

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILE 8672
1707 SCOMM 67: GUIDING AND GAME TASK FORCE, 1989-1990 1275

These permits can be obtained from any Enforcement Agent direct, or by application, and must be obtained by the hunter exporting the game. In either case be careful to state the number of packages or crates in the shipment for which the permit is requested, as serially numbered tags must be attached to each package, etc., when the shipment leaves the Territory.

In closing, I wish to make one last appeal to you as a licensed, registered guide to work together with fellow guides in an attempt to develop a guiding fraternity in Alaska that can and will adequately meet the needs of nonresidents hunting in Alaska and which will, without exception, abide by the spirit as well as the letter of our conservation regulations.

The Commission has gone about as far as possible to meet this situation and still retain the guiding requirements. It is expected that the guides will do their part, or it may be necessary to abandon this requirement completely and effect control of nonresident hunters by other methods.

Very truly yours,

Clarence J. Rhode
CLARENCE J. RHODE.
Executive Officer

ATTACHMENTS:

Guide License No. 2703

Current Regulations

(Request export permit applications from this office when needed.)

Because I am again out of town and unable to personally attend the public hearing and comment meetings, I am providing my comments in writing. I have reviewed the Memorandum: "Outline of Proposed Game Mgt Plan Association Program" dated 11/2/89.

Although I am a 30 year resident and hunter, I am also what you have described as a "new entrant". I had applied for an exclusive area prior to the new entrant ruling and was subsequently denied because of it. My concerns are, therefore, that not only are "ample opportunities" available to new entrants but that equal and non preferential opportunities are available. The courts ruling should be addressed in your purpose section. I would also be interested in any Attorney General's review of these proposals, current or future. Specifically my concerns and questions are as follows:

To whom it may concern:

JAN FAIKS
SENATE OFFICE

NOV 16 1989

RECEIVED

Legislative Task Force on Guiding and Game

Honorable Jan Fairs, Chairman

November 2

1. The established UCU's does not appear to be subject to amendment or adjustment but instead is an already cemented fact. Can this be subject to some sort of appeal and if valid adjustment? (page 3)
2. Unawarded Areas. After the first year presumably 4/5's of the UCU's will be unawarded. Are those UCU's and all otherwise underquoted areas up for grabs by guides licensed for that area if they file an application as outlined? page 6 and 7
3. Award Criteria. Assuming that the "weighted point system" "must be properly balanced" and equal in compliance with the court ruling, please provide me with the exact point by point criteria and judgement factors used to assign points for each of the "nine award criteria". page 8 and 9
4. Criteria 1. This criteria seems to clearly give preference to guides who had exclusive areas. This seems to be contrary to the court's ruling. How many points will be awarded in total and how are they evaluated or assessed?
5. Criteria 2. Unless there are specific criteria on how this economic viability is determined, there seems to be a good chance that decisions in this

5. (cont'd) area could be quite arbitrary and thus subject to appeal or dispute.

6. Criteria 5. I was not provided with the additional information referred to as a "Note". I am particularly concerned about how this will be evaluated. This seems to be slanted toward control by Native Corporations not all landholders and if that is true I have a problem with that.

7. Criteria 7. This is one of the most objectionable criteria as it is clearly slanted and biased toward previous exclusive area guides. As you well know the Federal government agencies have placed a moratorium ^{which} ~~on~~ ^{is} provide for the issuance of permits to any new applicants for a while. How then can "new entrants" be expected to comply with this requirement? Ninety (90) days may not be enough time to acquire the necessary authorizations. Additionally, the Federal agencies may also require or provide factors which favor previous permit holders. Clearly there are several questions which might be raised in this area. More information is needed.

8. Criteria 8. How many additional points? Will those points at least equal the points granted guides with previous experience in an area as covered in criteria 1?
9. "failure to use the permit". What does this "use" consist of, how is it defined? Do hunts have to be conducted? Does development activity such as building a lodge, camp facilities, surveys of game, etc, qualify as "use"? page 12
10. "good cause". What are the "good cause" factors? What guidelines have been proposed or are being considered? page 13
11. I did not receive the Attachment noted on page 13.

These are my preliminary concerns and questions. If I can provide suggestions in any areas I am willing to do so. However, I need some feedback to my concerns expressed here. You may contact me by phone if appropriate and I can come by for a discussion with appropriate officials or staff.

Please provide me with some information as soon as possible.

Address: 2841 Gilliam Circle
Anchorage Ak 99517

Steve Wells, Registered Guide
Phone: (907) 243-6554 (H)

ROBERT W. GODSHALL, MEMBER
GODSHALL & LOWER ROADS
Souderton, PA 18964
PHONE: (215) 721-1555

HOUSE POST OFFICE BOX 124
MAIN CAPITOL BUILDING
HARRISBURG, PA 17120-0028
PHONE: (717) 783-6428



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COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

RECEIVED

November 1, 1989

NOV 6 1989

JAN FAIKS
SENATE OFFICE

The Honorable Jan Faiks
3111 C Street
Anchorage, AK 99503

Dear Senator Faiks:

I understand, through personal experience and what I have read, that a turmoil exists over the Alaska Supreme Court decision pertaining to the guides' and outfitters' conflict. About a year ago, I was hunting in Alaska for brown bear when the word came down from our Outfitter that all areas were abolished and we could hunt anywhere. Six hours later, he reversed himself and we remained in our own area.

Alaska and its citizens benefit from a carefully conceived and developed policy of game conservation and planned hunting. I have hunted with three of my friends in Alaska in two of the past three years. Our hunts have cost roughly \$10,000, each, plus the normal expenses for two days on each end of the hunt.

My commitment to spend \$12,000 in Alaska is because, and only because, of the quality of the hunt and the abundance of "trophy" animals. An open Area system cannot be anything but detrimental to non-resident hunters. I seriously believe some solution must be reached to reinstate the present status quo or you (Alaska) will ultimately suffer. People from the lower States now hunt in Alaska for what Alaska has to offer. A degrading of that "quality" product will also mean a loss of hunters and the revenue they bring to Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Bob Godshall".

Robert W. Godshall
53rd District

/pjm

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NOV 27 1989

JAN FAIKS
SENATE OFFICE

November 9, 1989

Senator Jan Faiks, Chairman
Alaska Legislative Task Force on Guiding and Game
P.O. Box V
Juneau, Alaska 99811

Dear Senator Faiks;

Thank you for the opportunity to address my concerns to you and the Task Force regarding licensing and guiding in the State of Alaska.

First of all by way of background, my name is Gordon Windell, Registered Guide and Outfitter, License number AA 12. I have been a resident of the state since 1950. I was an assistant guide from 1960 until 1965 when I became a registered guide.

From 1981 thru May of 1989 I worked as a pilot for King Air in Naknek, Alaska owned by the late Ed King. In June of this year I formed my own Air Taxi. I currently hold a Commercial Use Permit, Transporter's Permit, Special Use Permit (for transporting only) from U.S. Department of Fish & Wildlife, a Certificate of Financial Responsibility from the State of Alaska, an Air Carrier Certificate from FAA. With all these licenses and permits I was precluded from guiding for big game this past season. My Air Taxi currently does some survey flying for the Alaska Department of Fish and Game King Salmon Office and some survey work for the biologist in Dillingham. As you can see I am not a novice or newcomer to the subject of game and guiding.

I would like to sketch some background for you on the history of Big Game Guiding in the state, particularly as it pertains to the Guide Board.

I was a staunch supporter of Exclusive Use Areas at their inception. However, over a period of years I have become very disenchanted with the Cronyism that has crept into the system. To be more specific, early on a select few guides formed APHA, Alaska Professional Hunters Association. Many of our numbers, not being politically astute, allowed the situation to continue. Over the years their members have effectively controlled the guide board, in some instances the President of APHA also chaired the Guide Board. I found this to be a direct conflict of interest, yet could find no one to hear my grievances. I will not go into specific abuses at this point.

One of the big problems I have had with the system is finding out what is going on. There doesn't appear to be a mailing list to inform all guides of upcoming meetings or legislation affecting their profession. Since I live in Naknek I have limited access to any public notices that might be published in an Anchorage newspaper. Last spring I

learned about a Task Force meeting on the day it was being held. Numerous phone calls to Anchorage and Juneau to inquire how I might participate resulted in my being told it was too late to get on line with a Teleconference hook-up. I was however assured that I would be sent a copy of all material covered at the Task Force meeting. Nothing was ever sent to me from that meeting.

The Bristol Bay Borough has in the past allowed another local guide to remove the Teleconference equipment from the Borough Building and take it to his residence. I was informed by the then Borough Manager on two occasions that I could call that guide to arrange participating. This was totally unacceptable as that particular guide is one of the problems.

Now that I have covered some personal gripes let me address the broader problem. Let us assume that the Supreme Court did not make a mistake in the Owsichuk decision. Mr. Owsichuk's treatment by the guide board created the situation that led to the Supreme Court ruling. I have much sympathy for the man, as I have had similar treatment from the guide board in the past. Unless you belonged to this very select group, APHA, you did not get fair treatment from the guide board, especially where guide areas were concerned.

In last night's teleconference much of the testimony by guides seemed to center around the preservation of the old system. The major concern of many of those who testified was protecting their large investments in real estate within their guide areas, some of it on private land but for the record, many of these so-called lodges are on public land. Let me point out to the Task Force that their complaints are not dissimilar to the individual who, for instance, purchases a property, be it gas station, mall or whatever and sinks vast sums of money into development of that property. In our scenario the state or federal government comes along and moves the highway 20 miles away. That real estate holder and his investment are left high and dry.

Let me draw another parallel for you. Say that the commercial fishing industry after issuing limited entry permits to the fishery determined that only those fishermen who previously owned a \$250,000.00 vessel were qualified to participate in the fishery. Obviously that type of decision would exclude many well qualified fishermen who did not presently have a boat of that size, even though they could fish with a \$50,000 vessel and earn a living. I sympathize with anyone who faces financial loss, but, be aware, many of us, equally well qualified guides have taken a financial loss over the years at the hands of the individuals who have had a stranglehold on the guide board and guide areas.

After all my complaints about how the system has failed to work in the past, I would like to offer what I believe to be an equitable solution to the problem. I believe that control of the system needs to be kept outside the profession to a degree, as the profession has demonstrated its inability to treat all licensees equally. Therefore it is imperative that those individuals who set on the Commercial Services Board be knowledgeable, fairminded people. My question is how was

this board selected? By whom? If these appointments were made by the governor then how does one learn when a seat comes up for review?

A harvest tag lottery type system for the taking of Big Game, (bear, sheep, moose and goats) must be established. These tags should be issued by a computer controlled program based on random selection, thereby eliminating the possibility of human intervention, favoring one faction or the other, such as we experienced back in the late 60's and early 70's with the fiasco surrounding polar bear permits. Application for a harvest tag should require a non-refundable fee of at least \$50.00 to eliminate non-hunters or non-serious hunters from making application and sucking up all the permits. Further, in the case of non-resident hunters a hunter must demonstrate within a given time period that he or she has booked a hunt with a guide, thereby eliminating possible clogging of the system by environmentalists types.

The local biologist should establish the level of harvest in each unit. (For the most part these biologist have a better handle on the game population than does the general public or guides, as many guides only go into their areas during the hunting season). For instance a determination that the optimum harvest in a specific area would be 15 moose. It would be necessary to determine how many moose permits would be purchased by resident hunters. Should residents purchase 7 moose harvest permits for the area there would be 8 permits available for nonresidents requiring a guide.

Since we are dealing with a game management situation here we need to also remember the subsistence hunter and resident hunter have first choice. I believe, knowing that guides view the animals in their area as a dollar sign, there will be little incentive for a guide to play fair with resident hunters under the proposed plan, as stated in the Memorandum to the Task Force, Page 3, paragraph 2. Such a recommendation shows total naivete on the part of the individuals who drafted the proposal. Guides are not going to willingly allow someone else to take a trophy animal that could be worth \$10,000 to them if taken by one of their clients. Resident hunters need to be protected from the guides. Over a period of time I have witnessed numerous situations where a guide has spoiled a resident's hunt simply because he didn't want anyone hunting in "his area". It doesn't seem to make a difference to the guide that there is adequate game in his area, he just doesn't want anyone else on his turf.

On Page 1, paragraph 2 of that document it is stated that "Chaos previously existed". I believe without a harvest tag system there will be more chaos if not open warfare in the field if the proposed plan is adopted..

Under a harvest tag system the small operator, be he semi-retired or new to the game, who wishes to guide on a limited basis has the opportunity to do so. The larger operator also has the opportunity to remain in his "lodge" and pick up the hunters being qualified for hunting in that area. Over time the hunter will be allowed to make the determination of who is the best qualified.

This method would also effectively control the problem addressed during testimony by some guides that air-taxi operators are "dumping" large numbers of hunters into their areas. This has been a real problem. I have seen the same thing happening here on the Peninsula. With a lottery harvest permit type system controlled by Fish and Game this would control that problem, as only that number of hunters an area could support could go into the area to hunt. Lets be honest. Are we concerned with conservation and management of a resource or only protecting our own selfish interests?

Any type of assigned area for guides will not be legal. The Supreme Court has already ruled on that point. The proposal as it is drafted now is an attempt to protect the old guard and reestablish the same system under a new cloak. With a harvest permit system equal opportunity is given to each guide. I believe the statement in the Memorandum, Page 2, paragraph 2, (i.e. an individual who must rely on a specific area for a number of years is unlikely to decimate the resource he depends on)" is naive. If, as other guides stated in testimony last night a guide knows he will likely be bounced out of an area after 5 or 10 years their is little incentive to practice sound conservation and game management. A harvest permit system would eliminate the temptation by unscrupulous guides to overhunt an area near the end of their tenure in a specific area. The harvest in an area would be based on a biological study, rather than a monetary cycle forced on a guide during his limited stay in an area. A harvest permit system such as is used in other states would eliminate many of the problems. I do not understand this states reluctance to adopt such a program, since it works in other areas. The "good old days" are gone, its time to move on to a more equitable program.

One of the problems I addressed in my testimony yesterday was the protectionist tactis practiced by some guides. This fall two parties of resident hunters set out for bear and caribou were harrassed one party by a guide who claims the area, the other party of hunters by a fly-by-night outfitter who does not have a guide/outfitter license or any of the other required licenses to be flying hunters. I was informed he had an interim use Transporter's Permit, when I complained to our local Fish & Game Enforcement about his illegal activity. To the best of my knowledge no effort was made to investigate his activity. I did not see anything in the regulations permitting "interim use permits".

This same so called outfitter last year dumped large numbers of hunters into the Becharof area. The population of bear and moose was virtually wiped out. Fifty bear and 52 moose were taken out of this area. In my aerial survey flying for ADF&G I have a good handle on the game population in different areas and I am appalled that such a situation as this is allowed to exist.

I was unable to guide for bear this past season as U.S. Fish and Wildlife would not grant me a permit to hunt in the preserves since a "Catch 22" exists. I had not met the arbitrary requirements of hunting the previous year in these areas, even though, as a matter of fact I signed the bear contracts for the King family, following Ed's

death, as the sons did not at that time have the necessary licenses for the hunters their father had booked prior to his death. I was told this did not count.

④
Having been around this state for many years it is my understanding that one of the conditions, provisions or concessions made by the Federal Government at the time of Statehood was that management of the game within the state would remain with the state. It seems to me the Federal Government overrules the Alaska Supreme Court when they issue Special Use Permits to only those who held exclusive guide areas prior to the Supreme Court decision and deny me the opportunity to guide in the preserves. I believe that every effort should be made to maintain control of game management by the state without interference from the Fed. In other words, if sound game management is the objective let's eliminate all these levels of bureaucracy. In talking with our local Federal Fish and Wildlife officials one gets the feeling that they are going off on their own tangent where game management is concerned. It is time to reclaim the controls the state was given at time of statehood. I believe that you instantly put any guide who has not established his area within Wildlife Refuge Lands at a disadvantage, by requiring the applicant to obtain authorization from the U.S. Fish and Wildlife Service, (as required on page 10, paragraph numbered 7).

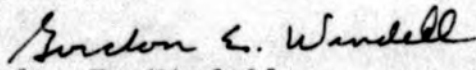
⑤
At this point in my life I do not wish to pursue guiding as my main source of income, a determination I made in the past several years due to the uncertainties surrounding the industry. However, I do feel my rights and the rights of all other licensed guides, young or old, should be protected. I have guided for Polar Bear, Brown and Grizzly Bear, Black Bear, Dall Sheep, Moose, Caribou and Mountain Goats over a period of years since 1960. I am at an age where I cannot wait around 20 years to have this situation resolved, as the number of years I intend to guide is certainly limited.

If the Task Force is to help all the people, be they resident hunters or guides, they had better go back to the drawing board with their proposal. Better that more time is spent on drafting the package than to give us something that cannot possibly work or be upheld by the courts. Why, as was stated at the teleconference, are you so eager to get this matter back in the courts? Do it right and it won't have to go to the courts again.

⑥
I appreciate your offices help in Faxing the information to me, How the Game Management Proposal Works, etc. Unfortunately I was told by one of your staff when I requested this information and requested that I be put on a mailing list for all relevant material that "this was not his job and there was no time to develop mailing lists". That statement by a member of your staff bears out my earlier contention that there is a lack of communication in the area of guiding which precludes participation by all the guides. This matter needs to be looked at and addressed. There should be a master mailing list which everyone works from with any information regarding guiding.

I appreciate very much your efforts to resolve a situation that is not strictly speaking, a problem created by the legislature. While I have no quarrel with professional organizations I hope you will bear in mind as you develop and finalize these guiding regulations that there are many guides out here that would like to be heard, if they were only given the opportunity.

Regards,


Gordon E. Windell

cc: Governor Steve Cowper
Pete R. Buist
Randall T. Burns
Vernita Cassidy
Ralph L. Eluska, Sr.
Ken Fanning
Phillip Gilson
Robert A. Hinman
Lyman Hoffman
Matthew Iya
Paul E. Johnson
Mike Navarre
W. Lewis Pamplin
Nick Pierskalla
Richard Stern
Glen Alsworth
Art Clark
Michael J. Doody
Stephen T. Mahay
Sharon McClintock
Remie N. Murray
Samantha Castle
Clark Whitney



KOOTZNOOWOO, INC.

P.O. Box 116 — ANGOON, ALASKA 99820 — PHONE: 907-788-3571

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November 15, 1989

NOV 20 1989

JAN FAIKS
SENATE OFFICE

Senator Jan Faiks, Chairman
3111 C. Street
Anchorage, AK 99503

Dear Senator Faiks:

Per our Fifteenth Annual Meeting of Shareholders, held on November 19, 1988, and organizational meeting the following is a list of our Board of Directors:

Peter Jack, Sr.	Chairman of the Board
Maxine Thompson	Vice Chairman of the Board
Dr. Walter Soboleff	President
Cyril W. George, Sr.	Vice President
Richard W. George	Corporate Secretary
George Paul	Treasurer
Ella Bennett	Board Member
H. Jean Hogue	Board Member
Frank Sharp	Board Member
Dennis Starr	Board Member
Ruth Willard	Board Member

Please remove Ivan Gamble, President off your mailing labels. Ivan passed away three years ago.

Sincerely,

Connie Merculief
Executive Secretary



Archery Outfitters, Inc.

P.O. Box 190303
Anchorage, Alaska 99519-0303

(907) 376-7955

December 6, 1989

RECEIVED

DEC 11 1989

JAN FAIKS
SENATE OFFICE

Senator Jan Faiks
3111 C Street
Anchorage, AK 99503

RE: Task Force on Guiding and Game

Dear Senator Faiks,

Enclosed please find an advertisement I recently found in "Safari Club's" magazine. Having attended several of the Task Force meetings it seems like we are trying to cram anyone who happens to have a guide license into an area and give them false hopes of success. Look at what the Northwest Territories government crams into its boundary! A total of 27 guides in an area that covers 1,304,903 sq miles. Alaska only has 569,600 sq miles and lord only knows how many guides and areas this will be divided into!

If Alaska is going to compete in the North American Big Game hunting market with neighboring countries, we had better look long and hard at how we divide this state into guide areas.

It's time our government decides whether they want to be in the hunting business or not! Big game hunters are our best tourist trade, they spend far more money per capita than any other tourist group.

As Alaska looks to diversification in developing a valuable limited resource, we should first look at what we must compete against. The resource should certainly be the deciding factor when we divide this state up into guide areas. These areas should give an operator the room and game to offer his clients the best hunting in the world.

By now I am sure you have had many alternate methods proposed to you and how to comply with the Supreme Court on dividing up guide areas. The only sure way I can see the state act on this matter is to amend the Constitution and allow limited entry. It has worked well in commercial fishing. Why is the Task Force not considering this alternative?

Please make my letter available to all members of the Task Force. I will be glad to give public testimony on this topic at your next meeting or would be available to discuss it at any time.

Sincerely,

Dave Neel

Dave Neel, Registered Guide and Outfitter

Enclosure



Black Bear. Barren Ground, Peary and Woodland Caribou. DeW's Sheep. Barren Ground Grizzly. Moose. Mountain Goat. Muskox. Polar Bear. Wolf and Wolverine.

If big game is what you're aiming for, there's no place else on earth like Canada's Northwest Territories. Stalk the tundra, mountain-trek by horseback or sled the Arctic ice floes with our expert guides.

The average price for a caribou hunt is \$2,400 U.S. For a summary of seasons, bag limits, other hunting regulations and information on outpost camps and escorted expeditions, write:

Travel Arctic, Department 655
Government of the Northwest Territories
Yellowknife, Northwest Territories
Canada X1A 2L9
Or call the Arctic Hotline: 1-800-661-0788



CANADA'S NORTHWEST TERRITORIES

Within reach, yet beyond belief

Class A outfitters

Required to hunt big game (excluding caribou, wolf, muskox, and polar bear). Each of the following outfitters is assigned a specific area of the Mackenzie Mountains in the western region of the Northwest Territories.

Arctic Red River Outfitters Ltd., Roy Woodward, Box 1457, Lloydminster, Saskatchewan, S9V 1K4.
Tel: (403) 875-0560 or (403) 875-8926
Summer - c/o Nahanni Air Ltd., Norman Wells, Northwest Territories, Canada.

Gana River Outfitters Ltd., Bill McKenzie, Box 4659, Quesnel, B.C., Canada V2J 3J8. Tel: (604) 992-8639 or Summer - c/o Nahanni Air Ltd., Norman Wells, Northwest Territories, Canada.

Mackenzie Mountain Outfitters Ltd., Stan Stevens, Box 124, Norman Wells, Northwest Territories, Canada X0E 0V0.
Tel: (403) 587-2255. Western Arctic zone, guided hunts for Dall's sheep, mountain caribou, mountain grizzly in Mackenzie Mountains, 12 days, \$2,500 - \$6,000 (US) from Norman Wells, July - October.

Nahanni Butte Outfitters Ltd., Greg Williams, Box 879, Nanton, Alberta, Canada T0L 1R0. Tel: (403) 645-5788.

N.W.T. Outfitters Ltd., Duane Nelson, Box 1154, Glenwood, Alberta, Canada T0K 2R0. Tel: (403) 626-3279 or Summer - c/o Watson Lake Flying Service, Watson Lake, Yukon, Canada Y0A 1C0.

Ram Head Outfitters Ltd., Stan Simpson, Box 89, Warburg, Alberta, Canada T0C 2T0. Tel: (403) 848-7578 or (403) 848-2502.

Redstone Mountain Trophy Hunts, Tim and Hugh MacAulay, Box 608, Banff, Alberta, Canada T0L 0C0.
Tel: (403) 762-5241 or (403) 388-2117 or Summer - c/o Nahanni Air Ltd., Norman Wells, Northwest Territories, Canada. Big River zone, hunt sheep, wolf, caribou, moose, 5 to 14 days, \$1,550 - \$5,050 (US) from Norman Wells, July - September.

South Nahanni Outfitters Ltd., Bob Woodward, Box 586, Cardston, Alberta, Canada T0K 0K0. Tel: (403) 653-2562.

Class B outfitters

Required to hunt barren ground caribou, wolf, muskox, black bear and barren ground grizzly bear. Only Hunters' and Trappers' Associations (HTA's) may act as outfitters for grizzly bear.

Amarok HTA, Inuvik, Northwest Territories, Canada X0A 0H0.
Tel: (819) 979-6848.

Arctic Safaris, Barry Taylor, Box 1294, Yellowknife, Northwest Territories, Canada X1A 2N9. Tel: (403) 873-3212, 873-5522. Barren land hunts for central barren ground caribou, wolf, wolverine, trophy fishing. 90% Boone and Crockett success. August - September.

Arvirk HTA, c/o Simeoni Natseck, Repulse Bay, Northwest Territories, Canada X0E 0H0. Tel: (819) 462-4007.

Bill Tait High Arctic Hunting Adventures, Bill Tait, Box 2435, Yellowknife, Northwest Territories, Canada X1A 2P8.
Tel: (403) 920-2196.

Cape Dorset HTA, Cape Dorset, Northwest Territories, Canada X0A 0C0. Tel: (819) 979-8978.

Ekaloktotiak HTA, Cambridge Bay, Northwest Territories, Canada X0E 0C0.
Hall Beach HTA, Hall Beach, Northwest Territories, Canada X0A 0K0.

Igloodik HTA, Igloodik, Northwest Territories, Canada X0A 0L0.
Tel: (403) 934-8807.

Kugluktuk HTA, Coppermine, Northwest Territories, Canada X0E 0E0.

Olukhatomiut HTA, Holman Island, Northwest Territories, Canada X0E 0X0.

Peterson's Point Lake Camp, Jim Peterson, Box 447, Yellowknife, Northwest Territories, Canada X1A 2N3.
Tel: (403) 920-4654. Northern Frontier zone, guided caribou hunts in the barren lands, 6 days, from Yellowknife, trophy and licence fees extra. August 14 - September 17.

Quivik Limited, Mike Freeland, Box 1335, Yellowknife, Northwest Territories, Canada X1A 2P2. Tel: (403) 873-2074.

Rabesca Company Outfitter, Moose Rabesca, Rae-Edzo, Northwest Territories, Canada X0E 0N0. Tel: (403) 392-6920.

Rocknest Outfitters, Jeff Rocher, Box 2248, Yellowknife, Northwest Territories, Canada X1A 2P7. Tel: (403) 873-2813.

True North Safaris, Gary Jacob, 36 Morrison Dr., Yellowknife, Northwest Territories, Canada X1A 1Z2.
Tel: (403) 873-8553.

Class C outfitters

Required to hunt muskox and polar bear. Total harvest for both species is limited by quotas allocated to local HTA's. Only HTA's may act as outfitters for muskox and polar bear. Each of the following are booking agents for outfitters.

EASTERN AND CENTRAL ARCTIC:

Eskimo Point Tours, D.L. Baker, Box 30, Eskimo Point, Northwest Territories X0C 0E0. Tel: (819) 857-2735.
Fax: (819) 857-2513. Keewatin zone booking agent for polar bear hunts for the Eskimo Point Hunters' and Trappers' Association.

Canada North Outfitting, Box 1230, Waterdown, Ontario, Canada L0R 2H0.
Tel: (416) 689-7925.

WESTERN AND CENTRAL ARCTIC:

Canada North Expeditions, Bill Tait, Box 2435, Yellowknife, Northwest Territories, Canada X1A 2P3. Tel: (403) 920-2196.

Guided Arctic Expeditions, c/o Terry Cooke, Box 2120, Inuvik, Northwest Territories, Canada X0E 0T0.
Tel: (403) 979-2408.

Quivik Limited, Box 1538, Yellowknife, Northwest Territories, Canada X1A 2P2.
Tel: (403) 873-2074.

For more details regarding hunting outfitters in the Northwest Territories, please contact:

Travel Arctic
Department 655
Government of the Northwest Territories
Yellowknife, Northwest Territories
Canada X1A 2L9
Or call the Arctic Hotline:
1-800-661-0788.



CANADA'S NORTHWEST TERRITORIES

Within reach, yet beyond belief

12-10-89.

PETITION TO THE LEGISLATIVE TASK FORCE ON GUIDING & GAME.

The intent and the purpose of the above Task Force is to do the following:
Prepare and draft a equitable, resource based management system for the allocation of equal access to big-game guiding & outfitting opportunities among those licensed to do so that is fully consistant with Article 8, Sec; 3 & 17 of the Constitution of the State of Alaska.

This Common Use Clause stipulates that all persons, all guides in this case, must have equal access to the big-game resources of the State.
We feel that the restriction of all guides licensed since 1974 to three game management units severely limits their ability to compete with approximately 75 of their peers whom were fortunate enough to have upwards of the entire State on their license.

We also feel that this obvious inequity needs to be corrected before a open competition with a fair award process could be initiated in the future.
Therefore, we, the undersigned petition the above Task Force to recommend, in any new legislation, that all guides licensed since 1974 be given the opportunity to at least be equal to their peers licensed prior to that date.

RECEIVED

NAME: PRINTED

ADDRESS

DEC 14 1989 SIGNATURE

NAME: ^{ML# AA006} JOE WANT Joe Want P.O. Box 10044 FBKs JAN FAIKS SENATE OFFICE

MIKE TINKER AA 480 PO Box 25197 ESTER AK 99725

THOMAS J. KIRSTEIN ^{2/6 859} PO. Box 83800 FBKs. AK. 99708

MARK KNAPP PO. BOX 10690 FBKs AK 99710

D.J. SANDY SANDER POBOX 130 ESTER, ALASKA 99725

LEN MACKLER 411 ROUNDA ST FBKs AK 99712

D. Paul Mooney P.O. Box 72706 Fbk 99707

Charles L. Gray 311 Slater St Fairbanks, Ak. 99701

ARTHUR ANDREIS P.O. Box 55818, N.A. AK. 99705

PHOTOGRAPHY

FISHING

HUNTING



BROOKS RANGE ADVENTURES

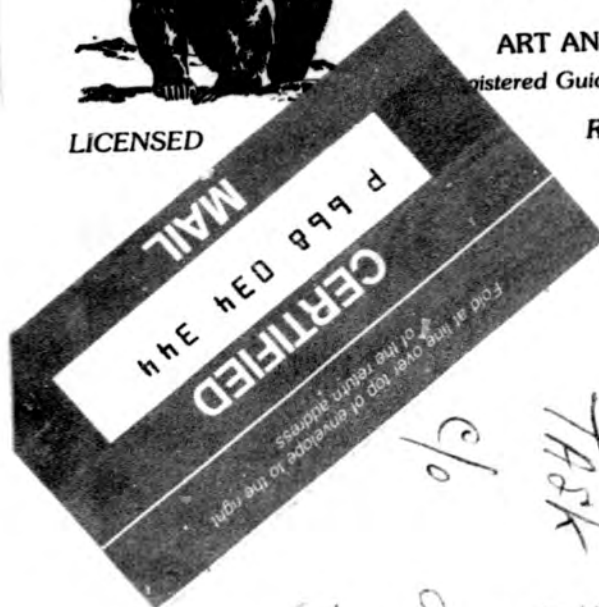
P.O. Box 55818
North Pole, Alaska 99705

ART ANDREIS

Registered Guide & Outfitter

LICENSED

REFERENCES



Task Force on Guiding + Game
c/o Senator Tom Fikis
311 "C" Street, Suite 525
Anchorage, Alaska
99503



Put in file

October 5, 1989

MEMORANDUM

TO: Jan

FROM: Cheryl

SUBJECT: Telephone Call From A Guide

Ken Rivard (P.O. Box 871842, Wasilla, 99687; 376-2140) called. He is a hunter but not a professional. He thinks the guides are too push and are harassing hunters such as himself. He has experienced where guides tell him to "get out of their area" when they have no basis to say this.

He also thinks guides should be limited as to the number of animals they can murder in a given season. He also doesn't think it is fair that it is okay to hunt with a horse or snowmachine in one day, but you can't fly in and murder the same day.

He also wishes there was an effective mechanism in place where you could report misbehaving guides.

He asks that he be kept posted of task force meetings. Also suggests that we contact "Foster's Taxidermy" in Wasilla...he is kind of a clearinghouse for the animal murdering types in the valley.



Senate Judiciary Committee

Jan -

Received From

Pete Buist

~~XXXX~~

sub to be
separated +

place in 2 separate
packets.

①
Amendments
to be voted on

②
information
for all to
see

Members
Jan Faiks, Chairman • Mike Szymanski, Vice-Chairman
Rick Halford • Drue Pearce • Pat Rodey

RECEIVED

DEC 4 1989



Clearwater Outdoor Services

Peter R. Buist — Registered Guide

P.O. Box 1561 — Fairbanks, Alaska 99707

JAN FAIKS
SENATE OFFICE

(907) 457-7189

November 30, 1989

Mark,

Here are some items for the "packet" for the Dec 11-12 Guide Task Force Meeting:

- 1) The proposal for nonresident permit allocations that Lew dared me to draft!
- 2) Coastal Zone Management (CZM) Documents. One is a Consistency Review Determination by the State's coordinator. The other is the Northwest Arctic Borough's comments on a guide's application for a BLM permit.

These show quite clearly how the "planning" process is used to keep guides who apply for land use permits from using public land. Some questions about this process should probably be directed to Gary Gustafson from Div. of Land and Water Management when he appears at the next meeting.

Pete



TO: Task Force on Guiding and Game

FROM: Pete Buist, Member

DATE: November 29, 1989

RE: Options For Permit Allocations For Guided Nonresident Hunters

PROBLEM: Current allocation systems in drawing permit areas are not fair to nonresident hunters desiring guided hunts. The state loses thousands of dollars in potential revenues as a result.

1. In areas where big game permits are used in the allocation process, guide-outfitters have no certainty that any of their booked hunters will actually be awarded permits.
2. ADFG doesn't announce winners of permits until mid-summer. Nonresidents hoping to hunt sheep, for example, at the beginning of the season have less than 30 days in which to make their plans (they can't even purchase super-saver airline tickets!)
3. In permit drawings, particularly where a ceiling on the percentage of nonresidents is in place, nonresidents guided by family members who are "residents" (generally military) make up a large percentage of the permits.
4. Under proposed TF guidelines (and the previous guide statutes and regulations) guide-outfitters will be required to show annual use of assigned Resource Areas. If a guide-outfitter's clients failed to draw, he could lose the right to guide in the area.
5. Not all permit hunts are "on permit" because of a shortage of game. Some are managed in that way to provide for an aesthetically pleasing experience, precisely the type of hunt that most nonresidents desire.

DISCUSSION:

Allocation procedures are the prerogative of the Alaska Board of Game. Proposals to alter the present system of drawing permits have been summarily dismissed several times over the past 7 or 8 years. Board makeup has changed and similar proposals have again been submitted. However, the proposal changes will be considered by the Board at the March 1990 meeting and it is fair to assume that a new guide-outfitter Resource Area system will not be in place by that time. The next time that portion of the regulations will be considered would be at the spring 1992 meeting.

The permit allocation system for brown bears in GMU 8 worked adequately for ADFG, USFWS, guide-outfitters and hunters for a number of years WHEN THE EGA SYSTEM WAS IN PLACE.

SOLUTION:

Many Task Force members have indicated their support for an allocation system but do not wish to usurp the prerogative of the Board of Game with a legislative solution. The Task Force should urge the Board of Game to consider discussion of a more equitable allocation system at their March 1990 meeting. The recommendations

should include the following:

1. Realistic dates for the drawings. March or April are far more realistic than July.
2. An outright allocation of permits to nonresidents (10% - 40%) in any permit hunt where non-residents are allowed to participate.
3. Permits allocated to non-residents, but not applied for, should be allocated to resident hunters.
4. If and when a "Guide-Outfitter Resource Area System" is in place, permits for species for which a guide-outfitter is required should be available on a REGISTRATION permit basis to clients of guide-outfitters holding the Resource Areas (UCU's) in question.
5. Permits for nonresidents accompanied by "second degree of kindred" residents should come from the resident permit allocation.

If the State of Alaska is serious about providing quality hunting experiences for non-residents, requires a guide for certain species, charges far higher tag fees and license fees than it does for residents and realizes significant portions of its ADFG budget from nonresident revenues, it should be willing to see that these hunters and their guide-outfitters get a fair shake in the permit allocation process.

recd 11/28/89 via pps

October 22, 1989

Mr. C. Wayne Taylor
2931 S. Kobuk Avenue
Fairbanks, AK 99709

Dear Mr. Taylor:

SUBJECT: CONCLUSIVE CONSISTENCY DETERMINATION
GUIDING OPERATIONS IN SQUIRREL AND WULIK RIVER AREAS
STATE I.D. NO. AK89101108/F

The Division of Governmental Coordination has completed coordinating the state's review of your project for consistency with the Alaska Coastal Management Program (ACMP). The project entails commercial guiding on BLM lands within the Squirrel River basin and on the Lisburne Peninsula. The primary use of BLM managed lands will consist of taking clients northwest of the village of Noatak for moose hunting and into the Squirrel River basin for sheep and caribou hunting. Spike camps will be utilized as part of this operation.

This conclusive consistency determination applies to the following federal authorization as per 6 AAC 50:

BUREAU OF LAND MANAGEMENT SPECIAL RECREATION PERMIT
(F86668)

Based on the review of your project by the Alaska Departments of Natural Resources, Environmental Conservation, and Fish and Game, and the Northwest Arctic Borough, the state concurs with your certification that the project is consistent with the ACMP.

If changes to the project, as approved, are necessary during operation, you are required to contact this office immediately to determine if further review and approval of the revised project is necessary.

By a copy of this letter we are informing the federal agency reviewing your permit of our finding.

Other Concerns/Advisories:

Policy A-1, Subsistence Priority, of the Northwest Arctic Borough's coastal management program, states that subsistence use of coastal lands and waters has traditionally been the primary and highest priority use of all lands and waters within the coastal management plan area; therefore all other land/water management uses and activities shall accommodate the use of subsistence resources in the planning, development, and operation of these activities.

Wayne Taylor

- 2 -

November 22, 1989

In the Wulik River area, subsistence activities, fish overwintering, and fish and wildlife management are priority uses; therefore, all other land/water uses and activities shall avoid adverse impacts on these areas.

Because there has been evidence of conflicts between the subsistence hunters and guiding activities, the Northwest Arctic Borough has recommended that the Bureau of Land Management closely consider complaints of disruption to subsistence activities and possibly revoke permits if there is documented interference by guiding operations.

You are requested to please pay special attention to subsistence hunters in the applied for guiding areas and not interfere with or disturb their activities.

If you have questions regarding this determination, please contact me at 451-2818.

Sincerely,

- signed -

Patti Wightman
Project Review Coordinator

Enclosure

cc: Larry Field, BLM, Fairbanks
Joyce Beelman, ADEC, Fairbanks
Simon Mawson, ADEC, Nome
Gayle Berger, ADNR/L&WM, Fairbanks
Al Ott, ADF&G, Fairbanks
Dennis Tiepleman, NWAB, Kotzebue

NORTHWEST ARCTIC BOROUGH

P.O. BOX 1110

KOTZEBUE, AK 99752

(907) 442-2500 / FAX 442-2930

October 26, 1989

Patti Wightman
State of Alaska
Division of Governmental Coordination
Central Office
P.O. Box AW
Juneau, Alaska 99811-0165

REF: AK89101108/f Wayne Taylor, Guiding Operations

Dear Patti,

The Northwest Arctic Borough Planning as the NAB CZM Board met on the 25th of October, 1989 and reviewed this project for consistency with the Alaska CZMP and the NAB CZMP.

The Planning Commission found this proposed project to be **INCONSISTENT** with the following NAB Policies:

A-1 Subsistence Priority

Subsistence use of coastal lands and waters has traditionally been the primary and highest priority use of all lands and waters within the coastal management plan area; therefore, all other land/water management uses and activities shall accommodate the use of subsistence resources in the planning, development and operation of these activities.

IMPORTANT RESOURCE USE AREA POLICIES

NN NORTH FORK SQUIRREL RIVER/OMAR RIVER

NN-1 Subsistence

Uses and activities shall not significantly interfere with the following activities:

(a) fall caribou hunting (mid-August - mid-October)

NN-2 Caribou Migration

Uses and activities shall be required to cease operations during caribou migration, if impacts to migration are likely to occur and other mitigative measures are not effective or feasible.

SENSITIVE USE AREAS

EEE WULIK RIVER ARCTIC CHAR OVERWINTERING AND SPAWNING AREA

EEE-2 Priority Uses

Subsistence activities, fish spawning and overwintering, and fish and wildlife management are priority uses; therefore, all other land/water uses and activities shall avoid adverse impacts on these areas.

Discussion. The economy of the NAB is a contemporary subsistence/cash economy (Ellanna, 1980; James Magdanz, pers. comm.). The harvesting of local fish and wildlife resources historically was and continues to be the primary focus of the regional economy, based on a combination of subsistence and commercial harvesting of fish and wildlife. Several studies in this region indicate that subsistence foods constitute 70 to 80 percent of total protein consumed by households (Minerals Management Service, 1988). Most personal cash income is spent in the local economy to support subsistence or commercial fish and wildlife harvest activities.

Caribou migration is more than a month late and therefore will continue to migrate to their wintering grounds till late in November. Competition between guides will increase the hunting pressure on the caribou herds and compete and conflict with subsistence activities currently in progress. Conflict is already evident with guiding activities, during the week of September 10, subsistence hunters in the Wulik area had to return home (Kivalina) empty handed as a guide with airplane(green) had scared away caribou that the subsistence hunters were stalking (letter from Doug Larsen, Wildlife biologist, October 1989).

P.3/3

The Subsistence Committees from Kivalina and Noatak object to the issuance of additional guiding permits as they are acutely aware that the Wulik/Kivalina area cannot handle the load of another guiding operation, let alone cope with one.

RECOMMENDATION to the Department of Governmental Coordination. The NAB Planning Commission as the NAB CZM Board recommends that the Bureau of Land Management deny the Recreation Permit for guiding operation by C. Wayne Taylor due to inconsistencies of the aforementioned policies of the Northwest Arctic Borough Coastal Management Plan and the need for a successful subsistence harvest.

If the DGC and BLM do not take the recommendations of the Subsistence Committees of the villages of Kivalina and Noatak and the recommendation of the Northwest Arctic Borough Planning Commission and overrides the concerns and finds the project consistent with the Alaska Coastal Management Plan; then, the borough recommends that this stipulation be inserted into the permit, "The Bureau of Land Management will immediately revoke said permit upon documented interference with subsistence hunts by the guiding operations."

Respectfully,



Walter P. Russell
Planner

cc: files
Planning Commission
Kivalina Subsistence Committee
Noatak Subsistence Committee
City of Kiana
Dennis J. Tiepelman

6 December 1989

RECEIVED

DEC 7 1989

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

JAN FAIKS
SENATE OFFICE

Dear Senator Faiks:

This letter is concerning my interest in the guide industry and concerns and viewpoints of the 17 November 1989 workdraft and also of the guide-outfitter resource area allocation program.

I've been conducting hunts for other registered guides since 1979 while at the same time, following the rules and regulations of the old guide law. I made a big commitment at that time to give up other livlyhood opportunities to try and meet the past-use criteria of the old guide law by guiding every spring and fall as much as seasons allowed. I resent the fact that I'm being referred to as (small time) or (fly-by-night) guide. Although only 50% of my annual income comes from guiding, its the maximum amount that I've been able to make from guiding. Just because someone, (on his own decision) has a lodge or bought improvements to operate his hunting business, should not mean that he or she should have any more points in an award criteria basis than a guide who has equal or more investment in time. I could also, establish a large financial investment due to the work I've had to pass up in order to establish a high past-use record under the old system and yes, (on my own decision). There are a lot of guides that have recently bourght improvements in units 8 - 9 but do not have near the past-use experience there that I do. The state, or the resource, should not be responsible for feeding the hugh lodges that have been built around this state. In essence, if the transfer of a guide area permit is allowed by the permit holder it is forcing a person to buy his or her improvements to operate a guide-outfitter business. I do not agree with this kind of transfer.

Under Sec. 08.54.620 subsection (d) on pg. 4 line seven of the work draft, I would like to see the language amended to read, (d) A guide-outfitter may not contract or conduct a guide-outfitted hunt. This was a loophole in the previous guide law that allowed a guide with an area to simply sign the contracts when in actuality they were another guides clients. The area holder could show minimum use while at the same time lease the area out.

I disagree with the class A,B,C permits and would much rather see a more simplified allocation program that would include the same time period for all applicants.

While I do realize the scope of your purpose, I think there needs to be a closer lock at other commercial users such as air taxies, because they are in a direct way responsible for the harvest of a resource.

I commend you all for the work that has been done to date and hope that my interest will be taken into consideration as they are as important as a guides financial investments.

Sincerely,

Curt Deans
Curt Deans, Reg. Guide

Enc: All Task Force Members
Bill Horn
Senate Resources

12/6/89

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DEC 1989

RECEIVED

DEC 5 1989

JAN FAIKS

SENATE OFFICE

DEC 1 1989

RECEIVED

Dear Senator Fails

Under Federal and State Freedom of Information acts I request the following

1. all legal opinions, formal and informal on the "Owsdale decision" and guide areas.
2. all letters, notes, memoranda dealing with Guide areas, the Owsdale decision and the Alaska Constitution.
3. all legal opinions from Bill Horn, his associates or law firm on Guide areas, and the Owsdale decision, and our constitution.
4. ~~the~~ was the States attorney generals offices used and if so why was ~~an~~ a private outside firm used?
 - A. Who authorized hiring a private outside firm.
 - B. Do you know Bill Horn.
 - C. Do you know the principles at Bush Horton.
 - D. Why was their firm selected
 - E. How much have the private law

12/6/89

firms charged and how much
will their total bill be? Who
is paying for the private law firm
used in the Grande area plan?

5. a list of all persons who traveled to
other states, or countries? ^{in working with} ~~all~~ ^{task forces,}
game board etc

A. Their exact business

B. length of trip

C. who they met with

D. Cost of each trip.

E. Where is this money coming from.

6. Was this Travel necessary to benefit the
state?

\$

Please send to Ken Owsichek

Box 190301

Anch AK 99519

or call for a pick up 2435899

Thank you

Henderson

ALASKA WILDERNESS EXPEDITIONS

Kevin Fitzgerald
P.O. Box 375
Talkeetna, Alaska 99676
(907) 733-2704

page 1 of 2

Nov. 5, 1989

RECEIVED

To: Task force on guiding and game, Sen. Jan Faiks chairman

NOV 13 1989

Sen. Faiks, members of the task force;

JAN FAIKS
SENATE OFFICE

My name is Kevin Fitzgerald, I am a resident of Talkeetna Alaska and have been since 1974. I am a registered voter as well as an active taxpayer, a member of the Talkeetna ambulance service (volunteer EMT-I) and I have been a registered guide since 1984 and have professionally guided big game hunters in Alaska since 1978.

I was awarded restricted guide area I3-53 by the governor appointed guide board in 1985 and have actively run that business yearly since then. I was awarded that area after having contracted to purchase the business and improvements (3 cabins) for \$65,000.00, I made my final payment in May of 1988. Restricted guide areas were abolished shortly thereafter as being unconstitutional, rendering my investment to a worth of 0 (zero). As it stands right now I have permits to guide within the geographic boundaries of former guide area I3-53 with Cook Inlet Region Inc., Tyonek village corp., Kaik-Atau native corp. and the bureau of Land Management. These permits are non-transferable.

My point is that I am a proven resident and will remain a resident as long as I can support myself and family, I employ 6-10 Alaskan residents yearly, my business generates a considerable amount of income and revenue to other businesses as well as tens of thousands of dollars to the dept. of fish and game in tags and licenses. I always have and always will adhere to all laws, statutes and regulations of the state of Alaska, fish and wildlife service, private landowners, and all other agencies I deal with in the course of my profession. I entered the business as the only alternative to steady employment in Talkeetna, and I entered in good faith that the system implemented by the state of Alaska (restricted guide areas, the tests and requirements of the licensing process) were a very necessary part of an industry dealing with a public resource which needed protection from over zealous exploitation and the assurance that the resource would provide a livelihood for many and the enjoyment of all for generation after generation. It was plain to me that the concept of restricted guide areas was not only the answer but was indeed successful in fulfilling this goal. Needless to say the Owsieck decision left me feeling very disheartened and disappointed in the state of Alaska and the Judicial system, as well as very apprehensive as to the result it may have on the health and continuity of our big game populations.

I urge the Task force to consider these points in the decision making process, both for the benefit of our resources and the grass roots industry which thrived under the control of a restricted guide area concept

- 1) Leave the industry in the control of Alaska residents
- 2) Form a system which allows for the return of investments by sale of improvements or/and permits (as like limited entry permits used in commercial fishing). If this means a vote for a constitutional amendment, LETS VOTE.
- 3) Please have the wisdom and foresight to form a system which will protect our resources as well as the livelihood of so many rural (as well as urban) Alaskans.
- 4) Please consider the fact that the restricted guide area concept was fulfilling points 1,2,3.
- 5) Please consider the fact that the abolition of the restricted guide area concept opened the resource to exploitation by nonresidents as well as unscrupulous individuals who may now move throughout the state with impunity and with no regard to the wildlife or the practice of sustained yield

All interested parties in the guide industry realize the problems the task force faces. If we all work together I am confident we can come up with an equitable system where-

continued on page two

by the benefit will be felt by those already in the industry, those wishing to make it thier livelyhood, and those individuals who support the industry by hiring the services of a professional guide and of course the big game and wildlife resources of Alaska which not only makes it possible for Alaskans such as myself to earn a livelyhood in Alaska but for which the industry would crumble without. Thank you for your time and consideration here and I look forward with interest to the developement of a system which is equitable to all.

Sincerely,

Ken L. French

Dinyee
P.O. Box 71372
Fairbanks, AK 99707-1372

November 20, 1989

Legislative Task Force on Guiding and Game
Sen. Jan Faiks, Chairman
31111 C Street, Suite 525
Anchorage, AK 99503

RECEIVED

NOV 22 1989

**JAN FAIKS
SENATE OFFICE**

Dear Sen. Faiks,

Dinyee is writing to give comments to your task force on Guiding and Game. Dinyee is the village corporation for Stevens Village located on the Yukon River. The moose population in the area is severely depressed and in a conservation system now. The local people attribute much of the scarcity of moose to the fact that there were a lot of airplane hunters in the area in the mid seventies. Because of that airplane hunters are forbidden on Dinyee lands except in cases of emergency.

The big game guiding industry has dominated game management in Alaska for a long time. Dinyee feels that other interested parties should have equal consideration. Many abuses of wildlife have occurred as a part of the big game guiding industry because animals are just considered as dollars with no other value. To wipe out the subsistence economies would be very costly to the State of Alaska. Please manage the big game guiding industry very conservatively. As the boom gets over, the crunch becomes greater for the competition for wildlife in Alaska. It is obvious that the game guiding industry is the one that will have to make the sacrifices. Trophy hunting is a luxury that is becoming more controversial world wide and nation wide. Let's begin to cut back on our economic reliance on it now by reducing the areas available and easing off on the impacts upon the subsistence economies. Don't encourage new people to get into an industry that does not have a bright future.

Sincerely,


Dave Lacey
Dinyee

RECEIVED

NOV 27 1989

JAN FAIKS
SENATE OFFICE

Task Force on Guiding and Game
311 C Street, Suite 525
Anchorage, Alaska 99503

August 22, 1989

Brian Peterson
Box 485
Girdwood, Alaska 99587

Task Force on Guiding and Game,

As a registered guide I am very concerned with the present situation of the guiding industry. From what I have learned a system must be developed that allows equal access, supports the industry and most importantly protects and manages the resource. The following are some suggestions for a workable solution.

Geographical permit units should be used over a several year period. Initially the units would be permitted out for a one to ten year time and after the first period elapsed they would be issued for a decade. This would create a system in which ten percent of the units would turn over each year. To keep these units from being over harvested at the end of these periods a permit system would be created for guided hunters. This would be like the system that was in place on Kodiak.

Once these systems are in place the difficult task comes in creating a point system that would allocate the units and allow equal access to earning points so individuals that want units have an opportunity to get them. The following are relevant suggestions although I don't know if they are all constitutional.

Allocate points on residency from the unit. The farther someone lives from the unit the smaller their chances should be. This allows equal access because they have the freedom to live where they want to. Allocate points on experience. Since the old guiding system is unconstitutional that experience cannot be used. Hunting experience in the area is one possibility. Length of guide licence usage is another.

One of the most important aspects of your work is to sustain the industry for the economic betterment of the state. This is best done by creating an industry of guides not hunt brokers that contract or hire the hunts they book out to others, furnish supplies and equipment, and fly people around in an airplane. The following suggestions would help do this along with spreading the industry profits out instead of going to the hunt brokers that have been calling themselves guides.

Limit assistant guides to two or possibly make unit permit holders actually guide in the field 50% or 40% of their hunts. Get guides guiding again.

Limit permit units to one or possibly two if those without one are given an opportunity for it and turn it down. This would create self supporting new business throughout the state. Along these same lines there should be no joint usage in permit units.

The existing law of being physically able to perform the duties of a guide should be enforced. This means guiding in the field not booking hunts and flying airplanes. Packing out a moose or a bearhide is very physically demanding as is climbing a mountain for sheep and goats. A physical checklist similar to a pilot physical should be created for doctors to test and see if an individual is capable of doing what one must.

Hunts should not be allowed in a unit unless the unit permit holder is present in that permit unit. It only makes sense, how can a person guide if they are not present. This is very important. Absentee guiding should not be allowed. If a person cannot be in a unit while his business is taking place he should not have that unit.

Something else that would help is to make registered guides accompany assistant guides in the field. Someone with little or no experience should not be allowed to guide simply because they work cheap. I'm mainly interested in getting the guides back into guiding.

It is very important to keep from auctioning off units for money. This would only create private hunting and or the wealthy to guide. If the above ideas are put into action there should be plenty of units and a money auction should not even be considered.

These suggestions are not complete but they do go a long way in sustaining the industry, allowing equal access and protecting the resource.

Sincerely,



Brian Peterson

November 20, 1989

RECEIVED

NOV 27 1989

JAN FAIKS
SENATE OFFICE

Legislative Task Force on Guiding and Game:

Jan Faiks, Chairman:

I am very concerned about receiving fair treatment in the future big game management plan. I have been a guide-outfitter for over 10 years without much possibility of receiving use of an area. I feel that each Registered Guide should be able to hunt area-wide in each of his chosen 3 areas. However, consideration should be given to create a buffer zone around each registered base-camp; with a limit of 1 base-camp per area. Also a guide should not be allowed to knowingly place a camp near to another guide's existing spike or fly camp; for example within 3 miles.

If a limit on any one species is deemed to be necessary by the Fish and Game Department; I think that a limit should be placed upon number of hunters per guide before limiting number of animals per guide. Guided hunt quality would deteriorate if number of animals per guide is limited because some guides may actually lessen the chances of hunter success in order to take more hunters, thus more income. I feel that 20 hunters per year should be maximum allowed for any guide in all of his chosen areas.

Inactivity of guides should be monitored closely, as well as continuing qualification of existing guides.

If the take of certain species must be limited then a criteria of priority could be given to subsistence, resident and non-resident, hunters. A percentage should always be reserved for non-resident guided hunts however, because this is a very important income producing industry in Alaska. For instance, area 13 has no allowable non-resident, caribou hunting. This is foolish with the caribou population at its current levels in the area. A 10% minimum non-resident take for all species in any area would be within reason. Consider the income potential for all land holders and Alaskans in general.

I hope that some of these ideas are helpful and that your committee can devise a fair, equitable, and constitutional plan for all parties concerned with our big-game resources.

Sincerely,



Butch Loper
P.O. Box 33
Cantwell, AK 99729

RECEIVED

NOV 22 1989

JAN FAIKS
SENATE OFFICE

Senator Jan Faiks:

Legislative Task Force on Guiding & Game

I am very concerned about receiving fair treatment in the upcoming management plan recommendation.

I have been a Class A Assistant Guide for 10 years and I'm taking my Registered Guide test December 2, 1989. There was no reason for me to become Registered before because there was no areas available to guide in.

I hope that you will give equal consideration to newly Registered Guides compared to those who have had the areas locked up. I do not think that one guide should be able to book 100 hunters compared to another being limited to only a few.

Also, it's my belief that when a limit must be placed on a certain species for Guides; that the number of hunters be limited instead of the number of animals taken per guide. Otherwise the quality of hunts will deteriorate because guides will attempt to lower their success

rate so that they can accommodate more hunters.

I also feel that if a Guide is given 3 Areas than he should be able to hunt any where in those areas (with permission) so that hunting pressure is evened out more.

If guiding pressure is deemed to be too great in a certain locality than limiting the distance between registered base camps or spike camps might be considered.

There should also be a yearly re-evaluation of guides who are either active or inactive.

Sincerely

Butch Loper



P.O. Box 33
Cantwell AK.
99729

North Country Outfitters
John Zabielski
Registered Guide
P.O. Box 453
Tok, Alaska 99780

RECEIVED

NOV 20 1989

JAN FAIKS
SENATE OFFICE

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

Dear Senator Faiks:

In reference to your notification of October 30, 1989 pertaining to the Legislative Task Force on Guiding and Game, I do have some comments.

I operate a small operation in which a good season to me means a sheep hunt, moose or caribou hunt, and a bear hunt. My hunts are fair chase, walk, spike camp, esthetic type hunts. I have been a registered guide since 1983; an assistant guide since 1977.

The problems I face are as follows:

I do not put on enough hunts to qualify for an exclusive area under the old system. I found it hard to impossible to find open areas that remained that way once I used them as they were usually claimed and added to already large exclusive areas held by guides that did qualify under the old system.

As for the federal land, I hunted both the park and refuge system in Units 12 & 20 before the parks or refuge managers actually took control. I did not hunt every year and I did not acquire permits they now say I should have. So, since I did not hunt in 1988 on refuge or park lands and did not acquire a permit for that year, I am told I cannot hunt on those lands in 1989 or 1990 and perhaps never.

As for a large part of state land that is open same day airborne shooting, unfair chase and illegal practices limit the places I feel I can still put on what I like to think is an Alaskan hunt.

In short, I hope small operators like myself are given some consideration in the final recommendation. We need areas to hunt as we are trying to make a living also.

Sincerely,

John Zabielski
John Zabielski

Homer, Alaska
Nov. 9, 1989

Sen. Jan Faiks, Chairman
Legislative Task Force on Game & Guiding
6060 Yukon Drive
Anchorage, Ak. 99516

Dear Sen. Faiks:

I attended the Teleconference yesterday in Homer and planned to testify but finding the topic of conversation was mainly ~~going~~ going over the narrative on new guide areas, and the docette being quite full, and my topic was a different problem, so I decided to write you ~~and~~ this letter instead and let you bring it up to the Task Force.

You see I want to talk about the "Commercial Use Permit", Now called "CUP", and the having to pay even if one is not guiding.

I've written the State, one Senator & one Representative to no avail. The one Rep. told me the idea of the "CUP" is, that those using the resource should help pay for the costs. Why then is there not a "CUP" for fishing, mining & etc. I think this is discriminatory.

To get a guide license you don't just go buy one because you want one, like fishing & etc., but it takes 3 to 5 years to get a Registered Guide license, what with meeting the requirements and passing tests, and at least 12 years before you can be a Master Guide, plus pass strict criterion. Why then should those guides, who are not guiding for a year or so, have to pay the CUP fee or forfeit there guide license?

By the ver name, "Commercial USE Permit", it indicates PAY TO USE and I personally don't have any problem with that but to charge those not using then I do have a problem with that.

My personal situation is, I'm a Master Guide and have been for many years. I'm retired, sold my business so no longer use the resource. I am willing to pay the license fee to maintain my Master Guide license, for sentimental reasons, (I was in the guiding business back when it was an honored profession). Now I'm told I have to pay this CUP fee also or forfeit my license. I think this is wrong. I hope you can, please, do something about this.

Sincerely yours,
"Fake" John H. McLay
John H. McLay
Box 754
Homer, Alaska 99603

RECEIVED

NOV 13 1989

JAN FAIKS
SENATE OFFICE

P.O. Box 54
NIEKORYUK, AK. 99630
NOV 5, 1989

Legislative Task Force on Guiding & Game
3111 C. Street, Suite 525
ANCHORAGE, AK. 99503

DEAR SIRS,

The subsistence users must have the 1st chance to use the Wild Game, other state Residents should have the Second chance and the Fat & Rich Alaska's Sports ~~men~~ Hunters should get the excess Wild Game.

Private Land owners must have some degree of game management on their own. Develop game management which is acceptable with the State game management.

Sincerely Yours,
Samuel Smith



First Federal Bank

of ALASKA, S.B.

Spenard Office • P.O. Box 92200
Anchorage, Alaska 99509-2200 • (907) 274-6565

November 15, 1989

Mr. Keith Johnson
3646 N. Point Drive
Anchorage, Alaska

Dear Keith:

You have asked me to write you a letter summarizing our conversation of the other day. In that discussion, you asked for a banker's perspective on proposed changes to the State's guiding laws that would *"limit the initial term on a specific guiding area to five years with one possible renewal of ten years"* subject to prudent management of the area. Physical structures would be allowed on holdings in these areas on leased land with up to 55 year leases available on these parcels.

The concern I have, as a banker, is that even though the area with the most physical improvements would be on a 55 year lease the *"economic value"* of this property would be greatly dependent on the shorter terms of the *"guiding area."* All other things being equal these shorter terms of five and ten years would govern any lending for leasehold improvements. This short lending term would, of course, tend to restrict the quality and size of improvements as well as increasing the cost to pass on to clients.

I hope this letter is sufficient for your purposes. When we spoke you did not have actual draft regulations, so I wrote this on a *"what if"* everything else being equal basis.

Sincerely,

John D. Carman
Senior Vice President
Retail Banking



FSLIC



ELIM · NATIVE · CORP.



November 17, 1989

RECEIVED

NOV 21 1989

JAN FAIKS
SENATE OFFICE

Senator Jan Faiks
Ak Legislative Task Force
3111 C Street, Suite 525
Anchorage, Ak 99503

Dear Honorable Faiks:

Thank you for your letter of 10/30/89 informing us of the big game management plan.

The Board of Directors of Elim Native Corp. oppose all guiding and game hunting on our land, and if there is any activity near Elim Native Corp. lands (formerly known as Norton Bay Native Reservation), we would like to be made aware of it ahead of time.

Thank you for your attention to this matter.

Sincerely,

Wallace Amattoolik Jr.

Wallace Amattoolik, Jr.
Vice-President

WA/hjd

KWETHLUK INCORPORATED

P.O. BOX 80
KWETHLUK, ALASKA 99621
(907) 757-6612 or 6613

RECEIVED

NOV 13 1989

JAN FAIKS
SENATE OFFICE

November 09, 1989

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

Dear Honorable Senator Faiks:

I thank you for your notice of your Task Force on Guiding and Game meetings.

For the record, our Joint Group comprised of the Kwethluk IRA Council, the Kwethluk City Council and the Kwethluk, Incorporated Board of Directors have been opposed to both sports fishing and game guiding in our Corporation's land selected area and those traditional, customary subsistence hunting, fishing and trapping land areas in the Kilbuck/Kuskokwim mountains. As is common throughout the Southwest Yukon-Kuskokwim Region, we basically are a subsistence way of life Alaskans. As such, we do not practice or approve of "catch and release" of fish caught by sports fishing as appears to have been the practice on the Kanektok River on the lower section part of the Kuskokwim River nor do we practice or approve of wanton waste of big game meat.

In addition, Mr. Mike Coffing, Subsistence Specialist, Bethel, Alaska, has been doing an extensive survey of our traditional and customary hunting, fishing, trapping areas in which are included the various fish and game traditionally sought. By copy of this letter, Mr. Coffing is respectfully requested to provide you the necessary information if he feels that it is pertinent to your committee's task.

In behalf of the Joint Group, I thank you again for your notice sent to us.

Sincerely,

Phillip Guy
Phillip Guy
Land Planner

cc: Mr. Mike Coffing, Subsistence Specialist, Bethel
Honorable Senator John Binkley
Honorable Representative Lyman Hoffman
Mr. Kim Francisco, Biologist, Bethel
Mr. Ron Perry, Manager, Yukon-Kuskokwim National Wildlife Refuge
Mr. John Coady, Regional Supervisor, Nome
Ms. Elizabeth Andrew, Regional Supervisor, Division of Subsistence, Fairbanks
Kwethluk IRA Council
Kwethluk City Council

Dave Wenat

13680 Kaven Street 9955

345-0117

Opinion:

Does not feel that Sheep should be a kill for the subsistence hunter. They are not hunted for their meat & are difficult to hunt. entails climbing & tracking.

Should mandate that out-of-state hunters should be allowed to hunt all game or no game - Make it all or none, not just specific animals.

Guides shouldn't be required to hunt sheep & goats, that's like requiring a guide to be with mountain climbers.

*NO need to call just left his msg.



BROOKS RANGE ADVENTURES

Art Andreis, Registered Guide
Lou Andreis, Assistant Guide
P O Box 55818
North Pole, Alaska 99705
(907) 488-2352



DEAR MARK,

IT IS VERY IMPORTANT TO ME THAT ALL
MEMBERS OF THE TASK FORCE GET A COPY
OF MY LETTER BEFORE THE NEXT MEETING.

THE PEOPLE AT LEGISLATIVE AFFAIRS HERE
IN FAIRBANKS ASSURED ME THAT YOU WERE
THE MAN TO TAKE CARE OF THAT FOR ME.

THANKYOU FOR YOUR HELP.

ART ANDREIS

RECEIVED

NOV 6 1989

JAN FAIKS
SENATE OFFICE

**12 AAC 38.130. REQUIREMENTS FOR AN
ASSISTANT GUIDE LICENSE. Repealed 5/12/79.****ARTICLE 2.
GUIDING AREA PERMITS****Section.**

- 200. Restrictions to districts
- 210. Guiding area permits
- 220. Application and qualification for guiding area permit
- 230. Minimum use of guiding area permit
- 240. Statement of financial remuneration
- 250. Use of a guiding area assigned to another guide
- 260. Reassignment of guiding area permit
- 270. Death or mental incapacity of guiding area permit holder
- 280. Changes to guiding area permits
- 290. Ground for revocation or suspension of a guiding area permit

12 AAC 38.200. RESTRICTION TO DISTRICTS. (a)
A guide may conduct guiding activities only in districts for which he is certified.

(b) Twenty-six guide districts are established and defined as being identical to those areas described as game management units by the Board of Fish and Game in 5 AAC 90.010, as of January 1, 1974, with the addition of the following subdistrict:

(1) repealed 6/15/80;

(2) repealed 6/6/79;

(3) 27—Arctic Coastal, consisting of all land, including islands, and waters within the jurisdiction of the State of Alaska extending seaward from a point one mile inland from the mean high tide line north of 58 North latitude, beginning at the mouth of the King Salmon River near Egegik and extending northward around the western and northern Alaska coastline to the eastern boundary of District 26. This district is designated for the hunting of marine mammals exclusively. "Marine mammals" means those mammals identified by the Alaska Board of Game as marine mammals.

(c) A guide licensed under AS 08.54 as of June 28, 1974 is restricted to certification to guide in those districts for which he was certified on that date. A guide licensed or entitled to renewal under AS 08.54 as of April 11, 1980 and certified in Districts 18, 18A, 22, 23, or 26 is hereby certified for Unit 27.

(d) Except as provided in (c) above, no guide may be certified for more than three districts, in addition to District 27.

(e) A master guide or registered guide may serve as a class-A assistant guide in districts for which he is not certified.

(f) Notwithstanding any provision of this section, a guide may petition the board for a transfer of certification to another district if he demonstrates to the satisfaction of the board

(1) that he will incur substantial hardship if a transfer is not permitted as evidenced by

(A) substantial land withdrawals from hunting within his district;

(B) significant reclassifications of land within his district;

(C) depletion of game as evidenced by actions of the Department of Fish and Game; or

(D) other demonstrations of hardship; and

(2) that he is qualified to guide in the district to which he wishes to be transferred. (Eff. 6/28/74, Reg. 50; am 2/25/77, Reg. 61; am 6/6/79, Reg. 70; am 6/15/80, Reg. 74; am 3/28/82, Reg. 81)

Authority: AS 08.54.040(3) and (6)
AS 08.54.050

12 AAC 38.210. GUIDING AREA PERMITS. (a)
Guiding area permits will be issued by the board to guides qualifying under 12 AAC 38.220 and 12 AAC 38.280 for exclusive or joint use of a specified area in order to limit the number of guides allowed to guide for big game animals in that area.

(b) The board will determine the size, boundaries and number of guiding areas assigned to a master or registered guide and is not limited by number or boundaries of guide districts that may be included. In determining the size and boundaries of a guiding area, the board will consider, but is not limited to, the following criteria:

(1) size and boundaries applied for by the guide applicant;

(2) abundance and distribution of game populations in the area and adjacent areas that may be affected, and the ability of these populations to sustain hunting pressures;



BROOKS RANGE ADVENTURES

Art Andreis, Registered Guide
Lou Andreis, Assistant Guide
P.O. Box 55818
North Pole, Alaska 99705
(907) 488-2352



Senator Jan Faiks, Chairman
Alaska Legislative Task Force
on Guiding & Game.
3111 C St., Suite; 525
Anchorage, Alaska 99503

11-3-89

Dear Senator Faiks,

During the first week of October, 1989 I attended the Task Force meeting in Anchorage. After considerable discussion the Task Force process finally evolved into two formats. One considered the use of U.C.U.s, UNIFORM-CODING-UNITS as potential guide area assignments either in singular form or in multiples to form these potential units or guide areas. The second discussion was provided by Mr. Bill Horns Office and centered around how best to initiate this proposed program. He then broke down his thoughts into the below listed four areas.

- 1.) Limitation Rationale.
- 2.) Open Competition.
- 3.) Award Criteria.
- 4.) Permit-License-Concession Conditions.

Of the above listed four I have strong concerns over numbers two & three. The reason for my concerns is due to the Supreme Court Decision, the Common Use Clause. Because of this decision all guides must have equal access to any new guide area concept. To have open-competition and a fair award process then we must comply with the Supreme Court Decision. This brings me to a regulation which is still current under 12AAC-38.200-c. Restrictions To Districts; This reads that a guide licensed under A.S.08.54, as of June, 28, 1974 is restricted to guide in those districts for which he was certified as of that date. And, d, Reads; No guide may be certified for more than three districts as of that date.

DISCUSSION: For one thing, guides are now limited to three Game Management Units, not Districts.

However, the problem is this. Prior to 1974 many guides were licensed for the entire State, or for as many Districts as they chose. This is where my concern comes in. How can a guide licensed since 1974 have an equal chance at the new U.C.U.s. or for that matter any new system if he is limited to three areas and his peers have the entire State? If a guide is licensed for the entire State he has a huge advantage over guides whom are limited to only three units. I cannot believe that this advantage would withstand the scrutiny of the intent of the Supreme Court.

There are probably in excess of 100 guides in the State whom currently have this advantage over other guides.

And, the Supreme Court Decision insisted that everyone in the guiding industry must have equal access to whatever new system is put in place.

CONTINUED:

"Fair Chase Only"



BROOKS RANGE ADVENTURES

Art Andreis, Registered Guide
Lou Andreis, Assistant Guide
P.O. Box 55818
North Pole, Alaska 99705
(907) 488-2352



PAGE-TWO.

Therefore, I believe that the first thing to do is to give all the guides the same opportunity to be licensed for the entire State. This way there can be no future complaint that someone was treated unfairly.

I'm going to suggest two ways of accomplishing this. One is to simply give a exam which licenses a guide for the entire State. Another way is to simply go back to licensing by Districts for the guides only. The management units would not change for fish & game purposes.

EXAMPLE: Three Districts; Due to similarity of terrain within the State.

ARCTIC & INTERIOR-UNITS, 19-27.
SOUTH CENTRAL -UNITS, 8-18.
SOUTH EASTERN -UNITS, 1-7.

This would also eliminate the need for 26 different oral-exams to be administered by the new Commercial Services Board. All you would need is three or possibly one. Ironically, the next of kin law allows for anyone in the State to guide a second degree of kindred for all species in Alaska and we limit professional guides whom were tested as to fitness first from guiding thru-out the State.

SOME OF THE OTHER ADVANTAGES TO THE STATE AND THE NEW BOARD.

- 1.) SAVES THE STATE MONEY & FAR LESS WORKLOAD FOR THE NEW BOARD.
- 2.) MUCH EASIER TO COMPLY WITH OWSICHEK AS IT WILL ALLOW FOR ALL GUIDES THE OPPORTUNITY TO QUALIFY TO GUIDE IN THE ENTIRE STATE.
- 3.) THE POTENTIAL BLOCKS OF U.C.U.s OR WHATEVER, COULD COME UP FOR REVIEW WITHIN THESE THREE DISTRICTS. THESE DISTRICTS WOULD BECOME AVAILABLE ON A STAGGERED BASIS EVERY YEAR SO THAT SOME LEVEL OF COMPETITION WOULD OCCUR ON AN ANNUAL BASIS. THIS WAY THE ENTIRE STATE WOULD BE OPEN FOR REVIEW EVERY THREE YEARS.

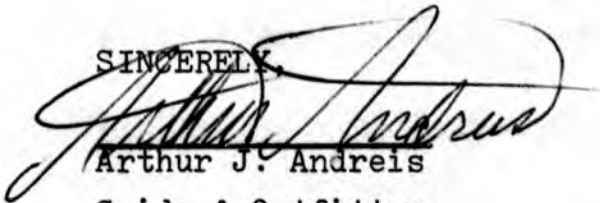
I would appreciate it very much if the task-force would consider some of my concerns at your next scheduled meeting.

I also want to thank all of you for your hard work on this very complicated issue.

Enc;

ALL TASK FORCE MEMBERS.
KURT WEST
BILL HORNS OFFICE
SENATE RESOURCES
COMMERCIAL SERVICES BD.

SINCERELY,


Arthur J. Andreis

Guide & Outfitter

"Fair Chase Only"

THE ALASKA PROFESSIONAL SPORTSMEN'S ASSOCIATION
Post Office Box 190842
Anchorage, Alaska 99519

May 23, 1989

COPY

The Alaska Congressional Delegation

For some time I have been concerned with the common practice of federal land managing agencies (FWS, NPS and BLM) informally (without promulgation) regulating (limiting) traditional commercial visitor services within federal conservation system units in Alaska. This concern first surfaced while serving as a sub-cabinet officer with the Reagan Administration. Efforts to correct the problem have been frustrated with changes in leadership in Interior (both in Wash D.C and Alaska) and an unwillingness to address these issues.

The purpose of this letter is to raise one specific concern to your attention. As you know commercial visitor services have long been the only realistic means for many to visit our new parks and refuges. Commercial visitor services are a vital component of our tourism economy and one of the best examples of the "Alaskan experience" offered by Alaskans. With the passage of ANILCA the NPS, FWS and BLM have wrestled with mechanisms through which to allocate fish, game, public waters and recreation (space/access) resources for human enjoyment. The many management plans prepared over the past seven years set a framework for management in the agencies application of new law to Alaska resources. Commercial visitor services were expected to be grandfathered in so long as their activities were consistent with the purposes of the conservation system unit and not in conflict with ANILCA. As you know, better than most, ANILCA broke new ground in recreational resource management changing many of the older practices of the NPS, FWS and BLM and establishing a management philosophy more recreation oriented than in many other federal areas.

Two of the most basic of resource allocation and management concepts is fair and equal access and resource allocation based on biological compatibility under sustained yield management. This is not only consistent with the intent of Congress in ANILCA but directly consistent with Article VII, Section 3 of our Alaska State Constitution.

For the first time since Statehood the Alaska Supreme Court has issued a ruling on the meaning of this unique and important section of our State Constitution. The Owsichuk decision not only invalidated Exclusive Guide Areas it provided important insight into the intent of the drafters of Article VII, Section 3. Commercial users must now be considered a user in the common use clause. Prior use and economic value can no longer be used as a bases for allocation or access restriction.

This important decision is applicable to federal areas in a number of ways. All fish and wildlife resources, other than marine mammals and some species subject to international treaty, are under the management of the State of Alaska. This was reinforced by the Master Memorandum or Agreement signed by the Secretary of Interior and the Governor of Alaska on the management of Alaska's fish and wildlife in 1981. It has been recently reinforced by memoranda of federal land management agencies stating that those agencies will await State resolution of this regulatory redirection before adjusting their management practices. The Supreme Court decision is now close to six month old and yet it has not brought about change to the basic problem of federal agencies regulating (again informally) access and resources based on seniority (prior use).

In 1984 the U.S. Fish and Wildlife Service imposed a moratorium on new commercial visitor services or expansion of existing services on the Togiak Refuge. This action was taken in response to a perception of increasing demand for guided sport fishing in the refuge. To date, according to the U.S. Fish and Wildlife Service in Anchorage, no formal regulatory action has been taken. Only memorandum from the Regional Director. This moratorium has been in place now for almost six years.

Allocation of access and resources which since passage of ANILCA has been illegally based on seniority is being further restricted by the refuge manager causing serious economic hardship on fishing guides and lodges that depend on a reasonable opportunity to take their clients into this world class area. Allocation of access and use continues to be based on prior use (seniority). And yet, not one single regulation has been promulgated which has allowed users an opportunity to exercise their rights under the Administrative Procedures Act. Please understand that a management plan is not a formal regulation. It can, along with the enabling Act set a basis from which regulations may be promulgated - but it is in itself not a formal regulation.

The Aleknagik Mission Lodge has been the most adversely impacted commercial visitor service by this discriminatory action. I have discussed this situation with the Pacific Legal Foundation and with the Alaska Citizens Advisory Commission on Federal Areas and have found agreement with my position that the 1984 moratorium and present allocation actions of the U.S. Fish and Wildlife Service are illegal, discriminatory and a violation of the Alaska State Constitution as well as the Federal Administrative Procedures Act.

One of the things I learned while serving on your staff and with the Office of the Secretary of Interior is that a policy is not a Policy unless it is formally promulgated in the Federal Register. Informal regulations have no basis for enforcement if not formally promulgated allowing notice, comment and due process.

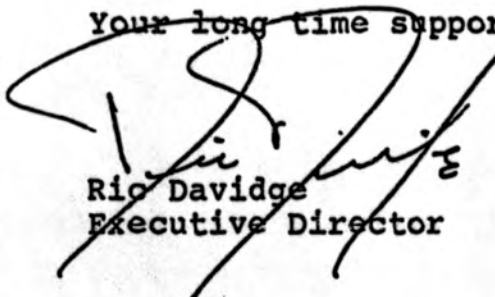
This situation is, as I have previously stated, causing serious economic hardship on Jim and Mary Broady the owners of the Aleknagik Mission Lodge. Your immediate intervention is requested.

I have accumulated a great amount of information on this case and the general problem not only for the Togiak Refuge but for the overall problem of informal regulation and resource allocation based on

seniority. Not only would I appreciate a Congressional inquiry through the Secretary of Interior but an opportunity to discuss this mater with you or your staff. Please remember this problem is not isolated to Togiak but is generic across federal conservation system units.

You may reach me in Seward by phone (907) 224-7020 (7am-7pm). I am assisting with the oil spill clean up as an environmental compliance professional.

Your long time supporter,



Rio Davidge
Executive Director

Provided by
Nick Pierskalla

10-24-89



BERING STRAITS NATIVE CORPORATION

P.O. Box 1008 • Nome, Alaska 99762 • Phone (907) 443-5252

RECEIVED

September 8, 1989

SEP 19 1989

JAN FAIKS
SENATE OFFICE

Honorable Jan Faiks, Chairman
Alaska Legislative Task Force on Guiding & Game
3111 C Street, Suite 525
Anchorage, AK 99503

Dear Senator Faiks:

Thank you for your letter of 8/23/89. I have just two comments regarding the Management Plan.

Recommendation #16 from the task force states in part that "The major land owners need to participate in the formulation of the management system". I would purpose to you as the Chairman that there is still the issue on the back burner of private land. In other words, I would suggest that recommendation #16 is very important.

Recommendation #14 is also a very good idea. This recommendation is the key to making the "common use" clause work.

The task force has done a good job to identify the issues.

Respectfully,

Arthur "Guy" Martin
Land Manager

GM/dlb

cc: File

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 485-2400

August 31, 1989

Handwritten: Mould
P41

RECEIVED

SEP 15 1989

JAN FAIKS
SENATE OFFICE

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

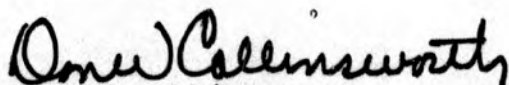
Dear Senator Faiks:

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



Citizens' Advisory Commission on Federal Areas

August 29, 1989

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

RECEIVED

SEP 12 1989

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

JAN FAIKS
SENATE OFFICE

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

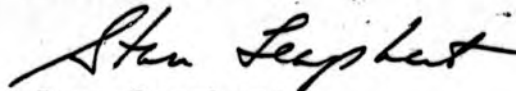
helpful if you could provide us a copy of your concession permit, including any stipulations for your particular operation.

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.*

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

RECEIVED
JUL 24 1989

17

GOVERNOR'S OFFICE

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

July 22, 1989
BOARDS & COMMISSIONS

JUL 25 1989

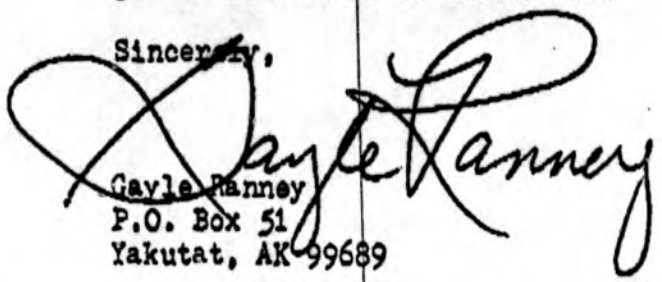
Dear Ms. Gottehrer,

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

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

OUT OF SESSION

3111 C STREET

ANCHORAGE, ALASKA 99503

907-561-7610

① ^{done 7/26} send a copy to
each Guide Task
force member —

② put on agenda for
sept meeting - update



Citizens' Advisory Commission on Federal Areas

July 21, 1989

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

RECEIVED

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

Page 2

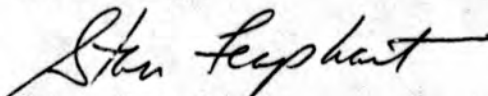
Another aspect of the interim program is a limit on the number of clients a guide can take into a preserve unit. The limit will be an average of the number of clients reported for the 1986, 1987, and 1988 seasons. The Park Service has indicated that the limit is designed to avoid over-harvest of the 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



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,

ACTING 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

RECEIVED

JUL 5 1989

JAN FAIKS
SENATE OFFICE

June 30, 1989

The Honorable Jan Faiks
Senate Judiciary Committee
Alaska State Legislature
3111 "C" Street, Suite 525
Anchorage, Alaska 99503

Dear Senator Faiks:

Thanks again for organizing and conducting the first meeting of the Guiding and Game Task Force. I look forward to working with you and the other task force members on this important wildlife management issue.

With respect to alternates, SuzAnne Miller served as my alternate on the previous Guiding and Game Task Force and she will continue in this role. One point that probably needs further discussion by the task force is whether or not alternates can vote. Last time they could vote if they were designated as alternates in writing. I favor this approach.

Concerning upcoming meetings, I could attend a meeting in Anchorage during the first week of August and sometime in late September or early October. I think we should plan on a minimum of 2-day work sessions when we meet in the fall and early winter.

For our August meeting, I recommend that the draft criteria (enclosed) which I passed out at yesterday's meeting be reviewed by all task force members and that they be prepared to discuss and finalize the mapping criteria at the next meeting. In determining the future schedule of meetings for the task force, we must consider the public process for input to the mapping project. I feel it is imperative that the task force play a lead role and provide guidance for this project to be successful.

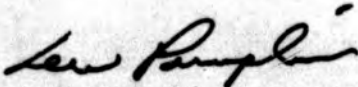
As stated yesterday, I support your suggestion of contracting with a legal consultant to assist us in developing legally viable alternative options. Along with your suggestion of Mr. Bill Horn, I would like to add Mr. Paul Lenzini (based in Washington, D.C.) and Mr. Avrum Gross of Juneau to the list of potential consultants.

June 30, 1989

One final point is that I must emphasize the need for additional funds to be able to complete the guide-outfitter resource area map project. A copy of the fiscal note submitted to the legislature is enclosed. As mentioned yesterday, the funds were reduced from \$90,000 to \$45,000. I recommend that this subject be placed on the next meeting's agenda for discussion.

Thank you for your assistance and willingness to serve as chairperson.

Sincerely,



Lew Pamplin
Director
Division of Wildlife Conservation

Enclosures

cc: SuzAnne Miller, Data Management Coordinator, Division of
Wildlife Conservation
Task Force Members

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

In order of priority

1. Wildlife management concerns
 - Species abundance and diversity
 - Administrative wildlife management boundaries (Game Management Unit/Subunits)
 - Harvest history (target number of potential hunt opportunities)
2. Enforcement concerns
3. Land ownership
4. Administrative restrictions
5. Easily recognizable (in the field) boundary features
6. Access availability and transportation considerations (methods and means restrictions)
7. General approach to the size and number of individual areas
8. The number of guide-outfitters per area
9. Other land uses
10. Existing facilities
11. Others considerations

* Provided to the Legislative Task Force on Guiding and Game
by Lew Pamplin, ADF&G, June 29, 1989

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act Relating to Commercial
Services for Big Game Hunters
Sponsor: Resources Committee
Requestor: _____

Agency Affected: Fish and Game

BRU: Wildlife Conservation

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	31.5	76.8	67.5	58.2	58.2	58.2
TRAVEL	1.5	5.0	3.0	1.0	1.0	1.0
CONTRACTUAL		.5	.5	.5	.5	.5
SUPPLIES		1.7	1.0	1.0	1.0	1.0
EQUIPMENT		6.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	33.0	90.0	72.0	60.7	60.7	60.7

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) The FY89, FY90, and FY91 expenditures are necessary to coordinate the development of a computerized area-based management system for use in administering the guide/outfitting industry. The FY92, FY93, and FY94 expenditures would depend on the guide/outfitter area management system which is devised and ADF&G's role in that system.

Prepared by: W. Lewis Pamplin, Jr., Director

Division: Wildlife Conservation

Phone: 465-4190

Date: 2/15/89

Approved by Commissioner: [Signature]

Agency: Fish and Game

Date: 2/15/89

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)



Senate Judiciary Committee

9-20-89

Jan -

This was faxed yesterday. Sam Castle
is former guide Board - now consultant with
AK Professional Hunters.

Mark -

Call Alan Guerrilli
of Prosecutors office
& ask about this
case - he will not
tell you details but ask
if they have reasonable
cause - then ask him
for amt it costs -

Jan Faiks
R

Yes - we can
ask for an
audit also
but let's make
sure its
warranted.

Samantha Castle
1170 Sunnyslope
Fairbanks, Alaska 99709
(907) 455-6678

SENATE OFFICE
JAN FAIKS

SEP 19 1989

RECEIVED

September 19, 1989

Senator Jan Faiks
Chair, Senate Judiciary Committee
FAX 561-7812

Dear Senator Faiks,

As usual, rumors and innuendos are a part of daily life in Alaska. I am asking your assistance in the issue of Bruno Zedler vs. Lt. Bob Boutang. See attached news article.

My understanding is that Mr. Zedler is a convicted felon. In his anger over his own conviction, he has made allegations concerning his arresting officer, Lt. Boutang. This has caused two investigations by the Ombudsman's office (one very thorough) and one investigation by the Department of Commerce and Economic Development. Lt. Boutang has not been found to be in violation of any statutes, regulations or policy during the course of these investigations.

I have heard that an investigating officer has travelled to 9 or 10 states to interrogate Lt. Boutang's previous guided clients. This seems like a very expensive exercise and I am also considering the cost of in-state time and dollars to process these investigations.

How much will be enough and when will it stop? In addition to the above named costs to the State, Mr. Zedler is also using a public defender because he says he is unable to pay the cost of his defense. I understand the public defender issue was debatable in his defense. Is it not as debatable in his attack (as opposed to defense) in this allegation? Lt. Boutang does not have a public defender and his department (Department of Public Safety) is not paying for his attorney. This is a personally costly exercise for Lt. Boutang. If he is guilty of a misdeed, would the previous investigations have produced charges to be filed against Lt. Boutang?

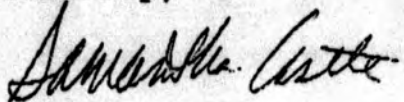
My question to you -- is it possible to have a legislative audit of the costs of these many investigations? Can an upper limit be placed on the State paid investigation of Lt. Boutang by Bruno Zedler. Can you determine a set amount (\$100,000 ??) which is available for use by Mr. Zedler in his pursuit of Lt. Boutang. This would only limit the State's contribution to the project, of course. Mr. Zedler will undoubtedly spend his own time and his own money if he wishes to continue his investigations of Lt. Boutang's conduct.

I am not suggesting to you that any of the above is absolutely correct fact. It is sent to you as a compilation of rumors and my issue is not one of arbitration between Lt. Boutang and Mr. Zedler or an advocacy of either of them. I simply resent the amount of time and money the State may be spending on this small issue when there are serious resource violations and other crimes against the State and its' citizens which may not be as high on the priority list of investigators. I constantly hear that the Department of Law and the Department of Public Safety (and most all other departments in this State) are seriously understaffed and underfunded. If that is true, we all have to work at establishing limits and prioritizing our work loads.

My question to you is whether the rumors as listed above are true and whether Mr. Zedler is taking a disproportionate share of State time and money.

Thank you for your follow-up on these questions.

Sincerely,


Samantha Castle



na places a 'Sold' sign on a Plymouth Voyager he bought for about \$13,000 with a loan Saturday.

rations manager Gary Zim-
d most of the cars on the lot
at "low book" value. Alaska
to finance the full price if
the prices reasonable, Zim-
d.

the third year Alaska USA
the sale in Anchorage,
ager Carl Bradford said. He
er questions to top manag-
ld not be reached.
id Avis sold about three-
cars it offered for sale Sat-
weekend, the rental com-
of 52 cars taken to the Mata-
y Federal Credit Union in

ad I drove my car up there
ething to drive back," Hal-

l company has about 28 per-
ars in Alaska this year to
ss generated by the March
Prince William Sound and
summerlong cleanup that
wn.

ie cars were unavailable for
use the companies, govern-



Ben Cuasmas, far left, watches the truck he bought from Avis Rent-a-Car.

ment agencies and news teams are still
using them in Valdez, she said.

Zimmerman said rental companies
sell cars throughout the year. Avis uses

the fall sale to clear out rentals prior to
bringing in new models, although at
least two cars on the credit union lot Sat-
urday were 1990 models.

Officer suspect

Role investigated
in game guide case

By MICHAEL DEAN
Times Writer

An Alaska Fish and Wildlife Protection officer who led investigations of illegal big game operations is under criminal investigation of perjury and using fraudulent information to obtain a big game hunter's guide license, according to state officials.

Lt. Robert Boutang, Fairbanks detachment commander of the Fish and Wildlife Protection division, is being investigated by troopers on allegations arising from testimony he gave on the witness stand during the trial of big game outfitter Bruno Zedler, according to trooper Sgt. John McGee and documents filed in Anchorage Superior Court.

Boutang, contacted Friday, would not comment on the allegations or the investigation.

Zedler, of Anchorage, was convicted by jury in November 1988 on three charges of guiding without a license and illegal possession of game — a black bear. He has asked for a new trial based on Boutang's testimony.

Zedler filed a complaint in January with the state Occupational Licensing Division, claiming fraudulent entry by Boutang into the registered guide licensing process.

Dan Frerich, investigator for the Big Game Commercial Services Board, refused to comment Thursday. "I can't even tell you an investigation was conducted until a public document is published," Frerich said. No public document has been published concerning Robert Boutang.

According to Zedler and court documents filed on his behalf by public defender Barbara Brink, Frerich turned findings of his investigation over to the state Attorney General's Office, which assigned the case to troopers.

Sgt. McGee, in Anchorage, confirmed Friday that he is conducting a criminal investigation of Boutang, but he declined to disclose the details.

McGee interviewed Brink and Zedler in August, and according to a sworn affidavit filed by Brink in Anchorage Superior Court, McGee told Brink he is investigating Boutang for perjury and or falsification of documents.

Boutang was in charge of Zedler's investigation and supervised the state's undercover officer who went into the field with Zedler.

According to court transcripts of Boutang's testimony during pre-trial hearings for Zedler,

litzy gala fetes Gold Pan winners

LIA SOPALSKI
Writer

anchorage Chamber of Commerce
ers and friends put on the ritz
tzy presentation of the 1989 Gold
wards handed out in a program
Evangeline Atwood Concert Hall
Alaska Center for the Perform-
ts Saturday night.

s year marked the 32nd year
Pan Awards were presented by
amber, and the mood was festive
e evening progressed from
ils at 6 p.m. in the Lorene Harri-
bby to dinner in the Carr/Gott-

stein Lobby and then to the anticipated
announcement of the 1989 awards at
8:30 p.m.

Black ties, velvet, satin and sequins
bedecked the aisles as members pa-
raded into the concert hall from a
prime rib dinner catered by the An-
chorage Hilton Hotel. Chairman Rod-
ney C. Bradley took the podium first to
"review the year and ride off into the
sunset" before introducing Chairman
Elect Dave Harbour.

The chamber surprised the audi-
ence with a special presentation before
this year's Gold Pan nominees were in-

troduced. A special Gold Pan was
awarded to Mann Leiser of Alaska
Greenhouses in belated recognition of
his significant work which earned the
Anchorage Parks and Recreation De-
partment two Gold Pans in 1986 and
1987.

The Gold Pan for community ser-
vice by a group or business was
awarded to two groups this year,
Alaska Airlines and the Citizens Coal-
ition for Tort Reform.

This year's award for the most out-
standing chamber member went to
See Chamber, page R-4

via operations manager Gary Zimmerman said most of the cars on the lot were priced at "low book" value. Alaska agreed to finance the full price if made the prices reasonable, Zimmerman said.

This was the third year Alaska USA hosted the sale in Anchorage, chamber manager Carl Bradford said. He fielded other questions to top managers who could not be reached.

McGee said Avis sold about three-fifths of the cars it offered for sale Saturday. Last weekend, the rental company sold 49 of 52 cars taken to the Matanuska Valley Federal Credit Union in Anchorage.

"I was glad I drove my car up there and had something to drive back," Halstead said.

The rental company has about 28 personal cars in Alaska this year to generate business generated by the March spill in Prince William Sound and the ensuing summerlong cleanup that is still going on.

Many of the cars were unavailable for sale because the companies, govern-



Ben Cuasmas, far left, watches the truck he bought from Avis Rent-a-Car.

ment agencies and news teams are still using them in Valdez, she said.

Zimmerman said rental companies sell cars throughout the year. Avis uses

the fall sale to clear out rentals prior to bringing in new models, although at least two cars on the credit union lot Saturday were 1990 models.

Glitzy gala fetes Gold Pan winners

by JULIA SOPALSKI
Times Writer

Anchorage Chamber of Commerce members and friends put on the ritz for the glitzy presentation of the 1989 Gold Pan Awards handed out in a program at the Evangeline Atwood Concert Hall at the Alaska Center for the Performing Arts Saturday night.

This year marked the 32nd year Gold Pan Awards were presented by the chamber, and the mood was festive as the evening progressed from cocktails at 6 p.m. in the Lorene Harri-

stein Lobby and then to the anticipated announcement of the 1989 awards at 8:30 p.m.

Black ties, velvet, satin and sequins bedecked the aisles as members paraded into the concert hall from a prime rib dinner catered by the Anchorage Hilton Hotel. Chairman Rodney C. Bradley took the podium first to "review the year and ride off into the sunset" before introducing Chairman Elect Dave Harbour.

The chamber surprised the audience with a special presentation before this year's Gold Pan nominees were in-

troduced. A special Gold Pan was awarded to Mann Leiser of Alaska Greenhouses in belated recognition of his significant work which earned the Anchorage Parks and Recreation Department two Gold Pans in 1986 and 1987.

The Gold Pan for community service by a group or business was awarded to two groups this year, Alaska Airlines and the Citizens Coalition for Tort Reform.

This year's award for the most outstanding chamber member went to See Chamber, page B-4

bemoan public disinterest

t C runners focus on funding

WOLFE

Jordan has incumbency, Brian has endorsements and Ann Padgett is an alternative.

The short story of how the race on the Anchorage School Board is up with just over two weeks to the Oct. 3 election.

Wolfe, has been active on the board for years. Whittle, 38, ran for the first time last year with the backing of those endorsements in this race, despite losing the leg-

islative race. And Padzuikas, 51, said, "I'm offering myself as an option. I can't really say where I'd be better than Darryl."

For being so humble, Padzuikas (say padJOOkin) is the only candidate in either race to list qualifications as a primary reason for election instead of opinions on issues. "I do think I'm really well qualified," she said.

Chief of program planning and evaluation for the federal Minerals Management Service, she said she has worked for 20 years as budget and management analyst.

See Seat C, page B-3

et, drugs dominate Seat D race

LFE

The issue among the three candidates on the Anchorage School Board is how to give each school individually for as the school pleases.

The Seat D race is friendly by all accounts, the candidates spend time about each other than lies do. Bud Knox and Gene Bruckman think Gene's ideas take a nice concept and Dodd, on the other hand, hasn't done much on the concept approve more spend-

Dodd said, "Just give schools dollars and say, 'OK, how would you utilize this?'" His idea is to give the schools incentive to spend wisely, use only what they need, and develop "competitive excellence" between schools.

He adds his often-used phrase that "Betty's never seen a budget she didn't like" and says his plan would help hold down costs and, ultimately, taxes.

Bruckman and Knox both said that Dodd's idea would promote inequities across the district, giving some children a better education than others. Both like the idea of allowing individual schools more power to make their own decisions but not See Seat D, page B-3

WALKER OF THE INVESTIGATION.

Zedler, of Anchorage, was convicted by jury in November 1988 on three charges of guilt without a license and illegal possession of game — a black bear. He has asked for a new trial based on Boutang's testimony.

Zedler filed a complaint January with the state Occupational Licensing Division, claiming fraudulent entry by Boutang into the registered guide licensing process.

Dan Frerich, investigator for the Big Game Commercial Services Board, refused to comment Thursday. "I can't even tell you an investigation was conducted until a public document is published," Frerich said. "No public document has been published concerning Robert Boutang."

According to Zedler and court documents filed on his behalf by public defender Barbara Brink Frerich turned findings of his investigation over to the state Attorney General's Office, which assigned the case to troopers.

Sgt. McGee, in Anchorage confirmed Friday that he is conducting a criminal investigation of Boutang, but he declined to disclose the details.

McGee interviewed Brink and Zedler in August, and according to a sworn affidavit filed by Brink in Anchorage Superior Court, McGee told Brink he is investigating Boutang for perjury and falsification of documents.

Boutang was in charge of Zedler's investigation and supervised the state's undercover officer who went into the field with Zedler.

According to court transcripts of Boutang's testimony during pre-trial hearings for Zedler,

See Guide, page B-6



Times photo by ROB LAYMAN

A fatal fire gutted a rented condominium at 1206 E. 8th Ave.

Condo fire claims woman's life

Times Staff

Virginia Dyson, 43, became the year's seventh fire fatality Saturday when fire destroyed her rented condominium in a Fairview neighborhood complex.

Flames were shooting from windows in the unit when firefighters arrived at the Square 89 complex at 1206 E. Eighth Ave. shortly after 12:45 a.m., said Don Barlow, an Anchorage Fire Department battalion chief.

The Anchorage woman was

found by firemen in the kitchen. Paramedics were unable to revive the victim, who was pronounced dead at Humana Hospital-Alaska.

Investigators said an improperly discarded cigarette probably caused the fire.

Complex manager Karen Rudorf said smoke damaged six condominiums in the 84-unit complex, which is owned by former Anchorage dentist C.E. Munns. No dollar estimate of the damage was available.

Guide: Licensing

Continued from page B-1

Boutang told Brink that he has an assistant guide license, "but I'm not really working for any kind of a guide license."

Brink asked if he has any intention of obtaining a guide license in the future.

"I don't have any intention of going to be a guide," Boutang replied.

In 1987, however, Boutang filed an application with state Occupational Licensing to take the oral examination to become a registered guide. According to Boutang's file, the application was accompanied by several recommendations by hunters and guides he had worked for.

Ed Grasser, guide and vice president of the Alaska Professional Hunters Association, had filed several recommendations for Boutang as an assistant guide who had worked for him.

Working in an occupation that would be a conflict of interest with troopers' duties has been against a departmental policy established in 1984 by Robert Sundberg, commissioner of the Department of Public Safety.

Col. Jack Jordan, who heads the state Fish and Wildlife Protection division, said his officers had been assigned to be assistant guides after the 1984 decision because, "I don't consider, per se, that being an assistant guide is a conflict of interest."

Jordan said, however, that he discontinued the practice officially last spring. "A lot of times, in law enforcement, we must not only consider what we do or don't do, we must consider appearance as well. Rather than leave it open, and to avoid all appearances of conflicts of interest," he said, "we will not act as assistant guides."

According to Alaska's new ethics law, "No public employee may work for, paid or unpaid, a person or organization other than the employee's own department, if that work is incompatible or in conflict with the proper discharge of official duties."

Through his attorney Zedler claims Boutang's inconsistent testimony, particularly statements regarding a "confidential

informant" whose complaints initiated the investigation of Zedler, are grounds for a new trial.

Boutang testified that he did not know the identity of the confidential informant, but Brink said the pre-sentence report on Zedler shows otherwise.

The identity of an informant against Zedler was withheld by the law enforcement agencies in this case, Brink wrote in the motion for a new trial.

Boutang testified at a pre-trial hearing that he had received complaints by anonymous people and a few guides about Zedler. Boutang said none of the informants would give a name.

But in Zedler's pre-sentence report filed in March, according to Brink, there is information by Boutang which indicates he knew who the informant was. Boutang told the author of the pre-sentence report that he had met the informant in person, Brink claims.

Zedler says he is innocent and was entrapped by a government agency, "on a witch hunt after outfitters." He said he believes the "informant was a guide who was mad at me," and he needs to know the informant's identity to support his theory of entrapment.

Drowned man's body recovered

TIMES STAFF

Alaska State Troopers have recovered the body of a man who apparently drowned in the Chena River Aug. 24.

Michael Ballantyne, 24, of Fairbanks, had been at the Pump House Restaurant with a friend and was attempting to get into a canoe when he fell into the river, troopers said.

His body was found about 200 yards downstream from the restaurant, troopers said.



ANCHORAGE
PUBLIC
UTILITY

EFFECTIVE
SEPTEMBER
POST OFFICE MAIL
NEW PAYMENT SYSTEM

The ANCHORAGE WATER UTILITY (AWWU) hereby gives notice of a public hearing, originally scheduled for 7:00 P.M., October 11, 1989, in the Z.J. Loussac Public Library, 1121 East 10th Avenue, Anchorage, Alaska, 99501. Comments relating to this filing may be made at the public hearing or by written comment to the AWWU.

AWWU proposes a first stage rate increase of 9.05 percent which is an interim rate increase pending a second stage rate increase to be effective January 1, 1990.

Detailed information may be obtained from the AWWU whose address is 3000 Arctic Avenue, Anchorage, Alaska 99503-3898. The filing may be referred to the reference desk of the Z.J. Loussac Public Library, Denali Street, Anchorage, Alaska, 99501. Clerk's office, 4th Floor, City and Borough of Anchorage, Alaska, 99501.



P.O. #1105-89
Pub 9/17/89

W

Daily News - 9-19-89

Wildlife officer faces perjury investigation

9.19.89

Daily News staff and wire services

Alaska State Troopers are investigating allegations that a top officer of the state's Fish and Wildlife Protection Division committed perjury in 1987.

Lt. Robert Boutang of Fairbanks, then the director of Fish and Wildlife investigations, was at the time trying to convict big-game outfitter Bruno Zedler of

Anchorage on charges of illegal guiding.

Boutang — himself a licensed assistant guide — may have lied about his guiding activities while testifying under oath in that case, according to court documents.

Zedler was convicted in November of three charges

Please see Back Page, **INQUIRY**

Zedler said he is innocent and was entrapped by a government agency on a "witch hunt after outfitters." He said he believes the informant was a guide who was angry with him.

JOE MIGUEL

CORRESPONDENCE

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF WILDLIFE CONSERVATION

STEVE COWPER, GOVERNOR

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 344-0841

(907)

RAPIFAX: 344-7914

RAPIFAX TRANSMITTAL SHEET

465-4923

TO: Mark Riehl
of Sen. Fair's office

DATE: 29 March '90

No. of Pages: 8
(including this page)

FROM: Margaret See
Wildlife Cons. Anch.

MESSAGE:

Previous correspondence with J. Maguire,
per your request; prior to the
March 20 letter cc'd to your office.

Note: our letter of Feb 27 should have
said (in paragraph 4) "The department..."
instead of "The task force..." but we
didn't catch the inadvertent mistake
before the letter was sent.

—MGS

Alaska Dept. of Fish & Game
Statistics Section
333 Raspberry Road
Anchorage, Alaska 99518

Gentlemen:

I am enclosing payment for the
map of unit 1C.

I find the state position of requesting
public input into the new guides use areas
very interesting. On one hand they (you)
request public input and comments and
on the other the public has to pay to
give their input.

Charging for the maps as you are
is going to be a great turn off for
many people and I fear that you
are ^{not} going to receive as much input
from the public as is actually needed
in this critical matter.

this whole affair reminds me of a meeting which I recently attended in Juneau of the Guiding Task Force. the meeting was not properly advertised and I accidentally found out about it from Senator Duncan. I was the only person in attendance from Juneau in a public comment meeting. An agency can request public comments, but there are many ways to deter those comments. the Alaska Dept. of Fish and Game has used one of those deterrents!

Sincerely,

Joe Miguel

Box 210933

Anchorage, Alaska
99521

780-6351

cc. Governor Cooper
Commissioner Don Collinsworth

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE COWFER, GOVERNOR 4/P

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 455-4100

February 27, 1990

Mr. Joe Miguel
Box 210933
Auke Bay, AK 99821

Dear Mr. Miguel:

I appreciate your interest in the development process for new big game guide-outfitter use areas. I also share your concern that the public have full opportunity to be involved in providing comments.

There will be several public review periods scheduled during the two year process for this mapping project. During those periods we will actively seek public review of specific proposals for new use areas.

As we mentioned in the Map Packet, this preliminary comment period (January 22 to March 23, 1990) is an extra opportunity for public input. We want to hear from people who have specific suggestions for new use areas anywhere in the state, based upon their knowledge.

The task force scheduled this preliminary comment period so that it would receive these first public comments before beginning work on department map proposals in April. This period was scheduled in advance of spring bear hunting so that interested people would likely have the time to comment.

I want to assure you that there will be future public review periods this year and that people will not "miss out" if they choose not to buy maps and comment at the present time. Future review periods will be scheduled to avoid big game hunting seasons.

All those involved would have preferred not to charge a fee for the individual maps. However, our budget did not include funds to pay for the maps for this preliminary public comment period. The department had the choice of asking people to buy U.S. Geological Survey maps (\$4 per map) or make maps that also show drainage boundaries, and charge a small fee. The decision was to make maps, and charge only part of what they cost. This is explained in more detail on the enclosed sheet, which is now being sent out with maps that people order.

I would also like to provide some information to address your comments about the Juneau meeting of the Legislative Task Force on Guiding and Game. As you may know, the Department of Fish and

February 27, 1990

5/8

Game held a seat on this task force, and fully supported having public testimony at these meetings (see enclosed letter from Lewis Pamplin to Senator Jan Faiks). Let me assure you that public testimony was actively solicited, and that public comments were seriously considered by members of the task force before recommendations were adopted.

Enclosed is a list of all task force meetings and work sessions, and the type of public notice provided for each meeting. The meetings were open to the public and allowed access through the communications network of the Legislative Information Office (LIO) plus toll free numbers for persons in remote locations.

The task force chairman, Senator Jan Faiks, allowed public testimony at all regular meetings and most work sessions. Over the course of all meetings approximately 100 people testified, with over 500 additional people present as observers.

The final task force meeting was scheduled as a work session on January 4-5, but the task force had to schedule an additional session to complete its business. I believe that the meeting mentioned in your letter may have been the final work session on January 22. I am concerned that you felt that this meeting was scheduled in a manner to deter public comment, however, the task force was beyond the period in which they could incorporate any additional public comment in their final report. Public comments and concerns from earlier meetings did influence the final recommendations of the task force.

I hope that this letter and the enclosed information clarify that everyone involved is trying to maximize public opportunities to participate in the process of developing a new area-based system for big game guide-outfitting. If you would like additional information about the mapping project, please feel free to contact the project manager, Marianne See, at our Anchorage office (267-2420). Thank you for taking the time to convey your concerns. I hope you will continue to take an active interest in this important project.

Sincerely,


Warren W. Wiley
Assistant Commissioner

Enclosures

cc: Governor Steve Cowper
W. Lewis Pamplin
Marianne See

Why a Map Fee ???

People have asked why The Department of Fish and Game (ADF&G) is charging a fee for the maps they are ordering. We would like to explain the reasons for this fee.

ADF&G has recently started a two-year project to develop new use areas for guide-outfitters. This includes public review periods for the draft maps that we propose, starting later this year.

We were asked by the Legislative Task Force on Guiding and Game to provide a preliminary comment period. This gives the public an opportunity to provide area-specific information to ADF&G before specific proposals are prepared.

Because our project budget was already allocated, we had no funds to cover the costs of making and mailing these maps.

This preliminary comment period is specifically for those people who want to tell us about specific areas that they would like us to consider as new use areas for guide-outfitters. If you do not have specific suggestions at this time, you may comment later on the ADF&G proposals for each game management unit, when they are available for public review.

We had the choice of asking people to buy U.S. Geological Survey maps that cost \$4 per map but do not include our uniform coding unit boundaries (UCUs), or making ADF&G maps that included the U.S. Geological Survey data and our UCUs, and charging part of the actual cost to make them.

We chose to make our own maps, and charge only part of what they cost us to make.

If you prefer not to order maps at this time, you will have additional opportunities to provide your comments to ADF&G.

We appreciate your interest in this project.

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

STEVE COWPER, GOVERNOR

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

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

THE FOLLOWING ATTACHMENT IS A LIST OF ALL TASK FORCE MEETINGS

JUNE 29, 1989 - (work session) (posted Public Notices at Anchorage LIO, Senate Secretary posting)

JULY 19, 1989 - (work session) (notice may have been posted at the Anchorage LIO and notice may have been given to one or both of the Anchorage newspapers but no records exist to verify)

OCTOBER 5-6, 1989 - (combination work session/regular meeting with public comment)

(newspaper ads, written notice to staff mailing list)

NOVEMBER 8, 1989 - (regular meeting - public comment)

(posted Public Notice at Anchorage LIO, newspaper ads, written notice to staff mailing list and to approximately 1500 commercial licensees, landowners, agencies from agency lists, available to statewide teleconference network)

NOVEMBER 20, 1989 - (regular meeting - public comment)

(posted Public Notice at Anchorage LIO, newspaper ads, written notice to staff mailing list and to approximately 1500 commercial licensees, landowners, agencies from agency lists, available to statewide teleconference network)

DECEMBER 11-12, 1989 - (regular meeting - public comment)

(posted Public Notice at Anchorage LIO, newspaper ads, written notice to staff mailing list, available to statewide teleconference network)

JANUARY 4-5, 1990 - (work session with public comment)

(posted Public Notice at Anchorage LIO, available to statewide teleconference network)

JANUARY 22, 1990 - (final meeting - work session)
(available to teleconference network)

(posted Public Notice at Anchorage LIO, available to statewide teleconference network)