

SCOMM

67:9

Task Force on Guiding & game

10/5/89

Tape 1, side 1

Bill Horn, Steve Pradell, Vermita Cassidy, Richard Stern, Ralph Eklund, Pete Bunt, Lew Pamplin, CH Parks

000

CH call to order

Rep Lyman Hoffmann, Paul Johnson, Phil Gilson, Sen Fenning, Randall Burns, Steve White, Suzanne Miller

agenda items before us, agenda discussion, etc

Lew Discussion BC DE

Reports then discussion

Introduction of members:

015

Bill Horn, Presentation

Steve Pradell, concerns expressed

incentives for guides, dovetailing w/ Feds, DNR, ^{state} state agencies

Land owners, boundary problems

obligations of the State - successful hunt, licensing
rational mgmt of game; ^{outlines} concerns expressed by Ruralcap
Report.

125

Bill Horn: open competition, limited duration
transferability, = discussion of handout 1:Terms & conditions - working from game mgmt
proposal & Checklist, or state would set areas, notify, public
apply for areas, criteria (B) open competition, staggered fashion,
who decides: authority. (C) ^{should criteria} items, experience ...

350

CH: ?

350

Randall Burns: carrying capacity?

Horn: guide area & setup. If only 1 or 2 operations
could be issued due to carrying capacity. both wildlife
and economic factors.

375

RB-transferability

Steve Pradell: property interests, some want shorter, some
want real

388

Horn: 5 year, trans. in yr 2, health problems occur,

Horn: ability to then transfer.

2

410 Lew: carrying capacity. really, people not animals.

435 KB: animals are considered. Horn yes

440 CH: clarifies for the audience what the task force is doing.
Get several reports, then, this afternoon, work on answering questions. 7 PM Public comment.

470 Lew: most members want wildlife mgmt compensated.

495 Horn: dedicated acct if legislature wishes

505 Panglin: Dedicated Funds and: "should go"

517 Horn: " " ^{others} re: Maryland etc - and: ^{Fish} management -

532 Faiks - AK very strict on dedicated Funds - rep. AG? ~~to be~~
"and Bill"

550 White.

551 Faiks - "To do"

558 Cassidy - (compliment Horn) - ^{continues} on side 2

000 any public interested in guiding will look at access to system

025 CH - asks Bill to respond.

030 Horn: must be able to demonstrate financing or ability (if intent)
private or state decision, small scale operators could be lost.

055 Fanning: award criteria - question banks loaning w/o collateral, Hrs of
intent non-existent, also concerned about permits, licenses - wordless

090 Horn: traditional state agency - ins, \$, certificate before grant lic. permit.
wants ability for new entrants to enter the system.

105 KB: keep low, level of operation shouldn't be dictated. diligence issue.

116 Horn: method of screening fly-by-night operation. That's why it's in there.

130 Vermite: acc. clients too. Those wanting less than 1st

140 Paul: already a requirement to rep. on fed?

145 Horn: spec. use permit, why econ. data? ops.

150 CH: outline.

- 150 CH - short break
- 155 Kotz req. fox
- 190 Lew: introduces staff, Suzanne Müller, Mary Ann See (M.S.)
M.S. to give summary.
Lew: \$45,000, req. \$90,000, RSA from Commerce.
CH: on agenda to Leg Budget & Audit.
- 230 Mary Ann See - discusses - Handover
- 500 Paul: industry participation?
- 515 Mary: new legislation generally supported. yes.
- 550 Lew: strengthening requirements. joint-use
- 590 Stern: aircraft requirements.
M.S.: no, most areas roads, pack horse
- 000 Tape 2 side A
- 010 Pete: permits to take X# sheep, to qui-out?
- 015 M.S.: yes
- 2019 Lew: quotas on # of animals?
- 045 MS: varies state to state
- 050 Pete: hopes it will be addressed
- 053 Steve P: re: coordination w MS
- 060 MS: has copies of regs. areas. Gmu. subunits.
minor tributaries. stu. illustrate.
land status map. Gmu overlays. S/central
Lew: comments on criteria prev. agreed upon
- 095 Camdy: pt #9, contingency plan, concern
- 120 Lew: NPS, may be more stringent
- 121 Horn: NPS, USFWS, general comprehension. prefers state
program. necessary.
- 140 CH: keeping them informed
introduction Rebecca Kaiser NPS, Margaret Hothorn, Rose Chidest

- John Curtis F.W., Paul Smith, F.W.S
- 155 MS - GMD13, state lands, some BLM, native
1/250,000 scale, handout #3rd Discussion
Non-deer sheep & moose.
- 245 Lew: review of map - guide
- 305 Pete: file maps were not all
- 310 MS: no legal description in file
- 315 MS: T.F. rpt from Alberta (in packet)
- 370 Cassidy: Ray Demarchi spoke before T.F. in Feb last year. B.C.
land ownership
- 390 RB: glad for professional help we've had.
- 390 MS: BC & Alberta much different
- 400 KFanning: Wildlife mgmt units, GMD, no matter what system
- 410 Horn: lease permits would nominate based on the state
- 420 System. May want 3 GMD's & would bid.
- 430 KFanning: guiding on areas 70 of lands private lands
- 440 CH
60 - 28 - 12 - 2901
- 445 KF - EGA's. Alberta has had tremendous problems
- 465 MS - Unmanageable areas, did have serious problem.
MS - Wyoming - 541f lands, elk on fed, Gt. antelope
- Several hundred guides Mont.
- Priv. owners in Wyoming make a lot of \$
- 495 CH
break - for lunch
- 495 135 P Reconvene Burns, Fanning, Navarre, Nelson, Johnson, Hoffman, Pamplin
Paul: ? on acres ~~Wendell~~ CH FACS, Buist, Ekluska, Sterns, Cassidy,
Horn, ~~Pradell~~ Pradell
- MS: permits required.
- 540 Stan Leagheart: report on guides in federal areas

Tape 2
Side B

- 000 Sleaphart - wrote to 41 guides. concern about increase in fees. 41 ltr, 11 rtn comments. level of reporting required. Mandatory ins. Requirement \$300,000, \$500,000 aggregates + passengers. regs + fees subject to Park Serv. was a complaint that Stan heard although it wasn't substantiated. Tent frames & cabins. concession transferability.
- 210 K. Tanning: NPS plans?
- 230 Bill Horn - do not mandate fed. agencies. They can defer to the state, but are not required to.
- 265 K. Tanning - fed & private lands - don't need to comply with Osnuweh.
- 280 Horn: yes. NPS could (under own authority) control access on state lands. d's bill - specific provision
- 290 P. Johnson clarify:
Horn - state can regulate regs, bag limits on fed lands
- 310 Pete -
- 330 Horn -
- 335 Stern - Stan, sample sizes.
- 340 Stan - only those on preserves, all those who had permits. didn't issue new permits? won't til after 12/90.
- 395 Rebecca Kaiser - fees have been increasing steadily as permits are renewed. went from \$75 to \$600 in conversion.
- 420 Paul - gives figures \$2510, one hunter
- 425 Vamane - per person reduces to \$500 for ex.
- 430 Verónica: discussion on communication between agencies
- 500 Stan Sleaphart
- 560 CH - opens to Public Comments - none

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- 000 Rebecca Kaiser - Tape 3 sides. ^{discusses briefly,} Interim measure.
- 025 Verintz
- 050 CH - discussion on dissemination of materials
- 099 CH - teleconference to all sites, regional corp. federal agencies, DNR, airport operators, borough assemblymen, general.
- 150 CH - work book (item #1)
A. Limitation Rationale - finding section - why wildlife mgmt is necessary (will be written by Horn)
- 180 VC. Subsistence concerns.
- 190 H. Springs - 3 cases. Lime village. 15th June. Judge not dropped. ordered lime vill to proceed under revised board. Kinetze case.
- 210 Lew - State case.
- 212 Horn - federal law already addresses. refer to subsistence.
- 230 Nauyas - short term fix, rural, subsistence
- 240 Lew - AD76 help. caribou ↑, not a problem now, but long term viability is essential.
- 275 RB - non-res fees support wildlife mgmt.
- 280 Lew - continues.
- 330 Ken Fanning - state ~~advisory~~ compilation of accurate data on N/Res tickets - more accurate than resident information.
- 350 RB - applies across all lands.
- 360 Lew - Stability.
- 380 Paul - trophy animals
- 395 CH - has nine elements

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420 H. Springer

450 Paul - some areas aren't ~~let~~ allowing guiding. Some are set aside for villages

490 CH - general Economic Benefits

520 Vernita - 100,000, 5,000 - shouldn't be only consider

530 Pete - concerns about hunting, loss to Canada

560 F. Fanning -

540 Lew - cornerstone - use & view wild game, long terms

000 Vernita - w/o area system, prohibitive admin. costs

005 CH - Benefits to residents

015 Ken - Knowledge of comm. users.

024 CH - non-hunter. use of camps.

039 Lew - all residents

090 recess til 3:30

090 CH - meet tomorrow. 10-12:30

Open competition (B)

120 Horn - determinative by state only, award criteria
Private, state

160 Fanning - over 1,000 - 2,000, uniform coding units
fees, equip, maint. & employees.

260 mu - 5 yrs, every 5 yrs. - rotate
allow guide to determine Amt.

Lew - state determine lease area

260 CH area - and determine carrying capacity - yield or harvest.
Hunters (guides) pick area

300 HORN - private, state review, private bid

304 ms who initiate - state initiated -

privately - some board or public inv.

and result - administering. State rec. of use

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315 Ms. continues. costs for revising maps on an ongoing basis.

325 Fanning - same map, same unit, whether state or private

375 HB - over 1000 VCU, 400-500 qui-out who can combine in any way,

400 ~~HB~~ ^{Fanning} - "the" sheep - has to be there. admin. might not know that. discussion.

410 Fanning - camps, villages,

450 M.S. - Not using V.C.U. ^{in some cases} one by one. would be grouped. guides would sort out what they want. If areas are big enough, it will be viable.

481 Ken - what about the sm. operator.

515 Lew - not worthless info. basis for system must be a map.

585 Horn - 2 sequences -

Ken - Private entity VCU's x spec., reviewed by state, accept, reject or modify, then offered to nominale

2. State takes criteria, draws lines EGAs Pub. review & comment, review criteria then modify or

000 Lew - 2ape 4 - hd implement B6C3B2.

022 Horn - state conceit map scheme. initiate & take step. Public reacts to. Problem - let private group make it's initial proposal. state manage thru review criteria.

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- 030 Lew - lines drawn along econ. & - second gen.
not wildlife mgmt. oper. on multiple on bd.
Supreme Ct. did not believe there was state benefit
or wildlife concerns.
- 065 CH - to put subunits on map, not to decide Comd's
that's what & is for.
- 070 Paul - continue
- 100 Vernita - consistent data stude. doesn't think
all guides are as responsible as Ken. resources,
health of, number of users, role of bd of game
in this.
- 140 Pete - program the
guides can best provide the information for the
areas designated.
- 170 Stern - u.c.d. - sidetracked.
- 200 Ralph - using bid & nomination interchangeably.
ascertain # bears on Kodiak &, not really
relevant who makes cut, for sheep & moose
combined hunts.
- 225 RB - issue is what we're chg'd with
Entities in chg or resource assist us.
in determining.
- 250 Horn - hybrid. another process.
5 step
1. call for nominations - like O & G leasing
 - 2.
 - 3.
 - 4.
 5. area - state decide (BG CSB)

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780 CH - asks bill to put all 3 proposals
in writing

300 Suzanne

320 CH - sm operator has so many requirements
they don't think they can comply.

340 Suzanne - # of units already operating
i. authorization, the less likelihood
you can obtain more

350 Ralph - can only use the res

CH 360 CH - with criteria determine sustainable
yield^{#s} on map. state or private
nominate units in animals.

370 Lew - how system would operate.
area-based system. 2 things. sole authorization.
other areas, multiple users.

74.6 Advisory, public input, draft, get
comment. 18 month - 2 yrs.

430 Suzanne - carrying capacity.

- operational plans - the board BGCSB

450

475 adjourn til 7 PM

481 7:55 PM Paul Schmidt FW5

Were not mandated or invited by legislature
Auth. for mgmt comm. operations

renewability - short term permits have been renewed.

000 Tape 4 side B

Paul Schmidt. contingency plan.

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- 120 CH Thanks Paul. asks his position.
150 Paul Schmidt, US FWS
cautious about private-driven decision.
200 RB - transferability issue, renewability isn't.
205 Paul - renew. offers incentive to conduct
his operation in a responsible manner.
transfers - public oversight is a product.
245 Fenning - timeframe?
250 Schmidt - emergency basis for - prob. 2 yrs.
hard to justify for a longer period.
289 Stern -
325 Lee
335 Stern - agrees boundaries should follow
refuge, private lands boundaries.
385 discussion continues.
400 Andy Klein - not for perf. bond, not wanting
liab. bond; thinks T.F. should not have been joined
545 Stern - ? liab. ins.
590 Klein - doesn't own plane. Thinks too costly.
000 Tape 5 Side A
015 Paul Przybyla - just res. hunters. concerned for the
resident hunters. Thinks res. hunters should be considered.
This year guides congregated - 8 guides in one canyon
in the Chugach Mts. Went from bad to worse.
095 Pete: Stern discuss obligation of air taxis to
take clients to a place.
110 Paul - res. hunter is a consideration.
105

- 160 Ralph - more problems w/ res. hunters.
leave trash, etc. Burns, etc.
- 175 Tuck in favor of renewal
doesn't favor short term lease. 5-10 years.
to protect investment & long term resource
protection.
- 265 Mark Miller - guy since 1969 -
5 year leases. Private enterprise. has a
lodge; wants to be able to sell his investment.
390 gross charged. favors straight fee.
- 325 "Minimal?"
- 400 Discussion on insurance
- 500 should be a consideration. good terms
for 18 years. Equitable.
- 540 Jeff Chad - Registered guide. wants
entry level.
- 550 Stern ^{what Jeff} - long lease.
- 590 Dick Rohrer - length of term
Kodak
- 0201 Tape 5 side 2
- Rohrer continues. Renewing terms.
- 045 Suzanne - not using old maps
LEW - not a primary factor, maybe some
overlap.
- 060 Joe Hunt - offer assistance
proposes system, BOB by specialty
area - 55-60" min., BOB intervene
if sensitive area. Skull size bears, sheep 2/3

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165 Joe Hunt continues.

300 Lew - has appeal. RB really, B.O.G.,

360 CH - meeting adjourned. at 915pm.

9 AM - Fairs - intro

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380? - Horn - "spectrum of options"

428 - Pamplin - "Trying To make"

Present: Bill Horn

440 - Horn - process

Steve Pradell

441 - Pamplin - Task force

Ruhani Stern -

Horn - question

Ralph Eluska -

448 - Pamplin - public perception

Pete Brust -

466 - Horn - question - "Like X"

Lew Pamplin -

471 - Pamplin - "point one"

CH Jan Faiko -

474 - Faiko - "deadline"

Rep Hoffmann -

488 - Pamplin - "91 - 91"

Paul Johnson -

500 - "continues - "real key point"

Capt Gilson -

533 Eluska - "of the State"

Rep. Nauvau -

557 - Stern - (are proposal Judicially bullet-proof?) of Action

Ken Fanning -

579 - Hoffman - "Hybrid 2"

Suzanne Miller

608 - Brust - "To me"

absent:

Hinman

Iya

Burns

Tape 6 - side One -

000 - Johnson -

060 Pamplin -

004 ~~Pradell~~ - state into regions

070 Pamplin - discussion on timeline

074 Miller - use of advisory committees

080 Horn - transition

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Tape 6 - side A - Discussion of Handout

- 100 FRICKS - concerned about federal
105 Pradell - The feds may institute their own system.
107 Pamplin - feds won't jump the gun, I don't think.
120 Comments from NPS audience
122 Horn:
123 Pamplin, \$90,000 per year - w/ biol., staff for public involvement
130 Pamplin - Hybrid II, 180,000
143 Miller - same cost, not subst. diff
148 Nauvarre - believes its frugal
155 Stern - GOCSD budget. \$
200 Fanning
225 Pamplin Fanning - motion to adopt state
240 2nd by Vernita & Paul
245 Eludra - likes hybrid II
260 Brunt -
275 Pamplin - opposed state
280 Pamplin -
300 Pradell - Vote - Failed 12-3 absent
330 Johnson - motion - For hybrid 2^{to adopt}
350 Stern - oo open competition
360 Pamplin -
375 Eludra
380 CH - Start somewhere
380 Cassidy -
390 Pamplin - amend to 2
430 Hybrid II was adopted unanimously.

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Tape 6 side A

15

450 Johnson - what steps start process, depends on what/where

460 CH

490 Ref. Hoffman - excl. areas for subsistence purposes

500 Lew - yes, subsistence has priority use, non-res. don't get it first.

520 Hoffman -

540 Lew - more than 1 in area - JT use

545 Ralph - sole or JT - talk about term.

560 Horn - can-out be permitted to apply for sole use, or be excluded. Is that legally authorized or policy or legal edict. Basic threshold

560 Navarre - thinks yes, game mgmt. ; excls. sub. - restr. on game

000 610 Henry Springer - no, I don't think so. we did not discuss per say, but didn't rule it out. Subs. doesn't require excl. use, but, some circumstances where Lyme Village under Indian law prop. could be argued.

015 Navarre -

017 Springer - Lyme Vill. you have made satisfactory trophy orienter - make meat avail to residents - just clients taking horns, where high volume occur w/ winter waste - conflict occurred.

25 Navarre - depends on op.

Springer - could be mandated

30 Bete - don't think automatically Village excl., don't want to preclude.

35 Navarre - may work now, 10 yrs could be radically diff.

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Tape 4 side B

044

075 Eluka - in areas like Kodak - one operator - sensitivity of game should help determine JT use. Favor of sole auth, and JT use.

085 Vermita - disagrees with Fanning, anything not applied for is "open" for all guides.

90 Lew - would not be free rein of guides the way Denison the system.

100 ~~Ken~~ Ken - disagrees

120 Lew - can apply it be awarded an area.

130 Fanning - disagrees - TF says not applied for - will be closed to guiding, then all areas will be applied for. opp affected. fee for application could diminish &

140 Vermita - what have you. if not req. to apply some only open to a new guide?

150 Nauarre - exc use areas, how allow sub-let?

166 Paul - Agree - can't have that.

170 Nauarre - doesn't favor. one problem was access to areas (newgui) If have control, they control industry.

185 Horn - Vermita - new entrance set aside will not pass legal muster. Common use.

215 Horn - GML or new unit

230 Lew - Auth on new sys for area w/ lease

230 Horn - Step down 1 notch tighter. any unuse area. You're saying, need 2nd auth... nominate for that.

240 Lew - areas we haven't talked about are leases viable business 5-20 yr leases. Some 2 yr guides

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Tape 6 Side B

- 250 Lew - Mult. licenses. Various scenarios, PT VS FT guides, new entry who quit.
- 270 Horn - EX, JT use qui auth GMVA, can I hunt 2 unawarded or 2nd tag, unit 1, 2 of GMVA
- 290 Lew - rec. to legis.
- 292 Horn - Unawarded areas - can go into ? or 2nd auth ?
- 300 Ralph - That was my ? - merit to qui who is unsure, thinks 2nd mem. process for those left open.
- 320 Lew - could. over counter land sale
- 325 Ken - diff. why prevent qui hunt 3/4 state ? S/B JT use.
- 340 Vernita - unnecessarily complicating
A - 5 qu area, Person wants 3, ^{award} will have to be. how AD76 Keep track
- Ken - already current law
Vern - should be advance
recessed 1035 A
- 375 Horn - Discussion - from easel -
1. open - Lic for "A" may hunt 4-5
 2. apply - must receive a license "A 4 to hunt open area
 3. Registration - Over The Counter

1	A+B	2	C	3	D+E
4		5		6	

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433 Tape 6 side B

Horn - continues discussion on unawarded areas

440 Lew - Reiterates - building areas (GA), would do incrementally ^(inc) 18 mo - 2 yrs - whole program implemented. At 6 mo - many GA could be auth. Priv. ind - or state - decides. timing.

Tape #7 - Side A Discussion of options

000 Stern -

005 Horn -

030 Fanning

032 Horn -

050 Pete - reasons other than ↓ game pop., low status, guided hunting - not feas. for airplane - inaccessible.

060 Paul -

070 Horn - OPT 1 or 3 better legally - more open

075 CH - JWP - Reg. of camp 1+3, what law says

080 Horn - 3 adds 1 step, 1 assumes org.

085 Vermita - Condense - upshot

087 Horn - 3 approaches - 1 & 3 less admin, common use, less restric

097 Ralph - area - sole auth or JT use

100 CH - consensus - where approp sole auth gm cons., up to biol.

110 Ralph - mixed consensus, doesn't preclude sole auth

113 Hoff - 4th opt apply, they get all units they close in

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Tape 2, A

- 114 Horn - subs. No unawarded, how auth. No gen use areas, only it apply (#2), can be unaw if elig quit out less rigorous than formal, such as
- 130 Ralph - #3 move, 2nd Ken.
- 135 CH Discussion
- 140 Ken - Phil, reg over counter, conc. about DPS reg? Like DNR land rules.
- 140 Horn - reg is Notification to State
- Colson - doesn't care as long as we know
- 150 Ralph - Public Notice, if they know you can come in to apply. Public Notice amend. after public notice.
- 160 Ken? Vermont
- 158 Ralph - Ken: no current reg.
~~Process~~
- 180 Ralph
- 185 Hoffman
- 190 Horn - Notice by State
- 200 Lew - person w h, C.V.P., only wouldn't have on award. Ralph - is admin process. Lic., if to camp reg. abide by it. OV counter - ?
- 230 Vermita - motion rec over 3, over counter, reg. over counter. Further discussion
- 240 Stem - fee?, ~~to~~
- 245 Lew - not see as big fee,
- 290 Horn - st auth
- Lew - general at this pt

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Tape 7 side A

- Reg over the counter motion
300 Vernita - amendment - registration
strike over the counter
CH - OK
- 305 Reg to hunt in order to register, etc.
Nauvoo - Comm? AD76?
- 320 Lew -
- 340 Any objections?
- 340 Richard - preclude something else?
Is 3 only thing, CH will get a draft.
Nothing is final. Place to start
- 350 Anyobj. So adopted
- 353 CH - some areas annually - Tape 7 side A
- 390 Horn - everyone has their turn, thinks
null pass muster, transition
- 410 Pete - land disp. DNR - as offered more demand
diminished, more procedures as age of prog.; vegger
etc., JT use - many opt. May have 2 - 1 guide
operations
- 425 Ralph
- 430 Horn - criteria - tiebreakers, bottom pg 3
layout generically sup set up staggered annual
oper., could be policy, could be statutory
- 450 Ken - generic, would satisfy CT - Say 2070 avail.
or no less 1070
- 470 Horn - approx 1/5, easy 30-40%, deal w it
in term
- 480 CH - Pol pressure, so portions never hit up.

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Tape 7 side A

- CH - ensure every area of st equitable
- 500 Horn - every pt at least 1x, term
term + renewal. ensure non-political.
- 520 ^{CH} generic proposal certain 70
- 532 Ralph - VCV & drainages?
- 530 Ken - 5 areas, Unit A, GA 1/5 annually. could be
Horn - SW, Brist,
- yr 2, SE, brooks range
rational way - SW, Hornin Process - read.
duration, demand, build life.
- 570 LEW - not certain admin. ~~2~~
- 575 CH - 2090 draft
- 580 LEW - OK
- 585 Navarre - 2090 of areas EGA or taken?
5090 - 1, 2090 never taken
- 595 Horn 2090 a yr, every GA at least once, ^{whatever} cycle

615 LEW

000 Tape 7 side B

000 LEW -

Horn - delineation -

010 Vernita - go on

105 Navarre

CH comments Pg 2

035 CH - award criteria

Horn - # of units, trespass connection
sic to operate in

058 Horn

060

eligible pool of applicants, apply, G#1 Dist
5 applied (complete) sole auth for sheep. Bd.
decision - can only award 1, or JT use, new
Rec. Bd decides. award criteria, trespass
conv., permits, pri, access permits, # sole use, out
of criteria, apply obj. Rank, defensible
by ct, defensible process, NPS does say for concision
econ viability. No way to totally do away with
subjectivity

100 Ken

140 Horn

155 Pete - ST sys.

170 Verita - criteria for access - demand, 3 awards
200 w/o only. Jui s/n be allowed new award.

210 Horn - vesting discretion w/ ST

220 CH - Area A, one app, state JT use, then up for
bid again (JT AUTH Lic for 1 yr duration)

230 Paul -

235 Verita - new people

250 Horn -

260 Ralph -

290 Horn - econ. viab. do you have L.V. to deliver serv?

can you ~~outfit~~ ^{fit} for the hunt. safety, some thing.
Capability. track record or demonstrate capability.

310 ^{CPR} lile - now as licensing, some dealt with.

325 Horn - JW -

340 Fanning

350 Pete

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Tape 7 side B

350 CH Tubrahers

370 Horn - lottery, bid, govt discretion, 2 step: Lottery among = winners but applicants could agree themselves - some deal. let succ. applicants work out, then lottery.

400 Vermita - likes

CH - comments

Ralph: how many in?

430 Lew - system, # of people would or could use area, T.F. dilemmas. how many allowed in?

lunch 1:45

480 CH Franks called the task force
back to order

absent: RB
MI
NP

she asked PT to chair mtg for about
1/2 hr

511 Fanning - ⁵⁹⁰ Horn, Lew - Internally

Tape 8 side A

600 Lew

090 Horn:

100 Ralph: must have gov lic.

103 Ken:
Schmidt - US FWS

int Prog Unit 8 100 licensed. If TF, ltr of int all nec. - spell out - intend to issue - list lab ins etc & the ~~are~~ nec. items, Corp may view diff than fed.

120 Lew: insolvable. Solution - must demonstrate or w/i 90 days of award. need both ways.

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Tape 8 side A

- 175 Paul next mtg couple scenarios.
- 190 Horn - Draft form next mtg
- 191 Lew - draft legislation? draft ^{Horn} program - summary.
- Horn - bill plus a summary.
- 192 ~~Paul~~ Steve Checklist.
- 200 Horn - with ref.
- 202 CH - chart - picture 1, 2, 3, boxes public to comment. Make sense.
- 210 Ralph - demonstrate
- 215 Paul - award criteria
- 221 Stern - safety, rather FWP legal compliance 5-10 yrs aircraft, boating safety track record in order to continue gun. lang. spec. = fel. etc for lic criteria.
- 240 Ken -
- 250 Paul -
- 255 Horn - leg. state interest listed somewhat by cts - we see as more legit -
- 260 Paul - Ken has good Pt - longevity of suc by gun safety.
- 265 Lew - gun lic but even if narrow, the person known violator probably not get award.
- Horn - reward clean
- 270 Ralph
- 290 Horn - have or can get

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JAR BRIDGES (8A)

- 290 Horn: Permit/Licence/Leases/Con
permit - auth to do (from sovereign)
lease or concession - Prop. interest ~~for~~ from st
to ind. - more tangible, value, conditions attached,
~~and~~ state can revoke permit; lease?, Prop.
taking action, if lost govt will pay.
How much Prop. int? Tension = ct dec.
easier permit or lie pass constit. makes
but lease or conc. better for gun industry.
Prop int conveyed, features which go along.
Paul = permit, ~~area~~ ^{for} sheep or bear, ability
to have permit. Park so concession, own improv.
don't own land, lose - sell or they pay you.
Permit or lease - state may not have obligation
to buy you out
- 360 Lew state auth. to use public resource.
Horn: Prop. int granted?
- 370 CH: longterm health, longterm resource
vested interest with protections - more stringent
conservation. want improvements
- 390 Lew agrees
- 425 Horn:
- 430 Hoffman - ownership of lands, inclined to go w/
permits/leases. insure doesn't happen.
- 450 Ken - st law, st entities to auth gun are 74-88
investigated for those 500,000 ^{invest}, could sue.

1989

TAPE 8, side A lease or permit discussion?

10/6/89
26

500 CH want a lease-conc?

510 Ken - doesn't matter what you call it. St granting an area. landown agency, land permit, not a prop. rt. thinks could be

Horn: safer ground, transferability, flexible rules, renewability, ... Use Permit/le

540 Horn - lease or conc - not confer prop int to wildlife. Paul, ^{problem} draw for area - you get lease, ^{leg up} purchase area. Ken says, flexible some features - Permit/le. ^{better} CH term, trans, renew

555 ~~Horn~~: Work back to whether lease or perm

565 Lew: long term stability, renewability, transfer - if concurrence w/ state. caveats on transferability. TAPE 8 side 2

000 CH - Ralph, renewability?

Steve - leg up or what?

CH - leg up?

19 Horn: terms up, grant to you or demonstrate to adhere. entitled to renew... thinks best we can get is a significant leg up. Ind term - some extra pts but not totally entitled.

30 Hoffman - wants MAX - say 20 yrs.

CH - MAXIMUM

Vernita:

40 Lew

Vernita: L term? CH all types

50 Ken - competing interests - whoever had lease must be

Tape 8 side B

27

60 be reimbursed

70 CH

7 Horn: getting someone more than just lic. but have a compensable interest

80 Hoffman - build new facility - whole area then laid to big operator - the infrastructure - dichotomy there.

90 Ken - Problem

90 Horn - Practical - diff. interest on St/Fed land - private lands w/ contractual, not likely on St lands.

92 Richard - confused - exclu or shared prospect

CH - Gui-out, big lodge - experience in wilderness for extras food, etc, ripple effect in economy. If encouraged then aren't we getting more benefit to the State, if not, visavis we get less back.

120 Rich - disadvantage

125 Ken - over. Future or not likely - too many requirements

140 Ken - no longer can compete outside at shows.

only will be a deal on private lands.

150 Paul - transferability; 10 yr.; one leg up; one time shot - Pts. max renewable.

150 Horn ① Permit or license

② 25 yr initial term

b) 10 yr basic term

c) term altered by 7 & 8 for wildlife purposes

3) Transferable

4) Renewable (one leg up to good operator)

10/6/87

28

Tape 8 B

192 Horn discusses

negotiations.

213 Richard

Horn: 20% yr 1 - 5 yrs term

- year 4 - leg up

- if redwooded - its for 10 yrs

250 Richard - Banks won't be interested on a 10 yr term

290 Paul - 5 yr Period 1990-1995. Problem - to carry program for 5 yrs. Ken & Jew - 2 yrs. might have 4-5 yr problem.

300 Horn - do fed lands first, then other lands

320 Ken - up to 20% avail.

360 Rep Hoffman - rpt catch, play in mgr res. - they have records / rpt procedure

380 Ralph - transfer + renewability, tags.

390 CH Lew + 74.6, out for bid 2 yrs. Every year what's left revolves. → sm op may only ask for 1 or 2 yrs. Person wanting max. 10-15 yrs. big guy

450 Horn - golden guide dist - dual 2x 1st 10 yrs legal. wants somewhere between -

470 Vernita - prop rts - possessors. transfer - waiting list.

490 Paul - fees. length of term.

510 CH - fees. transf. under spec. list - fig - specific checkoff. go on dist. 2 yr window - 5 yr term trans. / renew - Ptg, fees?

530 CH -

536 Ralph - acres

Tape 8 - Side B

540 Paul -

CH - annual or 1 shot fee or per animal fee.

510 Paul - animal fee - better for sm

515 CH - same

Ralph - Orushek - rtn

^{Horn}
valuable int. derive val consideration

590 ^{Ralph} eq opp sep

600 Ken discuss rtn to state.

000 Tape 9 - Side A

Ken - < 10 yrs no, 10 yr lease will consider
1/2 for financing.

3:40 PM adjourned.

1st wk - Nov.

Roll call

	#1 State	Optom #2	#3	#4	5	#6
11 Vernita Cassidy ^{res}	N	Y				
1 Richard Stern	N	hybrid Y				
2 Ralph Eluska	N	hybrid II Y				
3 Pete Brüst	N	Y				
4 Lew Pamplin	N	Y				
5 CH Faiks	N	Y				
6 REP Hoffman	N	Y				
7 Paul Johnson	N	Y				
8 Capt Gilson	N	Y				
9 REP Hawarce	N	Y				
10 Sen Fanning ^{ch}	Y N	Y				
11 Vernita Cassidy						
12 Matthew Dyer ^{absent}						
13 Randall Burns ^{prox} ^{ch}	Y N	Y				
14 Bob Hinman	-					
15 Nick Pierskalla - ^{unanim}						
unanim. defeated 8-1						

tape to side A 10/6/89

LEGISLATIVE TELECONFERENCE NETWORK



SIGN-IN SHEET

SPONSOR: Sen. Fairbanks

SUBJECT: Guide's Task Force

START/END TIME: 10:00am DATE: 10/4/89

PLEASE PRINT

	NAME/REPRESENTING	ADDRESS	PHONE #	TESTIFY	OBSERVE	BILL #
1	STAN LEAPHART / CACFA	250 Cushman St Suite 4H Fbks 99701	456-2012			
2	Margaret Hatheway / NPS	2525 Gambell St., Anch. 99503	257-2596		✓	
3	Rebecca Kaiser / NPS	2525 Gambell, Anch. 99503	257-2594			
4	Leo Keeler / U.S.F.S	201 E 9th, Anch. 99501	271-2547		✓	
5	Rose Chilcote / NPS	2525 Gambell, Anch. 99503	257-2595		✓	
6	JOHN KURTZ USFWS	1011 E TUDOR ANCH 99503	786-3355		✓	
7	TERRY ZEZNOCK	2429 TULANE ST. ANCH. 99504	261-4745		✓	
8	Ted Forsi	P.O. Box 2470 Soldotna	262-3116	✓		
9	PAUL SCHMIDT ^{FW} USFWS	1011 E. TUDOR RD.	786-3545	✓	✓	
10	Heinrich Springer	Box 232114 Anch.	279-2511	✓	✓	
11	Dave Hanson	1577 C St. Anch.	276-8827		✓	
12	DICK ROHREK	B. 2219 KODIAK	486-5835	✓		
13	Jeff Chadd	HC 33 Box 2893 WASILLA AR	373-7976		✓	
14	GEORGE FAERBER	P.O. Box 13005 TRAPPERS CREEK AK 99683	733-2453		✓	
15	Bruno Zedler				X	
16	Andy Klein	916 "P" Anch. AK 99501	272-5689	✓		
17	PAUL PRZYBYLA	7446 Bern St. Anch. 99507	349-3151	✓		
18	Paul Stanley	Ft Wildlife Service		✓		

LEGISLATIVE TELECONFERENCE NETWORK



SIGN-IN SHEET

SPONSOR: _____

SUBJECT: _____

START/END TIME: _____ DATE: _____

PLEASE PRINT

	NAME/REPRESENTING	ADDRESS	PHONE #	TESTIFY	OBSERVE	BILL #
1	P. E. BRAY	5400 NORTON BLVD #115	5626170		X	
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						

DISTRIBUTED 10/6/89
by Bill Horn

PROCESS OPTIONS

PRIVATE SYSTEM

1. Guide/Outfitters designate-nominate UCU's as areas;
Submissions occur simultaneously
2. State accepts or rejects the nomination
3. If no competition exists, the area is awarded to nominator;
award is via the award criteria

STATE SYSTEM

1. State proposes new guide areas per accepted criteria
2. Proposals submitted for public review & comment
3. State may modify proposal
4. State-decided areas are offered for competition

HYBRID I

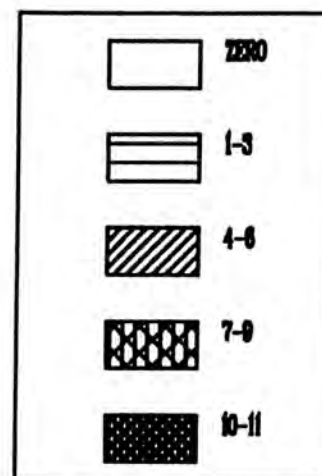
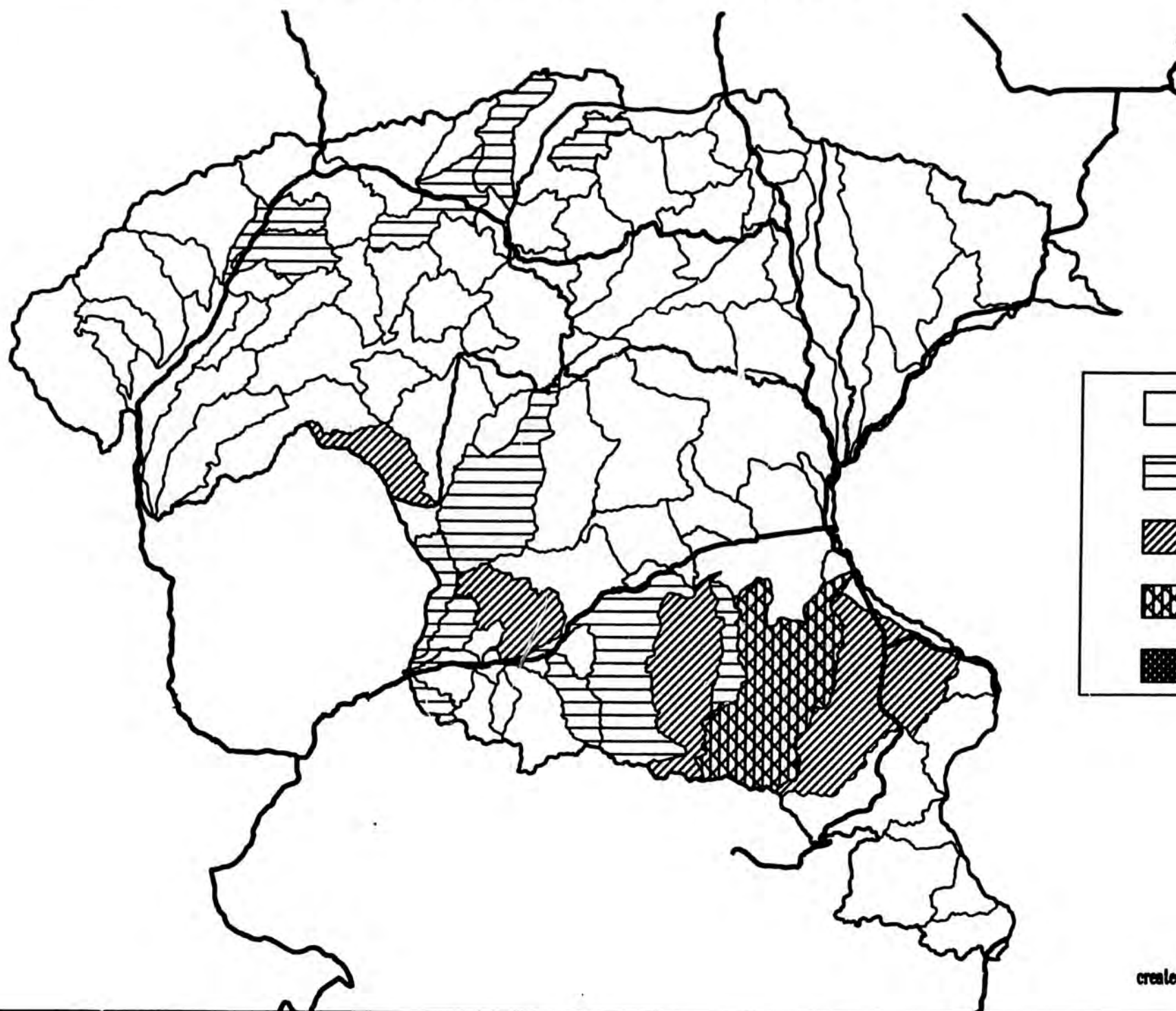
1. Guide-Outfitters nominate areas using UCU's
2. State reviews nominations; it may accept, modify or reject
per accepted criteria
3. State-decided areas are offered for competition

HYBRID II *adapted as amended*

1. State issues a call for nominations
2. Nominations of areas offered by ~~guide-outfitters & others~~ *feels*
3. State reviews nominations & may accept, modify or reject
per accepted criteria
4. State proposed areas submitted for public review & comment
5. State considers comments & decides on areas per accepted
criteria
6. State decided areas are offered for competition

1988-89 Non-Resident Sheep Harvest for GMU 13

#3

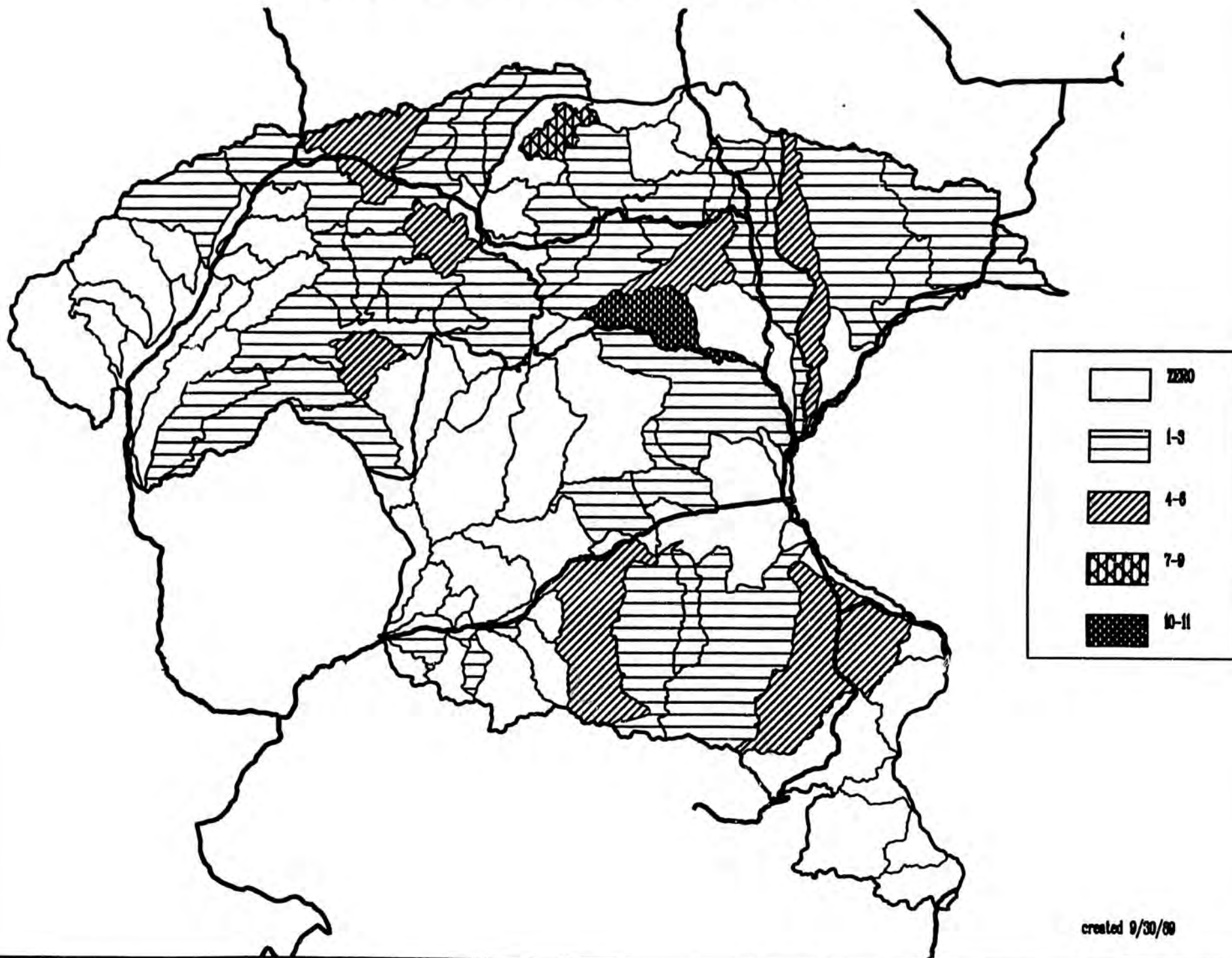


#3

created 9/30/89

1988-89 Non-Resident Moose Harvest for GMU 13

#4



DISTRIBUTED 10/6/89
by Lew Pamplin

Criteria for Developing the Guide-Outfitter
Resource Area Maps**

Top priority

- * Wildlife management concerns
 - Species abundance and diversity
 - Administrative wildlife management boundaries
(Game Management Unit/Subunits/Uniform Coding
Units)
 - Harvest history
- * Enforcement concerns

Additional, co-equal concerns

- * Land ownership
- * Administrative restrictions
- * Easily recognizable (in the field) boundary features
- * Access availability and transportation
considerations (methods and means restrictions)
- * General approach to the size and number of
individual areas
- * Other land uses
- * Existing facilities
- * Other consideration.

** Approved by the Legislative Task Force on Guiding and
Game on July 19, 1989.

ADMINISTRATION OF BIG GAME GUIDE-OUTFITTING AREAS IN OTHER WESTERN STATES AND CANADA

REPORT TO THE LEGISLATIVE TASK FORCE ON GUIDING AND GAME
Alaska Department of Fish and Game
Division of Wildlife Conservation

October 4, 1989

The Alaska Department of Fish and Game has recently obtained information from selected western states and Canadian provinces and territories regarding regulation of guide-outfitters or their equivalents. The areas surveyed included:

Colorado	New Mexico	Alberta
Idaho	Oregon	British Columbia
Montana	Washington	Northwest Territories
Nevada	Wyoming	Yukon Territory

In addition, Oregon provided recent licensing information from Arizona, California, Texas, and Utah.

The following points describe big game guide-outfitting programs in other areas. The term "guide-outfitter" is used throughout, for the reader's convenience. A separate table summarizes the various licensing requirements. Specific legislation and regulations are also available separately.

1. **In most western states there is little state land that guide-outfitters can or want to use. Most guide-outfitting takes place on federal or private lands. Thus, federal government agencies are the main managers of guide-outfitting resource areas in western states outside Alaska.**

Outside Alaska, the U.S. Forest Service and Bureau of Land Management are the largest land managers. Together they manage most of the lands used for guide-outfitting in the western states.

2. **In several western states there are few guide-outfitters because the wildlife resources do not offer attractive commercialized hunting opportunities. In these states there is no real need for a state system for managing guide-outfitter activities on state lands, or for issuing state permits to use state lands for guide-outfitting. Some of these states do not even license guide-outfitters.**
3. **On federal lands the resource areas used by guide-outfitters are based on federal planning and management units. These units do not necessarily correspond to state wildlife management units. State wildlife agencies are notified about proposed guide-outfitting areas on federally managed lands.**

4. The few western states and the provinces that manage guide-outfitter resource areas make the boundaries generally fit within wildlife management units. Areas for guide-outfitters in British Columbia and Idaho do not necessarily correspond to wildlife management units, but their wildlife agencies say that this has not been a problem.
5. None of the other states and provinces surveyed have a constitutional common use clause like Alaska. Thus the existing management of western guide-outfitter areas tends to be characterized by grandfathered operators, who may receive preferential treatment when they apply to renew their land use permits.
6. Some states, provinces, and federal agencies can provide a short (1-5 years) preliminary lease or permit for guide-outfitter resource areas. If the operator complies with laws and regulations, the lease or permit can be extended or re-issued for the full period allowed (5-10 years).
7. Lease or permit fees for guide-outfitter resource areas in this survey varied, including:
 - * a fixed fee (e.g. Yukon)
 - * a percentage of the anticipated gross revenue (e.g. 3% for lands managed by U.S. Forest Service and Bureau of Land Management)
 - * a fee for the base camp plus each spike camp (e.g. Idaho)
 - * market value (e.g. British Columbia).
8. Management of guide-outfitting in most of the western states outside Alaska allows for joint use of areas rather than restricting guide-outfitters to sole authorization areas.

Both the Forest Service and Bureau of Land Management manage multiple land uses. They also specifically try to offer opportunities for more than one guide-outfitter to use a particular area. A guide-outfitter who wants to use federal lands has to submit an application, including a detailed operational plan. The federal agency reviews this plan, and compares it with their management goals for the area. Their decision to issue a permit depends mostly on whether they consider that another big game guide-outfitter in the area would be compatible with other users.

Wyoming has joint use on federal lands, with a system of sole authorization areas only on state land. Nevada allows for joint use of guide-outfitting resource areas throughout the state, although state officials are currently being asked by their Guide Advisory Board to re-allocate guiding areas for exclusive use. Idaho appears to be the only western state with an exclusive use system on all state and federal lands.

9. The U.S. Forest Service and Bureau of Land Management have not managed Alaskan areas for guide-outfitting the same way that they manage most areas outside Alaska because they relied upon the state's former exclusive guide area system.

10. **There are some western states and provinces where there has been a great deal of competition among guide-outfitters. Because these states do not manage much or any of the lands used by guide-outfitters, they regulate by imposing very stringent guide-outfitter licensing requirements. The province of Alberta has established a similar licensing program.**

Montana, Wyoming, Idaho, Nevada, Colorado, and Alberta all have newly passed laws to maintain and improve the quality of the guide-outfitting industry through strengthened licensing requirements. These requirements are similar to Alaska's new guide-outfitter licensing program. Some additional requirements in other states include:

- * landowner permission
- * higher amount of liability insurance
- * performance bond
- * current first aid certification
- * operational plan
- * record of no prior felony convictions
- * equipment inspection

These and other specific licensing requirements are more fully described in a separate summary table.

In contrast to Alaska, Montana does not allow any guide-outfitting on state lands. They have a constitutional clause that prohibits charging a fee to help someone harvest wildlife.

11. **Last year the province of Alberta appointed a Fish and Wildlife Outfitter-Guide Task Force to review all outfitting and guiding policies. After examining the policies of British Columbia, Ontario and Montana, and consulting with a natural resource economist, they recommended guidelines to be used in developing new policies. Alberta's concerns were similar to Alaska's, and their final report may be useful to Alaska's task force.**

PROCESS OPTIONS

PRIVATE SYSTEM

1. Guide/Outfitters designate-nominate UCU's as areas; Submissions occur simultaneously
2. State accepts or rejects the nomination
3. If no competition exists, the area is awarded to nominator; award is via the award criteria

N

STATE SYSTEM

1. State proposes new guide areas per accepted criteria
2. Proposals submitted for public review & comment
3. State may modify proposal
4. State-decided areas are offered for competition

HYBRID I

1. Guide-Outfitters nominate areas using UCU's
2. State reviews nominations; it may accept, modify or reject per accepted criteria
3. State-decided areas are offered for competition

HYBRID II

1. State issues a call for nominations
2. Nominations of areas offered by ^{the public} ~~guide-outfitters & others~~
3. State reviews nominations & may accept, modify or reject per accepted criteria
4. State proposed areas submitted for public review & comment
5. State considers comments & decides on areas per accepted criteria
6. State decided areas are offered for competition

10-5-89

Horn

- must have some wildlife purpose -
- based on open competition
- interest must have limit on time length granted
- Transferability be overseen by state
- state receive \$ value for concession

Limitation rationale -

M open competition
work criteria

Terms-conditions of licence/concession

See: similar area orientation in Alberta - went over
key points - ie. commercial use permits - 3 yrs recommended
unless it that's adopted. Recommended flexible policy to set
Framework for evolution of industry. Don't want exclusive
areas in perpetuity etc - like in BC.

Fanning - nomination of 'state owned' areas -

Horn -

Leopard - re: interim pgr by NTL Park Svc -
pgr To end Dec. 31 1990 or earlier if state
arrives at system Park Svc can use - if not,
then concession permit pgr will be used.
All guides now eligible to use the Park Svc areas -

Get w/
see re:
mtgs w/
staff & Fed
agencies

(2)

10-5-89

leaphant (cont) P.S. fees - dramatic increase - by next
year - fees - (1990) To be \$1000. up from \$100 up til now.
heard from 11 so far -

Horn - ^{NTS} Park Svc Does have legal authority To
restrict ~~hunting~~ who hunts on ^{NTS} Park land
ST retains Rt To set bag limits etc on all land in ST
including ^{NTS} Park Svc land.
~~ST doesn't implement~~

Vernita wants formal process to keep ^{NTS} Park Svc
informed - receive input so

(lov - when we come up w/ something in draft form we
can send it To Park Svc & others - request
leaphant - suggests taking draft

Kurt
McVie
newly
appointed

(3)

Public Input

send to
village
corps
||

- make noon during day -- 2 hrs -- night -- 2 hrs
for public input --
- all ^{Fed.} agencies -- all on list -- will be sent info
LOU → Teleconfer to all sites

all interested Fed agencies

State agencies

guides

air Taxi

BLM - military Too?

Statewide mailing ~~with~~ village corps

10-5-12

(4)

Work book -

Limitation Rationale -

① wildlife mgmt - must be spelled out as vital to the legisl - To coincide w/ Oversight.

subsistence - Fed-ST statutes compell consideration of it.

~~that~~ controlled use of resource (low) vital for continued viability of resource. Need good controls - allowing use - or will jeopardize future of the resource.

- need accurate data collection as mgmt tool.

- in order for game mgmt to function - must apply across boundaries (between Fed-ST-NAT. areas)

- w/ good system - peaks - valleys will be stabilized.

- state concerned w/ wildlife - not land access - Land mgmt -

- sustained yield (constitutional requirement) problem - must define goals -

- manage some areas for primary usage

General Economic Benefits -

- typically its a biz that's in rural AK - benefits statewide - not simply population centers -

~~tourism~~ tourism spillover -

area mgmt system - would lower admin. costs

Benefits To Residents - better access to game -

- wouldn't need permit system as soon w/ area system.

- dollars, # of animals avail - quality health of wildlife - tourism -

5
John Kutz - Fed
F&W

Revenue To State:

- non resident Tag-license fees (75% of such fees now collected by state while Tag = only 10% ±)
- Tourism / ripple effect.

Horn ^{private} nomination process for the 'uniform coding units' is good idea -

State - decides ~~what~~ what area - is for what purpose
Type of use - # of guides for an area etc - then
publish list of areas - then apply for area(s) on list
individual.

Horn would like detailed Transcript for the portion involving the worksheet -

- call for nominations - what they'd like re: areas
- State issues proposal for basic bid - for comment period
- Final cut w/ above considerations
- applications from guides
- State decision-making body decides on applications

~~Horn~~ ^{To} spell out steps for Kerns -

LOV's -

For
KVI day
on paper

simple hybrid -
complicated hybrid -

10-5-89

7pm

(1)

Public Testimony

% of gross ok but not Fee after fee etc.

Deputy Asst Regional Director — Paul Schmidt —

US Fish & Wildlife

Renewability — ~~fee~~ (opportunity) — would be incentive — opportunity to increase incentives.

Transferability — no not equitable.

figures can (F&W) can probably use the 'interim status quo' program for $\pm$ 2 yrs. Then would have to implement a new program.

F&W will check on reporting requirements — get back w/TF.

Boundaries should follow the Park Svc, private etc boundaries.

~~hook~~ →

— Short leases = major mistake — appropriate length

~~hook~~ gotta be at least up to 10 yrs or more —

favor renewable leases —

Mark Miller — guide since '69 —

need stability in leases — !!

Transferability — / % Fee — no, do a fee system — more ~~fair~~

~~fee~~ per guided animal killed — fee.

MUST Limit # of guides =

Lease terms —

②

Public testimony

Dick Roark - Kodak master guide

Lease length - (would like $\pm$ 25 yrs) at least 10 yrs

10-5-89

Joe Want - said he was at
very top of list this AM!

Delineation of areas - assign quotas by species
then monitor # animals taken - locations

(administrative problems) enforcement tough -

doubt state will spend \$ on complicated system -

need - non-resident ppm -

BD of Game set stds - size of animal to be taken

for non-resident only - A problem area - brown bears

Need system that leaves guides in ~~an~~ area -

best for resource -

Time recommended -

Fee per animal - ? - issue tags - both non-resident

hunter & guide would attach their tags to a trophy, etc -

aircraft ? - insurance -

Low - administratively wants proposal has appeal -

Oct 6, '89

Horn - Judicial perspective - The "Process Options" -
(with ^{plus} ~~stand~~ ^{challenge}) that State has ultimate control of situation

— "Transition Rule" needed maybe -

— Lov - est. \$90,000/yr - for 2 yrs - (cost - \$180,000) -
system that would stand up legally.

— under Hybrid 2 - problem = Term "nominations"
est. \$180,000 - makes F&B original proposal -

— Just changes wording.

Vote X Fanning - Process = for borders only (To design maps) ^{development of}
— Motion To adopt state system For discussion -

NO - UNANIMOUS!

Vote X Johnson - To ADOPT HYBRID TWO - (To draw the lines)
adopted unanimously

^{exclusive} sole use areas? - likely - multiple use areas also likely
probably would be dependant upon whose land it is.

Panglin FW - would prefer 'Joint' use areas as much as possible -
rather than exclusive use.

Tan - recommends in intent language - call for Joint use where
possible -

Panglin - when speaking of 'Joint use' refer to more than one
'commercial' user = in an area.

X Exclusive Subsistence use areas - are they legal - ?

X springs - doesn't think legal - the sub. law provides
preferential use of resource -

Options
For
unawarded areas

To hunt area not specifically chosen

1. "Open" - Lic for 'A' may hunt ~~specific~~ area

2. Apply - must receive a license To hunt in
open area (only use area if apply for it)

3. Registration (Cover the counter) [tell state you'll be
hunting a certain open area - register]
(to allow keeping track of a guide)

Note

adopted

Motion To adopt #3 - registration (over counter) i.e. after public notice

(basically this would be after areas are awarded -
for non-awarded areas - register (notify) if want
to hunt a non-awarded area. Must have all
necessary license etc. to hunt the area.

under B

- Some areas available annually -

should be some annual competition for areas - (Horn)

sequential fashion - say 20% of possible areas up for
(exclusive?) competition annually - so ea yr - someone
has opportunity to get into an area.

Tie breaker -

Horn - (2 step) - lottery w/ allowance to reach
agreement among themselves prior.

1:45pm - 10.6.89

Pete - Commercial Sues Bd - determine process/combination of guides - /

Ken - Dept FG ~~is~~ decides whether an area is joint or exclusive use -

Norn - would be better from court standpoint - if decided by Dept. - (looks more wildlife oriented)

next time
a chart -
how system
= spaced to
work
steps - boxes
of process
then request
public comment

A Bill Plus summary in non-legal terms

next mtg - Norn will have draft legislation with summary in non-legal terminology.

Safety ^{stern:} - should be specific safety requirements for pilots - (i.e. minus pts = ~~if~~ if there have problems in past. crashes etc) currently -

tends to benefit those who are just beginning - more likely that guide of 10 yrs - has spot on record than new guy. R

X Reward those w/ clean long-term record.

10-6-89

D: Permit/License conditions

Permit/license vs concession/lease -

state much advantage -

permit authorization?

lease etc can have vested interest -

i.e. Financial interest in an area -

property improvement value -

Tougher to get than P/L - greater obligations

imposed for both parties -

Term - length - ? long term - ^{stable} 10-15 yr permit length -

Transferable - ? yes if state concurs, ~~if~~ ^{ST-Fed-NAT etc} landowners

Renewable? yes - Clegap? - re: competition?)

once in - operating successfully - entitled to renewal?

can only take away renewal right if operating appropriately

Note - court likely would allow a significant leg up but not

centonotic renewal if operating OK.

Transf. w/ parameters - health etc
For Time of lease - 1 ^{Time} renewable -

Permit

2 ^a 5 yr initial Term

b) 10 yr Basic Term st

c) Term altered by FG for wildlife purposes

3. ^a Transferable -

4. Renewable For good operator - if satisfies criteria - renewable.

high degree of competition in 1st 10 yrs -

^{HOA} COURT doesn't like "lifetime" leases ~~etc~~ i.e. - trending poorly

For lease over 10 yrs -

Paul Schmidt - USFW - problem w/ the 5yr interim period

For an interim - better 1-2 yrs - then longer -



12 yr

maybe
max # of
Renewals

10-6-89

3pm

2600 UCU's

need assurance guide will care properly right to end
of lease period — not high grade last yr or two —

Ken — for best wildlife mgmt — offer incentive to guides
to be conscientious operators over long time.

Hoffman — if # of kills suddenly balloons — DFG can watch &
shut down operation. Need adequate monitoring.

10 yr lease —

verm. —

Transfers — only by permitting authority — to a waiting
list of applicants — not at whim of operator.

Fees —

from inst. tutional standpoint — bank won't
give loans unless 10 yr for financing — only if
amortized over 5 yrs — & if transferable to other
qualified individual.

Annual use — use it or lose it unless extenuating
circumstances —

next mtg — 1st wk Nov —

program receipts from guides / out of state hunters
panglin said 75% fr. out of st — Eluska needs #s —

X # of guide outfitters — computer run of them —
who are license holders —

Alaska State Legislature



Senate Judiciary Committee

August 21, 1989

Dear

This is to notify you that the next meeting of the Legislative Task Force on Guiding and Game has been scheduled for Thursday, October 5th and if necessary Friday, October 6th, in Anchorage. The meeting will take place from 10 a.m. to 4:30 p.m. both days at the Legislative Information Office first floor Conference Room at 3111 C Street.

Bill Horn of Birch, Horton, Bittner and Cherot will attend the meeting to provide us with an update on the firm's progress and field your questions. I have enclosed a brief but tentative agenda for the October 5th meeting.

Please contact Mark Riehle of my staff if you will need a Transportation Request (TR), additional information or with suggestions for the meeting agenda. You are welcome to call collect to 561-7610.

I look forward to seeing you at the meeting.

Sincerely,

Jan Faiks
Senator

JF:mr
Enclosure

DRAFT

LEGISLATIVE TASK FORCE
on
GUIDING and GAME

October 5 and 6
10am - 4:30pm

TENTATIVE AGENDA

- I. Call to Order - Senator Jan Faiks, Chairman
- II. Approval of Agenda
- III. Business
 - A Report from Birch Horton (Bill Horn)
 - B Discussion of Management System Elements
 - C Process for Receiving Public Input
 - D Report from Citizen's Advisory Commission on Federal Areas
 - E Future Meeting Schedule
- IV. Other Business
- V. Member Comments
- VI. Adjournment

Game Management Proposal Questions and Checklist
• Program Elements A. Limitation Rationale B. Open Competition C. Award Criteria D. Permit/License/ Concession Conditions

A. Limitation Rationale

- What are the purposes of an area management system for allocating guide access to big game?

Constitutional mandate for sustained yield generates trophy animals which maximize state revenue. stable system over long term. good systems cause future animals to be available. accumulate compilation of accurate data for knowledge.

-- Wildlife Management

- a) ~~subsidies~~ 4) ~~controlled~~ *stops poaching / all market*
- b) ~~no adverse effects~~ 5) *photography other uses.*
- 3) ~~no controls~~ *could cause destruction of resource element.*

-- General Economic Benefits

- a) *revenue to state*
- 2) *diversified industry in state: jobs for residents / spin-offs.*
- 3) *tourism - non-consumptive uses: opportunities to young people*

-- Benefits to Residents

- a) *better access to game to Alaskan knowledge of who is working in area.*
- 2) *state services expanded w. new dollar / future occupation.*

-- Revenue to the State

- a) *non-resident licenses & tags fees go directly back to F/G.*
 - 2) *attracts newcomers to state for future population growth.*
 - 3) *allows for continuation of traditional use of.*
- supply effect of 4*

control administrative costs

Healthy benefits.

Economic benefits - promote an economic & viable industry in rural areas & remote - one of the few industries that benefits whole state.

wildlife corner stone resource of state - future use into long term.

B. Open Competition

- Should the program be privately initiated or state initiated?
- What steps start the process?
 - "Nomination" process
 - Carrying capacity determination
 - Sole authorization or ~~joint~~ use
 - Some areas available annually
- Who decides?

Tape 7
Side A - 360

unawarded areas

C. Award Criteria

Tape 7
side B 055

- What are the criteria for awarding the new guide access interest?
- Experience/Knowledge ^{LOCAL} of Commercial ^{hunting}
- ^{Experience/Knowledge - land base} Economic Viability
- Safety
- Fish & Wildlife Legal Compliance / ^{TREPASS}
- Permits & Licenses
- Land Access

~~-- Sole authorization to hunt use~~

TIE BREAKERS

CONVICTIONS - TREPASS
of UNITS LICENSED TO OPERATE

D. Permit/License/*leases*
Concession Conditions

- What does the successful applicant get?
- How long does the guide keep his access interest?
- Must it be used annually?
- Can it be transferred, and if so, how?
- Is the interest renewable?
- What fees will be paid to the state?

types of license

under management system;
quality of the experience
hunt.

Mark Mullin

Dick Roberts minimum @ 10 yr.
led time of at least 1 yr
to get in & out for
client consideration -
renewable lease - pro

File

LEGISLATIVE TASK FORCE
on
GUIDING and GAME

October 5 and 6

Packet Contents

Meeting Agenda for October 5th and 6th

Letter of Resignation from Gayle Ranney

Big Game Commercial Services Board Membership

Memorandum from Birch Horton

Letter from Lou Pamplin on Public Input

Graphic Showing a Typical Public Process Used By
the Department of Natural Resources

Memo and Letter to the Task Force from the Citizen's
Advisory Commission on Federal Areas

Sample Letter From The Citizen's Advisory Commission on
Federal Areas to Affected Guide-Outfitters

Alberta, Canada Report of Outfitter-Guide Task Force

Game Management Proposal from Joe Want of Fairbanks

Correspondence

FISHING AND FLYING
P.O. Box 51
Yakutat, AK 99689

RECEIVED
JUL 24 1989

GOVERNOR'S OFFICE

Ms. Sheila K. Gottehrer, Director
Boards and Commissions
P.O. Box A
Juneau, AK 99811

July 22, 1989
BOARDS & COMMISSION

JUL 25 1989

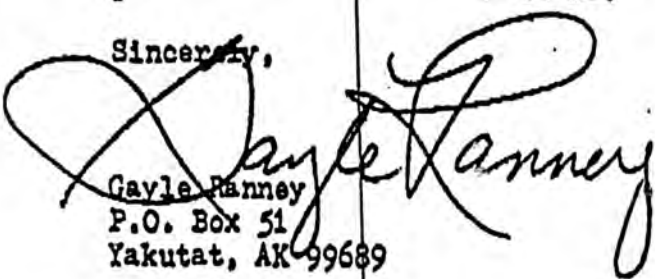
Dear Ms. Gottehrer,

At this time I would like to submit my resignation from the Task Force on Guiding and Game. I am honored to have had this privilege to serve on the task force. However, this time of the year is the busiest and most demanding, and my business requires my full attention. As a result, I find that I am unable to give adequate energies to the issues and concerns of the task force.

As a representative for air taxi, I would urge you to find an appropriate replacement to take my place as soon as it is possible. I feel that it is very important for air taxi to have adequate representation on the task force and regret that I am unable to continue to fill that need.

Thank you again for the opportunity to have served on the Task Force for Guiding and Game. If I can be of any assistance in the future, please feel free to contact me.

Sincerely,


Gayle Ranney
P.O. Box 51
Yakutat, AK 99689

LEGISLATIVE TASK FORCE
on
GUIDING and GAME

October 5 and 6

AGENDA

OCTOBER 5th 10 a.m. - 4:30 p.m.

- I. Call to Order - Senator Jan Faiks, Chairman
- II. Approval of Agenda
- III. Business
- A Report from Birch Horton (Bill Horn)
- B Discussion of Management System Elements
- C Process for Receiving Public Input
- D Report on Progress of Area Mapping Program
(Lou Pamplin)
- E Report from Citizen's Advisory Commission on
Federal Areas
- F Future Meeting Schedule
- IV. Other Business
- V. Member Comments
- VI. Adjournment of Work Session

OCTOBER 5th 7 p.m. - 9 p.m.

- VII. Public Comment Session
- A Report from Birch Horton
- B Public Comment
- VIII. Adjournment

OCTOBER 6th 10 a.m.

- IX. Continuation of Work Session if Necessary

MEMORANDUM

TO: Members, Legislative Task Force on Guiding and Game
THROUGH: Senator Jan Faiks
Chairman
FROM: William P. Horn
Steven Pradell
DATE: September 11, 1989
SUBJ: Outline of Initial Program Proposal

INTRODUCTION

As a result of the conference conducted on August 16,¹ we have prepared the following outline of an initial proposed program. The proposal incorporates the comments of the participants and represents a possible starting point for the Task Force deliberations.

The proposal contains four primary elements: (1) basic limitation rationale and program, (2) open competition for limited or sole authorization to use game units, (3) award criteria and

¹ Participants in the conference included Senator Jan Faiks, Ken Fanning, Lew Pamplin (ADF&G), Steve White (AG), Randall Burns (DCED), Mark Riehle, Steven Pradell, and William Horn.

Members, Legislative Task Force
on Guiding and Game
September 11, 1989
Page 2

'decision process, and (4) conditions on granted interests. These are discussed in detail below.

~

PROGRAM ELEMENTS

1. Limitation -- As a threshold consideration, the program must specify the rationale for establishing a system that limits commercial guiding and outfitting use in specified areas. The program purposes must include express references to wildlife conservation and how limitation will contribute to enhanced wildlife management. Specific findings will have to be included in the new statute and a solid factual basis for both findings and purposes must be presented in the legislative history.

In addition to wildlife management benefits, limitation can serve commercial purposes (i.e., appropriate economic benefits to the State of Alaska as well as to guides/outfitters), benefit resident hunters, and may also affect non-resident hunters. The latter may not enjoy the benefits of the common use clause of the Alaska Constitution. However, too strict limitations on guides/outfitters will deprive the Alaska Department of Fish and Game (ADF&G) of vital revenues. Additionally, a program should not

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September 11, 1989
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unnecessarily restrict non-resident hunting for certain big game species.

2. Open Competition -- The envisioned program would permit open competition to secure the limited interest (i.e., the permit, lease, concession, etc.). Three variant approaches were discussed.

The privately initiated option would enable a prospective guide/outfitter to nominate the area or areas where he would like to hunt and specify whether he wants sole authorization for the area(s). If not seeking sole authorization, the level of effort/proposed take would have to be indicated.

At the other end of the scale was a State initiated program. A state entity would select areas to be made available and determine the number of entrants for each zone (some believe such a determine is beyond the State's capability). Hybrid systems combining features of both approaches could also be developed.

Whether privately or State initiated, the identified or designated areas would be made available to all eligible entrants. Areas would become available on a staggered basis so that some level of competition would occur each year. Interested parties

Members, Legislative Task Force
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Page 4

would file for the area(s) of their choice. Applications would be considered pursuant to the award criteria.

3. Award Criteria -- Following receipt of the competitive applications, a State entity would select the parties to receive the permit/lease/concession based on specified criteria and an objective process. The discussion indicated support for the use of at least six criteria:

- a. Experience/Knowledge -- applicants must possess sufficient experience regarding or demonstrate adequate knowledge of a nominated/designated area.
- b. Economic Viability -- applicant must demonstrate economic capability to effectively utilize permit/lease/concession if awarded.
- c. Safety -- applicant must show acceptable safety track record or capability to operate in a safe manner.

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- d. Fish and Wildlife Legal Compliance -- applicants must show an absence of significant fish and wildlife violations.
- e. Permits and Licenses -- applicant must possess or show capability to acquire all of the necessary permits and licenses in order to operate in the area in question.
- f. Land Access -- applicant must possess or show capability to acquire the necessary authorizations to enter upon and operate on the land in the area in question.

Applications will be reviewed pursuant to these criteria. Following review, one or more applicants may be deemed eligible to receive the permit/lease/concession. If there are more eligible applicants than available "space", the following selection process will be employed. First, the eligible applicants will be afforded the opportunity to come to some mutual agreement (e.g., district could be "divided" in time or in game species to be sought). If after this process, too many eligible applicants remain, a "tie-breaker" could be employed. There was some support (as well as

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strong opposition to) for use of a lottery to make the final decisions in these cases.

Overall, there was agreement that the new system had to enable new, qualified entrants to succeed in order to satisfy Owischek. In particular, if established guides prevailed over new entrants in every case of head-to-head competition, the system would be more susceptible to a Constitutional challenge.

4. Permit/License Concession Conditions -- Three primary conditions should be attached to the awarded interest. These features are (a) interest duration, (b) transferability, and (c) fees paid to the State.

There was agreement that the duration of the interest had to be long enough to induce good conservation practices by the guide/outfitter and enable them to obtain financing while being short enough so that it isn't a de facto lifetime or generational right. Ten years was considered the maximum legally acceptable length if tied to reasonable rules on transferability although a fifteen-twenty year term appeared to better address the financial interests of guides/outfitters. It was also suggested that for

Members, Legislative Task Force
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big game species with longer life spans (i.e., brown bear and Dall sheep), that longer terms be seriously considered.

A ⁵diligence requirement should also be part of the interest. Failure to use the permit/lease/concession for some period (e.g., one year) would result in its termination. Similarly the interest could be suspended or terminated for good cause.

Transferability was another key feature. The new program should provide for the transfer of the interest during the duration period (i.e., Guide/Outfitter "A" gets a 10 year permit, it could be transferred to Guide/Outfitter "B" in year five who would keep it for the remaining five years). Improvements should be included in any transfer or acquisition scheme. Any and all transfers would be subject to State review and approval. There is precedent for this approach in other State lease programs. It was also noted that with more liberal transferability rules, the guides could probably accept shorter permit duration. The converse is also true. Renewal rights were also discussed. There was interest in examining a right of first refusal arrangement which would enable guide/outfitters to have an ability to extend granted authorizations.

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Finally, the method of ensuring State consideration for grant of this interest was considered. A multitude of options exist but it appears that a combination of an application fee, a per-acre rental fee, and a fixed percentage of gross revenues was an acceptable starting point for most participants. Similar systems are used by Alaska and various Federal agencies.

OTHER ISSUES

There was brief discussion of Federal recognition of the program and consideration of the special issues related to Native corporation lands. It was agreed that these entities would be made aware of Task Force activities in order to solicit their comments. Moreover, the program should be designed so that it will be adopted or recognized by Federal and private entities.

WPH:jap

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

STEVE COWPER, GOVERNOR

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 344-0541

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SEP 7 1989

JAN FAIKS
SENATE OFFICE

September 5, 1989

The Honorable Jan Faiks, Chairman
Alaska Legislative Task Force
on Guiding and Game
3111 "C" Street, Suite 525
Anchorage, Alaska 99503

Dear Senator Faiks:

According to the draft agenda, the next meeting of the Legislative Task Force on Guiding and Game will include discussion and presumably the selection of a process for involving the public. This meeting could also provide an excellent opportunity to report to the public on our progress to date, to describe the process for receiving public input, to present the initial criteria for developing guide-outfitter resource areas, and to receive public comment and answer general questions. I know that you share these concerns for meaningful public involvement.

Because of the impending January deadline, I believe the task force should take advantage of all practical opportunities to incorporate public participation in our upcoming meeting (and future meetings). With approximately a month of notification, a public session could be scheduled for the evening of October 5, following a full day of task force business. This would be consistent with the scheduling of prior task force public hearings, and more importantly, would provide needed public contact at the next possible opportunity. Please advise me of your thoughts on this suggestion. Thank you.

Sincerely,



W. Lewis Pamplin, Jr.
Director
Division of Wildlife Conservation

cc: SuzAnne Miller
Task Force Members

PLAN SCHEDULE

SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN

1. Identify Issues

Hold public meetings to identify issues and concerns in the river corridors. (December 1988)

2. Gather Information

Collect information about natural resources, present and past land use, land ownership, and the local economy. (Occurs throughout planning process)

3. Prepare and Evaluate Land Use Alternatives

Describe possible choices for managing state land based on public interests, local resources, and state policies. Describe the effects of each choice on goals for the recreation river corridors. (Summer 1989)

4. Public Reviews Alternatives

Hold public meetings to review the land use choices and identify those that people prefer. (Fall 1989)

5. Prepare Draft Plan

The planning team and advisory board create a draft plan using public and agency comments. The agencies review the first draft and settle any land use conflicts that remain. (Spring 1990)

6. Public Reviews Draft Plan

Hold public meetings to provide the public the opportunity to comment on the draft plan and identify parts that need to be changed. (Summer 1990)

7. Prepare Final Plan

Review agency and public comments and revise the plan. The plan is prepared for publication. (Fall 1990)

8. Approve Plan

The Commissioner of the Department of Natural Resources approves and signs the plan. (December 1990)

9. Legislature Reviews Plan

The legislature reviews the plan. (Winter 1991)

10. Adopt and Implement Plan

The plan guides land management decisions in the recreational river corridors. (May 1991)

Alaska State Legislature

JUDICIARY
CHAIRMAN
907-465-4523



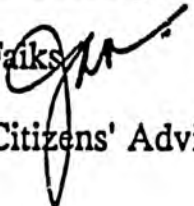
JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

July 26, 1989

MEMORANDUM

TO: Task Force on Guiding and Game

FROM: Senator Jan Faiks 

SUBJECT: Letter from Citizens' Advisory Commission on Federal Areas

Attached is a letter the Task Force received from the Citizens' Advisory Commission on Federal Areas. As you will read, the commission has been asked to investigate complaints from guides operating within national preserve units in Alaska.

This will be included on the agenda of the Task Force's next meeting.

cc: Stan Leaphart, Executive Director, Citizens' Advisory Commission on Federal Areas



Citizens' Advisory Commission on Federal Areas

July 21, 1989

515 Seventh Avenue
Suite 210
Fairbanks, Alaska 997
(907) 456-2012

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JUL 24 1989

JAN FAIKS
SENATE OFFICE

The Honorable Jan Faiks, Chairperson
Task Force on Guiding and Game
3111 C Street, Suite 525
Anchorage, Alaska 99503

Dear Senator Faiks,

The Citizens' Advisory Commission on Federal Areas staff has been asked to investigate a number of complaints received from hunting guides operating within national preserve units in Alaska. In addition to being contacted directly by two guides, Commission staff has also been made aware of complaints received by Senator Al Adams' office and by Alaska Department of Fish & Game staff. The complaints stem from changes made by the National Park Service in the permitting procedures for hunting guides as a result of the Owsichuk decision. The purpose of this letter is to advise you of our investigation of these complaints and of our intention to keep the task force informed of any substantive findings.

Following the Owsichuk decision extinguishing the state-assigned exclusive hunting guide areas, the National Park Service implemented an interim program for guided hunting within the national preserve units. The primary element in this interim program is a change from a commercial use license to a concession permit. The change to a concession permit system was made because of National Park Service concerns that the elimination of the exclusive guide areas would result in significant increases in the number of hunting guides seeking permits to operate within the preserve units. A concession permit system allows the Park Service to set limits on the number of guides authorized on preserve lands, where the previously used system of commercial use licenses does not. This interim measure essentially means that, insofar as the national preserves are concerned, the pre-Owsichuk arrangement of limited or exclusive guide areas will be maintained until a new allocation system, acceptable to the Park Service, is developed by the state.

Under the interim program fees have been dramatically increased. Fees for the concession permits will be \$500 in 1989 and \$1000 in 1990. Fees for the previously used commercial use licenses averaged around \$100 per year. A number of guides, particularly those with small operations, have expressed concerns about this increase in fees and their ability to absorb the extra costs. If a concession permit system is adopted permanently a franchise fee of 2% of gross revenues will be assessed annually. In addition, the concession permits will be issued on a competitive bid basis.

Senator Jan Faiks
July 21, 1989

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Another aspect of the interim program is a limit on the number of clients a guide can take into a preserve unit. The limit will be an average of the number of clients reported for the 1986, 1987, and 1988 seasons. The Park Service has indicated that the limit is designed to avoid over-harvest of the game resources by guides uncertain about their ability to operate in the national preserves in the future. Harvest levels are already regulated and closely monitored by the state. Some see this as unnecessary and an intrusion into the state's authority to regulate harvest levels.

There are other aspects of the interim program that concern some of the guides, but the increased fees and limits on the number of clients seem to head the list. We have contacted the National Park Service to request a list of guides who have been issued concession permits. Our next step will be to contact each of the guides individually to determine whether these concerns are wide-spread or if they are isolated to a few individuals.

While the Park Service program is designed to be an interim measure, there is some suspicion that it will be adopted on a permanent basis. The key point is whether or not the state will be able to develop an allocation system that is acceptable to that agency.

As stated previously, we will keep your office and the task force advised of the progress of our investigation. In the meantime if we can provide any additional information or assistance, please contact our offices.

Sincerely,



Stan Leaphart
Executive Director

cc: Sen. Al Adams
Sen. Bettye Fahrenkamp



Citizens' Advisory Commission on Federal Areas

August 29, 1989

515 Seventh Avenue
Suite 310
Fairbanks, Alaska 99701
(907) 456-2012

Mr. Ray McNutt
Wrangell "R" Ranch
P.O. Box 469
Sterling, Alaska 99672

Dear Mr. McNutt,

The Citizens' Advisory Commission on Federal Areas is conducting a survey of hunting guides who operate within the national preserves units in Alaska. The Commission has been contacted by a number of hunting guides who have expressed some concerns about the interim permitting program recently implemented by the National Park Service in response to the Alaska Supreme Court decision which extinguished the exclusive hunting guide areas. Several guides have also contacted state legislators and the Alaska Department of Fish and Game to express similar concerns.

Commission staff has been asked to look into this issue and determine the substance and extent of the concerns, and the magnitude of the impacts to those guides operating on national preserve lands. We hope to present any substantive findings to the Legislative Task Force on Guiding and Game at its meeting on October 5 & 6 of this year. National Park Service records indicate that in 1988 you held either a commercial use license or a concession permit allowing you to operate on national preserve lands. We are asking for your assistance in helping us identify existing or potential problems, or concerns, that you may have about the National Park Service's interim permitting program.

In case you are not familiar with the Citizens' Advisory Commission on Federal Areas, we are a state commission established by the legislature in 1981. The Commission is charged with the responsibility of researching and assessing the impact of federal land management regulations and federal land management decisions on the people of the state. If a problem is identified during this process, the Commission may then make recommendations to the appropriate federal land management agency, state agencies or the state legislature.

We realize that this is your busiest time of the year, however, if you have any concerns about this interim permitting program we would appreciate hearing from you prior to the upcoming meeting of the task force. If you are satisfied with the program, we would like to know that also. We would also like to know if you have elected not to apply for an interim concession permit. If you do not have time to write, you may call collect. It would also be

August 29, 1989
Page 2

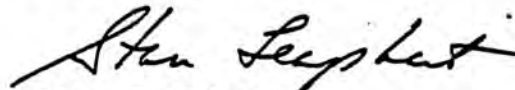
helpful if you could provide us a copy of your concession permit, including any stipulations for your particular operation.

The address that is on this letterhead is no longer correct. Our new address is:

Citizens' Advisory Commission on Federal Areas
250 Cushman Street, Suite 4H
Fairbanks, Alaska 99701
(907) 456-2012
FAX # 456-2039

The National Park Service has indicated that this interim program will remain in place until December 31, 1990 or until the agency accepts a new state program of assigning guides and guide areas within the national preserves. Regardless of what program will ultimately be used to permit hunting guide operations and to assign areas within the national preserves, we would like to help ensure that your concerns are addressed and that a program that is fair and equitable for all concerned is developed. Please let us hear from you.

Sincerely,



Stan Leaphart
Executive Director

cc: Sen. Adams
Sen. Faiks
Sen. Fahrenkamp

*IDENTICAL LETTER
SENT TO ALL
HUNTING GUIDES
AUTHORIZED TO
OPERATE IN THE
NATIONAL PRESERVES
IN 1988.*

November 17, 1988

Report of the Outfitter-Guide Task Force

Introduction

On August 10, 1988, the Fish and Wildlife Outfitter-Guide Task Force was appointed by the Minister of Forestry, Lands and Wildlife, at the request of the Premier. The task force was to review the entire outfitting and guiding policy area, and recommend guidelines to be used in developing a new outfitting and guiding policy for Alberta. (The complete terms of reference are attached as Appendix A.)

The establishment of the task force came after two major efforts to develop a policy, spanning the previous five years, had failed to receive broad public acceptance among outfitters and resident hunters or the support of Caucus.

The task force has examined the policies for guiding and outfitting in two other provinces and one state (British Columbia, Ontario and Montana), including visits to each jurisdiction to meet with government officials and representatives of the outfitting industry and of resident hunter organizations. It also met with Dr. Peter Pearse, a resource economist with extensive experience in the allocation of natural resources.

The task force reviewed the recent history of guiding and outfitting in Alberta, with particular emphasis on the development of, and reaction to, the two earlier policy proposals.

The current status and trends in the wildlife resource, non-resident and resident hunting and composition of the outfitting and guiding industry were assessed.

The task force's recommendations, which it believes should be used in developing the new outfitting and guiding policy, form the body of this report. The discussion that follows each recommendation is based on the task force's observations in Alberta and elsewhere.

Recommended Policy Guidelines and Discussion

The Task Force recommends that the following features be incorporated into the Outfitting and Guiding Policy.

1. **The first priority of the policy must be the wildlife resource, managed to maintain viable wildlife populations ensuring sustainable big game harvest in perpetuity.**

Conservation and enhancement of the resource must always be the first priority in wildlife management, for everything else depends upon the continued supply of the resource.

2. **The Government's role as resource manager and steward should be kept distinct from its relationship to outfitting as one part of the tourist industry. Non-resident hunting is allowed in order to provide economic opportunities to Albertans, and these benefits will be best realized by treating outfitting as a business rather than as a way of life to be preserved for its own sake.**

The Government has a role in encouraging economic development of outfitting as part of the tourist industry, and in regulating that industry where needed. This role is no different than its interest in, say, motels. The link between the Government's distinct role as resource steward and as promoter of economic development is the allocation to the industry of privileges for use of the wildlife resource. The allocation scheme must allow proper management of the wildlife resource and accommodate objectives for resident use. At the same time, allocation to the industry should be done in a way that allows individual outfitters to make business decisions with a minimum of government interference and in a way that encourages healthy competition within the industry.

3. **The current requirements of the outfitter-guide permit appear to be working well, and should be retained or strengthened over time.**

The new (1988) licencing of outfitting businesses established the basic requirements to belong to the industry, including bonding to protect client deposits, liability insurance and first aid. These qualifications have gone a long way toward improving the quality and reputation of outfitting. The allocation proposal below (5. to 9.) depends upon a clearly defined outfitting business entity.

It is still too early to tell whether the standards of the industry, in terms

of behaviour in the field, loss of deposits, etc., have been improved. Certainly the number of guides who are willing and able to meet the requirements represents a more manageable-sized industry than the previous uncontrolled state of affairs, and has probably already removed much of the irresponsible fringe from the industry.

The reduction in the number of outfitter-guides as a result of the new permit requirements should not itself be seen as a panacea for the industry. A shortage of available harvest for both commercial and non-commercial users remains a problem in some areas which will increase over time. The currently reduced pressure provides an opportunity to address longer-term allocation, which should not be lost.

4. The first priority in allocating the allowable big game harvest must remain to resident hunters. This priority should not be absolute, however. The current policy of prohibiting non-resident hunting where residents are put on a draw should be rescinded. Where resident harvest is limited, so must non-resident harvest.

Reserving a fraction of the allowable harvest for non-residents in higher-demand areas is essential for the long-term survival of the outfitting and guiding industry. Without it, non-resident hunting will disappear as more areas go onto a draw. Resident hunters appear reasonably willing to share some fraction of the resource in these areas, recognizing that the guiding and outfitting industry is a legitimate user of wildlife with a long tradition in Alberta, and that continued reciprocal privileges for Albertans to hunt in other jurisdictions may depend upon our allowing non-residents to hunt here.

5. A predetermined fraction of the allowable big game harvest should be allocated for non-resident use in those areas and for those species where demand approaches or exceeds supply, and where non-resident hunting and associated outfitting and guiding are causing significant conflict with resident use. In those areas, corresponding guiding opportunities should be allocated among individual outfitter-guides. The fraction of the allowable harvest available for non-resident use should not exceed 10 percent (by Wildlife Management Area) in these areas, and should not exceed 10 percent as a provincial average, by species. The actual percentage in each area will depend upon past and present resident and non-resident use, resident demand and resource availability, and may be zero in some situations.

In other areas, where there is no need for allocation, non-resident licences and the associated guiding opportunities can be granted freely, as at present.

The allocation between residents and non-residents must recognize resident use as the first priority, balanced with the desire of outfitting businesses for an assured and stable supply of guiding opportunities. It must recognize the sensitivities of resident hunters, particularly toward non-resident use of highly valued species where resident draw success rates are particularly low. The above percentages must be regarded as upper limits, within which Fish and Wildlife Division can work with the industry and resident hunting interests to arrive at mutually acceptable percentages for each situation.

There is a critical excess of demand over supply in only a few areas for a few species. Initially, allocation can be restricted to these areas, allowing a gradual transition to the new system.

In some areas, the large number of outfitters and the large fraction of the harvest their clients take is causing crowding and conflict, even though the biological harvest limit has not been reached. Limited entry for guiding opportunities would improve these situations.

Over time, it is likely that there will be limited entry over most of the province for most species, for both residents and non-residents. Allocation will become the rule, rather than the exception.

Areas of relatively low demand represent opportunities for business expansion, and the allowable harvest should be made available for commercial use as long as this use does not significantly conflict with resident use. These areas also provide alternatives to outfitters who fail to acquire the resource privileges they want in high demand areas, cushioning the effect of such failure. Some of these areas will exist for the foreseeable future.

6. Allocation of the non-resident harvest among outfitters should depend on market mechanisms (i.e. sold to the highest bidder.)

Privileges for the commercial use of wildlife should be sold for market value, partly because Government should treat these businesses as business (2., above), and allocation among outfitters is the wholesaling of the opportunities that outfitters sell to clients. Market forces, if allowed to operate fairly freely, should help to rationalize the industry, including removing marginal operators, reducing crowding in popular areas, spreading effort into new areas that have little conflict with resident hunters and encouraging businesses to form the most economically sized units.

To achieve these benefits:

- the market should set prices, by means of auction, sealed tender or other means;
- privileges must be equally available to all who meet the basic qualification requirements (an outfitter-guide permit);
- privileges must be freely transferable and divisible;
- any limit on the number of privileges held by a single outfitter should not be excessively low; and
- the privileges must have a clear legal definition, and not be subject to overly discretionary administration.

Markets, using the forces of supply and demand, will establish prices to accommodate differences in species value, hunter success, ease of access, etc. in a way that pre-set prices cannot.

Markets, operating both at initial allocation (when the Government is the seller) and for transfers (sales between outfitters), allow rights to be acquired by whoever can make the best use of them.

Setting a maximum number of guiding opportunities to be held by any outfitter in an area will prevent a few outfitters from dominating the industry, thereby restricting competition. This ceiling should not be set too low, or it will artificially sustain the number of outfitters working in each area, preventing a desired reduction in conflict and crowding. A size limit would tend to inhibit the realization of economies of scale, as well.

If market prices are initially paid for privileges, transfer at market rates does not result in any windfall.

Market sale of privileges should ensure a fair return to the Crown for the use of public resources. There will be increased value added to the provincial economy, since the top bidders for the resource will be the people who can command the highest fees from non-resident clients.

For the first sale, auction may be preferable to sealed tender, since there will initially be great uncertainty about the prices the privileges will fetch. An auction will give everyone an opportunity to see what price they have to pay to acquire the privileges they want.

Alternative allocation methods include grandfathering, draw, self allocation and distribution by business capacity. Grandfathering in this context is the one-time granting of perpetual rights based on historical use. It has been successful, both in Alberta and elsewhere, when the industry composition has been stable, with few new entrants and a relatively constant market share for each participant. However, grandfathering is unfair, because it provides a gift of public resources to a fortunate few, based solely on their past market share. If these rights are also transferable, those grandfathered will receive windfall profits when rights are sold. Grandfathering violates the principle that government should treat these businesses as business. Attempts to correct its main inequities, for example through large assignment fees, would distort competition within the industry. The current rapidly changing composition of the industry in Alberta makes grandfathering particularly difficult to implement, since allocation would be extremely sensitive to the particular grandfathering formula used.

Draws are used to allocate resident hunting licences where there are not enough to go around. These draws recognize that all applicants should be treated equally, and as owners of the resource, should not be excluded from using it for financial reasons. Individual hunters can tolerate a degree of uncertainty year to year whether they will be allowed to hunt a given species. None of these factors apply to business. Draws give no recognition of differing contributions to the industry and to the economy. Larger businesses require a larger allocation of resources, and should be prepared to pay what the resource is worth. Businesses cannot, and should not have to submit to a lottery to obtain the raw materials they need. Windfall profit taking will happen under a draw as well.

Self-allocation has also been attempted, in which all the outfitters in an area meet periodically to divide up the part of the total harvest (or associated licences) granted to the group. It resulted in a high degree of conflict and uncertainty, and was very unpopular.

"Point systems", which allocate based on the size and facilities of the business, are more appropriate in areas where outfitting requires expensive fixed assets, such as lodges. The mobility of outfitters in Alberta favours other schemes.

7. Revenues from the sale of guiding opportunities should be applied to increasing wildlife supply, rather than going into general revenue.

The industry is dependent upon the continued viability of wildlife populations, as are other consumptive and non-consumptive uses. The costs

of wildlife and habitat management should, at least in part, be borne by those that benefit from the result. This is already true for resident hunters. The Crown, through the sale of guiding opportunities, will be receiving rent from the industry for the use of these resources, and it is reasonable that this rent be used for improving the wildlife resource, by directing these revenues to the Fish and Wildlife Trust Fund and dispensing them through the Buck for Wildlife program. Certainly targeting funds in this way would make the whole policy more attractive to both outfitting and resident hunting interests.

8. The privileges allocated to outfitters should be for a three year term. It should only be the opportunity to guide non-residents, and clearly not convey any right to the wildlife resource itself.

A major advantage of relatively short tenure is that it allows future fine tuning of the policy without having to buy back or cancel privileges. Normally with this term, changes to the allowable harvest can be accommodated by adjusting the number of opportunities newly issued. Wildlife populations should only rarely decline enough over this term to require buying back privileges in order to reduce harvest in an area.

After several years experience with this term, moving to longer tenure could be considered.

Terms longer than about five years would require selling quotas, or fractions of the allowable harvest. The number of opportunities that a quota represented would be adjusted with the allowable harvest.

There are a number of advantages of long-term rights that will not be realized. Operators with a long-term interest in the resource have an economic incentive to enhance it, resulting in a degree of self management. Such benefits would accrue where an outfitter has relatively exclusive use of and control over the resource. However, the major factors affecting populations (licenced resident hunting, native hunting, poaching, habitat change) are beyond the outfitter's control, making any significant degree of self management unlikely.

9. The privileges allocated to outfitters should be to specific locations (Wildlife Management Units.)

Distributing privileges on a geographically specific basis allows wildlife managers to allocate harvest between residents and non-residents at the

WMU level. Currently, much of the crowding and over harvest is at this level.

Exclusive guiding territories are not feasible at the present time. The present large number of outfitters in the most popular hunting areas would require either unmanageably small territories or major disruption and relocation of individual businesses every time privileges are tendered.

There are theoretical and practical advantages to exclusive territories. With only one outfitter in each territory, crowding and conflict in the field between outfitters would be eliminated. The holder of a territory would have a greater interest in the health of the resource upon which his business depends. However, as in the discussion of long-term rights, above, self management benefits would be unlikely to be realized, since the main influences on wildlife populations are beyond the outfitter's control.

10. Outfitters should be required to obtain written permission from landowners before operating on their land.

Written permission should reduce conflict between landowners and outfitters, their employees and clients. While written permission does not alter the rights of the landowner, it will make regulation and compliance on private land easier.

11. The Government should encourage the formation of an industry-wide umbrella organization that can act as a single voice for the industry in resolving internal problems, in marketing outfitting services and in dealing with Government.

The current large number of outfitter organizations (seven or eight) are frequently in conflict with one another. This has inhibited any self-policing in the industry, and made communication with Government difficult. Efforts are currently under way to establish a province-wide association (in addition to the existing ones, at least initially), and should be supported. The proposed provincial association will be able to address many of the problems that Government is currently under pressure to solve for the industry. Improved standards for the industry, better relations with resident hunters and landowners, coordinated marketing services and an improved international reputation ought to result.

Experience in other jurisdictions has shown that development of a strong industry voice will take time, and be greatly facilitated by allocating

opportunities to individual outfitters, which reduces direct competition and conflict and encourages them to work together. Such an organization can become a strong ally of resident hunting interests, as they both benefit from better wildlife management and increased supply of game.

12. The outfitting and guiding policy must be able to evolve and be fine tuned, while at the same time must provide a stable climate within which the industry can evolve.

The granting of short-term privileges is a key to providing needed flexibility in the future direction of the policy. This evolution will also require a commitment to evaluate the success in implementing the current proposal, including consultation with industry, resident hunting organizations and other interested parties.

Stability should increase with a more stable composition of the industry and with the removal of uncertainty regarding the policy. The latter requires the strong support of Government to make these policy proposals work.

Where the hunting is done by hunters



RECEIVED

AUG 7 1989

JAN FAIKS
SENATE OFFICE

To: Senator Jan Faiks
3111 "C" Str. Suite 525
Anchorage, Alaska
99503

JOE WANT
P.O. BOX 10044
FAIRBANKS, ALASKA 99701

27 July 1989

Dear Senator Faiks;

Attached is a resource based proposal intended to allow the harvest of big game animals by non-residents and insure the wellbeing of these game stocks.

This proposed system would involve two levels of participation:

1. the Board of Game;
2. the Big Game Commercial Services Board.

The Attached proposal includes the following:

- a. a general description of a policy for regulating big game harvest levels by non-residents;
- b. a general scenario of how the system could be implemented;
- c. a general outline of potential industry impact;
- d. a request that the Task Force on Guiding and Game schedule a block of time in December 1989 for debating the proposal.

Thank you.

Respectfully,

Joe Want
Joe Want

You'll take home trophies and a lot more

POLICY

Regulating Harvest Level

[MINIMUM ACCEPTABLE HARVEST SIZE (MAHS) method]

The following resource proposal is intended to outline a policy and demonstrate a possible method for policy implementation. The objectives are to create a system that will maximize resource protection; minimize the necessity of monitoring guide-outfitters; and develop a system that minimizes the financial burden to the State of Alaska.

1. RESPONSIBILITY OF BOARD OF GAME

The Board of Game shall/may establish a minimum acceptable harvest size (MAHS) for any given big game species, in any area, faced with potential over harvest by non-resident hunters.

The Board of Game, in consultation with the Alaska Department of Fish and Game, would establish by specie, a reasonable size standard that will insure a healthy, viable game population. These size standards would be established through the existing process for formulating regulations.

2. RESPONSIBILITY OF THE BIG GAME COMMERCIAL SERVICES BOARD

The Big Game Commercial Services Board would develop a system for disciplining individuals licensed by the Board who fail to meet the standards, under MAHS, developed by the Board of Game.

HOW THE SYSTEM MIGHT OPERATE

Should the Board of Game, determine a statewide concern exists regarding the harvest level of a certain game animal, let's use moose as an example, by non-residents, the Board would establish a minimum antler width for all moose taken by non-residents. NON-RESIDENTS ACCOMPANIED BY SECOND-DEGREE KINDRED WOULD BE EXEMPT FROM THIS SYSTEM.

The Board of Game would have the latitude of establishing MAHS only in the game management unit (GMU) presenting potential resource problems. The MAHS could vary between GMU'S depending on the size animals produced in a particular area.

For example, in GMU 8, the MAHS for brown bear might be a minimum of 26" skull size. If warranted by the data, the MAHS GMU 9 might be 25", while in the Brooks Range a minimum of 23" might be used.

The Big Game Commercial Services Board would develop a system for disciplining guide-outfitters, class "A" guide-outfitters, and assistant guide-outfitters who fail to comply with MAHS.

One option would be a deficit point system. The following is an example of what might be considered:

BROWN BEAR: UNIT 8 - MAHS 26" Skull size;

Bear skull less than 26" but greater than 25" - 1 point

less than 25" but greater than 24" - 2 points

bear skulls less than 24" - 3 points.

Should a guide accumulate more than three points during the most recent three year calendar period he would be prohibited from guiding or outfitting for that species for a specified period. This system of regulating the harvest level merits consideration for the following reasons;

- a. It keeps decisions concerning game management strictly under the Board of Game;
- b. it creates a system for disciplining guide-outfitters while minimizing any additional burden on the court system;
- c. it allows the various land managing agencies, i.e. USF&WS, BLM, Forest Service and Native Corporations etc., to manage those lands as mandated;
- d. it allows the game management flexibility necessary to effectively meet the various big game circumstances found in Alaska;
- e. it creates a system that protects the game resources while minimizing the financial and administrative burden for the State of Alaska;
- f. it affords maximum protection of the game resources and minimizes the necessity of monitoring a particular species.

POTENTIAL INDUSTRY IMPACT

1. Initially, guide-outfitters may have to reduce the number of hunters they booked each year;
2. The training period for assistant guide-outfitters would be extended, thus reducing the pool of qualified assistant guide-outfitter available for employment;

3. Some guide-outfitters who have worked for guide-outfitters having exclusive guide areas may start booking their own hunts;
4. The average number of hunting days per trophy may increase for those animals designated under MAHS.

GENERAL STATEMENT

The concept of applying a minimum standard to regulate the harvest level of a particular species is not new. The State of Alaska currently employs a minimum size standard in conjunction with season length to regulate the harvest of dall sheep on a statewide basis and to regulate the harvest of moose in some GMU's.

To what degree can the Board of Game differentiate between residents and non-residents? If example can serve as the basis for the legal argument, the current Alaska Game Regulation No. 30 contains the following:

- a. thirteen plus examples of non-residents being excluded from specific big game seasons;
- b. six plus examples of permits being required for non-residents but not for residents;
- c. a minimum of four different bag limits for non-residents compared to residents;
- d. six examples of different bag limit compositions, i.e. bulls only, etc.

The above comparisons deal only with the differences between residents and non-residents and excludes subsistence hunters.

The ability of the guiding industry to determine whether a particular animal meets MAHS will vary depending on species and the standard established. Sheep will be the easiest and either caribou or bears the most difficult. Bears will probably create the greatest debate as to the feasibility of developing the MAHS system.

To maximize the opportunity for participation in the debating of this proposal, I would respectfully request that the Task Force schedule, in December 1989, a block of time for debating the above proposal. This allows the development of healthy debate concerning the above proposal.

Thank you.

Respectfully,

Joe Waut
Joe Waut

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

STEVE COWPER, GOVERNOR

P.O. BOX D-LIC
JUNEAU, ALASKA 99811-0800
PHONE: (907) 485-2534

July 20, 1989

RECEIVED

JUL 31 1989

JAN FAIKS
SENATE OFFICE

Dear Guide-Outfitter:

As you are aware, there has been considerable controversy over the insurance requirements of the new guide-outfitter bill (HB 112). In addition to unhappiness over the requirements, many of you have felt that the Division of Occupational Licensing's interpretation of the requirement has been incorrect. At a recent meeting of the Task Force on Guiding and Game, the issue of the division's interpretation of the insurance requirement was debated at length.

As a result of those discussions, the division is backing off from its requirement that, in order to maintain your license status as a guide-outfitter, you must provide proof of maintaining comprehensive general liability insurance. It had been our position that guide-outfitters not carrying the insurance, for whatever reason (e.g., working for another guide-outfitter; not hunting this fall; or simply not working as a guide-outfitter at all this year), would have to "downgrade" to a class A assistant guide-outfitter. We will not go forward with our intention to downgrade at this time.

Therefore, the division will proceed as follows:

1. We will not require proof that a guide-outfitter, while engaged in providing big game commercial hunting services, carries the necessary general comprehensive liability insurance or, if applicable, the aviation passenger liability insurance at the levels required by AS 08.54.395.

The Task Force believes that the insurance requirement is not a condition of licensure, and therefore the division cannot require proof that you meet this requirement. If, however, as a result of an accident in the field, it is discovered that the guide-outfitter contracting for the hunt did not carry the required general liability and/or aviation insurance, or the pilot did not meet the required experience levels, then failure to comply with those requirements will be grounds for discipline.

2. Guide-outfitters working for other guide-outfitters (whether as an employee or as a subcontractor) will not have to inform us of their employment status.

July 21, 1989

3. Guide-outfitters (whether contracting to provide hunts or working for other guide-outfitters) must still pay the commercial use permit fee. If you wish to maintain your status as a guide-outfitter, you must pay the \$100.00. This requirement is separate from the insurance requirement and is a condition of licensure.
4. We will continue to publish a roster of all licensed master guide-outfitters and guide-outfitters. The roster will make no reference to whether or not a particular guide-outfitter is properly insured, since we will not have this information.

It is the responsibility of each licensed guide-outfitter to make sure that every hunter to whom big game commercial hunting services are provided is protected by the insurance provisions of AS 08.54.395. We assume that the guide-outfitter actually contracting with a client will be the one most likely to carry the required insurance (whether general comprehensive or aviation passenger liability or both). However, regardless of who carries the insurance, the bottom line is clear: no person being guided can be without the protections provided by the insurance and pilot experience provisions of the new law.

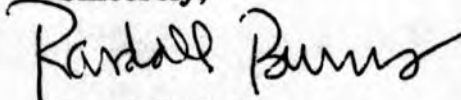
The division apologizes for the confusion and anger that this matter has engendered among the guide-outfitting industry. As you know, the Task Force opposed the insurance requirement and the division itself argued before legislative committees against adding an insurance requirement for guide-outfitters.

However, the Legislature having acted, the division felt that the public purpose behind requiring insurance mandated that we clearly establish who did and who did not carry the necessary insurance and downgrade to class A assistant guide-outfitters those licensees who did not. We wanted to be able to represent to the public that all licensed guide-outfitters met all provisions of the law, whether or not every provision was strictly a requirement of licensure itself.

Enclosed with this letter, which has been sent to the most current address we have on file for each licensed master and registered guide, is another form for payment of the commercial use permit fee. If you have already submitted payment, please toss this form out. If you have not made payment, please remit immediately as the original July 17, 1989 deadline has passed.

We look forward to the appointment of the Big Game Commercial Services Board so that the board itself can assist the division in implementation of a law whose ramifications on the commercial gaming industry are already becoming abundantly clear.

Sincerely,



Randall P. Burns
Director

RPB/mm1413t
072189b

cc: Commissioner Merculieff
Ron Clarke, Special Assistant to Governor Cowper
All Members, Task Force on Guiding and Game
All Legislators
Steve White, Assistant Attorney General

The following letter was sent to all native corporations in Alaska as well as federal agencies interested in the task force activities.

August 18, 1989

Dear:

As you may be aware, the Alaska Legislature has created the Task Force on Guiding and Game. It is charged with formulating a recommendation for a comprehensive resource-based management system for the allocation of big game hunting opportunities among guide-outfitters.

The task force was formed in May, 1988 as part of the effort to find a legislative resolution to a growing conflict between licensed big game guides and unlicensed "outfitters". The panel recommended the sweeping changes incorporated in House Bill 112 which was signed into law in May, 1989. Legislation also passed to extend the life of the task force to January, 1990. This extension became necessary as a result of the October 1988 Alaska Supreme Court decision in the Owsichuk case. The court declared unconstitutional the previously used restrictive guide area system of big game industry management. It is now necessary for the Legislature to formulate a new management system.

In its directive to the task force, the Legislature stressed that conservation of the resource is the foremost purpose of the management system. The system must also provide broad access as guaranteed by the common use clause of the state's constitution. The plan must have statewide applicability to help ensure a more standardized system among state, federal and private landowners. The panel is required to present its findings and recommendations to the Legislature by January 15, 1990.

Because of the limited time frame for the panel's work, it retained the law firm of Birch, Horton, Bittner and Cherot to assist in developing recommendations for a management plan which would survive a constitutional challenge. The firm will also assist the task force in writing related legislation.

The 15 member task force met in June and July to organize and establish a work plan. The panel is scheduled to meet again October 5th and 6th in Anchorage.

I will keep you apprised of our meeting schedule. Additionally, the task force would welcome any comments or questions you may have regarding the development of the management plan. You may write to the task force at my office at 3111 C Street, Suite 525, Anchorage, 99503. Thank you for your interest.

Sincerely,

Senator Jan Faiks, Chairman
Alaska Legislative Task Force
on Guiding and Game

JF:mr

STEVE COWPER, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400

August 31, 1989

*Maub
C41*

The Honorable Jan Faiks
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Thank you for keeping me informed about the work of the Task Force on Guiding and Game. As the state's land manager, the Department of Natural Resources continues its interest in the development of a new system for allocating big game hunting opportunities among guide-outfitters.

Please let me know if we may provide information or assistance to task force members.

Sincerely,

Lennie Gorsuch
Lennie Gorsuch
Commissioner

cc: Gary Gustafson, Director
Division of Land and Water Management

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

RECEIVED

SEP 25 1989

JAN FAIKS
SENATE OFFICE

September 11, 1989

The Honorable Jan Faiks
Chairman
Alaska Legislative Task Force
on Guiding and Game
Alaska State Senate
P.O. Box V
Juneau, AK 99811

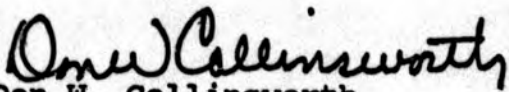
Dear Senator Faiks:

Thank you for your letter on the progress of the Task Force on Guiding and Game. Capable legal support will provide assistance in developing a workable management system for the big game industry in Alaska.

The Wildlife Conservation Division has hired an experienced and knowledgeable individual, Ms. Marianne See, to develop wildlife resource information for use by the Task Force. She and Wildlife Conservation Director, Lew Pamplin will continue to work closely with the Task Force during development of the management plan.

Thank you again for keeping us abreast of your progress.

Sincerely,


Don W. Collinsworth
Commissioner



IN REPLY REFER TO:

C38(ARO-OC)

United States Department of the Interior
NATIONAL PARK SERVICE

ALASKA REGIONAL OFFICE
2525 Gambell Street, Room 107
Anchorage, Alaska 99503 - 2892



SEP 26 1989

JAN FAIKS
SENATE OFFICE
SEP 25 1989

Senator Jan Faiks, Chairman
Alaska Legislative Task Force
on Guiding and Game
3111 C Street, Suite 525
Anchorage, Alaska 99503

Dear Senator Faiks:

Thank you for forwarding to me a copy of your August 22 letter to Director James Ridenour, National Park Service. The state task force on big game guiding and outfitting has a monumental mission.

Our Regional Division of Concessions Management has provided you with documents outlining concessions management in the National Park Service system. It is hoped these documents assisted you in your research. If you need any additional information or have any questions about our concessions program, do not hesitate to contact the Division's Chief, Rebecca Kaiser, at 257-2594 in Anchorage.

As outlined in our presentation to the Guide Licensing Control Board last December, the National Park Service developed an interim, emergency program that maintains a status-quo of hunting guides in the national preserves through 1990. Next year, we will solicit proposals from interested hunting guides and will, through a competitive process, select hunting guides to begin concessions operations in the national preserves in 1991.

We are interested in meeting with the task force or its representative to determine if compatible state and federal programs can be instituted. It is to the benefit of the guides, the clients, the state, and the national preserves if such a cooperative effort occurs.

We offer our support and assistance to the state task force.

Sincerely,

David B. Ames
David B. Ames
Regional Director
Alaska Region

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

STEVE COWPER, GOVERNOR

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 344-0541

August 30, 1989

*Mark
F4T*

RECEIVED

SEP 1 1989

JAN FAIKS
SENATE OFFICE

The Honorable Jan Faiks
Chairman
Alaska Legislative Task Force
on Guiding and Game
3111 "C" Street, Suite 525
Anchorage, Alaska 99503

Dear Senator Faiks:

I am pleased to announce that we have appointed Marianne See to the Wildlife Biologist position in charge of developing the guide-outfitter resource area maps which may be used in the future to assist in regulating this industry. Marianne has extensive experience as a biologist in Alaskan state, federal, and private sectors. Her diverse background includes statewide wildlife map and report production, geographic information management, technical writing, project coordination and management, interagency coordination, and biological research.

She previously has worked for the Department of Fish and Game, as well as the Bureau of Land Management, and an environmental consulting firm. She holds a Bachelor's degree in Environmental Sciences, and a Master's degree in Ecology from the University of Alberta.

We are fortunate to attract Marianne back to state service to work on this challenging project. Her phone number is 267-2420 in the Statistics Section, Division of Wildlife Conservation in Anchorage.

Sincerely,

W. Lewis Pamplin, Jr.

W. Lewis Pamplin, Jr.
Director
Division of Wildlife Conservation

cc: Task Force Members
SuzAnne Miller, Information Management Coordinator, Division
of Wildlife Conservation
Marianne See, Wildlife Biologist, Division of Wildlife
Conservation

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

STEVE COWPER, GOVERNOR

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 344-0541

August 30, 1989

Mr. Walter O. Stieglitz, Regional Director
U.S. Fish and Wildlife Service
1011 E. Tudor Road
Anchorage, Alaska 99503

Dear Mr. ~~Stieglitz~~ *Walt*:

The Legislative Task Force on Guiding and Game has initiated development of a new resource based management system that may be used to assist in allocating access to big game hunting opportunities among guide-outfitters. Toward this end, the Department of Fish and Game is the designated lead agency to create maps of guide-outfitter resource areas that could be the basis of the management system. The criteria developed by the Task Force for delineating these areas include wildlife management concerns, enforcement concerns, land ownership, administrative restrictions (federal, state, and local government regulations), recognizable field boundaries, access availability and transportation considerations, and others. The task force plans to initiate a public process to receive input from interested parties.

Because it will be essential to keep federal and state agencies informed and involved in the development of this new system, we are asking your help with identifying the key people in your agency who should receive information and participate in the necessary meetings. Please indicate, at your earliest convenience, the names (and addresses) of your staff who should be included on our mailing lists.

Thank you for your assistance. Any specific inquiries may be directed to Marianne See, our project staff coordinator in Anchorage (267-2420).

Sincerely,

W. Lewis Pamplin, Jr.
W. Lewis Pamplin, Jr.
Director
Division of Wildlife Conservation

cc: Senator Jan Faiks
SuzAnne Miller, Information Management Coordinator, Division
of Wildlife Conservation
Marianne See, Division of Wildlife Conservation

The same letter sent to the following:

VNameVMr. Walter O. Stieglitz, Regional Director
U.S. Fish and Wildlife Service
1011 E. Tudor Road
Anchorage, Alaska 99503
VNameIIVMr. Stieglitz

VNameVMr. Boyd Evison, Regional Director
U.S. National Park Service
2525 Gambell Street
Anchorage, Alaska 99503-2892
VNameIIVMr. Evison

VNameVMr. Gary Gustafson, Director
Division of Land and Water Management
Department of Natural Resources
Pouch 7-005
Anchorage, Alaska 99510
VNameIIVMr. Gustafson

VNameVMr. Michael Penfold, State Director
Alaska State Office
U.S.D.I. Bureau of Land Management
222 West 7th Avenue, #13
Anchorage, Alaska 99513-7599
VNameIIVMr. Penfold

VNameVMr. Michael A. Barton, Regional Forester
U.S.D.A. Forest Service
Alaska Regional Office
P. O. Box 21628
Juneau, Alaska 99802-1628
VNameIIVMr. Barton



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599



September 14, 1989

8372 (933)

Mr. W. Lewis Pamplin, Jr.
Director
Division of Wildlife Conservation
State of Alaska, Department of Fish and Game
333 Raspberry Road
Anchorage, AK 99518-1599



Dear Mr. Pamplin:

In response to your letter of August 30, 1989, we look forward to participating in your efforts in development of a new resource based management system to be used in allocating opportunities among guide/outfitters. The following is a list of key people who should receive information as you proceed.

Terry O'Sullivan
Branch of Renewable Resources
Alaska State Office
Bureau of Land Management
222 West 7th Avenue, #13
Anchorage, Alaska 99513-7599

Dick Vernimen
Anchorage District Manager
Bureau of Land Management
6881 Abbott Loop Road
Anchorage, Alaska 99507

Gene Keith
Glennallen District Manager
Bureau of Land Management
P.O. Box 147
Glennallen, Alaska 99588

Roger Bolstad
Kobuk District Manager
Bureau of Land Management
1150 University Avenue
Fairbanks, Alaska 99707

M. Thomas Dean
Arctic District Manager
Bureau of Land Management
1150 University Avenue
Fairbanks, Alaska 99707

Don Runberg
Steese/White Mts. District Manager
Bureau of Land Management
1150 University Avenue
Fairbanks, Alaska 99707

Thank you for this opportunity. If you have any questions, please contact Terry O'Sullivan at 271-5508.

Sincerely,

Bishop T. Buckle
Deputy State Director
Division of Lands & Renewable Resources



United States
Department of
Agriculture

Forest
Service

Alaska Region

P.O. Box 21628
Juneau, AK 99802-1628

P.O. 0

See

Reply to: 2600

Date: SEP 15 1989

Mr. W. Lewis Pamplin, Jr., Director
Division of Wildlife Conservation
333 Raspberry Road
Anchorage, Alaska 99518-1599

Dear Mr. Pamplin:

Thank you for your letter of August 30 regarding the Alaska Legislative Task Force on Guiding and Game. We will be most pleased to participate in the development of this new allocation system. As you know, National Forest System lands provide very important hunting and guiding opportunities.

Please place on your mailing list the persons listed on the enclosed sheet. They will be very interested in receiving information as it becomes available and participating in the necessary meetings. Jack Capp, Director of Wildlife and Fisheries in this office, will be overall coordinator for our involvement. He can be reached at (907) 586-8752.

Sincerely,

Mike Barton
MICHAEL A. BARTON
Regional Forester

Enclosure





Alaska Region
USDA Forest Service

Contact List - Alaska Legislative Task Force
on Guiding and Big Game

1. John C. Capp - Director of Wildlife and Fisheries
2. Fred B. Samson - Regional Wildlife Program Manager
3. James Cochrane - Director of Recreation, Subsistence, and Cultural Resources

All can be reached at:

USDA Forest Service
P.O. Box 21628
Juneau, Alaska 99802





United States Department of the Interior

TAKE
PRIDE IN
AMERICA

IN REPLY REFER TO:

RF/CC-9609r

FISH AND WILDLIFE SERVICE
1011 E. TUDOR RD.
ANCHORAGE, ALASKA 99503

SEP 18 1989

Mr. W. Lewis Pamplin, Jr.
Director, Division of Wildlife Conservation
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, AK 99518-1599

Dear Mr. Pamplin:

This is in response to your August 30, 1989, letter requesting that we identify key Service personnel that we would like to have involved in the process of delineating guide-outfitter resource areas. Our list is enclosed. We have included all of our refuge managers on the list because we feel that they can contribute to your efforts through their knowledge of the areas involved. At the same time, their involvement will help them manage more effectively by making them thoroughly familiar with resource area boundaries and the rationale for them. We would like the refuge manager to be notified of, and to participate in, any delineation effort involving lands within a particular refuge.

Thank you very much for providing for our input in this important process. We believe that your cooperative approach to this resource allocation problem will help both of our agencies manage resources better while facilitating our subsequent dealings with guides and outfitters.

Sincerely,

Walt Stiglich

Regional Director

Enclosure

NOTE

per Paul Schmidt
phone callmain contacts: Paul Schmidt
John Kuntz

> Anchorage

copy maps listed

KEY FISH AND WILDLIFE SERVICE PERSONNEL
TO BE INVOLVED IN GUIDE-OUTFITTER RESOURCE AREA DELINEATIONS
(September 13, 1989 - Page 1 of 2)

Please notify the following person of all delineations involving refuge lands:

Regional Director
U.S. Fish and Wildlife Service
1011 E. Tudor Road
Anchorage, AK 99503
Telephone: 786-3542

Mr. John Kurtz
Chief, Refuge Operations
U.S. Fish and Wildlife Service
1011 E. Tudor Road
Anchorage, AK 99503
Telephone: 786-3355

Also, please notify and provide for participation of the appropriate refuge manager, listed below, in any delineation effort involving lands on a particular refuge:

John Martin, Refuge Manager
Alaska Maritime NWR
202 Pioneer Avenue
Homer, Alaska 99603
(907) 235-6546

Jay Bellinger, Refuge Manager
Kodiak NWR
1390 Buskin River Road
Kodiak, Alaska 99615
(907) 487-2600

Mike Boylan, Refuge Manager
Aleutian Island Unit
Alaska Maritime NWR
Box 5251, Naval Air Station Adak
FBO Seattle, Washington 98791
(907) 592-2406

Mike Nunn, Refuge Manager
Koyukuk/Nowitna NWRs
Box 287
Galena, Alaska 99741
(907) 656-1231

Glenn Elison, Refuge Manager
Arctic NWR
101 12th Avenue, Box 20
Fairbanks, Alaska 99701
(907) 456-0250

Jerry Stroebele, Refuge Manager
Selawik NWR
Box 270
Kotzebue, Alaska 99572
(907) 442-3799

Ronald Hood, Refuge Manager
Alaska Peninsula/Becharof NWRs
P.O. Box 277
King Salmon, Alaska 99613
(907) 246-3339

Steve Breaser, Refuge Manager
Tetlin NWR
Box 155
Tok, Alaska 99780
(907) 883-5312

Phil Feiger, Refuge Manager
Innoko NWR
Box 69
McGrath, Alaska 99627
(907) 524-3251

Dave Fisher, Refuge Manager
Togiak NWR
P.O. Box 270
Dillingham, Alaska 99576
(907) 842-1063

KEY FISH AND WILDLIFE SERVICE PERSONNEL
TO BE INVOLVED IN GUIDE-OUTFITTER RESOURCE AREA DELINEATIONS
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Robin West, Refuge Manager
Izembek NWR
Box 127
Cold Bay, Alaska 99571
(907) 532-2445

Ron Perry, Refuge Manager
Yukon Delta NWR
Box 346
Bethel, Alaska 99559
(907) 543-3151

Tom Early, Refuge Manager
Kanutai NWR
101 12th Avenue, Box 11
Fairbanks, Alaska 99701
(907) 456-0329

Lou Swenson, Refuge Manager
Yukon Flats NWR
101 12th Avenue, Box 14
Fairbanks, Alaska 99701
(907) 456-0440

Daniel Doshier, Refuge Manager
Kenai NWR
2139 Ski Hill Road
Soldotna, Alaska 99669-2139
(907) 262-7021

ON THE ISSUE OF USER'S FEES...

Alaskan guides are not taking resources from Alaskans, they are providing a service in the tourist industry. Non resident hunters pay an enormous tag fee which should cover a "users fee".

Alaska maybe in an economic slump and the state may feel this lack of revenue, but no more so than the small business operator, the Alaskan guide. The state should be warned against undue taxes and fees to supplement their over spending.

ON THE ISSUE OF GUIDE'S INSURANCE:

It seems like the fix-all of all state departments is to require insurance. The guiding industry is a private business. It should be up to those private businesses whether they can or cannot provide insurance. The state could provide names of guides who do provide insurance to the consumer. Then the state would be doing its job by letting the consumer and the business work things out privately. When the state interferes by mandating such insurance requirements, one can only feel that the state is giving the insurance industry more than its fair share of revenue at the expense of both consumer and business.

Insurance today is not economically feasible for the small business man and it is upsetting that the state is giving this overpriced industry such favoritism.

Requiring insurance is not a fix-all; to protect the guiding industry and the resources involved the state needs to give the state licensing agency the control to set and maintain high, professional standards and requirements so that the Alaskan guiding industry can stop being a free-for-all and become a professional, and accountable service.

In conclusion, the new board was set up to solve problems relating to guiding and outfitting, and to preserve the industry and the resource. Now, all I see is insurance requirements and user's fees. Once again the state is passing the buck while taking a little under the counter. Let's work together to make us proud of both the control board and Alaskan guides.

Ernest Miller

MARK MILLER
Box 833627

REVISION DATE: 09/18/89

BIG GAME COMMERCIAL SERVICES

MEMBER	APPT	REAAPT	REAPPT	TERM
Glen Alsworth The Farm Port Alsworth 99653 BIG GAME/Transporter/restricted	89/08/29	0/00/00	0/00/00	90/06/30
Art Clark P.O. Box 241424 Anchorage 99524 BIG GAME/Public	89/08/29	0/00/00	0/00/00	93/06/30
Michael J Doody P.O. Box 771853 Eagle River 99577 BIG GAME/Commercial use permit holder/restricted	89/08/29	0/00/00	0/00/00	90/06/30
Paul E Johnson P.O. Box 22 Elfin Cove 99825 BIG GAME/Guide-outfitter	89/08/29	0/00/00	0/00/00	92/06/30
Stephen T Mahay P.O. Box 705 Talkeetna 99676 BIG GAME/Transporter/restricted	89/08/29	0/00/00	0/00/00	91/06/30
Sharon McClintock P.O. Box 671089 Chugiak 99567 BIG GAME/Native landholders rep.	89/08/29	0/00/00	0/00/00	92/06/30
Remie n Murray P.O. Box 2181 Kodiak 99615 BIG GAME/Public	89/08/29	0/00/00	0/00/00	93/06/30
VACANT	0/00/00	0/00/00	0/00/00	93/06/30
BIG GAME/Board of Game/restricted				
Clark Whitney 43735-A Sport Lake Road Soldotna 99669 BIG GAME/Guide-outfitter	89/08/29	0/00/00	0/00/00	91/06/30

~~new~~
~~Part~~
~~Went~~

~~Reddick~~
~~Stove/Bell~~

~~Went~~
~~Stove~~
~~Bell~~
~~Richard~~
~~Bell~~

old fee structure (all)

current fee structure (all)

letters to:

labels

For
Indian Affairs
AFA

1. Village corporations - send letter.
CED OK 2. licensee guide/outfitter
3. Tel conference to all sites
4. Federal agencies
5. appropriate state agencies -

DNR

CEP/PAOK

CED OK

AML??

6. air tax operator
7. commercial use permit
8. housing government - no policy
9. US Army & military

10/5/89

Senator Faiks:

Unfortunately, due to other gaming
(charitable, that is) matters, I will not
be present on Friday for the discussions.
I hereby give my ^{proxy} vote to Lew
Pamplin.

Thank you,

Randall Burns