cows for state budgets. Just as they boost university tuition revenues, nonresidents pay up to 15 times more than residents for the privilege to hunt elk.

While some locals welcome less competition in their favorite hunting areas, local economies are feeling the pain, too. Hardest hit are rural towns where nonresident hunters book motel rooms, eat at restaurants and support numerous other businesses with out-of-area dollars.

Losses are huge in license revenue alone.

The Idaho Fish and Game Department watched \$3.5 million in license revenue vaporize last year because it could not sell all of its allotted nonresident deer and elk tags, according to Craig Wiedmeier, license division manager.

That amounts to a 4.5 percent divot in the department's already strapped \$77 million annual operating budget, which is funded almost entirely by hunting and fishing license fees.

Idaho's sales of nonresident deer and elk tags have steadily declined each year since 2008. The trend apparently hasn't bottomed out.

Last year, sales of nonresident Idaho deer tags were down 22 percent from 2010 and elk tag sales were down 23 percent, Wiedmeier said.

The number of tags sold this year is down about 18 percent from August 2011.

Montana is hurting, too. For the second time in 30 years, the state has a surplus of nonresident big-game combo licenses — tags that used to sell out by March 15.

At last count, Montana was still holding 795 unsold big-game combo licenses (from a 17,000 quota), 1,935 elk combo licenses and 1,921 deer combo licenses.

That amounts to a whopping \$3.36 million shortfall at this point, although the state is banking on selling more tags in the next two months.

"We normally get a spike in nonresident sales in September and even October, especially from Washington state," said Ron Aasheim, Montana Fish, Wildlife and Parks spokesman in Helena.

"But we're still concerned. We're talking about a lot of money."

Before 2008, Idaho and Montana enjoyed high demand for their quotas of nonresident deer and elk tags. Sell-outs were the norm until the following occurred in the following two years:

- Wall Street and the mortgage banking industry tanked the nation's economy.
- Winter weather hammered Idaho elk herds as well as Montana deer and antelope.
- Word of wolves ravaging deer and elk populations — sometimes exaggerated, sometimes not — spread through hunting communities.
- Politics compounded revenue problems by ignoring the economic climate.

Despite warnings from fish and game officials, Idaho's legislature and Montana's voters raised nonresident license fees, asking out-of-staters to pay more for less.

In 2009, Idaho lawmakers raised nonresident deer tags from \$259 to \$302 and bumped the elk tag from \$373 to \$417.

Fish and Game officials confirmed their assumptions about declining license sales in a 2009 survey of nonresident hunters, many of whom indicated the economy, fee increases and wolf impacts played into their decisions to forgo hunting in Idaho.

Montana voters created even more economic heartburn for their wildlife agency and local economies by approving an initiative that took a swipe at guides who were tying up hunting ground.

Initiative 161 eliminated outfitter sponsored big-game licenses that guaranteed big-spending nonresidents a chance to hunt in Montana. The outfitter combo big- game tags that sold for \$1,250 helped finance the state's popular Block Management program that gives all hunters access to private land.

The Montana initiative also significantly raised prices of the nonresident big-game combination license from \$643 to \$944, the elk combo from \$593 to \$794 and the deer combo from \$343 to \$561.

Meanwhile, both states are trying to get out the message that they still have tremendous hunting opportunities.

For example, despite the impact of weather and wolves, Montana wildlife officials say elk populations in 70 percent of the state's hunting units are at or above management objectives.

"In this economy, buying patterns have changed," Idaho's Wiedmeier said. "A lot more hunters wait to the last minute before making the decision to buy a license. It's like they know they want to hunt in Idaho, but they want to be sure they can make it."

Read more: http://billingsgazette.com/lifestyles/recreation/nonresident-hunters-cooler-to-montana-idaho/article_47bc001d-c5f0-5a02-98b4-0949fbf55651.html#ixzz2NBsWiLq5

Linda Hay

From: Sam Rohrer <sam@kodiakbearcamp.com>
Sent: Monday, March 11, 2013 7:19 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Sen. Gary Stevens
Subject: House Bill 158

Representative Costello, Feige, Austerman, Herron, and Millett,

The APHA, and myself personally, would like to thank you for sponsoring House Bill 158. As you all know the DNR GCP is vital to the future of the Guiding Industry in Alaska. We realize that you have numerous pressing issues before you, and we greatly appreciate you taking the time to help us on this important issue.

The APHA Professional Membership has certainly taken notice of your efforts on behalf of the Guiding Industry and we look forward to your continued support of this vital program.

Sincerely,

Sam Rohrer

President, APHA

Linda Hay

From: Sam Rohrer <sam@kodiakbearcamp.com>
Sent: Monday, March 11, 2013 7:19 AM
To: Rep. Eric Feige; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Cc: Rep. Alan Austerman; Sen. Gary Stevens
Subject: House Bill 158

House Resource Committee Members,

The Alaska Professional Hunters Association (APHA) strongly supports House Bill 158. This bill would authorize the Commissioner of DNR to implement a Guide Concession Program (GCP) that would limit the number of Registered Hunting Guides who are allowed to operate in any one geographical area. DNR has been working on a GCP for the last 7 years, the development of this program has been a robust public process with numerous public meetings held around the state (and even one meeting in the lower 48) and with several opportunities given for written comment. The Big Game Commercial Services Board, the Board of Game, the ADF&G, and the Alaska State Troopers have all been involved in the GCP development, and all of these boards and agencies support the program.

Currently there is no mechanism in place to limit how many hunting guides can operate in one area, this has led to overharvest of game in some areas, loss of opportunity for resident hunters, and loss of quality of experience for resident and nonresident hunters due to crowding and conflicts in the field. Ultimately, this leads to reduced hunting seasons and bag limits for all. Shorten seasons and bag limits obviously affects resident and nonresident hunters, but it also hurts the sustainability of the Guiding Industry. Implementation of the GCP will go far to address many of the issues of overharvest of game and crowding and conflict in the field, thus reducing the need for more restrictive seasons and bag limits. This will help bring long term stability to the Guiding Industry. Big Game Guiding is an important, historic, industry in Alaska. It provides needed economic benefit to many small communities and villages around our state and it provides hundreds of good jobs including guides, packers, pilots, boat captains, cooks, expeditors, and taxidermists.

APHA firmly believes the DNR GCP will benefit long term wildlife conservation, will benefit resident hunters by reducing the number of guide operations in any given area, and will bring continued economic benefit to Alaska's small communities.

For these reasons APHA asks that you fully support House Bill 158 and the continued development of the DNR Guide Concession Program.

Thank you for considering this letter, and for giving APHA an opportunity to testify in front of your Committee today,

Sincerely,

Sam Rohrer

President, APHA

Alaska Outdoor Council

310 K Street, Suite 200

Anchorage, Alaska 99501

Email: aoc@alaskaoutdoorcouncil.com

(907) 841-6849

February 28, 2013

Mr. Clark Cox
Natural Resource Manager
Department of Natural Resources
State of Alaska
550 W. 7th Ave. Ste. 900C
Anchorage, Alaska 99501

Mr. Cox,

Thank you for the opportunity to comment on the latest version of the proposed DNR Guide Concession Program (GCP).

The Alaska Outdoor Council (AOC) is a statewide organization comprised of 51 outdoor clubs and individuals currently numbering over 10,000 Alaskan members. AOC has participated in the state's regulatory process regarding big game management and allocation since before statehood. AOC members recognize and appreciate the relationship they, as users of the public resource, have with the state of Alaska as managers of the public resource, wherein the state provides public access to big game resources on state lands.

Alaska hunters living in federally recognized non-subsistence areas have no game allocation on federal lands, which cover some 60% of the state. That makes access to big game on *state* lands a critical issue for the majority of hunters in the state. Big game guide concession programs ultimately allocate game resources to nonresident hunters.

It is important to note that the GCP was proposed to address *social issues*, including user conflict, on state lands (some 100 million acres) associated with commercial hunting activity. This is not a conservation issue (which would clearly be the responsibility of the Department of Fish and Game) but rather DNR conducting a carrying capacity study as the state land manager. Concurrent with this effort by the state, the Bureau of Land Management (BLM) is conducting an Environmental Assessment (EA) on the commercial hunting guide capacity on the 75 million acres they manage in Alaska. All other land in the state open to hunting is either private (mainly ANCSA lands) or under a federal guide concession program.

Mr. Clark Cox
Alaska Department of Natural Resources
February 28, 2013
Page 2

AOC has no recommendation on how the guide industry chooses to regulate itself. AOC supports the Big Game Commercial Services Board (BGCBSB) process authorized by statute to adopt regulations governing the big game commercial industry in Alaska. However, we do offer the following comments on the January 2013 GCP Draft:

AOC Comments on DNR January 2013 GCP Draft

- Set a maximum number of clients per calendar year, per concession area for Full Concession Areas.

Rational: The GCP was created to address social issues, including user conflict, on state lands associated with commercial big game hunt guiding. In order to reduce the perceived user conflicts resulting from too many guided nonresidents on state lands the state should cap the number of nonresident *clients*.

DNR should review the client reports for the approximately 170 guide/outfitters who have been signing guide/client hunting contracts with nonresidents, as well as all transporter data, to determine how many nonresident hunters have annually been using state land over the last decade or so. DNR has developed the GCP because conflicts are developing now. That being the case, the number of nonresident hunters should certainly be capped at a level lower than the number causing the conflicts. In other words, in areas where conflicts have been identified, fewer nonresident hunters should be granted access to that state land than over the past 10 years.

- Establish a fee/tax/royalty for the exclusive use of state resources to be deposited into the Fish & Game Fund, AS 16.05.100.

Rational: The state of Alaska extracts monetary payment for the exclusive use of oil, gas, minerals, timber, fish and land. Exclusive hunting concession areas should be no different. The trophy quality of Alaska's big game taken on state lands by nonresident hunters is a highly valued resource, and as such it should benefit the management of that resource for future uses. Hunters are proud of their heritage of contributing to the management of fish, game and land through excise taxes on arms and ammo, and other equipment. This is simply an extension of the North American wildlife management model. To be clear, we acknowledge the proposed \$2000 and \$1000 concession fees for full and limited concessions, respectively. This is to cover the cost of administering the GCP and wholly separate from paying the state for exclusive use of a resource.

Mr. Clark Cox
Alaska Department of Natural Resources
February 28, 2013
Page 3

- Delete #3 "Client Fee" from Fee Amounts

Rational: A commercial agreement, formalized by a contract, between the guide and the client establishes a price for the guide's services. Clients pay license and tag fees to the State of Alaska. To *allow* the guide, let alone propose in this document, that the client pay an additional fee is contrary to the transparency that the industry needs to remain credible.

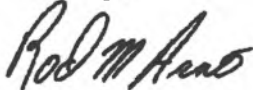
- Delay implementation of the GCP until you have addressed transporters and air taxis.

Rational: Air taxis and transporters are the most important, and most complex, piece of the puzzle. The point of the GCP is to relieve conflict. Any plan that does not account for, and address, the unregulated number of hunters that could be added to an area by an transporters would be unreliable, and doomed to failure.

That said, limiting access for Alaskan residents utilizing transporters is well outside of DNR's authority and mission. Controlling Alaska resident participation in a regulated hunt falls exclusively and squarely within the authority of the Board of Game.

AOC looks forward to working with all resource managers charged with ensuring that Alaska residents have access to wild food resources on state land, while also managing so that nonresidents are able to participate in a world-class big game hunting experience. We thank you for your efforts on behalf of both groups.

Sincerely,



Rod Arno, Executive Director
Alaska Outdoor Council
310 K Street, Suite 200
Anchorage, Alaska 99501

Linda Hay

From: Rep. Eric Feige
Sent: Wednesday, March 06, 2013 2:11 PM
To: Linda Hay
Subject: FW: HB158,

From: Mike and/or Karen Cowan [mailto:crosshairsofalaska@yahoo.com]

Sent: Wednesday, March 06, 2013 1:39 PM

To: Israel Payton; Representative.Alan.Austeman@akleg.gov; Rep. Bill Stoltze; Rep. Wes Keller; Rep. Bob Herron; Rep. Charisse Millett; Rep. Eric Feige

Subject: HB158,

Dear Representatives,

I'm strongly opposing this HBO 158 , Based on the fact that there has been only hear say about the problems at hand. We have a problem with the entire user groups as a whole. They want to limit and and put strong fees on registered hunting guides and not restrict residents or air charters that saturate each unit with hunters (clients.) You have to remember that the **NON- Resident** hunters pay a lot of money to the State of Alaska that **Truly** funds our Fish and Game departments and other departments throughout the state.

When you take away **2/3rds** of the Guides you eliminate a great deal of that revenue. Not only will you lose that revenue, but you will force the guides to raise their prices so high that you're middle class non-resident will not be able to afford to hunt in Alaska.

Just off the top, before you can even operate you have to come up with at least \$15-\$20,000.

Now that my friends, is bad business!

This economy right now is so unstable and unpredictable. People are holding on to their money. So my solution would be to raise our DNR fees higher and not put the burden on a few guides to fund a program which only benefits a few. The APHA only has 125+ members; they do not represent the whole guiding industry.

If you took a vote right now from each and every guide I will bet you will have more opposing this program than you would have agreeing with it.

There is 1,338 give or take a few Registered, Master, Ass. and Class A guides. Your offering only 300 **Exclusive** guide use areas. Its **Exclusive**, one, because I will be one of the only ones licensed in that unit if I'm awarded the area.

Its all about the money. Clark Cox(DNR) asked me how much I pay for my fee's and when I told him, he said, and I quote - "That's nothing!" I replied, "So it's all about money then?" And he was silent when I made that comment.

Additionally, you will have the cost of living increases and so forth - when will it stop? This program will be way too expensive. The numbers show that!

You are banking on the guides to book hunts each year in order to fund this program. If this was a perfect world than you have nothing to lose, but its not. Every year is different, some better than others. You are putting all your eggs into one basket. One day those eggs will brake.

Now let's say there's not enough monies coming into this program for another year. So lets raise more fee's. This just does not add up **PERIOD.**

Plus there is no Emergency Transferability in case of a Heart attack, Death or major illness in place. What happens to clients and loved ones. Oh I'm sorry but your area has been given to the next guy in line. **Law Suits!! to the poor family who has no chance to have their family memebers who are licensed to help out.** Think about that one.

I have been guiding in this state for over 30 yrs. I do not want more government control over free enterprise then we already have. It's simply not fair! This country has been built on free enterprise and the liberty of life.

Another point, you will probably have to cut other programs in order to come up with \$600,000 + dollars. How unfair is that, knowing other programs will suffer. The general fund only has so much in it. So let's not waste it on a program that only fuels a few. Why try to fix something that's not broken?

Sincerely,
Mike Cowan

Safety First in Hunting & Fishing
Mike Cowan/Registered Guide & Outfitter
Alaska Hunting & Flyout Fishing trips
35555 Kenai Spur Hwy
Soldotna, Alaska 99669
(907)394-2924

Northwest Missouri Hunting
Whitetails, Turkey's & Snow geese
26432 X ave.
Fairfax, Missouri 64446
(907)394-2924 (cell)
(660)686-0245 (Office)
www.crosshairsoutfitters.com

Linda Hay

From: Rep. Eric Feige
Sent: Thursday, March 07, 2013 5:55 PM
To: Linda Hay
Subject: FW: House Bill 158

FYI
Mike

From: Carolyn Nichols [<mailto:carenichols@hotmail.com>]
Sent: Thursday, March 07, 2013 5:39 PM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Jonathan Kreiss-Tomkins;
reprwsentative.Charisse.Millett@akleg.gov
Subject: House Bill 158

I am in favor of house bill 158.

This Bill benefits resident hunters by controlling the number of Guide operations in any given area. This will also benefit the long range wildlife conservation. It is crucial to the stability of the Big Game Guide industry which provides a lot of jobs of various types in many communities, both large and small throughout the state.

I have an assistant guides license and work for a guide in the interior in a federal area and I am a resident in Sitka who enjoys hunting very much. I see and understand this Bill from both aspects and support it.

Thank You

Carolyn Nichols
111 Knutson Drive
Sitka, AK 99835

Linda Hay

From: Rep. Eric Feige
Sent: Saturday, March 09, 2013 11:50 AM
To: Linda Hay
Subject: Fwd: HB 158

FYI
Mike

Begin forwarded message:

From: Mark Miller <mark@talaheimlodge.com>
Date: March 9, 2013, 9:52:26 AM AKST
To: <rep.eric.feige@akleg.gov>
Subject: HB 158

Dear Rep Feige,

I would like to express my concern over HB 158. I've been a registered guide (#390) since 1978. I've seen guide areas come and go. The last time we had guide areas it was like land dealings. Areas were sold and bought. I am not against guide areas entirely, but I am not for the DNR to implement it. We already have a Guide Board that was put in place to look after guides, so this should be taken care of by this appointed board. After attending several of the DNR meetings on these guide areas I came down to the conclusion that the best lier wins. I think if there are to be guide areas, the guide board should address this issue. Most guides already deal with about five government agencies at a minimum, why add another. Please consider my request when bringing up HB 158.

Sincerely,

Mark Miller

Mark Miller
Lodge Owner
PO Box 190043
Anchorage, Alaska 99519
www.AlaskaTalaheimLodge.com
(907) 248-6205 office
(907) 440-0614 cell



Linda Hay

From: Joey Klutsch <joeyklutsch@gmail.com>
To: Wednesday, March 06, 2013 10:03 AM
Cc: Rep. Mia Costello
Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett; Rep. Dan Saddler;
Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Peggy Wilson;
Rep. Geran Tarr; Rep. Chris.Tuck@akleg.gov; Rep. Wes Keller; Rep. Neal Foster; Rep. Gabrielle
LeDoux; Rep. Bob Lynn; Rep. Charisse Millett; Rep. Lance Pruitt; Rep. Max Gruenberg; Rep. Bill
Stoltze; Rep. Alan Austerman; Rep. Mark Neuman; Rep. Scott Kawasaki; Rep. Steve Thompson; Rep.
Tammie Wilson; Rep. Les Gara; Rep. David Guttenberg; Sen. Cathy Giessel; Sen. Fred Dyson; Sen.
Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: DNR Guide Concessions Program
Attachments: DNR Guide Concession Program - Joey Klutsch.docx

Please see attached document.

Respectfully,

--

Joey Klutsch
Registered Guide
Katmai Guide Service

PO Box 222
King Salmon, AK 99613
(907) 439-3030

Dear Representative Costello,

My name is Joey Klutsch and I am a Registered Guide (RG 1277). I guide on the Alaska Peninsula, Kodiak Island, and the North East Brooks Range, all on Park Preserve and National Wildlife Refuge lands where some form of a sole guide use area system is in place. I have been both a fishing and big game hunting guide my entire working life and intend on making it my life long career. Guiding is my exclusive employment. I have grown up in the guiding business working primarily with my father, Joe Klutsch, as well as a select few other well respected guides. I have a passion for the guiding profession and it is of the utmost importance for me to see that quality guiding in Alaska is preserved for future generations. It is for this reason that I ask for your full unwavering support of the DNR Guide Concession Program.

I remember when I first became a Registered Guide back in 2009. It was one of the most important accomplishments of my life at that time, and I was eager to start my own guiding business. However, I immediately came to the conclusion that contracting my own hunts on open State Lands would not be beneficial. I saw the problems on State Land and did not want to be a part of them. I instead chose to work for long established guides who had Concession Contracts or Special Use Permits on Federal Lands where access was limited to one or two Guides and the quality of experience was extremely high for the clients. I did not want to take someone hunting on State Lands that are often overcrowded with other guides, thus limiting my hunter's quality of experience. Having a State Land Concession program would greatly improve quality of experience by eliminating overcrowding altogether.

In addition to overcrowding, State Lands often experience overharvest of game because of the high level of guided effort. This is something which the DNR program will address. It is perhaps the most important issue that the DNR program will resolve. At present, there is no check to the number of guides that can register to conduct hunts on any given State Land area, and in many cases there is no restriction to the level of harvest in those areas. As a result, many game populations have suffered, especially in Dall Sheep areas, and more recently even in Brown Bear areas. The last thing we want is for the health of our game populations to be put at risk. The DNR Guide Concession program will alleviate this problem by limiting the number of guides registered in an area, placing caps on the number of animals that may be harvested by guides in an area, and encouraging good stewardship through a competitive renewal process. Much like on Federal Lands, it will be in the best interest of the guide(s) permitted to hunt a given State Land Concession to ensure healthy game populations. Guides will be required to work under strict operations plan at an extremely high standard in their given area. They will be held accountable for their actions. It works on Park Preserve and National Wildlife Refuge Lands, and it will work on State Lands if this program is implemented.

As a young Registered Guide (I am 27 years old) as well as a full time Rural Resident and subsistence user in King Salmon, Alaska, I often see the contention between resident hunters and guides. I will say with complete confidence that a great deal of this animosity comes from the high level of hunting pressure on State Lands brought on as a result of too many guides operating in a given area. As you know, on Park Preserve and National Wildlife Refuge Lands there are concession contracts or special use permits in place to limit the number of guides in an area. This has proven extremely effective at keeping hunting pressure down as well as nearly eliminating user conflict between subsistence or general

resident hunters and non-resident guided hunters. If guiding in this State is to survive it is extremely important to reduce conflict in the field amongst user groups, especially between guides and subsistence users on State Land.

Overharvest of game and competition for those animals with residents on State Land will inevitably lead to permit drawing for non-residents being implemented. Non-resident allocation will continue to shrink and the guiding industry will suffer greatly. Eventually it will no longer be viable. We may even see all non-resident allocation being eliminated. This is the situation that guides will face if the DNR Guide Concession program is not implemented.

I understand that as a young guide in Alaska, I have less experience than some of my mentors and am therefor less likely to benefit in the short run if the DNR Guide Concession Program is implemented. Although I am a top notch guide, there are others with many more years' experience than I have who stand a better chance at winning one of the newly created State Land Guide Concessions, simply because of their extensive years in the business. There will be many younger people like myself who may suffer the same fate of not being able to win one of these newly created areas right off the bat. However, this not a bad thing, in that it will ensure that we are dedicated to the profession and are willing to work for long established guides for longer periods, gaining valuable experience in the process. It will also weed out the people who are less serious about making guiding a career. More importantly, the DNR Concession Program will get rid of unscrupulous guides who seem to inundate State Land. In summary, we will all benefit in the long run.

We have an amazing opportunity to fully implement a Guide Concession Program on State Lands similar to those which have proven so very effective on Fish and Wildlife Service and Park Preserve Lands. This will guarantee that guiding remains a viable way of life in this great State, and that the quality of experience which is so important to our non-resident clientele is ensured. It will reduce conflicts with other user groups, especially subsistence users and reduce animosity towards guides in villages. Most importantly, perhaps, it will safeguard our game populations on State Lands from overharvest by limiting use. I appreciate your consideration in this matter and ask for your full support in this program and the funding necessary to implement it.

With Best Regards,

Joey Klutsch

Registered Guide 1277

Linda Hay

From: Loren Karro <lorenk@mtaonline.net>
t: Tuesday, March 05, 2013 6:51 PM
Subject: Rep. Eric Feige
HB 158

HUNTER CREEK GUIDE SERVICE

Loren Karro, Reg. Guide # 941

26239 E. Buckshot Drive

Palmer, AK 99645

908-745-3712

lorenk@mtaonline.net

Dear Rep. Feige;

I would like to thank you for co-sponsoring House Bill 158, Authorizing the DNR to implement a Guide Concession Program. As a professional big game guide, I strongly back the DNR GCP as a necessary tool to decrease resident/guide and guide/guide conflicts in the field, to work to benefit the long term conservation of our precious wildlife resources, and to keep the big game guiding industry in Alaska healthy and stable. I operate out of the Mat Su Borough and Port Heiden. I see first-hand the economic benefits of the guiding industry in Alaska, in communities big and small. My partner and I spend close to \$200,000 annually in support of our business, and virtually all of it is spent in Alaska. We purchase our supplies and equipment from local stores and industries, we hire local people and we help keep small rural businesses alive. We utilize local road houses, country stores and service people. We also contribute both wild meat and excess food stuffs to local families within the small villages of Alaska.

As a mother, I particularly value the good work ethics and appreciation for Alaska's wildlife and habitat that my family has learned through their exposure to this industry. Many of my family have worked with me, three generations from siblings to nephews to grandchildren. Family time in Alaska's great outdoors is perhaps our greatest legacy, and sharing this love and appreciation with our clients is a privilege and a joy.

I see the Guide Concession Program as the best way to protect long term wildlife resource conservation and to help local hunters by decreasing crowding in the field. In addition it will help to preserve the excellent worldwide reputation of the professional guide industry in Alaska, and thus will help to protect the economic benefits it produces throughout Alaska. I support the Guide Concession Program and have worked hard for 5 years to see that it is brought to fruition. Hopefully HB 158 will be one of the final steps towards its implementation.

Sincerely,


Lauren Karro

Registered Guide # 941

Linda Hay

From: Brian Peterson <brian.peterson4@att.net>
it: Tuesday, March 05, 2013 1:51 PM
Subject: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; representative.charrise.millet@akleg.gov
House bill 158

Representatives,

My name is Brian Peterson and I am a Master Guide and Outfitter in the state of Alaska. I would like to send my support for house bill 158 to save the guiding profession in the state of Alaska.

I am a full time resident who operates a hunting and fishing lodge on Kodiak Island. The guiding profession has been under attack by "hobby guides" for the last couple of decades. These guides are part timers, who generally arrive in an area and operate on top of the well established operators causing conflict and over harvest of resources. I personally have had four new "hobby guides" start operating on top of me in the last five years. I have been in the same location the last 29 years with substantial investment in the area.

If the DNR guide concession program is not implemented in the very near future the board of game will greatly reduce non resident harvest, reducing state income, and guaranteeing the entire industry becomes hobby guides, hoping to draw a permit for a client on rare occasion.

The industry has over seven years of developing the best option to save the profession. The DNR GCP is what has come out. While not perfect, it is the only legal option that can save the profession from the hobby guide industry.

To those who oppose this program, ask if they would prefer drawing permits for all non resident allocation and how long they have been operating in the same area. Also ask them what investment they have. This program has been a long time in being developed and is presently the only option that can save the profession.

You will find those who are opposed to this are generally part of the problem and do not offer a solution.

Thank you for your consideration.

All the best,

Brian Peterson

Alaskan Master Guide 114

Linda Hay

From: Rep. Eric Feige
To: Linda Hay
Subject: FW: DNR GUIDE CONCESSION COMMENT - Nate Turner

From: Nate Turner [mailto:alaskanate@gmail.com]
Sent: Friday, March 01, 2013 12:23 PM
To: Rep. Eric Feige
Subject: DNR GUIDE CONCESSION COMMENT - Nate Turner

Dear Representative Feige,

I am writing in support of continued funding for the DNR Guide Concession Program. I have heard recently that there has been discussion regarding continued support of this program by the finance committee, and I feel compelled to weigh in while I have opportunity. My family and I have lived primarily a subsistence lifestyle in the Western Interior for more than 23 years now. I came to Alaska when I was 17 with my father, and I finished my final years of schooling through correspondence programs.

I have been involved in the Big Game Commercial Services Board processes since this board was reinstated in 2005. I have co-chaired a subcommittee on licensing standards for a number of years and have helped, I believe, bring forward some meaningful suggestions to raise the bar for qualifications to both obtain and hold any class of guide licensing. I am also currently the Vice Chairman of the Board of Game.

Other than trapping, and sometimes commercial fishing, there remain few viable methods for Alaskans to envision having a future living close to the land these days. A life changing and very rewarding opportunity came to me in my mid twenties when I was asked to help a neighboring trapper by working with him as an assistant guide in my own trapping area each fall. One opportunity lent itself to another over the years, and I now have the ability to support my young family both in town and while in the woods for a good portion of the year as a Registered Guide, employing a number of rural bush residents in my part of the interior to help guide and accommodate my hunters while they are in the country, and to also share the harvested meat from my hunts with those who have been unsuccessful in their own efforts during their fall hunts. The guiding industry has provided a rich and rewarding way of life for my family and I and has additionally benefited many rural residents in my part of the interior. I know this is true in various other parts of the state as well.

What has enabled me to do this, I believe, is that the remote area I guide in is inside of a National Wildlife Refuge where I competed for and obtained a 10 year tenure to have the sole right to offer big game hunts in a portion of the area. Having the ability to provide a guided hunt without competition from other guided hunters allows for my clients

to enjoy their time in the Bush, not feel hurried to “beat the other fellow to the game “, and be more selective in their harvest of game. It provides me a reasonable assurance of what kind of experience I can expect to be able to offer my clients from year to year, and no regrets for “the one that got away” (he may very well be there next year). The State areas not too distant from me are under high competition and the stories I hear of conflict and competition for the opportunity to harvest animals in those areas genuinely makes me ashamed at times to have the guides in those areas ‘representing’ to the public what it means to be a professional hunter in Alaska. This problem is not statewide, but where it exists it is pervasive and ultimately uncontrollable without a program similar if not identical in nature to what DNR is currently proposing as the Guide Concession Program.

The currently proposed Concession program has been laid out before the public several times now, and it has been essentially shaped and refined through widely represented public input in combination with carefully addressing the legal mandates that had to be addressed as well. It is not a perfect program yet, but it is a very good one as proposed, which should provide continued opportunity for the majority of current guide services to stay in business. It will certainly cause each of us to adjust how we do our hunts, and will sometimes limit and other times even expand opportunities for the concessionaires who receive these areas. Ideally, most areas will not change much unless there are identified conservation of conflict concerns that need to be met. Ultimately, it is resident hunters who will benefit most from this program, with providing them an assurance that there will be a limited amount of professional competition they will encounter in the field in a given area, and an avenue to address conflict or other issues if they encounter it in the field. A secondary beneficiary of the creation of this program will be visiting hunters to our state. They will have a much better hunting experience in a guide concession, as our federal areas have already proven, and I believe the state will be better represented by service providers who will have to adhere to a preset standard of ethics, resource conservation, and professional conduct if they wish to keep their areas.

As a Board of Game Member, I can additionally say that we have been challenged with trying to mitigate the negative aspects related to these in-field conflicts, lack of conservation based hunts by some operators, and generally poor quality hunting services provided to clients in a number of areas of the state. This is especially true related to Dall Sheep sport hunting opportunities today, but there is reason to believe that these or similar issues may translate into other types of hunts as the hunting fields grow ever more crowded through our states increasing and ever more active hunting population.

My request is that you continue to support this program and its continued funding until it is able to stand on its own feet , if you will, and by doing so help us address these issues that both the public and the various boards involved with this industry have identified.

Sincerely,

Nate turner

Registered Guide #1036

Turner's Alaskan Adventures

PO Box 646

Nenana, Alaska, 99760 USA

Phone/Fax: 001 907 479 7535

Cell Phone: 907 451 0369

web: www.alaskan-adventures.net

Alaska Chapter SCI
PO Box 770511
Eagle River, AK 99577
(907) 980-9018



February 27, 2013

The Honorable Dan Sullivan, Commissioner
Department of Natural Resources
Division of Mining, Land and Water
Attn: Guide Concession Program
550 W. 7th Ave., Suite 900C
Anchorage, AK 99507

Dear Commissioner Sullivan:

The Alaska Chapter of Safari Club International wishes to express our appreciation for the opportunity to comment on the Department's proposed guide concession program. We believe this proposal is a positive step toward resolving a classic "tragedy of the commons" situation.

Safari Club International (SCI) is the world's leading hunting organization, and the Alaska Chapter is a leading chapter within SCI. The Alaska Chapter is also a leading hunting group here in Alaska having led the fight to preserve Alaska's hunting heritage for the last ten years as demonstrated in our efforts to stop anti-hunting initiatives at the ballot box, among other issues.

SCI Alaska Chapter strongly supports the formation of a guide concession area program. We believe that such a program will have lasting benefits for wildlife and for those wishing to continue the hunting tradition here in Alaska. We also believe that such a system will benefit the guide industry as it will elevate the professionalism of the industry and give non-resident hunters increased certainty that the hunt they are coming on will have a reasonable chance of success.

Although we believe the guide concession proposal is much improved over last year, we believe there are still areas that need improved or addressed. One such area involves the fees being proposed related to species hunted. SCI Alaska Chapter is opposed to these fees for three reasons.

We believe that under the agreement the State of Alaska has with the U.S. Fish and Wildlife Service regarding Pittman-Robertson funds that such a fee structure may be illegal and could jeopardize our funding for wildlife management from that source. Second, we feel that the imposition of such fees will jeopardize future initiatives by the Department of Fish and Game should the need arise for increased tag fees. Last of all, we understand the need to finance the proposed system, but we remain unconvinced that the Department needs additional funds to do so beyond the \$2000 fee being proposed for the concession areas.

SCP's Top Gun Chapter

For the remainder of our comments, we would like to note that they are given in the form of suggestions and should not be construed to be for or against the concession area proposal. We would like to note that there seems to be some redundancy in the framework of DNR's proposal. For instance, does the DNR really need a staff biologist assigned to this program? Why couldn't you utilize the same system being employed by the Board of Game to ascertain biological concerns and sustainability for each area.

We also noted that there seems to be a glaring lack of input from the industry in this process. We understand that you meant to keep as much bias out of this proposal as possible, but there are retired guides out there who could have been consulted. Venerable guides such as Dick Gunlogson is one such resource that could have been consulted.

The final item we thought to suggest is that the State already has a professional standards board to deal with the guide industry. It seems to us that avenue could have been included in this process to streamline the system and reduce costs to the Department by allowing that entity to participate in the allocation process.

Again, we appreciate the opportunity to address this important topic and would like to reiterate our support for the program. If there is anything we can do to assist you in this effort, please don't hesitate to call on us.

Sincerely,

Eddie Grasser

Eddie Grasser
Region 33 Representative

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ (907)-264-6602

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

February 28, 2013

Department of Natural Resources
550 W. 7th Ave, Suite 1260
Anchorage, AK 99501-3557

2013 Guide Concession Program Management Framework Written Comments

The Alaska Professional Hunters Association's represents many of the most successful and viable guide businesses in Alaska. What follows are our comments on the most recent proposed DNR Guide Concession Program. These comments are the result of an intensive and exhaustive internal discussion amongst our profession members and they represent a collaborative effort to adapt a viable, foresighted program. The APHA is proud of its efforts to develop and implement this program, while, at the same time, leery of a GCP that ignores or threatens proven, historic guide-business models. Our members, variously, have the full gamut of land use authorizations; Federal, State and private. Many of our members already operate under competitively awarded special use permits administered by the Department of Interior, similar to the proposed GCP. APHA members who operate on private lands enjoy exclusive lease agreements that are outside of the public oversight but are usually directly authorized by a specific native corporation. APHA members who operate on DNR lands and have viable business models have become a minority of our membership while our members that have limited, or sole use concessions (Federal or Private) increasingly enjoy a competitive advantage and are more economically stable, in spite of the more stringent permit stipulations and higher fee structure that they operate under. It is for these reason, economic stability and incentivizing landowner participation in competitively awarded Big Game Guiding Services that reward the best-qualified service provider, that the APHA strongly supports the further development of a viable GCP.

The recently released Guide Concession Program Management Framework by the DNR is close to being a viable and successful program for Alaska's historic guide industry to thrive within. Good examples of constructive changes in the recent offering are the lowered fee structures, the ability to apply for 3 GUAs and the number of assistant guides in "full concessions" being raised to 6. We still feel there is more work to be done on these issues as well as others. The APHA has attempted to prioritize its requests and we ask the DNR respond accordingly. Our comments have been well vetted during two group teleconferences (45 members commenting) and then re-affirmed and organized by our Board of Directors. We hope that the DNR is receptive to our comments and views them as constructive, stewardship based, inputs to promote and maintain this programs'

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ (907)-264-6602

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

short and long term potential. We hope the DNR recognizes that our comments will enhance stewardship and help accomplish the core rational of the GCP to provide a sustainable future for Alaskan guide businesses and minimize user conflicts in the field. Our comments, if accepted, will help the DNR fairly rank and score applicants while setting reasonable parameters for implementation, oversight, and remuneration to the State. It also bears mentioning that, as the GCP becomes more acceptable to Alaska's Professional Hunters it becomes more likely to pass public muster, at large. The APHA humbly request that the DNR carefully consider and implement each and every comment that we put forward and understand that we have listed our priorities in order of importance.

1. Guide or Industry Rep on the Scoring Panel:

The most important question that the GCP attempts to answer is: "who is the most qualified guide for any given area?" This is handled through a competitive scoring, ranking and award process. This is especially important in the first GCP offering when many guides who have operated on DNR lands exclusively are suddenly subject to a prospectus offering. Many of these long standing operators are the most qualified in a given GUA but may be the least experienced in writing a prospectus, due to the simple, over the counter, land use authorization the DNR currently has in place. We understand applicants will be scored on criteria set out by the DNR and the highest-ranking applicant will get the concession in question. We feel strongly that to avoid "injustice" and accomplish the basic goal of getting the most qualified guide in each area, a person knowledgeable about the guide industry, preferably a former guide, be included on the ranking panel. This industry expert will assist service employees in sorting through applicants, with an eye to the practical. We feel there may be "guide culture" specific terms in these applications that service employees will be unable to discern or correctly ascertain. This "expert" input will give a much needed "interpretive" aspect to prospectus ranking as well as a realistic control on what is practically feasible in a proposed "plan of operations." We feel that this "expert" should be disqualified from ever holding a DNR concession and should be paid, on a contract basis by the DNR and subject to standard ethical disclosures and constraints. Our goal is that this person or persons, assist the panels in getting the most qualified guide for any given area but that does not mean that they have to actually rank applicants. They can be strictly advisors but every panel and every application should have this oversight. We feel that this will be crucial to preventing legal questions and will ultimately reinforce the legitimacy of the competitive selection process. Along these same lines, we would like each panel to have the ability to call applicants to clarify any and all aspects of their proposed offerings. Applications should not be viewed as a test, but an objective effort to get the most qualified, ethical, steward of Alaska's resources!

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ (907)-264-6602

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

2. Violations:

The DNR GCP application addresses violations, citations, and convictions on "Form D" of the application package. That section references the loss points for offenses, including disqualification if 100 points are lost, with no definition of how many points can be lost for what types of violations, citations, or convictions. In developing that correlation between lost points and the relative seriousness of the offense, it is important that this be a joint effort between DNR, BGCSB, Public Safety, and the Guiding Industry. There should also be an opportunity for review of any proposed system for lost points prior to its implementation. The point system needs to be fair and clearly defined, with points lost in keeping with the seriousness of the offense, and with a limited amount of discretion left to the review board or whoever is going to review Form D.

We believe strongly that any strict liability violation, with a penalty of \$200 or less should not be a consideration in any guide concession permit application. This type of violation is analogous to a parking ticket, with no consideration given to intent, and with no opportunity for a jury trial. To be fair, only offenses at the misdemeanor level and up should be considered in reviewing guide concession permit applications.

We also believe that violations, citations, and convictions of employees or clients should not be considerations when reviewing an application unless the offense also resulted in actions against the applicant. Against, we are aware of no other occupation in the State where actions of an employee can impact a professional employer to this degree.

Finally, we believe that intent should weigh heavily in the determination of lost points for violations and citations. In the field "things happen" beyond the personal control of the guide. Although the guide may responsible for what occurs on a hunt, when an unintentional violations takes place, followed by self-reporting of the incident, this should be a significant consideration when deducting points from an application.

3. Financial:

We can live with the \$1000.00 annual fee for limited concessions and \$2000.00 annual fee for the full concessions, but feel a \$500.00 credit allowance should be included towards an LAS for limited concessions and a \$1000.00 credit allowance towards an LAS for a full concession.

We are concerned that DNR does not have the authority to "sell animals" by implementing an animal fee. We feel day use fees are a better idea and will be more defensible, because then you are paying for land use instead of selling animals. Also it

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ (907)-264-6602

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

would be easy to calculate because the information could come straight off the hunt records. We didn't think the guide required vs non guide required is a fair calculation, because sheep, moose and interior grizzly hunts sell for similar prices.

Option 1: We think a flat \$30.00 - \$35.00 fee per client day is the best and most defensible, however we know some will be concerned that it is not fair to pay the same price for deer hunts as for coastal brown bear.

Option 2: We also considered a scale of:

- \$20.00 per client day for deer, wolf, black bear and caribou hunts.
- \$30.00 per client day for goat, moose and brown/grizzly bears in units other than 8, 9 and 10.
- \$40.00 per client day for Dall sheep.
- \$50.00 per client day for coastal brown bear in units 8, 9 and 10.

Again, the problem we see with this is that it looks like DNR is selling animals instead of land use.

4. Assistant Guides:

Many of our Members feel there should be no restriction to the number of assistant guides that a full concession operation can employ. There are too many varied circumstances in the state to impose such a limitation. DNR has stated that they came up with the number of 6 based on study of historical hunt records. Some current operations already employ more than 6 assistants. Many operations in the current unlimited competition environment on state lands have self-restricted their scope. One of the primary goals of the concession program is to reduce conflicts between guides. This does not at all mean that the total number of assistant guides in the field and the number of hunters they serve needs to be reduced. Such a restriction can only result in the industries inability to fully serve the public and will likely result in a reduction of overall hunter participation. As the concession operations on state land become more robust, to fill the void left by the reduction of contracting guides in a given area, more assistants may be needed than operations have had in recent history. A margin of growth and expansion should be encouraged for the concession holders not restricted. Least is not necessarily best.

This restriction begs answers to several questions:

- What will a guide do in a random draw situation when they are awarded more than six permits?
- Is this any random six at any one time or it the same six assistants within a given week, month, or year?

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ (907)-264-6602

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

- How does the cook, packer, any helper get counted if they also have an assistant license, but are not on contract?
- How does this limit assistant guides who are still in training, but not yet allowed in the field alone with clients?
- How will this restriction be calculated and enforced?

We suggest that the employment of assistants should be held to within the scope of each proposed operations plan. Each operation is different and by prospectus a guide should be able to justify a range of employee numbers they might require.

5. Limited Concessions:

We appreciate the progress that has been made in regards to the Limited Concessions; however we still have some concerns. Primarily our concerns are for areas that have drawing permits. If a specific area only has only a few tags available there is a very real concern that all of the tags could go to the Limited Concessionaire. For this reason we recommend that Limited Concession holders not be allowed to compete for opportunity within any ADF&G drawing permit hunts within the Guide Concession they have been awarded. Remember, the intent of the Limited Concessions is to provide an opportunity for new guides to get a foot in the door. It is less important that the Limited Concession be economically viable and more important that they provide experience for the Concession Holder.

6. Predator Control Areas:

Our recommendation is to allow a maximum number of predator control permits in each guide use area as the number of full concessions allowed, and preferably half that number. We don't want guides who win a concession to be driven out of business by predator control. We would recommend a similar fee structure as for limited concessions. We would envision the same initial requirements be met as with a full or limited concession, but instead of a complex prospectus, we would propose an application deadline of April 1st with a drawing of all applicants shortly thereafter, with an effective date of January 1st of the next year. Other conditions that could be considered specifically for predator control areas are:

- If a concession becomes a predator control area, any previous limit in a concession holders operation plan for that predator control species, should be waived for the current concessionaire(s).
- a lesser application fee, perhaps \$100.00 per application, since we are proposing a drawing award instead of a full blown prospectus.
- Allowing qualified applicants to apply for up to 5 predator control areas and to receive as many as 3.

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ (907)-264-6602

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

- A shorter duration should perhaps be considered for Predator control permits – maybe 3 to 5 years - since they are evaluated fairly often by the department and conditions can change from time to time.
- A client limit of 4-6 per concession for brown and grizzly bears and no limit for black bears or wolves.

APHA recognizes that this program has improved drastically from previous drafts, we appreciate DNR's willingness to work through the Public Comment Process to develop a well vetted Program. Thank you for your consideration of our comments on the Guide Concession Program Management Framework and we look forward to the implementation of this important Program.

Sincerely,

APHA Board of Directors

Sam Rohrer, President
Tony Lee, Vice President
Brad Dennison, Treasurer
Joe Klutsch
Mike Litzen
Wayne Kubat
Sam Fejes
Joe Schuster

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ Juneau (907) 723-1494

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

February 2, 2013

Dear Representatives T. Wilson and Costello,

I'm writing you in an effort to answer the question that Rep. Wilson posed to ADF&G Commissioner Campbell at the end of the Dept. overview in H. Finance on 01/30/13. This same question was posed to DNR Commissioner Sullivan, on the same day, in the DNR Finance Subcommittee by Rep. Costello. The question is (paraphrased in its original form to Commissioner Campbell):

"If numbers of game are healthy, then why do we need a *Guide Concession Program*? And if we do, why can't ADF&G administer it? Why DNR?"

Both Commissioners accurately answered this question from their respective departments perspective, however I think you will find it helpful and appropriate if I provide you with some additional background information that supports their answers. I have attempted to provide you some bullet points below that help clarify the "tools" the public has in its "hunting guide oversight box:"

1. **Big Game Commercial Services Board**-*professional licensing, investigations, regulatory authority on professional standards, licensing disciplinary actions, assess and collects professional fees.*
2. **ADF&G**-*asses biological parameters of game and habitat, provides harvestable surplus to BOG, collects hunting/fishing license and tag fees.*
3. **BOG**-*subject to AK. Statutes for preferential uses, allocates harvestable surplus to public, regulatory authority to adapt seasons & bag limits, can not tell ADF&G how to use its money. does not collect fees, funded by ADF&G*
4. **Land Owner**-*issues land use permits in-line with its intent or goals (Private, Federal, State), manages liability exposures, collects "trespass" fees.*
5. **Public Safety**-*enforces State wildlife law, collaborates with land managers (State, Private), assists/recommends BGCSB investigations*

I hope you find this information helpful in answering the question that was put forward in committee.

Sincerely,

Thor Stacey

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ Juneau (907) 723-1494

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

The real sense of urgency to implement an acceptable GCP is partially captured in the following excerpt from the December 2012 Big Game Commercial Services Board meeting minutes. This is member Spraker's clarification of an earlier statement that he made in the meeting, off record, and is in response to Registered Guide Brian Peterson's testimony thanking the BOG for resisting rash action on proposals to severely restrict non-resident opportunity. Spraker is the Board of Game member on the BGCSB and the newly chosen chair of the BOG. This quote also expresses some of the limitations that frustrate the BOG in regard to the political dimensions of *land use authorizations*.

"Mr. Spraker said he wants to clarify what he said. He said the board of game has been challenged during the last three or four cycles with more and more proposals to change the season date and reduce the number of permits (given to non-residents). He wants to be clear that he thinks the time is coming, because of crowded situations and sheep will be the first one, and the board will have so much testimony from residents with conservation concerns. The guides asked for permits in 13D because they couldn't offer any type of quality hunt. The board will not be forced but challenged. We have a different makeup on the board with new members and a new legal counselor. He hopes the board of game can maintain the use of sound science and conservation and stay out of allocation issues that are political."

The "13D example" is also referenced in a Jun 29th BOG letter to Governor Palin requesting the development of a DNR GCP.

"The Board recently had to deal with a clear example of the necessity for a competitive lease program. As few as six to eight years ago, only six guides offered sheep hunts in a portion of Game Management Unit 13D, south of the Glenn Highway between Palmer and Glennallen. We learned at our March meeting that 38 guides are currently operating in that area. The majority of these guides attended the Board meeting and testified in support of a Department proposal to reduce hunting opportunity by changing the current regulation from unlimited general hunt to a limited-entry drawing permit

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ Juneau (907) 723-1494

Email: office@alaskaprobhunter.org ~ www.alaskaprobhunter.org

hunt for resident and non-resident hunters. Drawing permit hunts are rarely supported by the guiding industry because they cannot guarantee a client will draw a permit. This area was so heavily over-hunted there were no other options. This Board action may solve the over-hunting in this area but these guides will simply shift to another fully utilized area to take their clients.”

This passage fully encapsulates the tragedy of the current situation on State Land:

1. Rising guide numbers contributing to resource depletion
2. BOG action resulting in restrictions on BOTH resident and non-resident hunters
3. Destabilization and loss of business viability for long-term guides in the area that had been “good stewards.”
4. Guides shifting to another area, usurping current use and threatening similar BOG actions state-wide

The BOG does not have a mechanism to devise a fair system of encouraging guide stewardship because an UNLIMITED number of guides can operate in any geographical area on State Land. The BGCSB is also limited in its scope of authority. The concerns are described and delineated in this passage from a letter dated December 19, 2009 from the BGCSB to DNR Commissioner Tom Irwin:

“When suspected over harvest occurs by guided hunters, BOG is faced with the challenge of trying to define a regulatory process to limit the amount of impact on wildlife by the guide/outfitter industry. Since the BOG cannot control the number of guide/outfitters, the manner of responding to these concerns is most commonly the development and adoption of a complex set of regulations that limit hunting opportunity for *all* hunters. Changing general hunts to limited entry permit hunts, registration permit hunts or restricting

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ Juneau (907) 723-1494

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

the use by establishing controlled use areas are programs used to limit hunter effort. In short, it appears that development of a system limiting the number of guide/outfitters that can operate on State lands, similar in nature to the existing DOI (Department of Interior) program, will effectively address many conservation and hunter opportunity concerns.”

This letter goes on to discuss the contentious nature of public committee and planning groups because of their frustrations with the inability to limit the number of guides in a geographic unit. While the APHA is an organization of professional hunting guides, please give some thoughts how these “complex set(s) of regulations” affect resident hunting opportunity and the average Alaskan’s ability to enjoy *their* land.

Non-resident license and tag sales account for approx. 80 percent of the fees collected by ADF&G. The guide industry is an integral part of this funding as we provide a safe, professional conduit for the use of these out of state hunters who are unfamiliar with Alaska’s wilderness, vast spaces and sometimes dangerous animals. In addition to the fees collected by the department, the guide industry provides *new* dollars to Alaska’s economy in, what amounts to, a value added visitor service. But just like any type of resource development or use, commercial hunting needs visionary management to remain sustainable. Resource stewardship, on an individual level, is a one of the most important aspects of that. But ethical, stewardship based, decisions require a regulatory framework that protects and encourages self-restraint. Currently this framework does not, nor can it exist on State land without a concession program. This conundrum is described in this passage from a BOG letter dated January 11, 2008 to DNR Commissioner Irwin:

“It is difficult for the BOG to develop programs that limit hunter effort in a manner that will protect guides who strives to be a good steward of the wildlife resources, the consumer and the industry. These persons also present

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

310 K Street, Suite 200 ~ Anchorage, AK 99501

Phone: (907) 264-6619 ~ Juneau (907) 723-1494

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

numerous proposals to us asking for regulations that will protect their efforts to be good stewards. Unfortunately, the programs the BOG has developed to address the wildlife conservation concerns have little ability to provide for one service provider over another. The service provider who operates under good stewardship principles finds their industry efforts limited by restrictive regulation and cannot survive. **Thus, the current system disaffects those guides who strive to be good stewards.**"

This issues identified above are some of the most important to consider as you consider whether or not the "status quo" is acceptable.

In summary I would urge you to read or have your staff brief you on the [Owsichek vs. State Decision](#). This decision is what Commissioner Dan Sullivan was referencing in committee as to why the GCP has fallen to DNR to develop and implement. Since that statutory authority already exists, and Alaska's game resources and professional hunters are in peril, please consider our call to action URGENT and NECESSARY.

ACU 2-25-13

10157 N. Waldo Reed Rd.
Palmer Alaska 99645-9612

w.lazertours.com



Cell: (907) 250-1120

Toll free: 1-888-656-3006

E-mail: lazertours@yahoo.com

ALASKA LAZERTOURS

To Mr. Eric Feige,

2-22-13

I am a master guide. I have been in the guiding business ever since I got my asst. guide license in 1969!

I am in TOTAL opposition to DNR's Guide Concession Program (G.C.P.)!

Do not listen to APHA. They only have about 125 members. There are about 1339 guides in Alaska. (539 registered-masters, 723 asst. guides and 117 Class A guides.)

In my 40+ years, in the guiding industry, we (registered & master guides) have never been able to vote on any law or regulation brought forward by the State or Guide Board!

DNR is way out of line here and retarded!! The guide board needs to be put under the Sunset Law again! but that is another subject!

For now please VETO the G.C.P.!

Thankyou.

David L. Layer

Let me show you the **REAL**

◆ **Alaska** ◆

Linda Hay

From: jmogen@alaskapremieroutfitters.com
t: Friday, February 22, 2013 10:59 AM
To: Rep. Eric Feige
Subject: FW: Guide Program (DNR)

-----Original Message-----

From: jmogen@alaskapremieroutfitters.com
Sent: Friday, February 22, 2013 2:56pm
To: Rep.Mia.Costello@akleg.gov
Subject: Guide Program (DNR)

Funding this program will be nothing but a waste of resources. The intent of the GCP is to address the "overcrowding" issues that may happen in only a few Guide Use Area's. Not all areas have this problem and in some cases there is very little hunting pressure in the area. It is becoming more clear that the real intent is to protect the long term stability of Master Guides making sure that their future is secure, this program would do just that. New guides would stand little chance of ever getting an area as they would never gain the experience necessary to become competitive.

It does nothing to address the real problem of overcrowding which is unregulated Transporters, drop off hunting/float trip companies & residents from Anchorage/Wasilla and Fairbanks. These groups can come in anywhere and drop off up to 20 camps a day. If this program comes into effect these same groups would still have access to the entire State of Alaska and the overcrowding issues would remain the same.

.Also it forces us to take all of our animals out of one area instead of a few animals out of an entire area. I view this program as a disaster for the future of the guiding industry and many other guides share this same view. I believe we can find alternative options to resolve the areas that have become overcrowded.

I have invested everything I have in my business I treat it as a full time job and then some, I am finally at a point were I want to expand to build a lodge I have local guides that depend on me every year for income I have spent countless hours training young guides I spend thousands of dollars supporting the local economy in fuel, barge service, flying, land leases and general labor wages. Now I am suppose to fill out a DNR prospectus and leave everything I have worked for in the fate of a DNR panel that knows nothing about who I am or what I do, as if I am some cheap commodity that can be traded or sold.

On two other occasions this type of program got shut down and I am urging anyone who has the power to stop this program to listen to our voices and support this movement to end the funding for the GCP.

Thank you for your time.

Jason Mogen-Registered guide #1144

AlaskaPremierOutfitters

Box 74

Ekwok,AK 99580

-464-6023

Linda Hay

From: Bill Stevenson <akbill4ever@gmail.com>
t: Wednesday, February 13, 2013 6:22 PM
to: Rep. Eric Feige
Subject: guide area letter to Eric Feige.docx
Attachments: guide area letter to Eric Feige.docx; ATT00002.txt
Categories: Linda

To: Rep. Eric Feige,

Thank you for taking the time to listen to a few concerns regarding the State Guide Use Area Program.

In my opinion it would be a good move to have a guide area system in place in the State of Alaska on State lands such as the Federal Guiding Program. Common sense tells us this would increase the over all quality of the guiding as an industry.

The catalyst behind the guide area program is over crowding of guides in GMU 13D and GMU 14A in the sheep-hunting arena of the Chugach Mountains. June 22 2007 The first letter to then Governor Palin from Chairman Judkins of the Alaska Board of Game indicated an urgent problem of over crowding of guides in the area of GMU 13D. Governor Palin responded by saying yes she was in agreement and had been contacted by the APHA indicating a need for a guide program not only for unit 13 but other units as well. December 19, 2008 Chairman Johnson of the big Game commercial services board weighs in with support of a guide area program as well due to over crowding of guides.

All the letters posted on the web site as historical documents deal with the over crowding of guides, problems with trash, human waste, fuel and abandoned camps. On January 11, 2008 a letter from BOG Chairman Judkins IN CLOSING mentions AIR TAXI operations. Letter dated December 19, 2008 from BGCSB chairman Johnson has a passing mention of transporters being an issue. Before year 2000 some thing like 6 guides operating in GMU 13D, 2008 the number had increased to 38 operating in 13D.

Of the 38 guides operating in the area at the time only a couple of us had our own aircraft and we for the most part would not use areas that was already over run with other camps, we do have one guide with his own cub that would routinely drop his guided clients on camps with others but for the most part guides with their own aircraft did not go head to head with others, it did happen but not all that often.

When your guiding and you don't have your own aircraft the only way to access the hunting area is to hire Air Taxi operators to provide you

transportation, the Air Taxi operators use certain landing areas, hence the problem with over crowding. The 30+ guides out there for the most part have more than 1 client, some have 10 clients and working out of a camp with other guides that have the same hunting problems; other guides.

The almost silent problem here is the Air Taxi Operators have a ton of resident clients themselves that are hunting the same areas from the same camps. We have one such Operator in this valley that would have as many as 50 residents in the field at one time. Its easy to do when you have 4 super cubs working and a couple Cessna 185s, that is just one. there are more with cubs and Beavers. Regardless of what the paper work says back in Juneau it takes business to keep that fleet moving.

Yes a guide area system would be great to have in place but realize guides are not the entire problem, as very lightly mentioned in the historical documents transporters are a concern, but I feel not understood as how their roll plays out in the big picture. In the areas of unit 13D and unit 14A where the biggest problem played out to get the guide area program started in the first place. We are so close to Anchorage IF a guide area program was in place and the drawing for sheep was discontinued you would have the same problems as before, only with residents and Air Taxis. Same problem, only with the Air Taxi as the common thread or link, I have referred to the Air Taxi as silent problem because they are a huge problem and will not be affected with a guide area program.

In reading the concession permit application, one has to take into consideration the individuals who will be evaluating the results. The biggest concern is how far off track things are getting on some of the topics, it's going to be difficult to deal will facts and impossible to deal with the emotional based issues.

To step back and look at this from a distance you will see several user groups and all have valid places, that's not to say one has a blanket priority over the other in all situations. Basically four user groups, the first is native uses, second is residents, third air taxi and forth guides. The natives use a relatively small area near the villages, residents of the cities use the road system and ATV trails mostly and some have aircraft,

over all residents on their own is not a big conflict. Air taxi and guides are the commercial operators making up the third and fourth of the group, and here lies the problem. Air taxi operators and guides have real money invested and are here to make a living for profit. One normal guide will take 10 to 15 clients most take less and very few take more. The very smallest Air taxi operator takes many more clients than a guide.

Guide area program on state lands is simply limiting the smaller of the two user groups. The nonresident hunters take about 10% of the game but contribute about 80% of the revenues. The guiding program as it is now has many good guides with a few bad apples. As with every profession this will be the case, its called life. If you are going to limit the guides who take care of a large part of the income, like the taxpayers of this country, lets be nice to them. A guided client contributes far more than an unguided client. Over all the much larger Air taxi operators may contribute more than guides but have a much larger footprint and impact, and most of the contribution is to the oil and insurance companies.

In my opinion yes a guide area program is a very worthwhile program but only if it will increase the quality of experience for the guiding industry, with out leaving the door open farther for the air taxi operators.

FORM A

All of #1 is Good but "in the field" needs to be defined better.

#2 this is getting non-guiding issues of emotional questions with little to no use, this is a question from some one who doesn't understand the guiding business.

#3 for instance what does desert mule deer hunting experience in Mexico have to do with peninsula bear hunting? Who is to say what is relevant? Off subject.

FORM B

Mostly nonsense;

1. The state of Alaska has laws that need to be complied with concerning all this. "Wise land stewardship" and "wise wildlife stewardship" is a judgment of emotional state of mind being decided without a requirement of solid resourceful facts, only opinions from a slanted view. The intent of the question is good but it's the terms and conditions set forth by the state is what needs to be addressed and not some panel of emotional drama.
2. b. Very good questions, a few years ago at an APHA meeting the area biologist gave a speech on full curl rams, the most disturbing thing was the biologist and troopers had no idea what was a full curl ram, a legal ram by definition. The question is good but you have only opinions to judge the answers.
3. This is really a loaded question that fish and game can't answer. Again it's from emotional opinion question that would be asked by someone who thinks they know but has no clue. The State has season and bag limits already set. If you did have the answer you have no control over the other users and you have no way of knowing the survival rates from one year to the next.
4. This is a question of opinion, State of Alaska department of fish and game doesn't need these people in their business, that is the Board of Game's business. This is taken care of and has nothing to do with the guiding business. As a guide we have laws to comply with, we are regulated by the BGCSB and game laws are set by BOG.
5. Sub factor-B This does have a place in some areas but not all. For instance is you work out of a native village or around a native person, how you treat the local natives is very important. Having this as a sub-factor and only 5 points is a strong indication that getting along with the natives is not a high priority and shows disrespect. Again people who have no idea of the operating responsibility of guiding in the areas near a native village are setting this up. Huge red flag here!!!
6. Sub factor-C emotional drama, if you attend a meeting counts the same as getting along with the local people.

7. Sub-factor-D for example behind Eureka pass to the north are lots of trails and mining, this area is being used by thousands of people every year, DNR is well aware of the trails there. To award 10 points to tell of well-known conditions is not a place in the guiding application process.

FORM C

1. Good
2. Most of our real world condition are far more extensive than any training you can get in a class room, the condition we deal with each day in the field are things most of the instructors never experience, for instance a EMT instructor from LA could get full points and have never had a bear close at hand. Avoiding an accident with experience is far more important than being a EMT
3. Good.
4. Good
Sub-factor B-- Good
Sub-factor C-- Good
Sub-factor D-- Good

FORM D

All good

Eric,

Thank you for your efforts and interests in understanding the issues, this is a loosely written opinion from the way I see things, I know and understand its all over the board and maybe difficult to follow.

Sincerely,

Bill Stevenson
907-232-8115

Linda Hay

From: gullcove@ymail.com
Sent: Thursday, March 14, 2013 11:21 AM
To: linda Hay

House Resource Committee

Here is my comments on House Bill 158. For the long term benefit out of this wonderful renewable resource of our state, there isn't any other choice but to pass this bill. History shows there is two ways guiding is going to go in our State.

Keep DNR out of it other than issue land permits to all guides and let the Board of Game and the Federal Boards that regulate game on federal lands use the tools they are allowed to use. They have only a couple of tools.

A. Methods and Means

B. Seasons and Bag Limits

c. Elimination or major reduction of Non- Resident Hunting

These tools are like using a crescent wrench, versus a 150 tool socket set.

The end result will be Draw Permits, which affect all lands, 44 million acres of private, Federal Lands, and State Lands.

So the question is what would be best for our state and our residents that let us compete on a world wide market? ie: Most countries with big game have done guide areas.

So after a long hard reflection on which way would be best for the long term, the best return to our state and the young guide, the only answer is pass House Bill 158, and let DNR use the tools from their 150 tool socket set

This is not about the guides my age who have been Guiding 40 years, who have looked at other options, its about the young guides, long term return to the state, and the public. For our rural folks who have a future on private lands. If you don't pass this bill draw permits WILL happen a slow further demise of the guiding profession on all lands in our state will happen. Draw permits will leave the little guides in our state out, that is proven. Thanks for your time on this issue, please email me anytime with questions gull.cove@hotmail.com . My Best Paul Johnson

CC. Mia Costello

Sent from Windows Mail

Linda Hay

From: Sam Rohrer <sam@kodiakbearcamp.com>
Sent: Thursday, March 14, 2013 12:47 AM
To: Rep. Eric Feige; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Subject: Public Testimony for HB 158 Hearing 3/13/2013

House Resource Committee Members,

I was online to provide testimony in support of HB 158, however was not given an opportunity to speak. Please find below the text of what was intended to be my verbal testimony:

My name is Sam Rohrer, Registered Guide #1098, I am a Professional Member of APHA and Big Game Guiding accounts for approximately 60% of my income. I strongly encourage you to Support HB 158 and the development of a Guide Concession Program on State Lands.

I am a lifelong rural resident of Alaska and am a 2nd generation Hunting Guide. I am also the President of the Alaska Professional Hunters Association. APHA represents approximately 1/3rd of the Contracting Registered Guides in the State.

I believe the DNR GCP will benefit long term wildlife conservation, will benefit resident hunters (by reducing the number of guide operations in any given area), and will contribute to the long term sustainability of the Guiding Industry, which in turn brings important long term economic benefit to Alaska's small communities.

I would also like to point out that many have said that a Guide Concession program will eliminate opportunity for entrance into the Guiding Industry for young and up-and-coming guides. I will tell you that this is not the case. I successfully competed for a Federal Concession Area on Kodiak, which, by the way, is one of the most competitive areas in the state to "win" a federal concession in, and at the age of 21 I was successful in being awarded that Federal Area. All that to say, and as Lyle Becker very clearly articulated in his public testimony, if a young guide commits himself to the guiding industry, works hard, and keeps "their nose clean" they can be successful in being awarded an area in a Concession Program.

For these reasons I ask that you support HB 158.

Thank you for your time,

Sam Rohrer

Sams Alaskan Adventures

P.O. Box 1388

Kodiak, AK 99615

907-486-4074

907-539-1828

www.kodiakbearcamp.com

Linda Hay

From: Tim Booch <booch@ptialaska.net>
Sent: Thursday, March 14, 2013 8:19 AM
To: Tim Booch; Rep. Eric Feige
Cc: coke wallace; truewildernessadventures@yahoo.com; rep.dan.sadder@akleg.gov; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck; Rep. Alan Austerman; sam@kodiakbearcamp.com; thor Stacey
Subject: Re: APHA/DNR GUACP
Attachments: My name is Tim Booch dba Aleutian Islands Guide Service.doc

Members of the House Resources Standing Committee:

Greetings

Please allow me to retract my earlier correspondence and replace it with this. It was brought to my attention that a missing word had caused a grievous misunderstanding of my message.

I would like to again voice my opposition to the APHA,/DNR GUACP and HB 158. Although I did not submit my comments in opposition to the plan on the DNR public comment page of their web site during this last comment period. I did attend the public meeting in Anchorage last month and I had an hour and a half long meeting with Clark Cox and Christy, his assistant, in the DNR office in Anchorage later that week. I have attended a number of DNR public comment meetings and each time there has been a 70% to 80% opposition to this plan.

Please find attached to this memo my previous comments posted on the DNR web site. As you can see in the introductory paragraph of my comments I have been a contracting big game sport hunting guide since 1995 and I began my career as an apprentice assistant guide in 1988. I have been a professional member of the APHA (Alaska Professional Hunters Association) since 1996.

The first vestig of the GUACP was hatched during an annual APHA membership meeting in the late nineties when Bobby Fithian was hired as the Executive Director. The current DNR GUACP feels too much like crony capitalism that will support a minority voice in the guide industry, and will benefit those working hard to implement it.

The APHA has gone through great upheaval and internal strife in the last several years. Officers and Board of Directors have resigned, accusations were made against the Executive Director, his Executive Director position was eliminated, the organization lost their Simmon/Waugh tax exempt Charitable Trust status, and very prominent members left the APHA and have made efforts to form an alternative professional guide association. The membership of the APHA represents maybe 1/3rd of the contracting Registered Guides in the State, with many more stakeholders in this issue, including Class-A and Assistant Guides. The APHA has had several teleconferences for it's members, with

limited participation. There has never been a ballot vote of the members on this program to my knowledge. I believe some of the problems I outlined above prevented our organization from more thoroughly examining other options to the DNR GUACP plan.

Please read my comments on the APHA,/DNR GUACP that I have attached to this memo. It has been my desire to stay engaged in this issue by providing an alternative to this subjective and capricious program. It will not help to preserve this uniquely Alaskan sport hunting culture that we all share.

Your careful and thoughtful consideration of these comments will be greatly appreciated.

Sincerely

Tim Booch

Aleutian Islands Guide Service

9074874984

Clark Cox
Natural Resource Manager
DNR

My name is Tim Booch dba Aleutian Islands Guide Service. I am a 31 year resident of Kodiak Island. I am a Master Guide/Outfitter and I conduct my guided trophy hunts in Game Management Unit (GMU) 8 (Kodiak), 9 (Alaska Peninsula), and 10, (Unimak and Adak Island in the Aleutian Islands). I am in possession of 2 "joint use" USF&WS Refuge Permits that allow me to conduct my trophy brown bear and Barren Ground caribou hunts in 2 separate Federal Refuge's in the Aleutian Islands. I have been awarded these permits since 1995. I conduct my Alaska Peninsula trophy brown bear and moose hunts from 2 separate DNR "seasonal recreation camp permit" (LAS) camps. I have used these camps since 1996. I conduct my Kodiak brown bear, Sitka blacktail deer, and Roosevelt elk hunts from State of Alaska "State Parks" permitted camps in the Afognak Island State Park.

I am opposed to the "Federal style" Prospectus and the Federal style bureaucratic "re-make" of a well established State of Alaska agency, the Department of Natural Resources (DNR), whose stated mission is to "conserve and protect the Natural Resources of Alaska for all Alaskans and Future Alaskans". No where in their mission statement, or in the past history of the department, is there any hint of the notion that they could, should, or would manage the professional sport hunting industry in Alaska on state land.

USF&WS Refuge permits are awarded to applicants that have submitted a "Prospectus" and that have presented an "Operations Plan" that is compliant with the "Terms and Conditions" of that permit and that reflects the recognition of the applicant of the personal opinions and goals of the individual Refuge managers and their colleagues in the Federal Dept. of the Interior. The conservation goals expressed by the State of Alaska Department of Fish and Game, and the allocation of those State of Alaska Constitutionally mandated, "held in common" game animals, are only secondary in degrees of importance to the Fed's when compared to their "Federal" mandate. Competition for these permits is high due to the limiting of the number of guides awarded these permits and law suits challenging the subjectivity of the scoring criteria from unsuccessful applicants are a common denominator in the process. Each page of a "Federal" prospectus is a legal "affidavit" and ANY "false statement", such as mistakenly accounting for the number of days in the field over the previous twenty years, automatically "disqualifies" the applicant. Personal from the USF&WS, or the same Federal style bureaucrat permit specialist that will be employed with DNR, won't inform the applicant of the mistake and allow that individual to correct it, like the Big Game Commercial Services Board Occupational Licensing permit specialists will do if they find that a guide has left something out in a State "Hunt Record", but they will simply send the applicant a certified letter thanking him or her for participating in the process but denying him or her the permit. Even a successful USF&WS permit applicant must sign a "release" before the permit is awarded holding the Refuge "blameless" should the Refuge decide to "revoke" the permit for ANY reason ... not just "noncompliance". The only reason that I participate in the "Federal bureaucratic Prospectus" permitting process is that I love hunting in the Aleutian Islands and the best trophy big game sport hunting in the Aleutians is found on the Federal Refuges. That fact has more to do with the remote location of those Refuges rather than any act of allocation of the resources that these Federal agents might facilitate.

The Department of Natural Resources provides a number of different seasonal recreational permits that the various commercial services providers can apply for so that they can establish their presence on state land and build a business. The "Terms and Conditions" of these permits "convey" a certain amount of "implied ownership" during the specified time of the use of the permit. The "Terms and Conditions" applicable in a "DNR seasonal recreational camp permit" (LAS) mirror the terms and conditions of a USF&WS Refuge permit. One of the conditions to a DNR (LAS) permit, and a condition that is not included in the conditions of a Federal Refuge permit, is that the DNR (LAS) permit holder must take photo's before, during, and after the permitted use and these photo's must be sent to the DNR "Permit Specialist" to be checked for his or her "compliance" to the conditions of that permit. Non-compliance can result in the permit holder losing the permit. A major contributor to the overcrowding problem on state land is the guide with a DNR "14 day statewide "permit". Unlike the DNR recreational camp "leases" and seasonal recreational camp (LAS) permits, that establish the camps by providing a GPS, Latitude and Longitude, and Township and Range, the 14 day state wide permits DO NOT establish a camp site and a guide with this kind of permit CAN NOT prove where they have camped or be held accountable for their impact on the environment. When an application for a recreational camp lease or permit is submitted to DNR they are sent out along with an "invitation to comment" to ALL government agencies, registered guides, and interested parties in the GUA for which the permit will be applied. No comments from the public are solicited from DNR for the approval of an application for a 14 day state wide permit.

The "Board of Game" (BOG) has been tasked for many years with regulating the access and allocation of the big game sport hunting and trapping species in the state of Alaska. The public's input is incorporated in the BOG proposal process and together with all of the shareholder voices in this shared culture the future of big game sport hunting in Alaska is determined by the adoption or denial of those proposals. Bag limits are set and allocation guidelines are established in regulation that will reflect the conservation goals of the State of Alaska Department of Fish and Game, the State of Alaska statutes pertaining to the commercial big game sport hunting industry, and the resident sport hunting and subsistence community. The most effective "tool" in the conservation and allocation "tool box" is the well established and precedent setting "limited drawing permit" allocation system manifest in the Kodiak brown bear drawing permit allocation guidelines. These fair, equitable, and logical allocation guidelines have effectively and positively addressed every problem that is inherent when too many "consumers" are in competition for too few resources. The BOG has in the past and will continue to implement in the future a limited drawing permit allocation when ever and where ever the competition between guides and residents reaches critical mass regardless if the APHA DNR/ GUACP is implemented or not. The latest assault on the Alaska big game sport hunting guide industry comes from the BOG's recent precedent setting Delta, Alaska Dall's sheep drawing permit regulation that sets the nonresident allocation of permits at "up to 10 %". If this and the TOK nonresident sheep allocation are left to stand then the death of the big game sport hunting guide industry in Alaska is set in stone.

Guides are already limited by established "ethics standards" not only in the BGCSB and BOG statutes and regulations but also by the Boone and Crocket and Pope and Young "fair chase" sport hunting ethics that have been the standard for achieving the high "quality of the hunting experience" in Alaska, that for the most part, as been the case for the last quarter century. This current attempt to "federalize" the guide industry on state

land is not a result of any "subsistence" issues, although there are a few "special interest" groups that would like to make it so, but it has everything to do with a few selfish and unethical residents, non-guided nonresidents, and big game guides and transporters competing for a harvestable surplus of the past their breeding prime, "guide required for non-residents", trophy big game animals.

It is my understanding that the previous "Guide Board" was "sunsetting" at the same time that the "sole use guide use areas" on state land were done away with as a result of the "Owsichuk Decision". The Big Game Commercial Service Board (BGCSB, the re-born Guide Board) was reestablished six or seven years ago to help bring the growing commercial big game sport hunting industry into the 21st century Alaska trophy big game sport hunting culture and to help police the industry. As a result of the aggressive lobbying of the State Legislature, the BGCSB, and the BOG, by a few individuals representing their "special interests" in the Alaska big game guide industry, the APHA (Alaska Professional Hunters Association)/DNR "Guide Use Area Concession Plan" (GUACP), that is designed to eliminate the competition for the authors of the plan, has put a "shackle" on the BOG and the BGCSB and has distracted them and kept them from performing their fiduciary and legal obligation to the industry and the public. It has kept them from adopting regulations that would effectively remedy the problems identified when and where they exist and to apply these remedies fairly to all the shareholders and without exempting the residents that have created a major portion of the problem in the first place.

The following regulation adopted recently by the BGCSB has set a precedent in the state.

ARTICLE 3,

12 AAC 75.340 PROFESSIONAL ETHICS STANDARDS FOR GUIDES.

(d) Field craft standards.

(7) ... " allow appropriate buffer areas between hunters and camps in order to avoid disrupting hunts and hunting experiences: in GMU 9, a person holding any class of guide license may not place a camp within two (2) miles of a permanent structure or permanent camp being used for big game guiding purposes, unless agreed upon by in a written agreement between the involved parties;

The authors of the wording of this regulation are the same individuals that created the APHA/DNR GUACP. Instead of allowing the BGCSB to use the terms "permanent structure or permanent camp" to legitimize these special interest motivated claims that these are the only established big game sport hunting guide operations on state land in GMU 9 we must DEMAND that the BGCSB rewrite this regulation with the terms " ... ? miles of a "DNR permitted recreational camp lease or seasonal recreational camp permit (LAS) camp" ... and adjust the miles appropriately for each GUA and start IMMEDIATELY implementing this regulation state wide. DNR should also do away with the "14 day state wide permit". I believe that it can be proven that there are many established DNR camps state wide already providing those guides an established base of operations that does not conflict with their neighbors at this time and has not in the past. I believe that any guides with DNR 14 day state wide permits wanting to establish their presence in an area can still go to the DNR and identify the existing camp permits

in the area and submit an application for a camp permit that doesn't infringe on the quality of the hunting experience for anybody. The BGCSB could include the big game sport hunting "Transporters" in this regulation and DNR could require Transporters to apply for and establish recreational camps as well. The BGCSB has adopted regulations dealing with "unlawful acts and ethics standards" that when violated by a guide can result in a fine and "disciplinary actions taken" by the Board. The State Troopers are tasked with enforcing guide regulations as well and they have the ability to write tickets so that the State Judicial Court System can exact fines and appropriate punishment.

According to the Owsichuk Decision ... "the common clause in the Alaska State Constitution makes no distinction between use for personal purposes and use for professional purposes". If we would allow ourselves to recognize that trophy big game sport hunting in Alaska is a "privilege" and not a "right" then we can begin to "call out" the few selfish and unethical individuals that are responsible for a majority of the problem and that pay the least for their consumption of and impact on the resources. We must DEMAND the State to properly fund Occupational Licensing enforcement and the Troopers and hold these agencies accountable for their lack of enforcement of the laws, statutes, and regulations. We guides must DEMAND that the resident sport hunters be held to the same ethic standards and regulations that the commercial service providers are required to obey. We guides must also DEMAND that the residents be ticketed, prosecuted and fined for violating those regulations.

A person doesn't need to be a "Profit" to see that where ever in the state that multiple guides and residents compete for "past their breeding prime, guide required for nonresidents, trophy big game sport hunting allocated species such as brown bear, grizzly, sheep, Mt goat, and moose? (Koyukuk) the BOG WILL implement a limited drawing permit allocation. I also believe that it is obvious that the "The Kodiak Model" drawing permit allocation guidelines ... along with the established BOG policy of determining the allocation in a drawing by looking at the "previous 10 year percentage average of resident versus nonresident" ... will sooner than later be implemented in ALL new and existing drawing permit hunts. If we can see the obvious benefit that the existing DNR permit process has brought and can continue to bring to the guide industry, as long as their mission and focus is not blurred by being forced to manage the big game guide industry on state land and as long as the BOG and BGCSB are held accountable, then it isn't hard to see that there should be and can be DNR permitted "resident" camps that are "designated" and associated with the drawing permits allocated to residents.

Please help the BOG and the BGCSB board members regain the prestige and focus that the Governor intended for them to have when he appointed them to these vitally important regulatory Boards by accepting and performing the equally important duties that you were originally designed and tasked to do. Please give the Alaska big game sport hunting industry and the rest of the Alaska big game sport hunting community as well the chance to rise to the highest calling and come together in the spirit of solidarity to enhance and protect the awesome hunting culture that we can all enjoy now and hopefully continue to enjoy in the future.

Sincerely

Tim Booch

MAR 13 2013

Dear Representative Feige,

My name is Mark Binggeli. I am an assistant guide, and have been a resident and hunting in Alaska for nearly 25 years. **I oppose of the GCP.** It will cost the state and hurt the majority of guides. It is an initiative supported by only the 125 members of the APHA and does not properly represent me or the guides I work with. The animals and many of the other thousand guides & assistant guides will be hurt by the GCP.

There has not been a vote of all registered guide about the GCP. If there was a vote, the majority of guide and assistant guide would not support this. This exclusive guide area only benefits the large guide operations with lodges and large client lists and a larger more damaging foot print on the resource. The limits to small guide businesses or limited guide use areas are at the mercy of the large operations with rights of refusal. This will kill the smaller operations and result in less revenue to the industry and the state. **The reasons to bring this about are not based on facts** only the opinions of a few. The APHA claims that the way things use to be is better is not factual. The claims that excessive guides are over harvesting a certain area are also false. The board of game can manage this if it is a problem. At the recent public meeting in Anchorage, only 3 guides(APHA members) supported the GCP while all of the other guides who spoke opposed it.

It is fiscally irresponsible to enact the GCP. It should not be funded. In the end, there will be less guides and this will reduce revenue to the state. The outlined fees per client will force large operations to have to kill more animals in the most economical way which in the end hurts the resource. All this program does is take business from one guide and give to another guide, it will not help the resource at all. In the end the state, the animals, and the small businesses lose.

Chairman of the BOG Cliff Judkins stated in his public comment, quote" **Both times DNR has proposed this program it appears to have been not well received by the industry and the public.....**" It is important to recognize that large regions of this state do not have any identified conflict or conservation concerns related to the guiding industry. " I urge anyone that is opposed to the GCP to support House Bill 8 which would stop this program

Sincerely,



Mark Binggeli

907-355-2965

mrkovis@yahoo.com

PO Box 871337
Wasilla 99687

Linda Hay

From: Alaska Backcountry Hunters & Anglers <kandik@starband.net>
Sent: Thursday, March 14, 2013 1:14 PM
To: linda_hay@legis.state.ak.us; trevor_fulton@legis.state.ak.us
Subject: HB 158 - Comments I think the committee needs to see

Dear Linda and Trevor,

Can you get this to the rest of the House Resources Committee please before the final hearing and comments tomorrow? Thank you very much, comments below.

Dear House Resources Committee,

This is Mark Richards writing, co-chair of Alaska Backcountry Hunters & Anglers. Am writing in re HB 158, concerning the Guide Concession Program (GCP) and DNR authority to implement and oversee that program.

This is an issue we have been following since its inception, and have commented many times at various public meetings and hearings, as well as by letter. We still continue to **OPPOSE** the GCP as it now stands, and DNR authority to implement and oversee it.

But rather than restate the rationale of our opposition in full, I wanted to focus on the fiscal aspects of HB 158 and the GCP under DNR's wing, and how it relates to ongoing and huge fiscal problems with the Big Game Commercial Services Board (BGCSB), which oversees the guide industry.

I hope you are all aware that the BGCSB is currently \$600,000 in the red, and is forecast to be \$800,000 in debt by FY 2014. This is a board under the Department of Commerce, Community, and Economic Development (DCCED), and by law this board is supposed to fund itself through licensing (and other) fees. This ongoing lack of ability for the BGCSB to fund itself, and going evermore in debt, has many causes, not the least of which is that guide license fee increases have been completely taken off the table. For a review of draft minutes from the last BGCSB meeting, and more information that should shock all of you, please see this link:

http://www.dced.state.ak.us/occ/pub/GUI_Meeting_Minutes_2012_12_DRAFT.pdf

This issue of the BGCSB's lack of funding came up in the last legislative session, and the implication was that unless this board could fund itself it would be in real danger of being sunsetted.

Move on now to the GCP, which under DNR's estimates is going to require 1.4 million dollars annually to fund. There is absolutely no doubt whatsoever that some guides, should the GCP be implemented, will be put out of business. Which means they will likely not renew their guide licenses, further reducing funding to the BGCSB. **We believe that if the GCP is ever implemented, it cannot exist and work without us also having a BGCSB to oversee the guide industry. Further, we see no way the BGCSB can continue to exist under the current way it is being run fiscally.**

Right now the public is essentially paying to fund guide industry oversight and objectives that the guide industry should be paying for. Already too, DNR has spent many hundreds of thousands of dollars on this GCP that we will never see back. We don't believe that the GCP can be fully funded either under the current DNR plan.

So if we look only to the fiscal issues surrounding this, we believe it is clear that the state (and public) will continue to be on the hook for something the guide industry should be paying for.

The simplest solution to the issues presented as to why we need a GCP, the overcrowding, unlimited number of guides

allowed on state lands, biological harm to wildlife populations, has always been for the Board of Game to limit nonresident opportunities in problem areas. There is no major costs to the state in doing this, **nor any legal challenges that could cost the state more money**. And if the whole intent of the GCP is actually to reduce the number of guides and their assistants in the problem areas, in order to reduce nonresident opportunity in those same areas, it would be a wash as to what monies come into F&G with such reduced nonresident opportunities and reductions in non-resident license and harvest tag fees. This whole notion we can't reduce nonresident opportunity because it would cause reductions in monies coming to F&G and the state is absurd on it's face, when the entire premise of the GCP is to do exactly that, on a scale that looks at each area as to problems...the BOG can do exactly the same thing.

We urge this committee to fully consider these issues and come to the recognition that the GCP can't pay for itself, needs to coexist with a BGCSB (that also can't pay for itself), and that there is a far simpler and much less costly way of dealing with the problems we have that surround this issue.

Thank you very much for your time.

Sincerely,

Mark Richards

co-Chair AK BHA

alaskabha@starband.net

Linda Hay

From: Sam Rohrer <sam@kodiakbearcamp.com> on behalf of rrohrer@alaska.com
Sent: Wednesday, March 13, 2013 12:18 PM
To: Rep. Eric Feige; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Cc: Sen. Gary Stevens; Rep. Alan Austerman
Subject: HB 158

Dear House Resources Committee Members,

I encourage you to support House Bill 158 and clarify that DNR does have the authority to implement a Big Game Guide Concession Program. My introduction to the Guide Industry began in 1965 and continues to this day. I'm still actively guiding at the age of 69 and have just been selected to provide guiding services on Federal Land for the next 10 years beginning Spring 2014. Since I'll be 80 years old at the end of this permit period its very unlikely that I'll ever be competing for another guide offering on Federal or State Land. Thus I have nothing to gain personally by this action.

However after all these years of involvement in the guiding industry including the last 20 operating under a Federal Guide Concession Program it is my opinion that the best action for the future of Big Game Guiding on State land is to implement a selection program similar to that used by the US Fish & Wildlife Service. Since the BGCSB doesn't have Statutory authority to implement such it is clear to me that the DNR is the agency best suited to do so.

I've been an APHA member for over 30 years and just completed serving two terms on the Big Game Commercial Services Board. At every BGCSB meeting during the past seven years there has been discussion about the development of a guide concession program on State Land. These meetings have been well attended mostly by Licensed Guides but also by the public with several opportunities at each meeting for public testimony. The testimony at these meetings has been in large majority supportive of a Concession Program on State Land. I believe there were 50-60 or even more in attendance at a BGCSB three day meeting in Fairbanks that dealt with mapping of the current DNR Guide Use areas.

Please support HB 158.

Regards, Richard Rohrer MG License #69

Rohrer Bear Camp Inc.

Kodiak, AK 99615

907-539-5800

rrohrer@alaska.com



Alaska State Legislature

Please enter into the record my testimony to the House Resources Committee.
Committee name

Committee on HB 158 dated 3/13/13
Bill/Subject

SIRS,

I am in opposition to the proposed program due to the heavy financial burden placed on guides in an already difficult business climate.

This amounts to a tax placed on operators in a contracting economic situation. It also places a governmental agency to pick winners and losers in a business, rather than the free enterprise system. 100% of my families' income is from Guiding. Our tourism industry is shrinking enough.

Signed: Wayne Woods AK Master Guide # 108
Testifier

Representing (Optional)

PO Box 3037 Palmer, AK 99645
Address

907-354-1294
Phone number

Linda Hay

From: Joey Klutsch <joeyklutsch@gmail.com>
Sent: Thursday, March 14, 2013 9:02 PM
To: 'Rep.Eric.Feige@akleg.gov; Rep. Dan Saddler; Rep. Peggy Wilson; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Geran Tarr; Rep. Chris Tuck
Subject: HB 158

House Resource Committee Members,

My name is Joey Klutsch and I am a second generation Registered Guide (RG 1277) and rural Alaska resident living in King Salmon. Guiding is my sole source of income and full time profession. I am also an active subsistence user and member of APHA. I am writing because I strongly support, and encourage you to support, HB 158.

It is essential that the DNR Guide Concession Program be implemented on state lands not only for the guiding profession, but for all user groups. I would like to emphasize that the DNR GCP will not eliminate any opportunity for resident hunters. Resident opportunity will only improve. Having fewer guides in a given area will reduce conflicts in the field with resident hunters and subsistence users. It will also lead to a better quality of experience for guided hunters.

In addition to alleviating in the field conflicts, the DNR Guide Concession Program will benefit the resource, which is by far the most important factor to consider. In too many areas on state land, overuse of the resource by an unlimited number of guides has resulted in stressed game populations. The DNR Guide Concession Program will go a long way toward solving this issue. We need only look at the Federal areas (FWS, NPS) of the State where guide concession programs are already in place to see how effective such programs are at solving all the problems which the DNR GCP is addressing.

Finally, the program will not make it impossible for new entrance into the guiding business by younger guides. It does not favor the "good old boy" generation of guides, as many people claim. It is just not the case. As a 27 year old Registered Guide I was able to successfully compete for and be awarded 2 National Wildlife Refuge Areas last year. I know other young guides who had similar successes. The process for being awarded these areas is highly competitive. To me, this is proof positive that if you are a young guide who is committed to the profession you will stand a great chance at being awarded a DNR Guide Concession Permit.

Thank you for your consideration and time. At stake is nothing less than the sustainable future of guiding and the health of all Alaskans wildlife resource.

--
Joey Klutsch
Registered Guide 1277
Katmai Guide Service

PO Box 222
King Salmon, AK 99613
(907) 439-3030

Linda Hay

From: Kurt Whitehead <kurtjw99@yahoo.com>
Sent: Thursday, March 14, 2013 6:22 PM
To: Rep. Bryce Edgmon; Rep. Lynn Gattis; Rep. Bob Herron; Rep. Wes Keller; Rep. Charisse Millett; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Chris Tuck; Rep. Max Gruenberg; Rep. Pete Higgins; Rep. Craig Johnson; Rep. Beth Kerttula; Rep. Cathy Munoz; Rep. Lance Pruitt; Rep. Bill Stoltze; Rep. Peggy Wilson; Rep. Neal Foster; Rep. Lindsey Holmes; Rep. Andy Josephson; Rep. Jonathan Kreiss-Tomkins; Rep. Gabrielle LeDoux; Rep. Benjamin Nageak; Rep. Lora Reinbold; Rep. Geran Tarr; Rep. Harriet Drummond; Rep. Mike Hawker; Rep. Bob Lynn; Rep. Dan Saddler; Rep. Doug Isaacson; Rep. Alan Austerman; Rep. Eric Feige; Rep. Tammie Wilson; Rep. Steve Thompson; Rep. Scott Kawasaki; Rep. Scott Kawasaki; Rep. David Guttenberg; Rep. Mia Costello; Rep. Mike Chenault; Rep. Les Gara
Subject: Please Support House Bill 158

Dear Alaskan Legislator,

I am writing today to urge you to pass House Bill 158.

I am a registered hunting and fishing guide in Southeast Alaska and DO NOT operate on State Lands because it is such a MESS.

The first year I became a registered guide in 2001, I conducted 3 hunts on State Lands in GMU 19 and saw what a cutthroat, screwed up, convoluted, air war the hunting had become on these wonderful lands. I had guided for an hunting operator the year before in an adjacent area and saw how he was forced to operate because of all the competition and choose to move away from his area thinking it would be better. It was no different. Three tents from 3 different guides were camped on the same airstrip two days in advance of the opener all trying to hunt the same sheep. I finally found a strip that wasn't occupied only to have yet another guide walk in and camp within 100 yards of our tent.

Ridiculous is the best way to describe the hunting on state lands in Alaska. It is not just during sheep season either.

This is not what our non-resident and resident hunters need to see or participate in when they hunt in Alaska.

Canada has exclusive guide use areas and the average guided sheep hunt retails at about \$20,000. In Alaska, the same sheep hunt retails at around \$10,000 due to the overhunting, crowding and conflicts in the field.

You have the opportunity to fix a very real problem in this state that many guides, non-resident and resident hunters, board of game members, biologists and concerned citizens have been dealing with for many years and of which the vast majority support.

The ones opposed are very likely the operators on State Lands that are the problem and would likely disappear or at the least, have to compete for an area.

This selection process of choosing the top 2-4 guides to share a guide use area is a good thing. This is how most of us guides that operate on federal lands are regulated and it promotes and benefits:

- Resident Hunters by reducing the number of Guided operations in any given area
- Long term wildlife conservation
- Members of the Board of Game because they won't have to deal with the trickle down issues of overcrowding and conflicts
- Guides because it introduces much needed long term stability of the Big Game Industry
- Non-resident hunters by having a quality hunt

-Hundreds of jobs in small communities, including guides, packers, pilots, boat captains, cooks, expeditors, taxidermists, airlines, etc.

This is the right choice for Wildlife Conservation, Resident Hunters, Non-Resident Hunters, Guides and the People of Alaska.

I urge you to support House Bill 158.

Sincerely,

Kurt Whitehead

ALASKA GLACIER ADVENTURES

www.AlaskaGlacierAdventures.com

www.AlaskaFishingOutfitter.com

www.AlaskaHuntingFishingReports.com

Alaska Glacier Adventures on Facebook

Kurt@AlaskaGlacierAdventures.com

Kurt Whitehead

Trina Nation

P.O. Box 388

Klawock, AK 99925

(907) 738-5000 Kurt

(907) 738-5700 Trina