

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILE 8672
1701 SCOMM 67: GUIDING AND GAME TASK FORCE, 1989-1990 1269

- 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. stw. 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 Hotham, 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 ^{CH} FACS, Buist, Ekluska, Sterns, Cassidy,
Horn, Pradel
- 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. reg + 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 Osbruchek.
- 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 reg, 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 - 2ape 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, boro 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 Nauvau - 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 ~~and federal~~ 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 - determinations by state only, award criteria private, state
- 160 Fanning - over 1,000 - 2,000, uniform coding units fees, equip, maint. & employees.
- 260 mu - 5 pers yr, 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. it 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 - gov 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 Fairs -

474 - Fairs - "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 ~~Horn~~ - 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

14

- 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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16

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

90 Lew - would not be free rein of guides the way Denunson 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 be removed &

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

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

166 Paul - Agree - can't have that.

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

185 Horn - Vernita - 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 unass 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. Overcounter 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, will have award 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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18

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 -

05 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 Haff - 4th opt apply, they get all units they close in

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19

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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20

Tape 7 side A

- Reg over the council's motion
300 Vernita - amendment - registration
strike over the council
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 musters, 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 ^{offset} 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 - USFWS

int Prog Unit 8 100 licensed. If TF, ltr of int all
rec. - spell out - intend to issue - list lab ins etc & the
rec. 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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25

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
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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 - suff. 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 - disadvantages

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 a) 5 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

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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, plan 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 - Oruschek - 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 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 AK	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 NORTHBIRD #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

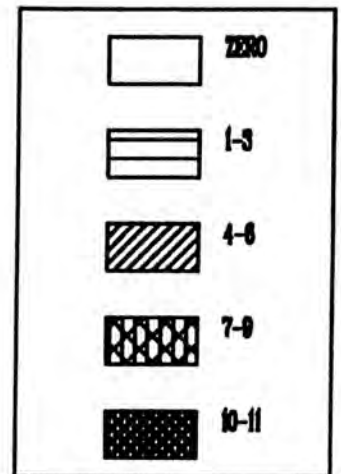
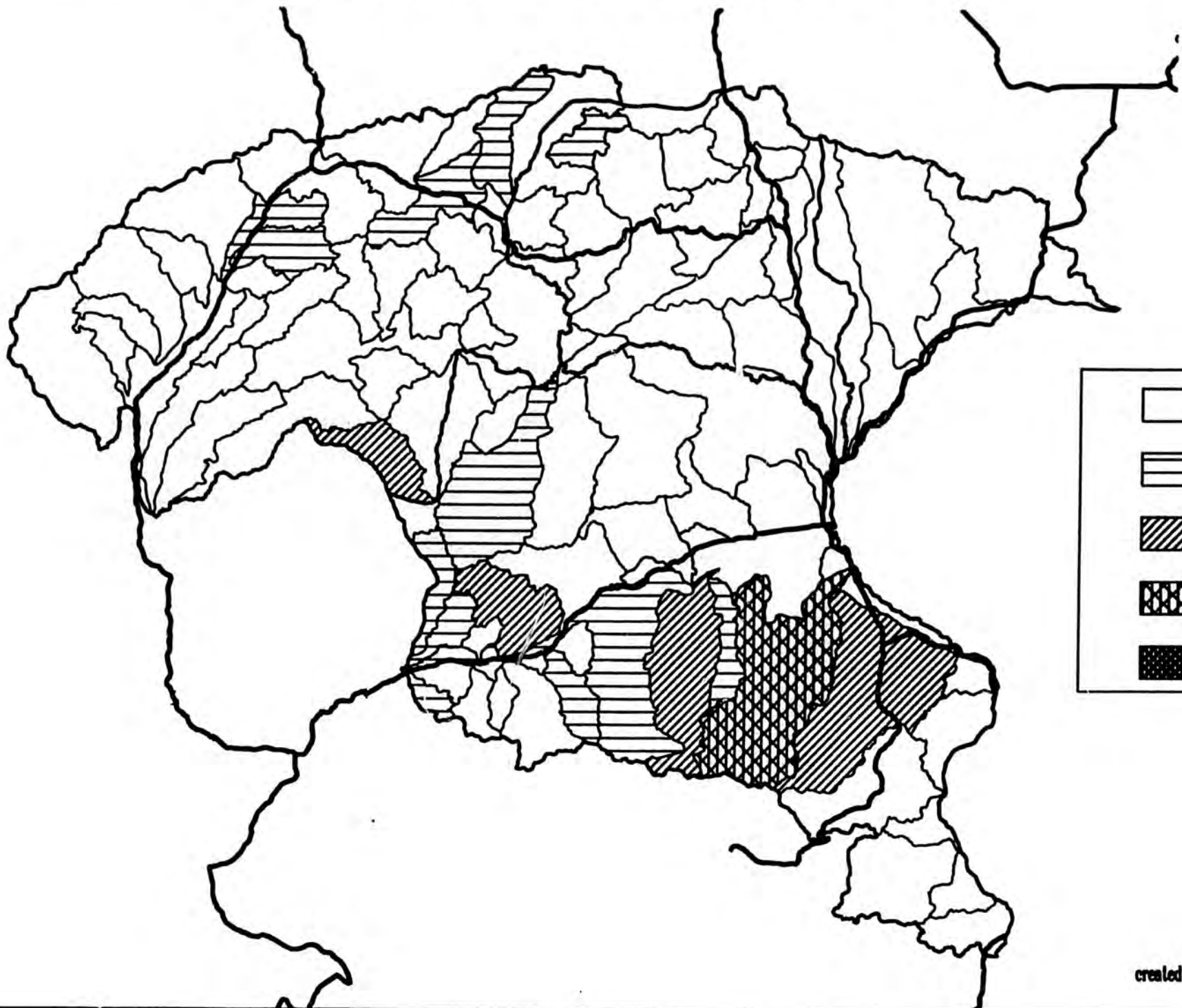
1. Guide-Outfitters nominate areas using UCU's
2. State reviews nominations; it may accept, modify or reject
per accepted criteria
3. State-decided areas are offered for competition

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 QMU 13

#3

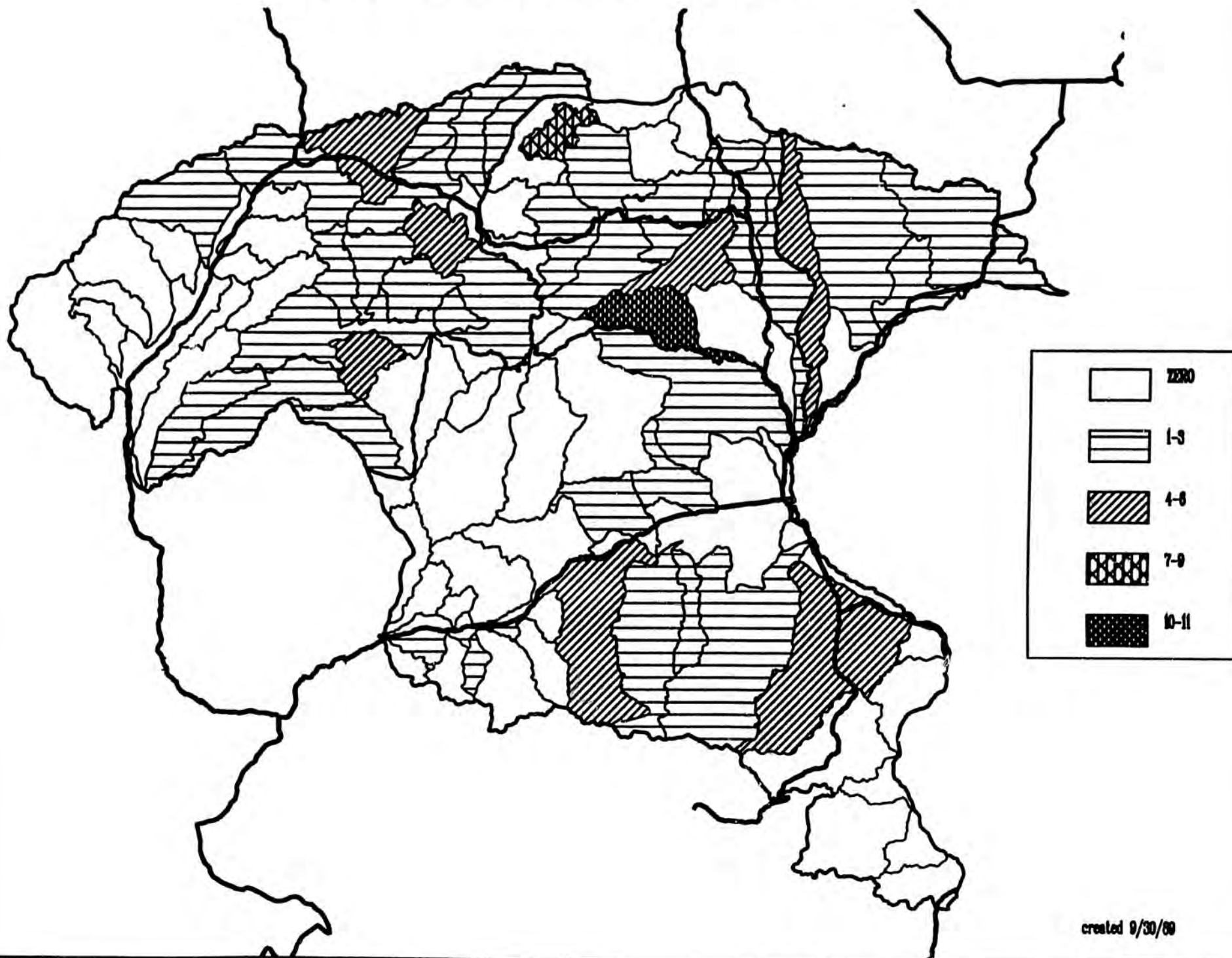


#3

created 9/30/89

1988-89 Non-Resident Moose Harvest for GMU 13

#4



created 9/30/89

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
Idaho
Montana
Nevada

New Mexico
Oregon
Washington
Wyoming

Alberta
British Columbia
Northwest Territories
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)

send to
village
corps
||

Public Input

- 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

Statewide mailing ~~with~~ village corps

BLM - military Too?

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 Keris -

LOV's -

For
Keris
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 F3 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 -

12 yr

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. ~~4~~ Transferable -

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

high degree of competition in 1st 10 yrs -

(^{horn} 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 -

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. tional 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 which provides state revenue.
stable system over long term
good system causes future animals to be available
accumulate compilation of accurate data for knowledge*

-- Wildlife Management

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

-- General Economic Benefits

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

-- Benefits to Residents

*better access to game to Alaskan
knowledge of who is working an area
state service expanded w new dollar / future occupation*

-- Revenue to the State

*non resident licenses + tags
fees go directly back to F/G
attracts newcomers to state
for future population growth
allows for continuation
+ 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

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Sample Letter From The Citizen's Advisory Commission on
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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

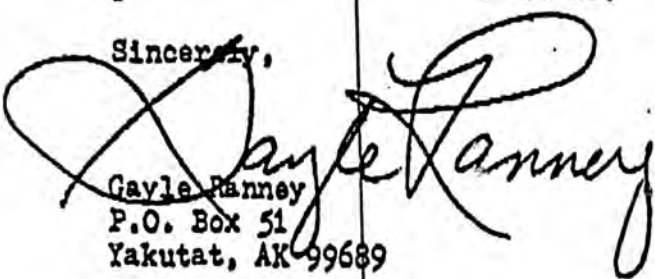
Dear Ms. Gottehrer,

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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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

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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

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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



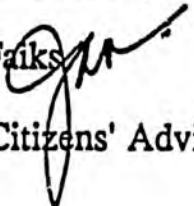
JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

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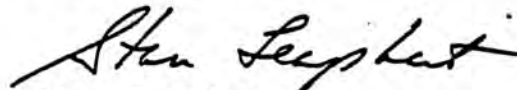
helpful if you could provide us a copy of your concession permit, including any stipulations for your particular operation.

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.

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.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

November 17, 1988

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Introduction

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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.