

# DNR - Mining, Land & Water Online Public Comment

## Guide Concession Program

Topic: **2013 Management Framework Document**

Filtered for:

Comment 1 of 77 - submitted on 02/28/2013 at 12:00 AM:

February 28, 2013

Mr. Clark Cox Natural Resource Manager Department of Natural Resources State of Alaska 550 W. 7th Ave. Ste. 900C Anchorage, Alaska 99501

Mr. Cox,

Thank you for the opportunity to comment on the latest version of the proposed DNR Guide Concession Program (GCP). The Alaska Outdoor Council (AOC) is a statewide organization comprised of 51 outdoor clubs and individuals currently numbering over 10,000 Alaskan members. AOC has participated in the state's regulatory process regarding big game management and allocation since before statehood. AOC members recognize and appreciate the relationship they, as users of the public resource, have with the state of Alaska as managers of the public resource, wherein the state provides public access to big game resources on state lands. Alaska hunters living in federally recognized non-subsistence areas have no game allocation on federal lands, which cover some 60% of the state. That makes access to big game on state lands a critical issue for the majority of hunters in the state. Big game guide concession programs ultimately allocate game resources to nonresident hunters. It is important to note that the GCP was proposed to address social issues, including user conflict, on state lands (some 100 million acres) associated with commercial hunting activity. This is not a conservation issue (which would clearly be the responsibility of the Department of Fish and Game) but rather DNR conducting a carrying capacity study as the state land manager. Concurrent with this effort by the state, the Bureau of Land Management (BLM) is conducting an Environmental Assessment (EA) on the commercial hunting guide capacity on the 75 million acres they manage in Alaska. All other land in the state open to hunting is either private (mainly ANCSA lands) or under a federal guide concession program. Mr. Clark Cox Alaska Department of Natural Resources February 28, 2013 Page 2

AOC has no recommendation on how the guide industry chooses to regulate itself. AOC supports the Big Game Commercial Services Board (BGCSB) process authorized by statute to adopt regulations governing the big game commercial industry in Alaska. However, we do offer the following comments on the January 2013 GCP Draft:

AOC Comments on DNR January 2013 GCP Draft

" Set a maximum number of clients per calendar year, per concession area for Full Concession Areas. Rational: The GCP was created to address social issues, including user conflict, on state lands associated with commercial big game hunt guiding. In order to reduce the perceived user conflicts resulting from too many guided nonresidents on state lands the state should cap the number of nonresident clients. DNR should review the client reports for the approximately 170 guide/outfitters who

have been signing guide/client hunting contracts with nonresidents, as well as all transporter data, to determine how many nonresident hunters have annually been using state land over the last decade or so. DNR has developed the GCP because conflicts are developing now. That being the case, the number of nonresident hunters should certainly be capped at a level lower than the number causing the conflicts. In other words, in areas where conflicts have been identified, fewer nonresident hunters should be granted access to that state land than over the past 10 years.

" Establish a fee/tax/royalty for the exclusive use of state resources to be deposited into the Fish & Game Fund, AS 16.05.100.

Rational: The state of Alaska extracts monetary payment for the exclusive use of oil, gas, minerals, timber, fish and land. Exclusive hunting concession areas should be no different. The trophy quality of Alaska's big game taken on state lands by nonresident hunters is a highly valued resource, and as such it should benefit the management of that resource for future uses. Hunters are proud of their heritage of contributing to the management of fish, game and land through excise taxes on arms and ammo, and other equipment. This is simply an extension of the North American wildlife management model. To be clear, we acknowledge the proposed \$2000 and \$1000 concession fees for full and limited concessions, respectively. This is to cover the cost of administering the GCP and wholly separate from paying the state for exclusive use of a resource.

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" Delete #3 Client Fee from Fee Amounts

Rational: A commercial agreement, formalized by a contract, between the guide and the client establishes a price for the guide's services. Clients pay license and tag fees to the State of Alaska. To allow the guide, let alone propose in this document, that the client pay an additional fee is contrary to the transparency that the industry needs to remain credible.

" Delay implementation of the GCP until you have addressed transporters and air taxis.

Rational: Air taxis and transporters are the most important, and most complex, piece of the puzzle. The point of the GCP is to relieve conflict. Any plan that does not account for, and address, the unregulated number of hunters that could be added to an area by transporters would be unreliable, and doomed to failure.

That said, limiting access for Alaskan residents utilizing transporters is well outside of DNR's authority and mission. Controlling Alaska resident participation in a regulated hunt falls exclusively and squarely within the authority of the Board of Game.

AOC looks forward to working with all resource managers charged with ensuring that Alaska residents have access to wild food resources on state land, while also managing so that nonresidents are able to participate in a world-class big game hunting experience. We thank you for your efforts on behalf of both groups.

Sincerely,

Rod Arno, Executive Director Alaska Outdoor Council 310 K Street, Suite 200  
Anchorage, Alaska 99501

**Comment 2 of 77 - submitted on 02/25/2013 at 12:59 PM:**

I do not agree or support this proposed guide consession program. Besides several outfitters, guides and pilots to be put out of buisness a major concern is the proposed costs to have a client in the field. The outfitters should not have to support this program considering most do not agree with this proposal. This proposed cost would increase an outfitters overhead directly forceing an increase in hunt costs and now causing the hunter to pay more.

**Comment 3 of 77 - submitted on 02/24/2013 at 09:53 AM:**

Dear Sir or Madam,

I am for competition in guide businesses and do not want to see a large reduction in the number of guide businesses. To the extent you want to do something, you should get rid of the guides who have broken the law, or who more than one time took illegal animals due to size. You could benefit the whole program by favoring guides who take less animals over those who take more animals, and who do the guiding themselves, rather than through assistants.

Thank you for your attention.

Larry L. Boschee 2112 Modesto Circle Bismarck, ND 58504

**Comment 4 of 77 - submitted on 02/08/2013 at 12:00 AM:**

I'm Chris Branham (indiscernible) guide in Alaska. I've been (indiscernible) guiding (indiscernible) is this thing working? MR. COX: Not too well. MS. COLLES: Not very well. MR. BRANHAM: Anyway, You know, (indiscernible) everybody here. I've been in the guiding business for quite a while. I've been out of it for a little bit in the last five years because the industry is kind of going haywire. We get I know you guys are complaining about it, but I'm in the same boat, the guides come in, clean out the population, go to another area, clean out that population, and we have absolutely no no real solid foundation for guiding industry. The state looks at the guiding industry as some kind of pee on (indiscernible). You know that very well because that's what they treat you like. Just commercial fishing industry is pretty well done. It's a constitutional amendment. It's right there. The critical issue that I have for the state here is the number one issue, of course, is, is this constitutionally going to be possible? That's the one thing you have to answer yourself. The state's the only one that can do it. We can go (indiscernible) are, they can go on and on and on and on, and some individual already discussed that. If it's not constitutional, we're all wasting our time in this trying to do this. Number two, I mentioned this before, this whole issue is you know, is like what's the terminology we use here? I apologize. It's called limited impact on the resources. Limited impact on the natural resources. What does that mean? We're going out there, going to blaze away at 10 or 15 (indiscernible) every season, and that's supposed to be limited? So the issue is, what are we doing here, as far as protecting the resources and limiting them? All we're doing is fighting over who's going to get the number of brown bears or sheep or caribou in the area. So as I discussed here before this meeting, this whole issue boils down to game populations. You can have a huge area, and you've got one sheep

hunter and you've only got enough to take one sheep. What good is that? So somehow the state is going to have to I agree with I think Wade Willis about the Big Game Commercial Services Board are the ones that should resolve this issue. The problem with natural resources, the only reason they're there for us is they control the land that belongs to the state. They can tell you you can have a mine. They can tell you you can have a hunting camp or a fishing camp. They they want to generate revenue for the state. That's all their object is. Our purpose is to try and make a living at it. The only way you're going to do that thank you. The only way you're going to do that is you're going to have to limit the resources on what you take. So somebody was mentioning it's either going to end up being a permit system or it's going to be a free for all. One thing that I would like to mention here, and even the Native lady about the subsistence, I think there ought to be something here very significant for people if this program even is considered, even if it goes to the commercial services board, is to have some qualification for people that are living or residents in that location. I want to make sure that, sure, you know, we've got people that live in Texas, can come up here, get a guide's license, happen to get a big area, and they're qualified more than the people that live in the area. So thanks for your time. I just I sympathize with everybody. But you know and I really don't I'm going to look at what the issues are, but I hope you can resolve this.

**Comment 5 of 77 - submitted on 02/26/2013 at 10:32 PM:**

I am very concerned that the limited entry proposal for guides does not allow for resident guides that have just started building their client base. It does not have consideration for their growth potential. I am also opposed to any non-resident guides getting an exclusive area before all eligible residents receive an exclusive area. Non-resident guides do not spend money on horses, hay, boarding, vet and farrier services etc, like resident guides do. A larger portion of non-resident guides bring in horses, equipment and labor, then leave after the season. Conversely, a larger portion of resident guides spend their money in-state enhancing trickle down economics. Young and old resident guides should have every opportunity to access state resources.

Thank You, Wayne J Brost

**Comment 6 of 77 - submitted on 02/28/2013 at 04:27 PM:**

From: Kodiak Island Registered Guide/Outfitters

Dick Rohrer, Master Guide Frank Bishop, Master Guide Sam Rohrer, Registered Guide Jason Bunch, Registered Guide

To: State of Alaska Department of Natural Resources Division of Mining, Land & Water Guide Concession Program (GCP)

Thank you for the opportunity to comment in support of the proposed guide concession program and to request consideration for the following amendments affecting lands in the Kodiak Area, Game Management Unit 8.

Guide Concession Area (GCA) 08-30 is currently proposed to have two Full Concessions and one Limited. We would like to amend the number of authorized users to four Full Concessions. Historically this GCA has been utilized by more than ten Guide/Outfitters for various species to include Brown Bear, Mountain Goat and Deer. This number of users has proven successful with very little conflict and

provides for the continued cooperative success between Alaska Department of Fish and Game managers and Guides to support Brown Bear harvest initiatives within the Road System Area of Kodiak City.

Guide Concession Area 8-26 is currently proposed to have two Full Concessions. We would like to amend the number of authorized users to one Full Concession. This GCA shares a Brown Bear Management Area with an adjacent Kodiak Wildlife Refuge Guide Use Area. There is currently no harvestable goat population within the GCA and it receives considerable subsistence hunting use from the local village of Port Lions. Given the only viable commercial hunting use is for Brown Bear, the current proposal would allow for the potential for three Guides operating within the GCA which is realistically only suitable for two (one federal and one state concession). They would be competing for three spring and two fall bear permits through the draw process, a scenario not conducive to the success of a business and could prove counterproductive to the goals of the GCP.

The DNR GCP application addresses violations, citations, and convictions on "Form D" of the application package. We strongly urge your consideration regarding violations and their impact on the scoring process. In short, reduced scores for minor infractions have the potential to jeopardize an applicant's success even when they are clearly the best candidate for the Concession.

We recognize this program has been ongoing with many recommendations of change. Thank you for your willingness to work with the public to develop a successful program and for your consideration of our comments.

Respectfully,

Jason Bunch Registered Guide 1311

**Comment 7 of 77 - submitted on 02/15/2013 at 04:37 AM:**

Sirs,

I work for the Department of Veteran Affairs as the National Program Coordinator for Veterans Transportation. I have visited your great state and plan to in the future to hunt and to visit sons who are officers in the Coast Guard and plan on being stationed there in the near future.

Today I am writing as a hunter who looks forward to hunting in your great state. The proposal to limit the number of guides in Alaska will increase the cost of guiding services for all sportsmen from around the world. If the guide concession program must be put into effect, please do the industry a favor by eliminating all of the outlaw guides who have purposely broke the law first.

The limited concessions in each area could be doubled to maintain a reasonable amount of choices for choosing guide services and still not have a guide-overcrowding problem. The full concession operations should be limited to 3 guides/contracting guide so that the head guide can maintain an ethical supervision of clients in the field.

My sons and I hope you will preserve the fine reputation that Alaska has for hunting and ensure that we are not priced out of the market.

Thank you,

Marc Chevalier

**Comment 8 of 77 - submitted on 02/05/2013 at 12:00 AM:**

I'd just like to say that was a very good presentation, and you guys are doing a good job. There's probably a few things that could be adjusted, but I think overall it's a really good program. I'm a registered guide. And I've been fortunate to guide in all of the major regions of the state: Southeast, Kodiak, Alaska Peninsula, Western Alaska, Alaska Range, Wood River (indiscernible), and then in the Brooks Range 24, 25, 26. So I've seen a lot of the areas and how things are. That's both on federal and state land. And in my opinion and from my observations, there is no comparison in game populations and the quality of hunts on the federal concessionary as compared to the state lands. State lands are definitely crowded and in a lot of the places way too many guides. So obviously, you know, there's more pressure. The quality of game is less, and you're also like if you guys address, there's the hunting quality is less, as well. You're bumping into people, and that's just not a good experience. So I believe this needs to happen. And for sustainable and long lasting industry, where we can provide quality hunts on both federal and state land. And I think this will make the guiding industry a lot stronger in Alaska.

**Comment 9 of 77 - submitted on 02/08/2013 at 12:00 AM:**

YOLANDA: (Indiscernible.) MR. COX: We can't get it to work. YOLANDA: Wow. MS. COLLES: You just have to use your voice. YOLANDA: So I can't (indiscernible) if they can't hear me. MR. COX: Your time is running. YOLANDA: Oh, okay. First of all, thank you very much for letting me to attend this joke meeting. So first of all, they say bill a House Bill No. 8 in Juneau in which say why the DNR is trying to do is illegal. You know that. Secondly, my name is Yolanda. My ancestor are from the American continent, and I was born in the American continent. That's why I have the right to speak on behalf of those who can speak up for themselves. Secondly, the Alaska Constitution require DNR to manage the state lands for the benefit all Alaska. The (indiscernible) have ignored from the process. Why don't DNR consider (indiscernible) appropriate for (indiscernible), the area for (indiscernible) and subsistence (indiscernible) by an industry. Okay. As long as (indiscernible), I am going to talk about the (indiscernible), because he knows. He knows the (indiscernible). He should be respect the (indiscernible) which are the Alaska wildlife, because the wildlife was given to the American Indians and Alaska Natives for to enjoy, to keep and eat them for subsistence. Nobody's (indiscernible). So some of the people (indiscernible) the book of genesis and say that God (indiscernible) dominion on the animals. Yes, he did. But God says people need to be good stewardship. The DNR is proposing to promote the (indiscernible) wildlife no less. There is no limiting the number of (indiscernible) in an area. There is no conservation (indiscernible) this proposal. The guide (indiscernible) for profits (indiscernible) meat on the animals. The Fish & Game do not establish the boundaries. The (indiscernible) resources were set aside constitutional for the common use of the people. They are not to be (indiscernible) and exploit for industry which only benefit a few (indiscernible) people. The system was not designed to give any responsibility or stewardship or resources to the (indiscernible) industry. We really (indiscernible) what really makes believe (indiscernible) Alaska wildlife, that special interest or sportsman (indiscernible) is more important rules

that (indiscernible) we can only (indiscernible) or Alaska wildlife to a special interest, one to eradicate special (indiscernible) because they are competing when they profit. To kill anymore (indiscernible) is cruel, inhumane and (indiscernible). Alaska wildlife belong to all Alaskans, not to a select group of people who are running the commercial hunting and (indiscernible) industry which only benefit themselves. I am (indiscernible) opposed to the (indiscernible) concession to the master license. And (indiscernible) having problem with (indiscernible) how do we (indiscernible) who became a chair of the advisory and (indiscernible) and he also (indiscernible). Why? Because they went to put more money into their pockets. So I wasn't born in Alaska, but (indiscernible) were born in Alaska, that doesn't mean they care about the land or the wildlife. They (indiscernible) about exploiting and (indiscernible) in order to put more money into their pocket. And thank you very much.

**Comment 10 of 77 - submitted on 02/08/2013 at 12:00 AM:**

February 8, 2013 Friday To: the Department of Natural Resources. Guide Concessions to the "master guides".

The Alaska constitution requires DNR to manage state lands for the benefit of All Alaskans. The 86% percent of Alaskan's that do not hunt have been ignored from the process. Why does the DNR consider 100% of state lands appropriate for commercial guiding. There are areas where wildlife viewing and 'subsistence' are the priority, not for profit hunting by an industry.

Some of the people use the book of Genesis and say that God gave the man the dominion on the animals. Yes, he did but God says people need to be a good stewardship.

The DNR is proposing to promote the killing of more wildlife, not less. There is no limiting the number of guides that can work in an area. There is no conservation advantage to this proposal.

The guide Use areas are based on commercial, for profits, not on the biological need on the animals. The Fish and Game did no establish the boundaries.

The wild resources were set aside constitutional for the common us of the people. They are not to be commercial and exploit for industry which only benefit a few other people.

The system was not designed to give any responsibility of 'stewardship' over our resources to the commercial hunting and trapping industry. What really makes people believe these exploiters of Alaska's wildlife that special interest of Sportsmen ( trophy) hunters and fur trappers organizations is more important rule what is in the interest. We can not left this concession (eradication) of Alaska's wildlife to special interes who want to eradicated specially wolves and bears because they are competing with their profits.

To kill wild animals for sport is cruel, inhumane and barbaric. Alaska's wildlife belongs to all Alaskans, not only a selected group who are running the commerical hunting and fur trapping industry, which only benefit themselves. I am strongly opposed to the guide concession to the master guides.

A concerned citizen, Yolanda de la Cruz 806 West 57th Avenue Anchorage, Ak 99518

**Comment 11 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Smokey Don Duncan, guide No. 136, Fairbanks guide. I'm not for this program. I don't think it addresses the five issues that that Christi put up there on the board. I don't think it's sufficient in addressing it. I think it's going to put a lot of guides out of business for no good reason. There's areas that we need to work on in certain parts of the state, but there's lots of areas this is going to affect that don't have problems. It's amazing to me how 25 guides in unit 1703 can get along and work together and not have big problems, but other areas that have half that many got problems. I got a list I'm sending to the legislature of guides opposed to this, if you want to sign up on it. I've got some APHA members out there that are signed up on it already. Don't be afraid to sign up. I also want to encourage you to make the comments on DNR's Web site. If this does go through, they're going to need your comments to change this and make it halfway palatable. I've been against this thing since December 2005 because that's why they created a guide board. And if you remember back, you probably never got a letter from the Department (indiscernible) Commerce and Economic Development saying the legislature was even considering creating a guide board. It was all done underneath the table. And the guide board's creation was (indiscernible) this guide concession plan. And the guide concession plan had been based on points. And the last two guide boards were destroyed and sunsetted because of the point system. The big concept may be unpalatable to a lot of people, but it's fair. And not having some part of the bid process and paying (indiscernible) for these high dollar, high value areas pisses me off personally because I'm making (indiscernible) kind of trouble going out in areas where they can leave me alone for 25 years, and now I'm being swept into it and asked to subsidize (indiscernible) pretty high dollar contentious areas in these programs. And 1703, 25 guides. Only one was part of this concession program (indiscernible). One. Why is that? I don't believe we're ever going to regulate transporters. December 2005, guide board member Dick (indiscernible) slammed his fist down on the table and said we're never going to regulate them. They're just going to become air taxis and we can't touch them. Well, they dropped their people off on state land. DNR said it's (indiscernible) to do it. Big Game Commercial Services board has had the authority to do it since they were created and they have refused. They have refused to ask the legislature for authority to create the assistant transporter license. Why are my assistant guides paying license fees, and transporter pays one fee and he hires eight pilots and they go out there and dump 11 people off in the middle of nowhere and cause these problems, and they pay nothing? One transporter pays one license fee and all these planes and boats get a free ride. They're making money. I don't look at the guide board or Fish & Game or anybody else getting a handle on these transporters. That's just a fact of reality. And they should be paying. Quit screwing with me, Clark. I'm done. If you want to sign, I brought the list. It's hard to say no to something that pretty, isn't it? It's just plum hard.

**Comment 12 of 77 - submitted on 02/08/2013 at 12:00 AM:**

MR. DUNCAN: I'm representing all the guides Smokey Don Duncan, (indiscernible).  
MR. COX: If you speak for a group, nobody else can speak for that group, so MR. DUNCAN: All the guides that aren't here today. MR. COX: All right. You're speaking for yourself. I'll take that. I said all along that this program is going to put 50 percent of us out of business. It's going to injure 80 percent. I'm thinking that's a low number now. It doesn't take too much work to do the math. Three (indiscernible) I played with on average, it's 80 plus percent of the guides who are there now will

not be there if this plan is implemented. This plan this whole plan is fatal flawed. I don't believe (indiscernible) prevents would prevent us from selling air guide use concession if we get a five or ten year concession. Owsichek didn't say that. Owsichek said you couldn't have something for nothing (indiscernible). The letters of support from the Big Game Commercial Services Board, Board of Game, and Fish & Game, we heard those talked about the five criteria, instead of (indiscernible) wildlife conservation. Hey, buddy, that's the Board of Game. That's up to them. (Indiscernible) experience, Board of Game. It's crowded; they can limit it. And you know what? If you don't want to see anybody else out there, buy a hundred thousand acres and you won't see anybody else. Conflicts, we're not controlling transporters, we're not controlling public. Again, it's a Board & Game deal. We're not going to solve any conflicts. Alaska stewardship, proven, well known, unguided leads to trash, lack of enforcement. That ain't my fault. We this thing doesn't solve any of the five criteria listed for reasons to implement this program. If you wonder why this thing is so screwed up, you read, the first reason is it's developed by non business (indiscernible). You can't hang around four to ten years waiting to get a concessionary. It ain't going to happen. You're going to quit, go somewhere else, do something else. This thing is going to fail in court because the first person that sues that says he had to pay \$2,000 for a worthless black bear area while somebody else got a high dollar brown bear area for \$2,000, the state didn't maximize the value of its resources. It's going to fail. It's going to lose. You guys can do what you want supporting this thing, but if you don't want to support it, there's two ways to stop it. One, get ahold of the legislative information office, send a public opinion message to every legislator out there. Tell them to support House Bill 8. That does away with this whole thing, right there. Send them another public opinion message and tell them not to fund it. At least not fund implementation. If you want to make (indiscernible) and you want to keep working, tell them to give DNR another year and another hundred thousand dollars, one or the other. Those are the two ways to stop it. (Indiscernible) bill, HB8, House Bill 8 in the finance committee, natural resources finance, don't fund it. MR. COX: Thirty seconds. MR. DUNCAN: Those are two main ways, so have at it, guys. MR. COX: Thanks. MR. DUNCAN: If you want to find my list, I'm compiling a master list to send to them, if anybody wants to sign off on it.

**Comment 13 of 77 - submitted on 02/21/2013 at 05:03 AM:**

The guide concession program has 5 mistakes that need to be corrected. 1. Historical activity of the guide must be taken into account as long as the guide has been in business and not based on only 10 years. The total years of doing business should be used as seniority and also be used to credit the guide with good conduct or penalize him for bad conduct. 2. There should be more concessions available for guides that do the guiding themselves instead of hiring assistants to take clients in the field as some sort of glorified booking agent. Adding 2-4 limited concessions per area will not increase confrontations in the field and offer an adequate number of choices for service providers for sportsmen. 3. Contracting guide should be held accountable for any and all activity taken place during a contracted hunt. If an assistant did it, the contracting guide must still take full accountability for hiring a poor assistant/guide/staff member without proper screening, training, or background check. 4. There should be added points awarded to full concession guides who can operate their business by taking less clients because that will lead to a better hunting experience and more animals to be appreciated on hunts in the

future. 5. Limit assistants for full concession guides to 3.

**Comment 14 of 77 - submitted on 02/23/2013 at 04:59 AM:**

While I like the direction the State of Alaska is taking with setting up the criteria in a fair manner, there are five points that need to be tweaked to rid the industry of immoral guides and leave the good guides to provide services to sportsmen from around the world.

There are several things about the proposed criteria that good.

First, there is a huge demand by sportsmen to be guided by the owner of the business and not a hired hand (assistant guide). Offering limited concessions fits this need. However, the number of these concessions should be doubled because of the demand by the sportsmen and because these guides-that-guide operations take a very limited number of clients and hence take very limited number of animals off the land. These guides-that-guide businesses do little, if any damage to Alaska water and land because they go into the field with their clients and then come back out when the hunt is over. There is no need for extended stays in the field that demand higher levels of land and water use, garbage disposal, fuel use, firewood, sewer disposal, land and water contamination like the larger operations that hire several guides to take many clients.

There is an opportunity to rid the industry of abnormal guides that have been conducting business in an immoral way in the past. Read any article, watch any TV show or read any blog and you will verify that the number one worry of sportsmen when booking a hunt is getting screwed by an immoral outfitter. Stories of sportsmen who hire guides that end up having their hunt ruined because the guide told them to shoot a sublegal ram or moose, or having their hunt ruined because the guide took them to an area that was closed to hunting, or guides that get their clients in trouble by letting them hunt the same day they were airborne or to provide them with hired guides that are not competent in the field are everywhere. They give the rest of us outfitters a bad name and the State of Alaska a bad name too. This criteria falls short of cleaning up the industry but will possibly weed out a few bad guides as written. With some minor tweaking, it will weed out all of outlaw guides.

The current proposal does a good job of identifying experienced guides by looking at their experience in the field in Alaska and in other countries and in other states. Guide experience in other states leads to running a better overall operation in Alaska.

If I am reading it right, the criteria appears to be rewarding a guide for less use of hunting practices that leads to water and land impact in such ways as boat use, ATV use, airstrip development, permanent and extended base camp operations that permanently harm the land/water and fuel use and remote fuel storage needed to sustain larger numbers of hunters in the business. The rewards should go to the businesses that can be happy with providing services to less clients versus more clients.

Here are the five things that need to be modified to rid the industry of bad guides and leave the good guides to service sportsmen and take care of Alaska land and water resources.

1. A guide s years of experience needs to be weighted with his/her conduct in the

field. If a guide has ten years of experience, than his history of ethical conduct needs to be examined and evaluated for 10 years. If a guide has 30 years of experience, than he must have his history of ethical conduct examined and evaluated for 30 years(all of his experience in lieu of just the years where he didn't get caught breaking the law). This will help weed out the outfitters who have learned the system and figured out how to get by with unethical conduct from past reckless behavior and still keep an official clean record while providing service in an immoral way. Change the wording in all areas to read while you have been contracting hunts . 2. There is no place in the proposed criteria that prevents a guide who has a record of partnering with friends/family on hunting areas from monopolizing proposed guide concessions by each family/partner applying for ALL of the available guide use areas while using the same logistics as criteria building for their individual prospectus. 3. The questions on Form D should all be used as qualifying questions to disqualify guides with past unethical behavior. The conduct outlined in these questions identify the guides who are immoral and abnormal to the industry. They shouldn't be allowed to continue in the business. 4. On several parts of Form D, it says that there will be consideration of explanations for immoral behavior. This should be removed because it gives a HUGE advantage to outlaw guides that have learned to manipulate the system and avoid being held accountable by years of poaching. Not only does the loophole offer a chance for the outlaw to again dodge responsibility, but it insults all of the legitimate guides who have gone out of their way to always follow the letter of the law. In many cases, legitimate guides have lost business because they were unwilling to break Alaska laws while at the same time, outlaws guides have increased their business because of their willingness to break the law when it suited them. Hold the contracting guide accountable for his business, assistants, hiring procedures and training procedures or lack there of. 5. The acts anytime in the career of the guide of same day airborne, hunting without a license, hunting in a closed area, taking game out of season, and over-bagging shall be grounds for disqualification, whether or not they were plead down to lesser charges. This shall include any of the same conduct done by clients, partners, assistant guides and staff. The guide who contracted the hunt is ultimately responsible for the hunt, period. The same goes for loss of points under Form D because if an assistant/staff/partner of the guide conducts himself in an irresponsible manner, accountability shall still fall on the contracting guides shoulders because he CHOSE to do business with that individual. While it is easy for the contracting guide to claim he knew nothing about an associate's method of operations, the contracting guide must be held accountable for his poor decision of hiring/partnering with an individual that breaks the law.

Hunters tell me the one thing real sportsman do not want to get involved with is an outfitter that doesn't play by the rules. The Guide Concession Program has the ability to eliminate those bad guides from the Alaska guide industry. In order to do so, take the steps to disqualify those guides from entering the race. It will save the Department of Natural resources a lot of time and money in evaluating a prospectus submitted by a candidate that does not hold the morals to conduct business properly in the state of Alaska. I have heard arguments from long time guides stating that these things happen and if a guide has been only guiding for a few years, he hasn't had a chance to get caught yet. That is insulting to guides that follow the rules. It is also insulting to hear guides say that the regulations are too complicated to understand. If the regulations are too complicated for an individual

to understand, that individual should not be allowed to participate in the industry. If a person cannot understand the driving regulations, that person is not allowed to have a driver's license. This is no different. There are a lot of good guides that have been in business 20+ years that have not resorted to immoral behavior to get their clients game. These good guides won't be affected by a strict moral conduct disqualification process.

It is important to keep in mind that there are many good guides competing for guide concession areas and many of them are going to be put out of business by the Guide Concession Program unless we weed out the outlaw guides first. In order to be sure the State selects the best guides to provide services to sportsmen in a way that minimizes impact on Alaska land and water, guides have to be accountable for their past behavior. It is easy for outlaw guides to promise future behavior but if a guide was conducting business in an illegal and immoral way in the past, that is a clear indication of the type of business he/she will provide in the future. It serves all involved well, from sportsmen to the State of Alaska, to eliminate the immoral guides first. Then, if there is a need to destroy more guide businesses to reach the target numbers, at least there will be fewer legitimate guide businesses getting the axe than if we have to destroy honest guide businesses to make room for outlaw guides to remain in business. Holding abnormal outlaw guides accountable for their actions is the best for sportsmen and the State of Alaska and for all legitimate hunting guides.

Thank you for considering my points.

**Comment 15 of 77 - submitted on 02/27/2013 at 12:00 AM:**

I attended the Guide Concession Program Meeting in Fairbanks on Feb. 14th-2013. I noticed that most of the smaller guide outfits were not present at the meeting. I am sad to see that the larger guide outfits have managed to push their ideas through and discouraged the smaller guide operators in the process. This is very much apparent in the new proposal for Guide Concession Program dated January 2013. Full concessions have 6 assistant guides with no limit on how many clients they can take out each year-while Limited concessions have 1 assistant guide with a limit of 4 clients pr. year. How does this MAKE sense? The larger outfits (Full Concessions) need to have limits on how many clients they can guide pr. year before limiting the amount of clients a Limited concession can have. A Limited concession is very limited to start with. The whole idea with this new program (at least the way I understood it) was to deal with overcrowding and with shrinking/limited populations of game. Allowing a Full concession to have unlimited numbers of clients in the field as well as twice the number of assistant guides that was proposed prior to the new proposal of Jan. 2013 seem out of place. When a limit is put on the Limited concession on how many clients they can have I start to wonder if your plans have changed regarding dealing with the overcrowding aspect. There are many small guide operators who have a wealth of experience from many years in the field, -they have invested in equipment and have built up a long list of clients. They are an important part of the guide industry as they have a lot to offer. Please give these guides a chance to continue their work! A limit of 4 clients a year is a SURE way to finish them off- The larger guide operators are pushing very hard to have it all for themselves. Shame on them! I propose these changes to the Guide Concession Program: Proposal I: Limited Concession; 1 assistant guide, -No limit on clients each

year. Proposal II: Full Concession; 3 assistant guides MAX. Put a limit on how many clients can be taken out each year. Proposal III: A one year GRACE PERIOD after the concessions are awarded. This will give the guides time to deal with their clients depending on how they did in the concession awards. Most guides line up their clients 1 to 2 years in advance. Proposal IV: Each guide should be able to put in for 3 full concessions as well as 3 limited concessions. This will give guides a better chance to receive guide areas that they are qualified for. Proposal V: Full concession need to pay \$1000. -for each additional assistant guide after they exceed 2 assistant guides. This payment is in line with what a Limited concession have to pay.

**Comment 16 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Audun Endestad. And there's been quite a few changes since I looked at this papers before. And mainly it's my fault (indiscernible). But I think in general, (indiscernible) try like on evolution, I came to this country 30 years ago. Things have changed a lot. And people don't understand why Canada, for instance, can have a program that works for the guides, and Alaska might not have the same luck. I think what it comes down to is population. Look at here, we've got Fairbanks. People have airplanes, they fly out, they look over an area, spot the game, they know what's going on. There's just too many people out after the same game, and that's what it boils down to. And you can limit guides or have concessions, whatnot, but the trend is going to continue. People are like to be out there. They have fancy rigs. Hunting season get extended, like moose used to be three weeks, maybe a month for moose hunting. Now it's three, four, five, six months. That has a big impact. And not just how many animals get taken, but also the harassment of the animals, people running around their snow machines all winter long, four wheelers, big rigs. It's an issue. So I think you have to think about that, too, and (indiscernible) hide, and think that our impact of the game is what makes the difference. We have some impact, sure, but look at all the other ones after the same game. Anchorage is another example. Used to be they can harvest their own moose around Anchorage, then things changed. The moose population declined. And it got a lot of those guys coming up into the Interior, and more and more pressure on us is what's going on, all the way around. So how do you deal with it? Well, I see stipulations here cutting down on the guides, which probably has an impact. But then you have a limited outfit, like a person like myself maybe on my own out there. You can only have reach so many areas, take so many animals. Then you have the full concession, and suddenly those guys, they don't have a limit. They can take as many animals as they will. And a guy like myself, if I had a limited concession, I could only have four clients out there. How does that make sense? I mean, in my book, that's kind of a double standard. You want to have some kind of standard here and (indiscernible) some protocol, do it all along the line, and don't just penalize someone and open it up to someone else. In my book, monopoly is not healthy. I think competition is better because people can come in and choose whatever services is offered. Some people might just want to go out (indiscernible) hunt. Other ones might have more accommodation, expensive lodges, whatnot. So that's another thing you have to think about. It's not all all the clients are not the same. It's different people, different interests, different (indiscernible). So those are just the things I have been thinking about three years. And I feel like America is supposed to be a free state, free land. I feel my playpen has shrunk drastically. And I think playpen is going to shrink even more. And who knows how it's going to affect guys like myself. I mean, I've been

able to go to the Peninsula and hunt, guide, go to Eastern Alaska for brown bear, goats, whatnot. Now I may be lucky if I get an area at all. And I think you have to think about that. And one last point. I know I'm running out of time here. But like I said, I haven't (indiscernible) hundred percent, but I noticed that the fees are dropped. Have you thought about maybe charging the out of staters a bit more? Is that something is that mentioned in here?

**Comment 17 of 77 - submitted on 02/28/2013 at 12:00 AM:**

These comments are from two registered guides & one Class A Assistant Guide. Please note some of this is in first person which is Sue. Sue Entsminger, Registered Guide & Frank Entsminger, Class A HC72 Box 800 Tok, AK 99780  
Matt Snyder, Registered Guide HC72 Box 805 Tok, AK 99780

We appreciate the opportunity to comment & the effort put into this project. We are very concerned that people who come up with this have NOT talked to the individual FG offices or the area biologist how this affects the areas. We regret to say that this does not demonstrate to me that DNR understands the industry & complexities of how this would work. Our local FG office was sent some stuff but the information was so complex to understand. If bullets were made to simplify how to comment, they could have done so. A DNR person needed to do a one on one to each office to understand each GMU.

I am going to talk about the areas I have lived & hunted. My name is Susan Entsminger. I have served 2 years on the BGCS board, & 3 years on the BOG, 9 years on an AC. I current serve on a federal RAC & a SRC. My husband, Frank, & I have lived at Mile 91 on the Tok Cutoff 36 years. My husband has 51 years & I 40 in the state of which we hunted all over the state. We raised my son, Matt Snyder, here where we hunt, trap & fish both for subsistence and guiding. Raising Matt, we have spent half our lives or more afield.

After reading full and limited descriptions, it is my understanding that the limited concessions was to give new guides and opportunity. We would argue that it does NOT do that at all. Many of these areas that you have full concession do not even qualify for a full concession [up to 6 assistants & unlimited clients see examples below]. These areas do not have enough animals for a full concession. Secondly, limited does not give new guides opportunity at all in the future. Once these areas are given out the full and limited are under the same terms of entry. We suggest forgetting full and limited and work on your operations plan that could be binding. These areas will regulate themselves because of opportunity and competition. The operations plan would force the guide to work with the local area biologist and keep their operation transparent [MOST IMPORTANT]. I talked to my local FG office and asked how they would look at the numbers of guides in these areas. It was brought to my attention that a full could mean 10-20 animals and a limited could mean 4-8. Therefore do the math in some of the areas like 2 full and 1 limited could equate to 48. So limiting guides by assistants or clients might not be the way to skin this cat. A better way is to rely heavily on the operations plan. Fish and Game should be heavily involved. Once you award an applicant an area based on their OP, you could evaluate them once a year for 2 or 3 years, and jerk their concessions if abused.

Many of the permit drawing areas around the state are very different. In the areas where we work have the Delta Controlled Use Area [DCUA]and Tok Management Area [TMA] for sheep. These drawings put all applicants both non-resident &

resident in one draw. In order for a guide to have any clients, we have to play the numbers game. The chances of drawing Tok requires the guide to have 70 names to beat the odds. This is not a viable unless changes were made to the BOG. This needs consideration when looking at each GUA.

This is my argument against limited, or full and limited in our area, I see a few GUA's that is only suitable for limited [as described] not a full. 20-09, [1 full and 1 limited] for instance, sheep is on permit TMA with 1-2% success of drawing, hardly any moose in the area, heavily hunted by residents near the road for moose, & there are a few grizzlies. This is only worth the description of limited concessions. There should only be one guide in this GUA & by defacto would be less than what is called limited. 12-03 [1 full and 1 limited] has very little state land which is not suitable for a full concession either. This too is along the road and used heavily by residents. Adjacent to that is 20-12 with 4 times the state land and the same [1 full and 1 limited]. Here is an area where a 2 full could operate.

20-08 [2 full] There is no limited here, that is more argument against the full and limited concept. Why no limited here? We would argue that the guide awarded these areas would end up knowing what they can do or not & most likely would both come under the description of limited. Here is an area that sheep are on permit, DCUA, with a 5% chance of drawing. The guide is left with moose and bear & no caribou, they are not legal for non-residents.

12-01 [2 full and 1 limited] This is an area where Matt works and has for years. This area is heavily hunted by residents for moose & bears. A guide has to find pockets to hunt moose and bears. Most of the sheep habitat is on permit with some open area that is also heavily used by residents. The way sheep are managed now for the drawing is strictly a numbers game. Regulations would have to change to make this more viable. This is where talking to the Area Biologists is vital. Each of the drawings across the state are different causing more problems. Putting three guides in this area could potentially shut down any sheep guiding in the future. Here is an example again where the argument against full and limited is warranted. This area should only have 2 guides, period. Again the operations plan should be the main awarding factor.

13-04 [2 full and 1 limited] This is an area where Matt works and has for years. Matt has permission to hunt on the native land in this GUA which is most of the sheep in the area. Moose and bears are all that is left for opportunity since caribou is closed to non-residents & moose are on a draw, also. Matt works well with another operator who is licensed in the area, the McMahan's of Gakona. There is much of this area that is also heavily used by the residents on the road and river systems. Guides try to work in areas that are away from that pressure. Therefore, I think two concessions is all that should be here.

13-03 [1 full and 1 limited] This is an area I have held the past several years. I, Sue, have only had 1 sheep hunter in this area. This area has the DCUA for sheep draw limiting that chance as explained above. Caribou has no non-resident opportunity. Moose are on a draw for non-resident. So all that is left is bears giving very little opportunity for a guide operation called full. This area could be listed as 2.

Regarding the fees, I believe this needs to be determined once you pick the guide. If the area warrants a higher fee then charge it but if it does not then you should

consider the lower fee. If someone is awarded the area and only has a small operation, then their fee is lower. This is in regards to the initial fee. The per client fee should be a little lower than proposed. If prices are too high, Alaska will loose clients to Canada.

The full application From A:

Sub-factor A 1. a. through c. Although very important, concern about the liars game here regarding number of days spent in the field. Sub-factor A 1. d. Should have a part for 10-20 year hunt records in the area also and award more point to this also. Sub-factor A 3. I disagree on any guiding in other states. I especially disagree in any other countries. No alien experience should count for Alaska NONE AT ALL. Regarding other states, there should be no points awarded to other areas outside Alaska. A long time resident of Alaska would score zero here so this should not be any added points. All points should be for 1. & 2.

Sub-factor B 1. seems a yes no answer and not necessary

Form B Sub-factor A 1.-2. A large portion of these can be seriously fabricated. The embellisher will win. Needs some revisions to stop this from happening. Needs some type protection for those who are not good writers. Should have no more than 15 points and more weight to 2. b. 3. Should have 20 points a.&b.good idea, c. requires a yes or no answer. I would stay away from this. d. not sure on this 4. Should have 20 points Sub-factor B not necessary at all Sub-factor C 15 points Sub-factor D This really has nothing to do with qualifying for a guide area. Identifying a problem on the environment can be extremely arbitrary and not even a problem created by any guide but be overuse from other uses or users. Needs eliminated.

Form C Sub-factor A recommend 20 points each A-C 1. 10 years is okay for part. add another section for 10-20 years and give this some points. More can be given to 10 years than the 10-20. 2. Safety training should be only use the license as proof. That shows you took the class. Some consideration to the years that a guide worked for other guides and their personal hunting. Sub-factor B & C Shorten a bit Sub-factor D 2. do not include drop off hunts require the guide to have a transporter license. If you consider this, this should work against points since more animals are potentially harvested and these are not considered guided. 3. MOST OF IMPORTANT OF ALL FACTORS!!! This will determine the use of the guide to the area. This shows how much the area will be used. Fish and Game has the harvest data to show. Guides should stick to this and be held to their commitment. This is where the guide needs to work closely with the Area Biologist who manages the GMU the GUA encompasses.

Regarding limiting a guide to apply for only 3 areas is very unfair in many ways with those who already have at least one federal area. There are guides who have 1, 2, or even 3 federal areas. What we are proposing is this:

If you have all state land areas, you can apply for 4 state concessions if you have one federal area you can apply for 3 state concessions if you have two federal areas you can apply for 2 state concessions if you have three federal areas you can apply for 1 state concessions

This seems much more fair to all. This gives everyone an equal chance.

Thank you for considering our comments.

Sue Entsminger, Frank Entsminger, & Matt Snyder

**Comment 18 of 77 - submitted on 02/28/2013 at 12:00 AM:**

These comments are from two registered guides & one Class A Assistant Guide. Please note some of this is in first person which is Sue. Sue Entsminger, Registered Guide & Frank Entsminger, Class A HC72 Box 800 Tok, AK 99780  
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The full application Form A:

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This seems much more fair to all. This gives everyone an equal chance.

Thank you for considering our comments.

Sue Entsminger, Frank Entsminger, & Matt Snyder

**Comment 19 of 77 - submitted on 02/28/2013 at 12:00 AM:**  
February 28, 2013

Department of Natural Resources 550 W. 7th Ave, Suite 1260 Anchorage, AK  
99501-3557

### 2013 Guide Concession Program Management Comments

I have a few comments that I thought would be of concern to the DNR Guide Concession Program, they are as follows.

- 1.) I believe that the time period from when the guide prospectus is offered to the publish (January 1st) to when applications are due (April 1st) is way too short. I have done prospectus for over 20 years and to do a good job on a prospectus in 3 months is hard, especially if you have 3 areas you are applying for. It is also one of our busiest time of the year traveling and booking hunts. Might want to consider offering the prospectus 6 months before due.
- 2.) I believe the time period from when an applicant is selected for a concession, to when an applicant can actually book contracts, needs to be at least 8 to 12 months. This gives the selective applicant more time to book clients and in some cases for a new guide, time to help pay for his new guide concession fee s.
- 3.) I do not know that there are corrections needed in other guide use areas boundary s, but in guide use area s 6-01 and 6-02 needs to be adjusted to follow the game management unit area boundary s. This in turn would be better for understanding area boundary s, than to have a GPS and worried if you crossed the line or not. This would also be a better tool for wildlife officers, in protection of wildlife.
- 4.) There also has to be a boundary line between game management unit 11 and game management unit 6-02. They have guide use area 6-02 going into unit 11.

Any questions, please call or e-mail..

Regards,

Sam Fejes&

**Comment 20 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Looks like I've got to lower it now. My name is Sam Fejes, born and raised in Alaska. I've been guiding since '78, on my own since '81, 32 years. As an APHA board director, Thor's pretty much covered everything. You know we're for it. We don't want the alternative. As a personal guide, two lodges, Kodiak, Southeast Southcentral, I've seen a you know, I've been I've had park permits, force permits, refuge permits, private landholders, you know, some of the biggest comments I get is, you know, I don't know if I can afford these fees. Believe me, all you do is pass it on to the clients. You know, as for the concession, I support it myself because you know, it's funny, years ago when the park and the refuge system came out,

everybody said, oh, that's terrible. That's the bad news. Today they're probably some of the best areas to have because you know what's going to happen. You are exclusive there pretty much. You know what your fees are every year. As a businessman, I really support this system because I'd hate to be in a drawing system. You know, my livelihood depends on guiding. It's pretty much all I have to say. MR. COX: Thank you. MR. PEGIS: There's one thing I'll back up. I support the system, but there's a few things that need tweaked, you know, like boundaries, maybe fees, and stuff like that. But I think that's all going to be worked out as time goes on. You know, nothing is set in stone, you know. That's one thing, like being an American, you know, being an American, you can change things. We have a system. We're not ruled by a king.

**Comment 21 of 77 - submitted on 02/14/2013 at 12:00 AM:**

February 14, 2013 Oral Comments on the DNR GCP Noel Wien Library, Fairbanks, Alaska

Introduction: Lower Tonsina Master Guide: State, Forest Service, Private and NPS Lands

Representative of the Alaska Hunting Guide Industry

Current Representative of the Tourism Guide and Outfitter Industries relative to jobs and economy for the United States serving 2nd term on the WHHCC under the combined Secretaries of Interior and Agriculture. Last Week in DC

Have served as the elected president of the AMA and have completed numerous forest harvest and reforestation projects in Alaska

Currently and for the past twenty years have operated a ranch in Lower Tonsina.

Am in Support of the GCP and appreciated the work DNR and the Guiding Public continue to do within the program to make it more viable and sustainable.

For the past twelve years I have represented Alaska two times per year within meetings of all of the professional guide and outfitter Organizations in North America and once annually in which all of the professional hunter organizations in the world are invited to and often attend. During each of these meetings there is a break out session for the US group representatives where we share ongoing concerns and solution concepts.

Please know by this testimony that over this history I have seen the demise of economically viable professional guide industry occur in several of our western states that directly related to what we are facing here in Alaska currently. The fight for often times dwindling resources and or the conflict in the field between guide service providers and the general resident public which have resulted in restrictive nonresident hunter opportunity or allocation that diminishes or eliminates viable guide services. In these states, the resident public encourages the changes which most often lower nonresident allocation to ten percent or less. When this occurs, the actual nonresident participation in these regions falls to under eight percent and often times lower.

This cannot happen to us here in Alaska without eliminating our viability. The GCP has been designed to allow for us to provide our services in a viable sustainable manner.

Just a note about who we are and what we represent. We are an important rural Alaska industry that is integral to the fabric of Alaska, but let us look within ourselves and what do we really provide to Alaska as a whole?

When DNR goes to a meeting of the miners of Alaska what do they hear?

Mining/Oil and Gas industries:

Without this GCP program being implemented where do we stand as an Alaska industry? Within the commercial competitive arena of generally allowed use provisions of ML and Water. How much strength do we have there and how viable is the future of this industry when we are couched in this manner. The resident hunter will eat our lunch and our allocation on federal lands will go with the effort.

Regarding the current GCP here are my concerns:

Limited Concessions: Cannot support them due primarily to the allowance of racing for the better habitats. They do work relative to brown/grizzly bear harvest opportunity in regions where the BOG has defined concerns over bear and prey species. If we have to live with them however, please utilize the applicants "plan of operations" for how he or she will work to limit conflict in the field with the full concessionaires.

As well, start with low numbers of limited concessions and build if the opportunity presents itself.

Regarding the ability to utilize short term portable camps within the same concession area for periods of up to 14 consecutive days in one location. This is a very restrictive provision for those of us who strive to conduct twenty and thirty day hunts. Please consider changing this provision to be based upon the concessionaire's plan of operations per the specific region, species available and season dates. The impact on clients, the lands/resources and other users from moving these short term camps every fourteen days is a negative impact.

Regarding Selection Panel Make Up: Please pursue every means possible to develop industry representation within this most important aspect of the program. Consider utilizing retired or current state employees who have a personal history and understanding of this industry. Work with the industry and the federal agencies that have like programs to develop a written guideline of what to look for within the proposed plans of operations to help define actual viability versus written content that could promote one applicant over the other within the scoring process.

Regarding the number of assistant guides per full concession: I still do not quite accept the fact that DNR can limit the number of employees for a guide service business and not take into consideration other great natural resource industries in this state that compete through various manners for the opportunity to harvest resources and provide services. DNR's concern of this aspect of the GCP in my opinion should be contained within the received plans of operations relative to the resource and social atmospheres within the concessions and not by a limit on the number of employees.

Please know that many of us start our assistant guides out on an apprenticeship basis where they learn by being in the field under the supervision of a registered or

assistant guide. This is an important part of developing a great employee base. I request that you consider increasing the number of assistant guides.

Respectfully Submitted by: Robert R. Fithian

Added concern of violation history which needs to allow for consideration of paperwork or minor violations that do not show a pattern of disregard for the law. R.R.F.

**Comment 22 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Good evening. It's an honor to be here again. My name is Robert Fithian. I'm representing tonight a company called Taiga Resources Conservation. I'm a master guide. I live (indiscernible) hunting in Alaska. I've been guiding long term multiple specie hunts in the Upper Kuskokwim region for the last 30 years. I've been a long time representative of the Alaska guide industry. I currently represent the United States guide and outfitter industry and the tourism industry, relative to the Wildlife and Hunting Heritage Conservation Council. I was appointed to my second term under the secretary's interior (indiscernible). And just last week had an incredible bunch of meetings with them one more time in D.C., and also got to represent you as a whole and America as a whole in the White House last Tuesday night. I've served as the elected president of the Alaska Miners Association, and I completed a significant number of timber harvest and reforestation projects throughout the state, and I operate a ranch in Lower Tonsina. I say these things just to ask you to understand that I have some knowledge about natural resource industry stewardship. For the past 12 years, I represented Alaska two times a year within meetings of all the professional guide and outfitter organizations of North America, and once a year in which all of the professional hunter organizations in the world are invited, and regularly attend. During each of these meetings, there is a break out session for the U.S. group representatives where we share ongoing concerns and solution concepts. This is usually a full day session and oftentimes a two day session. And the pages are mixed up. Stop the clock. Please know by this testimony that over this history, I've seen the demise of economically viable professional guide industry occur in several of our western states that directly relate to what we are facing here in Alaska currently. The fight for oftentimes dwindling resources and/or the conflict in the field between guide service providers and the general resident public which have resulted in restrictive nonresident hunter opportunity or allocation that diminishes or eliminates viable guide services. In these states, the resident public encourages the changes which most often lower nonresident allocation to 10 percent or less. When this occurs, the actual nonresident participation in this region falls to under 8 percent, and oftentimes lower. This cannot happen to us here in Alaska without eliminating our viability. The guide concession program has been designed to allow for us to provide our services in a viable and sustainable manner. Just a note about who we are and what we represent. We are an important rural Alaskan industry that's integral to the fabric of Alaska. But let us look within ourselves and what do we really provide to Alaska as a whole? When DNR goes to a meeting that they leave here and go over across the street and meet with the miners, what do the miners tell them? The miners tell them that they have tens of thousands of employees, year round employees, 90 percent of them who make over \$100,000 a year and all of them who have good benefits. Do you understand where we're at relative to that picture? Where the mining, the oil and gas industries,

without the guide concession program being implemented, where do we stand as an Alaskan industry? Within the commercial competitive arena of generally allowed use provisions of mining, land, and water, how much strength do we have there and how viable is the future of this industry when we are couched in that manner? The resident hunter will eat our lunch. I will assure you of that. I've watched it happen across our nation, and great states have lost their guide and outfitter industries, the viable part. There's a whole lot of them that make a living. They don't make a living guiding. They do guiding as a hobby. But anyway, regarding the guide concession program here are my concerns. Limited concessions, I still cannot support them due primarily to the allowance of raising for the better habitats. They do work relative to brown and grizzly bear harvest. Stop the clock. MR. COX: You have a minute and a half. MR. FITHIAN: Opportunity and (indiscernible) for the Board of Game has declined concerns over the bear and prey species. If we have to live with them, however, please utilize the applicants plan of operations for how he or she will work to limit the conflict in the field with the full concessionaire. And that's kind of what we heard from APHA, as well. Start with low numbers of limited concessions and build, if the opportunity presents itself. It's easy to grow these concessions, but near impossible to reduce them as the substantial conflict in the field comes forward. Regarding the ability to utilize short term portable camps within the same concession area for periods of up to 14 consecutive days in one location, this is a very restrictive provision for those of us who strive to conduct 20 and 30 day hunts. Please consider changing this provision to be based upon the concessionaire's plan of operations per the specific region species available and season dates. The impact on our businesses and clients, the lands, the resources and other users from moving these short term camps every 1 days is a negative impact. Regarding the selection panel makeup, please pursue every means possible to develop industry representation within this most important aspect of the program. We've heard more of that. I'll pass on the other comments. Regarding the number of assistant guides per full concession, I do not quite accept the fact that DNR can limit the number of employees for a guide service business and not take into consideration other great natural resource industries in the state that compete through various manners for the opportunity to harvest resources and provide services. DNR's concern that this aspect of the GCP in my opinion should be contained within the received plans of operations relative to the resource and social atmospheres within the concessions and not by the limited number of employees. Violations, we've heard about those, the history aspect. I request that paperwork or minor violation history, especially self turn in should not substantially count against an applicant unless his or her history shows a pattern for disregard of the law, and not I don't have any reason to be fearful of that. I just like to protect the innocent people. And fees, regarding the guide and guide required fees, I encourage that these fees, the non guide and guide required, I'd like to see those fees split between ADF&G and DNR. I don't know what the authority is that you're going to be able to collect them under and it's there, but it makes sense that if you're collecting fees on animals, that those be shared with Department of Fish & Game. MR. COX: It's time. MR.FITHIAN: And regarding the enforcement authority, last comment, the guide concession program should not be held up on whether or not the legislature approves or does not approve your enforcement authority. You know, we've worked hard to get this thing done, and if the legislature gets for whatever reason don't want to grant it to you, I just don't feel that this program should be held up. Thank you.

**Comment 23 of 77 - submitted on 02/28/2013 at 02:57 PM:**

Within the application form, I see no consideration for points to be awarded to a registered or master guide for taking part in assisting the US Fish & Wildlife Service, or the DPS Wildlife Troopers in their efforts to protect Alaska's wildlife.

That lack of recognition for assisting in the protection of wildlife can have potentially devastating affects on the numbers of points that may be awarded to an applicant. For one thing, an applicant should get recognition for such efforts, but even more significant is the fact that the level of positive participation by the applicant could actually backfire and ultimately deny the applicant points.

To use myself as an example: I spent three recent past spring Brown Bear hunt seasons only hunting in a single isolated area in order to avoid an on-going joint USF&WS/Alaska Wildlife Trooper field investigation.

I am the individual who turned in the complaints that got the investigation started, and the officers ended up conducting a multi-year investigation concerning illegal guiding activities which included consistently killing Brown Bears over bait by two separate registered guides and three assistant guides.

I had also previously spent several years attempting to get the investigation started, during which time I volunteered several days of my time, and the use of my equipment, in working with three separate Troopers regarding locating and documenting several illegal Brown Bear bait stations.

The illegal baiting was going on in all of the major drainages of the greater Chilkat watershed, which included almost all of the prime Brown Bear spring habitat, and some fall habitat.

This affected me by limiting the areas I could have been hunting in order to not hunt near a bait station, or to complicate the field investigation. In addition, the abundance of the illegal bait stations drew a large percentage of the Brown Bears to their locations, where they remained as long as food was available. This took them out of circulation, so they were not available for harvest unless you were hunting over one of the bait stations.

This situation also resulted in fewer adult male bears available for harvest because so many of that population base was being selectively harvested over bait, that there were fewer than normal male Brown Bears available for harvest by my clients.

In addition, during the fall of 2011 when I was aware that there was going to be a field bust of two separate illegal guiding operations, I voluntarily never booked any fall Brown Bear hunters in, for the first time in my 20 plus year history as a registered or master guide.

This overall situation means that I booked fewer hunters, and I had a lower success rate for bear kills than I would have had if I had not assisted. It also means that my hunters harvested fewer trophy sized bears male bears than I would have liked.

It is very possible that my voluntary assistance in this matter may end up costing me points in the application process. If that is the case, and I end up being punished for assisting in the protection of our wildlife, it could cost me being awarded one or more guide concession areas. If that happens, it is likely that a legal challenge would be forthcoming.

In closing, if I had not got the investigation started, the illegal guiding operation would be in existence to this day. It seems that there should be some process in place within the application form which would recognize the efforts of individuals that go out of their way to protect Alaska's wildlife, as well as the integrity of the guiding industry.

Please contact Alaska Wildlife Trooper Rick Merritt, and USF&WS Special Agent Sam Fryberg for details.

**Comment 24 of 77 - submitted on 02/05/2013 at 12:00 AM:**

I am definitely for a guide concession program. I wish you would consider either a guide, a game warden, or a biologist, somebody that knows something about the outdoors and what's going on out in the Bush. I think a lot of stuff that was in here, like I say, is touchy feel good stuff. And some stuff in here you're not going to be able to do. Y'all want to know what I've been doing, number of days spent in the field for each year that you've been hunting. I can't tell you what I was doing 43 years ago. You know, you might limit that to ten years. Some guides have been in it a long time. And you know, I don't agree with one of these down here. All your other relevant guiding experience. You know, going getting your camp ready, your food ready, your transportation ready to make a successful hunt is a little bit harder in Alaska than it is in Kansas, where you're driving up and down the highway over a corn field looking for a white tail or sitting in a deer stand, somebody put you in a deer stand. So I'm not sure that all other Lower 48 hunting guides should really be included in this. And again, I want to say I am for this. I just hope you get a little bit of help. Y'all need it. I'm not being critical. Y'all just really do need it, though. And that's it.

**Comment 25 of 77 - submitted on 02/28/2013 at 12:00 AM:**

The Honorable Dan Sullivan, Commissioner Department of Natural Resources  
Division of Mining, Land and Water Attn: Guide Concession Program 550 W. 7th  
Ave., Suite 900C Anchorage, AK 99507  
Dear Commissioner Sullivan:

The Alaska Chapter of Safari Club International wishes to express our appreciation for the opportunity to comment on the Department's proposed guide concession program. We believe this proposal is a positive step toward resolving a classic tragedy of the commons situation.

Safari Club International (SCI) is the world's leading hunting organization, and the Alaska Chapter is a leading chapter within SCI. The Alaska Chapter is also a leading hunting group here in Alaska having led the fight to preserve Alaska's hunting heritage for the last ten years as demonstrated in our efforts to stop anti-hunting initiatives at the ballot box, among other issues.

SCI Alaska Chapter strongly supports the formation of a guide concession area program. We believe that such a program will have lasting benefits for wildlife and for those wishing to continue the hunting tradition here in Alaska. We also believe that such a system will benefit the guide industry as it will elevate the professionalism of the industry and give non-resident hunters increased certainty that the hunt they are coming on will have a reasonable chance of success.

Although we believe the guide concession proposal is much improved over last year, we believe there are still areas that need improved or addressed. One such area involves the fees being proposed related to species hunted. SCI Alaska Chapter is opposed to these fees for three reasons.

We believe that under the agreement the State of Alaska has with the U.S. Fish and Wildlife Service regarding Pittman-Robertson funds that such a fee structure may be illegal and could jeopardize our funding for wildlife management from that source. Second, we feel that the imposition of such fees will jeopardize future initiatives by the Department of Fish and Game should the need arise for increased tag fees. Last of all, we understand the need to finance the proposed system, but we remain unconvinced that the Department needs additional funds to do so beyond the \$2000 fee being proposed for the concession areas.

For the remainder of our comments, we would like to note that they are given in the form of suggestions and should not be construed to be for or against the concession area proposal. We would like to note that there seems to be some redundancy in the framework of DNR's proposal. For instance, does the DNR really need a staff biologist assigned to this program? Why couldn't you utilize the same system being employed by the Board of Game to ascertain biological concerns and sustainability for each area.

We also noted that there seems to be a glaring lack of input from the industry in this process. We understand that you meant to keep as much bias out of this proposal as possible, but there are retired guides out there who could have been consulted. Venerable guides such as Dick Gunlogson is one such resource that could have been consulted.

The final item we thought to suggest is that the State already has a professional standards board to deal with the guide industry. It seems to us that avenue could have been included in this process to streamline the system and reduce costs to the Department by allowing that entity to participate in the allocation process.

Again, we appreciate the opportunity to address this important topic and would like to reiterate our support for the program. If there is anything we can do to assist you in this effort, please don't hesitate to call on us.

Sincerely,

Eddie Grasser

Eddie Grasser Region 33 Representative

**Comment 26 of 77 - submitted on 02/26/2013 at 06:09 AM:**

To whom it may concern:

Guides have been able to stay in business and prosper because they have the reputation of getting clients their game no matter what it takes. Many of these guides run a normal legitimate business. Some successful guides who have been successful at getting clients game because of their immoral activity have been prospering because of immoral activity. Because of more business and more profits, these abnormal guides have been able to put into place better logistics, camps, airplanes, boats, etc. than their competitors who have been contracting hunts by the

book. Because of this, any guide who has EVER contracted a hunt where same day airborne, overbagging, hunting without a license, hunting out of season, poaching, hunting in closed areas must be removed from the industry. Unless the guides with misconduct ANY time in their history are disqualified, the guides who have been running a clean business from the beginning are at a disadvantage compared to the outlaws.

I enjoy everything that Alaska has to offer. I have visited on 3 different occasions and plan on taking several more trips to the great state. The one way to make a visit more enjoyable for people like me is to get tough on the outfitters who break the law!

Thank you.

**Comment 27 of 77 - submitted on 02/08/2013 at 12:00 AM:**

Good evening. My name is Lynette Moreno. I went to school here. I came to this audience before, some years past. And my my comment is that is that of course you can see that I'm Alaska Native, and my peoples have hunted and fished off this land and in the waters forever. But what I don't like is that they call us special interest groups, special user groups. And I know that we're not a special user group. We've just done what we've always done. And there's people that come here and that that want to make a living off of, you know, fishing and hunting and guiding, and et cetera. The people that are out on the land, my opinion is that you should be living on those lands and doing that there on the lands and not living out of state, like in Ohio or someplace else, and that you should be you should be, you know, taking care of the lands and the waters. And I think that the state is committing special privileges to be given to certain user groups over Alaska Natives for their rights of traditional subsistence uses. And millions of dollars have been spent on this purpose. Well, the Natives are out there and they're trying to bring up their kids. They're trying to bring up their grandkids. They're starving. They're starving. And it might be a joke to some of you guys, but it's not a joke to me and my people and the people that have to go through this, because the state takes and takes and takes, and certain people want that to keep on continuing because they don't care. It's not their people. It's not their families, et cetera. And I think that's a that church for now, the governor, that he doesn't want Alaska Natives to survive out there. But he wants all the resources, the animals and the lands, to make the money off of it. And I don't think that's right. I think that I think that as a human being, I think that we should respect other people, and so that's what I wanted to talk about. Thank you for listening to me. Sorry (indiscernible), as well, but that's the way (indiscernible). Thank you.

**Comment 28 of 77 - submitted on 02/08/2013 at 12:00 AM:**

The state is taking the wrong direction regarding Ak. guiding interests, it is a special interest and should not set up as activity that one makes a profit off of. Guides do not care about nature and the land, these people just want to take. Guides are a special interest user group, they want the state to give them acces, use of and continued authority to kill animals in the wild for their pockets to expand. The state is committing special priledges to be given to this user group and keeping Alaskan Natives from their rights of traditional subsistence uses. How many millions of dollars has been spent on keeping the guides happy, while AK. natives starve. The state concers and is guilty in shown such apathy to AK natives. Why is there AK

village native people to these meetings. They are not given notifications and are not invited. AK's Gov. Sean Parnell doesn't want AK. natives to survive but wants all the resources and the animals and lands.

**Comment 29 of 77 - submitted on 02/14/2013 at 12:00 AM:**

My name is Glen Holt. I'm guide No. 1019. I got my registered I took my test and earned my license in 1999. I started Alaska Woodsmen Hunting Adventures in 2000. Mostly what I do is a niche market. It's float hunts for brown bear, black bear, and kind of gave up on the moose and caribou in the Mulchatna country in 2002. Basically I got into it late in life because I was interested in adding to my life style, which at the time was a subsistence lifestyle on a homestead. I fought forest fire all over Alaska for 27 years. As I went along in the guiding situations, I have several mentors and I learned a lot from those folks. And what I did it for, the way I read it and why this hasn't anything more to do than with just me, is adding to my lifestyle. And in the old days, people used to commercial fish. They used to do some guiding, they used to do whatever it took to make a living in Alaska. So I never it was never my desire. My dad flew airplanes for many, many years, and I flew them when I was younger, but it was never my desire to have big lodges or do too much flying around. I really enjoyed the guiding that I got to do for others, as well. I'm concerned, I think, actually that that the state I'm not going to point any fingers. Okay, I appreciate, first of all, the work that you folks have been doing on this. And I know there's been a lot of interaction. This is the first time I've testified. So I've been watching it from the side. I'm not making any judgments on who's doing what or why. You judge yourselves. I'm just I'm a case study all on my own. Oh, I did join the APHA once in 1999. The opportunity to work and subsist as an individual was the reason I got into this. I continue to this day to try to find ways to to still continue to work with the homestead and I've got several parcels now. I'm cut pretty thin. We could have fixed this long ago. For whatever reason the state and believe me, I know, I've worked for the state for 20 some odd years continues to act like the Pogo deal, where we are the enemy and the enemy is us, and we worked across purposes to one another. Having two tests registered guide tests a year since I don't know how long and turning out hundreds of new registered guides doesn't make sense. That's a comment, okay? I hope you're taking it down, Clark. MR. COX: You're being recorded. MR. HOLT: Okay. (Indiscernible) right now it could have been fixed a long time ago. We've got way too many guides in the field. Nobody can figure out where they're all going. I've been encouraged to apply for federal concessions and private land concessions. That's probably the way to go. I really enjoy guiding and I enjoy the whole business of it. I left State Forestry and went to work for Fish & Game, and the commercial services told me that I really couldn't re get renew my registered license, which I intend to do now because I retired from all of that. And it's great, Clark, you'll like it. And I think that I'm not sure if I'm going to go back into business with Alaskan Woodsmen or if I'm going to go to work for another reputable guide. But this is a great industry. It needs to be fixed, whichever way that is. I tend to think that common sense should have prevailed, but it never did. So I wish that there would be more parity with the transporters, and I wish that until I feel that until we figure out what that parity is with the transporters, we are going to be really goofed. And you know, I'm not a transporter. I don't have a six pack license and I don't have an airplane and I can't fly people around. So it's going to be very interesting to see how this shakes out. And maybe I always try to hunt the little nooks and crannies. My guide use area would be surprisingly small. But maybe this

will shake out to where they can shoehorn somebody in that's site specific and time specific as my business was. And I just ask the state to consider that. Thank you.

**Comment 30 of 77 - submitted on 02/07/2013 at 09:05 PM:**

I would like to know how you came up with the number of hunts allowed for a limited operator. How do you think a guide can realistically make it on 4 hunts a year? That is the most out of touch thing I've ever heard. Why would you in your infinite wisdom even bother to allow the poor guide who is supposed to scratch out an existence on 4 hunts one assistant guide? He would just do them himself to save the cost of paying an assistant. Also, these concessions need to be transferrable. You need to go in and change whatever by-laws you need to so that a guy can sell the concession. Another thing you need to do is allow a guide more of a chance to get an area. At the very least I should be able to apply for 3 unlimited area's and 3 limited permits. In the same area I should be allowed to apply for a unlimited and limited permit so I at least have a fighting chance. I could go on all night with things I don't like about the way this thing is written. Here's another one. Why are you allowing unlimited concession winners to have 6 guides and no limit on the number of hunts? You claim this is about managing the resource and doing away with conflicts in the field. Do you really think that area's that allow more than one unlimited operator that there will be no conflict? In 19-10 you allow 2 unlimited operators with 6 guides each plus themselves. If that is the only area those two operators have they will hunt the hell out of that area and be all over each other. That is conflict big time. With 14 guides running around plus a couple limited guides it will be a zoo. If you think Joe resident who does a drop off hunt out there won't be ticked off and come complaining about guides all over the country you need to get a reality check. As it is now we can at least spread out. I can go over to 16 or another area and so can my competitor. The way you guys will make this the guys who are lucky enough to win an area will hunt the heck out of it and create more conflict than already exists!

**Comment 31 of 77 - submitted on 02/27/2013 at 12:00 AM:**

RE: Guide Concession Program Proposed Regulation Comments

Below are my comments regarding the most recent draft of the Guide Concession Program. I appreciate the changes that were made from the last program, to bring it closer in line with a workable program and with the comments received over the past 5 years. I am delighted to see that the maximum number of concessions to be awarded per guide has been changed to three, and that the fees and fee structure have been reworked. However some issues are still hovering that, for me, are deal breakers. I appreciate the opportunity to comment.

## PROGRAM DESIGN

**FULL CONCESSIONS:** The limitation of full concession holders to six assistant guides needs to be refined. Employees who hold assistant guide s licenses but who are either working in a different (non-professional) capacity or are accompanying another assistant guide as part of their training should not be counted toward the six. The actual count should be decided on the assistant guides who are listed on the hunt contracts. For instance, I have a nephew who holds an assistant guide license, but is also a professional chef. He comes to bear camp as a cook. He should not be counted toward my 6 guides, unless he were to accompany a client in the field as the guide, in which case he would be so listed on the hunt contract. Under

your present idea, either I would lose a highly qualified cook or he would have to give up his assistant guide license.

**LIMITED CONCESSIONS:** If the limited concession holder is to remain in the plan, at the least they should not be allowed to put in for draw permit hunts. I know that DNR personnel have said that this is not a DNR decision but I disagree. DNR is limiting how many hunters they can take, and will be limiting full concessionaires harvest to that proposed in the original operating plan unless resource numbers change, and they will be making those decisions. Limiting the scope of the practice of a limited concession holder is thus surely in the arena of the DNR decision.

**CONCESSIONS APPLIED FOR:** Limiting the number of concessions a qualified guide can apply for, just to reduce the initial economic burden of the DNR staff, is ridiculous. As stated in all of my past comments, we are willing to go to the legislature to get the initial funding needed to set the program up, including enough staffing to review the initial program applications. Staggered program application periods in the future will reduce this burden. So to limit the number of areas we can apply for because of a onetime perceived economic burden is very short sighted. The federal programs allow unlimited applications by each guide, and they manage the process without staggered application periods. In reality, the number of applications each guide puts in will be limited by many things: 1) the application fee. \$250 is not something to be thrown away easily. If necessary, DNR could consider a slightly higher fee for each application over the initial three. 2) the time it takes to prepare each application. Having recently done a federal prospectus, I can assure you that even the streamlined DNR application is extremely time consuming; I don't know of any guides with enough extra time to prepare applications they don't have a chance of winning. 3) the requirement that the guide must already be certified in the GMU in which the GCA is located before applying, and 4) the real consideration of which areas the guide has experience in or around, and in which GUAs the guide has a chance of really being considered.

I think that if necessary the DNR could take an extra year after the applications are submitted, i.e. awarding them in 2016 at the earliest with a 2014 submission date, which would allow enough time for all applications to be thoroughly evaluated and the selection process completed no matter how many applications are received. To limit the number of applications from each guide to 3 is an unfair limitation, and may well result in areas that are not applied for, concessions that are not filled, and well qualified applicants being left out of consideration. I may currently operate in an area with many more present guides then concessions to be awarded; I should be able to take a chance at getting that area but have a chance at another area also. This initial program application period is a onetime shot for many of us established guides to stay in business, as 10 years is too late to get back in; we should not be made to limit our efforts at keeping a feasible business because of a one time, initial savings to DNR. I would not consider backing any Guide Concession Program which so limited my rights to apply; this is a deal breaker for me.

**SCORING:** I agree with DNR that present or retired industry representatives on the panel would lead to actual or perceived potential bias. If it is believed that evaluation of some on the ground practices requires some additional expertise, DNR could have some retired guides available to assist as non-voting advisors. However, these advisors should only be told the specific practice that is at question and should not

be allowed to see the entire application nor given any hint as to who the applicant is or which GCA is being considered. Many of us have extensive knowledge of the other guides in our area and might be able to figure out who was who by which area is applied for and some of the suggested practices/locations of camps etc.

I strongly suggest that DNR conduct personal interviews of the top applicants. This could serve to solve any questions raised in evaluating the applications, clarify parts of the operations plan, and help determine if the applicant could indeed conform to their stated operations plan. These interviews could be done by telephone where distance is a problem; this is routinely done by federal Refuge staff in making award decisions.

**FEE STRUCTURE:** While I greatly support the fee structure of a base concession fee plus a per client fee, as this does not discourage conservation practices in cases of dwindling or limited resources, the fees are still over double what APHA recognized as necessary to keep the program running. At present I pay DNR \$2,250 plus per day fees annually. With your suggested fee structure, if I had 3 areas, and the limited number of clients I have now, I would be paying an additional \$11,000 annually. I think that the full concession fee should include one LAS, and that the per client fee be carefully considered. These fees must be directly passed on to the client, and in many cases they have other places besides Alaska where they can hunt. Do we want Canada to take our Dall sheep clients because they can offer a less expensive hunt? In the cost consideration, DNR lists field inspections. The fact is that they do field inspections of LASs now, and limiting the number of practicing guides should decrease, not increase the number of field inspections. I question the need for 7 full time, permanent positions, when you already have people on board who work with LAS applications, inspections, and with the per day fee that will be abolished with this program.

**CONCESSION AUTHORIZATIONS (TERMS):** The present initial concession term structure of 4, 7 and 10 years is not tenable. A 4 year term, with a major, open application process afterwards, is not long enough to be workable. It is not long enough to encourage good conservation practices (although we can hope the initial winning guides would do what is ethically right no matter what, this is not always the case). Guides will be making/adding major financial investments in many of their areas, and having only 4 years guaranteed operating time makes any serious investment unadvisable. Many of us are booking up to three years out at present, and this would severely limit us in booking and keeping our client base. Many of my clients return again and again, for the same and different species, and if I cannot guarantee them a booking in the future I risk losing them. Then after only a four year permit, your competitors can read your winning application and use it to compete directly with you. I see no reason why the initial terms cannot be 8, 9 or 10, or at the worst 6, 8 and 10 years (or in your lingo, 5 years with 1 year renewal, 3 year renewal and 5 year renewals). Doing it in three consecutive years would mean you had the staff all geared up and ready for it. This would also allow for an initial 6 to 8 year plus program period before any new authorizations, which would mean a good knowledge of where program changes or adjustments, if any, may be needed. It would also stagger the terms enough to not require additional staff. Four years is NOT a reasonable first authorization for such a major undertaking as a guide business requires.

Dividing the initial concession terms by Fish and Game Region is unfair to a number of guides. Many of us hold multiple areas in the Region in which we live, and have worked here for many years. Thus all of our areas might have an initial term of only 4 years, while others might have all 10 year terms. The initial term offerings should be scattered in a shotgun approach throughout the state. While I grant this division is a little more work for the initial run, it should be able to be accomplished by one person with a couple of days work maximum, and get a fairer distribution of initial term periods around the state. People are willing to take the luck of the draw on term periods if the division is fair.

VACANT CONCESSIONS: I applaud DNR's effort to address this problem and think that the suggested solutions are fair and implementable. I think that some consideration should be put in case of the death or incapacitation of a guide in a family business, that a qualified family member can fulfill the remaining term of the concession and thus not strand the clients or the family investment. The family member can then put in for the area in the next concession offering.

#### GUIDE CONCESSION PERMIT APPLICATION:

FORM A, Subfactor a, (3) Allowing credit for out of state guiding could potentially and unfairly give out of state guides more points than are possible for equally or more experienced guides who have made their careers and lives in Alaska. Two guides could both max out points in question (1), but the out of state guide, who also has a potentially unregulated business outside of Alaska, could get additional points in (3). This would give them an unfair edge over the guide who has always worked in state, has more instate experience that is not considered because only so many points are available in question (1), and keeps the profits here in Alaska!

Guides in most of the other states are not regulated and tested like guides in Alaska. In many states, you need simply to say you are a guide and get a business license to be one. There is no professional training, testing, evaluation or oversight. I know of one guide in Montana, who also runs a guide school, who has taken 80 elk hunters in one year and harvested only 4; and he was satisfied. NO credit for guiding outside of the state should be allowed, as it is equating what could be unregulated, unprofessional practices with one of the most highly regulated, professional guide programs in the United States. Additionally, much of the guiding in the lower 48 bears no resemblance to guiding in Alaska. Should someone who sits in a tree stand judging white tail deer be allowed credit towards any mountain hunting in Alaska? Allowing credit for out of state guiding is contrary to our professional standards; such out of state work does not apply towards earning even an assistant guide license under our professional guide regulations, and should not be recognized in this process; besides potentially giving an unfair advantage to those out of state guides.

FORM C; Subfactor a, (4) Where did the idea of bear deterrent safety training come from? The only people I know who are even exposed to such training were working as bear guards. Will guides have to flock to find some such training before the application period? This could spawn a whole new training business! This term should be deleted from the application. We should be evaluated primarily on mitigating practices in the field to discourage bear/human conflict.

FORM C; Subfactor b, (3) What would photos of your or your employees training and

experience in skinning and meat care amount to? You could skin just one bear in your life, provide a photo and that was that? This is a useless requirement and would prove nothing. I recommend having a specific question as to what services you and your staff provide in caring for hides such as fleshing, salting, drying and shipping them; and who is responsible for their delivery to the final destination i.e. the client home or taxidermist. The experience of the guide and employees could be detailed including if some are licensed taxidermists etc. Photos relating to care facilities or efforts could be extra.

FORM D: While I think that deductions for serious or multiple game violations are a good idea (and certainly felony convictions should be a no go), it needs to be recognized that we are a highly regulated profession. As such, we have a lot of paperwork to do and to oversee. A minor paperwork violation, when properly rectified, should not count against a guide unless it is part of a pattern of negligence. I have no such violations, but I recognize that in the great bulk of paperwork required, it is easy to miss a step and be out of compliance, and would hate to see a good guide penalized. Additionally, guides who have been in business for many years will have much more of a likelihood of having forgotten something, sometime, somewhere, than would the newer guide who hasn't had as long to slip up.

**Comment 32 of 77 - submitted on 02/08/2013 at 12:00 AM:**

Thanks. I want to thank you guys, too, for (indiscernible). We have (indiscernible) but you're also working on changing it. Like Dan, I can't support the way it is right now, but I'm hoping I can in the long run. I wanted to I wasn't going to speak, and I'll address most of my issues in writing. But I just wanted to say we've heard a lot of bad things about (indiscernible). There are bad guides. There's a hell of a lot of guides that take conservation first. We know, first of all, that the most important thing we have is the resource. The second most important thing is the resident hunter. The third most important thing is our visitors and our client, and we (indiscernible). And I don't want people thinking we're just out there killing things. I don't want DNR thinking we're just out there killing things. We just (indiscernible), and we know that (indiscernible) \$200,000 for sheep conservation, one tag. The resident hunters don't bring that. The non resident hunters bring that. We work hard. And most of us, or at least a good number of us, I'd like to think the majority of us, we look at conservation first. And I don't understand why any resident hunter or animal lover does not back this program, unless they want to see an end to hunting, because this will help (indiscernible) conservation. We will have more of a vested interest in our areas, and we will even have more of a reason to keep conservation first. And I think that's what most of us most of us that bother to come to the meetings think. So I just wanted to get that out there.

**Comment 33 of 77 - submitted on 02/11/2013 at 05:53 PM:**

While this is a good improvement from the last one there still is some things that need to be tweaked. #1. Fees are still high. the application fee should be 100.00. #2. The concession fee of 2000.00 should be a 1000.00 or give us one land use permit with the concession. #3. Under Sub Factor A. the request for us to submit 10 years of hunt records, if you have 20 clients a year that is 20 pages times 10 or 200 hundred pages, then you have to make 2 copies. Or 600 hundred pages that is a waste of paper. And our copies that we have are carbon copies that we are making

copies off of that you will probably not be able to read. Suggestion make that your last 3 years of hunt records on paper and the other seven years on PDF disk #4. Under Sub Factor B. Provide a list of clients for the last 10 years. This is redundant if you ask for the hunt records for 10 years you already have our client list for the last 10 years under Sub Factor A. #5. Under Sub Factor B. Requires 5 letters of recommendations. This is useless every guide is required by the state to have 8 letters of recommendations just to become a registered guide. Suggestion. Do what the refuge system does randomly select from the list of clients we supplied you and ask them for their feedback. #6. Can't find any info on a appeals process, there should be one and guidelines for filing for one. #7. Figure out a way to transfer these Guide concessions. #8. I like the limited concession idea as proposed.

**Comment 34 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Tom Kirstein. I live here in Fairbanks. Actually most of what I was going to say earlier has been covered. Virgil mentioned it, Bobby, Sam Fejes, APT, and Thor Stacey. One of my concerns was the scoring panel section having representation. I'm concerned that the industry won't have that representation. It's kind of the way I look at it. It's kind of like the board of dentistry being judged by electricians. And then the scope of regulations has some concerns, that if implementation and having refinements worked out at another time doesn't really lay that out in the scope of regulations, it just mentions sections and parts. I believe it's all there to do that. But I see where you have you're going to have future conflicts and things that are not foreseen now, but I think we're headed in the right track. And I'm in support of pursuing this. And for the industry to have the future, we're going to we need to have an area concept. But all of those other statements from before, I'll have covered those again. But anyway, the I have some also concerns of the implementation time, if you're going to be on schedule or not, and any delays. The there was a comment earlier about future bookings and so forth, and I think those concerns should be if the funding goes through and you are on schedule with implementation in a year from now, is what you're looking at. Anyway, that's I hope that we can maintain that schedule of going forward. I'm seeing in what I what I've observed in the past couple of seasons is the scaling up of use of the areas. And I think that's going to continue for the next few seasons until something's done. And if nothing's done, then the outcome will be I think the Board of Game will take action and then everybody knows what will happen with that. So anyway, thank you. That's all I have.

**Comment 35 of 77 - submitted on 02/08/2013 at 12:00 AM:**

Hey, guys, this is a tough nut to crack. And I think you did a good, fair, honest effort on it, and I applaud you for that. I know there are guides against this program, but as someone who has been a registered guide since 1986, I feel this program is absolutely necessary. In the long term, this plan should help the guide industry and help the viability, but in the short term, a lot of us will lose out and have to downsize. Many of us are willing to take that chance for the good of the industry and the wildlife resource. The main beneficiaries of this plan are not guides or non resident hunters, but resident Alaskans and our game populations. If every U.S. citizen who wanted to be an Alaska big game guide could do so by paying \$100 per license, we'd have a zillion guides, every animal would be dead, and no one in Alaska would dare go outside their house. They'd get shot. Right now we have a three to five year process, and there's a lot of other requirements. We don't have a

zillion, but we still have way too many, especially on state land, where anyone who has a registered guide license and is certified for that unit can hunt, regardless of (indiscernible). Many residents have had to compete with excessive guide pressure and they don't like it, nor do most clients who pay large sums of money for a quality experience. Since 1988, when (indiscernible) got thrown out, I've seen this one new guide with big dreams move into areas on state land where there are already way too many, with no regard for those that are already there. After a few years, both of them find out they can't make it and do something else, but then another new wave comes along to replace them. It hurts existing and committed guide operations, a resource (indiscernible) Alaska (indiscernible) that puts the guiding industry in a bad light with resident Alaska hunters. No program service is going to make everyone happy. I think most will lose something, and the big guide (indiscernible) probably stand to lose the most. I've heard a lot of people say they don't have problems where they operate now. Also some people want mostly bear and they have fewer issue than do sheep and moose hunters. So if you just deal with the hot spots, the sheep, and guess where all the losers end up, (indiscernible) know that they will be guiding for, some that already deal with permits think everybody should have to. I think it's very difficult to (indiscernible) system. I think this program is a good and very necessary start, and I hope it goes through. You know, in (indiscernible) fees, the fees have come up a long way. They are better. But if most federal fees are 3 to 5 percent, and when you average things out, I think these are a little higher than that, plus they're joint use. I think it would be really nice if DNR could throw a year long LES or a base camp with each full concession, and maybe a six month one that we have a base camp. You know, for a \$2,000 fee you get a base camp that you could keep there year round. That would sure help. That's one comment I have on the finances. You know, a lot of people almost everybody seems to be against limited concessions, and for opposite reasons. There's just a lot of different situations. I think taken for there's honey holes, and if somebody just takes four sheep hunters, he can be (indiscernible) somebody else and it can hurt. There's also areas where if there's only bear on the peninsula and you only have a ten day season, so I think you did a good crack at taking (indiscernible). Transferability, when you think transferability, you think, I give you money, it's mine. But if we had a longer process to get new people in, a three or four year process, you guys said that, you know, you don't want to go through this process to get the best applicant, and then just have it (indiscernible) to be somebody else. But if there's a three or four year apprentice plan where you're proving this and watching this on a step by step on the way, I think that's something that you can look at. And you know, (indiscernible) going to Fairbanks. They say again and again and again and again, you know, drawing permits are coming if we don't do something. There's crowding and there's problems. That's all I've got to say. Thank you.

**Comment 36 of 77 - submitted on 02/21/2013 at 10:46 AM:**

Point reductions, application eligibility, and/or concession revocation based on violations should be based on a ratio of total clients served during the same time period the violations "count" against a guide, rather than just straight number as now proposed. A guide who has had three violations across 120 clients is obviously doing a better job than one who has three violations across 6 clients...

I am disappointed that DNR's selection/scoring panel will be made up entirely of DNR people. A panel with such potentially broad impact should include at least one representatives from each affected user group - Guides(who would represent

non-resident hunters as well), and Resident Hunters.

**Comment 37 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Hi. Good evening, ladies and gentlemen. And thank you very much for allowing me an opportunity to speak tonight. My name is David Loring. I live here in Fairbanks. And I've been involved mostly on the periphery with big game guides here in Alaska for about 40 years, starting off as a biologist and then involved in the enforcement of things for quite a few years, and now as a pilot and working with guides and outfitters here in Alaska. And the one thing that I really firmly believe is that we really do need some type of program to move this (indiscernible) forward. There is a lot of knowledge out here, and I'm sure everybody out here I know for us, Alaska working with DNR is going to come up with a program that's going to work in one way or another. But I really do support a program. And I think that it's just going to be a necessary just a necessary thing to move the guide industry forward in Alaska. Everybody's been talking about transporters a little bit. And there is a big impact. For ten months of the year I fly groceries and passengers and villagers and TCC charters to all parts of Alaska. For two months of the year, I fly hunters. And every single day during sheep season and moose season, I have a hunter sitting next to me in the airplane, whether it be a guided hunter or a resident hunter or whatever. And the company I work for is not a transporter. They do not fall under the auspices of the definition. But we haul hundreds of hunters. So if you really want to get a handle on what's going on out there, I think you need to go to the legislature and have the definition changed so that a company like the one I work for does fall in, and then you can at least look at the whole picture, because there is a big chunk of people out there being transported as hunters that are not being reported. Now, we are covered pretty thoroughly under the federal system. We have to have permits and we have to do year end reports and we have to report everything we take out of a refuge or out of the park or (indiscernible) on forms, and it's pretty well regulated. But the state isn't. And the real reason I came here tonight for is, you know, I'm a resident hunter. I've been hunting, my kids have been hunting, my grandkids have been hunting for the whole time I've been in Alaska. And here a few years ago in the area that I hunt, and it's Wood River and it's an area that's pretty competitive between resident hunters and guides and transporters, I really hope that DNR looks at the number of concessions that go into a specific area where there's a large number of resident hunters that utilize it. There's not very many of these areas around, but there are several. And the ones that are out there that do have competition with on state land with a lot of guides and a lot of resident hunters on top of each other is really causing some problems. So I know that Clark and his crew have heard lots of testimony, lots of testimony from me and from other folks over the past several years. If they just err a little bit on the conservative end when it comes to the number of concessions they put into an area that has a large volume of resident hunters, I think it'll go a long ways. But anyway, I really appreciate working with the guides over all these years. Like I say, on the periphery of the guiding industry most of the time, a few times you know, especially during the '80s and the late '70s, I've been way more involved than I wanted to be, but but it's been a good group and have a lot of friends and I really do appreciate you guys. So thanks so much.

**Comment 38 of 77 - submitted on 02/08/2013 at 12:00 AM:**

I'm (indiscernible) of this whole program. I've been guiding since I got my license I think in '76 or '77. You know, this is a you've got to lie to get the best I mean, I've

been guiding for 35 years, and I don't know of anybody here, I don't has anybody here taken a bear deterrent test, you know, or bear deterrent class? I mean just, you know, on and on, and just silly questions, that if you come down to ten questions and get the whole or we could give you ten answers to ten questions that would probably satisfy the whole thing. But just a funny thing, like fuel. You know, fuel, you know, we all fuel up 5 gallon cans or a drum or something. But if I'm going to come up to you and lie to you and tell you that I'm going to have this huge fuel spill area and on and on and on, I (indiscernible). And twice, you know, here we've got the guy (indiscernible) here. I lost my moose season over where I am, so I really haven't hunted that much in years. My son's coming up in the business. I'm training him. He's a class A guide, and we're working together. Let's say we take four hunters. Now we've got to pay \$2,000 a year possibly, plus \$500 (indiscernible). And I I mean, I run a fairly sizeable fishing and bear taxi guide operation. Not that big, but (indiscernible) paid my expenses and my insurance and the whole nine yards, I end up with a hell of a lot less money than perhaps you all make. And I don't get any benefits. I don't get any medical. I don't get any of this. And now you're hitting me up for another \$2,000 a year, 500. You know, these guys don't have endless pockets. We have to you know, I mean, they're all can you give me a break now? I mean, if I want to book a hunter, I'm not in Kodiak. I (indiscernible). So you know, geez Louise, give us a break. All we're asking to do is try to make part of a living on your on our land. And if you're going to (indiscernible), you know. Where can I find out where I can get a bear deterrent training? Does anyone have one here?

**Comment 39 of 77 - submitted on 02/13/2013 at 12:00 AM:**

Gentlemen..... First of all I would like to state I am against the DNR implementing guide areas. The guide board should be working in this area. I work with about 12 government agencies including the DNR in my small guiding business....sure wish I don't need another.

Another many complaints.... cost.. If I take four hunters, get about \$8000 per hunter, pay the DNR \$2000 for the area and another \$2000 for the hunters, plus my commercial lease another \$3000...just in fees. How about expenses with the aircraft, boats, insurance required by the state (not required with doctors, lawyers, or state employees to name a few) and I might make about \$1000. Lower the fees. My clients won't pay the extra monies. We all don't work with billionaires.

My guide license is #390. The lower numbers mean longer being licensed in the state.....POINTS>>>>

I am a Christian and don't wish to be forced to lie to make a living. Garbage, where do we put our poop, fuel, bear avoidance classes...on and on. We should have about ten basic honest questions that could decide whether we are going to destroy the country or not. Let's face it, have any of you ever hunted in the mountains... You are carrying a back pack sheep hunting and where are you going to do with your poop. I'll tell you what you are going to do....POOP, and then if you are nice, burn your paper. Every furry animal around us poops in the wilderness, are we different??? Sure, in our base camps where we might have four or five people, we'll build an outhouse or privy. Fuel....on my major lease land, I have fuel tanks and filters under cover, but in the bush we might have a five gallon can or two....be realistic....what do you do in your boat, carry a 500 gallon double walled tank?>>> I might take four hunters, but God willing, maybe we might take three animals.... I don't like the four hunters and one assistant guide thing. Make it six hunters and two assistant guides.

I just discovered that your gep is a gcp on your email address, so I faxed you this letter as well..

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**Comment 40 of 77 - submitted on 02/28/2013 at 09:55 AM:**

The intent of the GCP is to address the "overcrowding" issues that may happen in only a few Guide Use Area's. Not all areas have this problem and in some cases there is very little hunting pressure in the area. New guides would stand little chance of ever getting an area as they would never gain the experience necessary to become competitive. It does nothing to address the real problem of overcrowding which is unregulated Transporters, drop off hunting/float trip companies & residents from Anchorage/Wasilla and Fairbanks. These groups can come in anywhere and drop off up to 20 camps in a day. If this program comes into effect these same groups would still have access to the entire State of Alaska and the overcrowding issues would remain the same. .Also it forces us to take all of our animals out of one area instead of a few animals out of an entire area. I view this program as a disaster for the future of the guiding industry and many other guides share this same view. I believe we can find alternative options to resolve the areas that have become overcrowded. I have invested everything I have in my business I treat it as a full time job and then some, I am finally at a point were I want to expand to build a lodge I have local guides that depend on me every year for income I have spent countless hours training young guides I spend thousands of dollars supporting the local economy in fuel, barge service, flying, land leases and general labor wages. Now I am suppose to fill out a DNR prospectus and leave everything I have worked for in the fate of a DNR panel that knows nothing about who I am or what I do. On two other occasions this type of program got shut down and I am urging anyone who has the power to stop this program to listen to our voices and support this movement to end the funding for the GCP. I know that the DNR has spent countless hours forming this program and have listen to all sorts of comments but at the end of the day I still believe there is alternative options that we as guides can come up with to address some of the area's that have become overcrowded.

Thank you for your time. Jason Mogen-Registered guide #1144  
AlaskaPremierOutfitters

**Comment 41 of 77 - submitted on 02/28/2013 at 12:00 AM:**

February 28, 2013

RE: Guide Concession Program Proposed Regulation Comments

Below are my comments on the latest draft of the Guide Concession Program regulations. While I recognize that more effort was put in the process this time to address public concerns, we still do not have a program that is acceptable to most of the guides, including me. I find it very frustrating after participating in meetings with the Big Game Commercial Services Board, offering public testimony and submitting written comments over the past six plus years, that DNR does not seem to understand how this program is going to vastly affect guides who are currently operating. We need to have the ability to apply for a minimum of 10 concessions, but at best an unlimited number, to begin to make this a feasible program. I list my

concerns in detail, below.

**MAPPING:** I have been a registered or master guide since 1993, and have registered and guided every year since in GUA 14-01 and 13-05.

**GUA 13-05:** When the guide concession areas were discussed in 2007 and the map was drawn up, 13-05 was split into 2 areas with 1 guide in each area, 13-05A and 13-05B. It is now proposed to have 1 full guide concession and 1 limited guide concession in each section, a total of 4 concessions. All sheep, moose and mountain goat hunting in all of 13-05 is by drawing permit only. How do you propose limited concession holder to 4 clients when these 3 major species are by drawing permit? There are only 13 total sheep permits, 20 moose permits and 50 goat permits available to non-residents in 2013 for the two units combined. Non-resident second degree of kindred are allocated to the same permit pool as the guided hunters. You have to either limit the limited concession holder to only be able to apply for a total of 4 permits or make it where they can't apply for any draw permits at all. Otherwise they might draw more than 4 permits, and what would the stranded hunters do? This is the only way a limited concession would work in these areas.

**GUA 14-01:** You have proposed having 1 Full Concession on state land where there is one sheep permit available by draw permit and 8 to 10 mountain goats available for non-resident harvest by registration permit. Originally, before the number of non-resident permits was reduced, the proposal was to have two full guide concessions areas in all of 14-01, including DNR and State Park land. With the vastly reduced number of non-resident permits now available this is no longer feasible. There is very limited hunting in Chugach State Park. In Chugach State Park you have proposed having 1 Full concession and 1 limited concession. There are currently 8 rifle sheep permits available to non-residents and 4 non-resident bow only permits. Again the guided hunters and the 2nd degree of kindred hunters are all in the same pool for this very limited number of permits. I personally applied close to 100 clients for the 8 rifle permits for 2013 and drew NONE. This demonstrates the difficulty of trying to run a guiding business under a draw permit scenario with so few permits available. The only way I see GUA 14-01 as viable under the concession scenario is to have one full concession holder for the entire area. If you did have a limited concession holder they would have to be limited to only applying 4 clients in all for the draws or to have them not be allowed to put in for any draws.

## PROGRAM DESIGN

**FULL CONCESSIONS:** The limitation of full concession holders to six assistant guides needs to be refined. Employees who hold assistant guide s licenses but who are either working in a different (non-professional) capacity such as a cook or a skinner, both of which I have used assistant guides for, or are accompanying another assistant guide as part of their training (a common practice when hiring or promoting employees) should not be counted toward the six. The actual count should be decided on the assistant guides who are listed on the hunt contracts.

**CONCESSOINS APPLIED FOR:** Limiting the number of concessions a qualified guide can apply for, just to reduce the initial economic burden of the DNR staff, is ridiculous. As stated in all of my past comments, we are willing to go to the legislature to get the initial funding needed to set the program up, including enough staffing to review the initial program applications. Staggered program application

periods in the future will reduce this burden. So to limit the number of areas we can apply for because of a onetime perceived economic burden is very short sighted. The federal programs allow unlimited applications by each guide, and they manage the process without staggered application periods. In reality, the number of applications each guide puts in will be limited by many things: 1) the application fee. \$250 is not something to be thrown away easily. If necessary, DNR could consider a slightly higher fee for each application over the initial three. 2) the time it takes to prepare each application. Having recently done a federal prospectus, I can assure you that even the streamlined DNR application is extremely time consuming; I don't know of any guides with enough extra time to prepare applications they don't have a chance of winning. 3) the requirement that the guide must already be certified in the GMU in which the GCA is located before applying, and 4) the real consideration of which areas the guide has experience in or around, and in which GUAs the guide has a chance of really being considered. I guide only on state land and have always guided only on state land. The units I guide in are 13-05, 14-01 and 9-25. In the proposed guide concessions 13-05 would be split into 2 areas, 13-05A and 13-05B. As presently proposed there would now be 1 limited and 1 full concession in 13-05A, 13-05B, and 14-01 and 3 full concessions in 9-25. Under this scenario there are a possible 7 different guide concessions being offered in my 3 guide use areas not counting multiple full concessions in the same area. You would allow me to only apply for 3 of them. In area 13-05 there are a minimum of 3 guides that have 20 plus years experience in the area with only 2 full concessions available. This was understood when we did the mapping and decided on the number of guides per area. You have since added 2 limited concessions to these areas with a different application for each. If all 3 of us that have 20 plus years experience in the areas applied for the full concessions and couldn't apply for the limited ones you might end up awarding the limited concessions to someone who doesn't have near the time or resources invested in the area and put the long term users out of business in the areas. I think that if necessary the DNR could take an extra year after the applications are submitted, i.e. awarding them in 2016 at the earliest with a 2014 submission date, which would allow enough time for all applications to be thoroughly evaluated and the selection process completed no matter how many applications are received. To limit the number of applications from each guide to 3 is an unfair limitation, and may well result in areas that are not applied for, concessions that are not filled, and well qualified applicants being left out of consideration. I may currently operate in an area with many more present guides than concessions to be awarded; I should be able to take a chance at getting that area but have a chance at another area also. This initial program application period is a onetime shot for many of us established guides to stay in business, as 10 years is too late to get back in; we should not be made to limit our efforts at keeping a feasible business because of a one time, initial savings to DNR.

I cannot support the guide concession program if it doesn't allow me to apply for all of the concessions I want, i.e. all of the concessions being offered in the areas I work in. I believe that if you apply for the full concession you should automatically be considered for the limited concessions if you did not win a full concession.

SCORING: I agree with DNR that present or retired industry representatives on the panel would lead to actual or perceived potential bias. If it is believed that evaluation of some on the ground practices requires some additional expertise, DNR could have some retired guides available to assist as non-voting advisors. However, these

advisors should only be told the specific practice that is at question and should not be allowed to see the entire application nor given any hint as to who the applicant is or which GCA is being considered. Many of us have extensive knowledge of the other guides in our area and might be able to figure out who was who by which area is applied for and some of the suggested practices/locations of camps etc. I strongly suggest that DNR conduct personal interviews of the top applicants. This could serve to solve any questions raised in evaluating the applications, clarify parts of the operations plan, and help determine if the applicant could indeed conform to their stated operations plan. These interviews could be done by telephone where distance is a problem; this is routinely done by federal Refuge staff in making award decisions. FEE STRUCTURE: While I greatly support the fee structure of a base concession fee plus a per client fee, as this does not discourage conservation practices in cases of dwindling or limited resources, the fees are still over double what APHA recognized as necessary to keep the program running. At present I pay DNR \$2,5000 plus per day fees annually. With your suggested fee structure, if I had 3 areas, and the limited number of clients I have now, I would be paying an additional \$16,000 annually. I think that the full concession fee should include one LAS, and that the per client fee be carefully considered. These fees must be directly passed on to the client, and in many cases they have other places besides Alaska where they can hunt. Do we want Canada to take our Dall sheep clients because they can offer a less expensive hunt? In the cost consideration, DNR lists field inspections. The fact is that they do field inspections of LASs now, and limiting the number of practicing guides should decrease, not increase the number of field inspections. I question the need for 7 full time, permanent positions, when you already have people on board who work with LAS applications, inspections, and with the per day fee that will be abolished with this program.

CONCESSION AUTHORIZATIONS (TERMS): The present initial concession term structure of 4, 7 and 10 years is not tenable. A 4 year term, with a major, open application process afterwards, is not long enough to be workable. It is not long enough to encourage good conservation practices (although we can hope the initial winning guides would do what is ethically right no matter what, this is not always the case). Guides will be making/adding major financial investments in many of their areas, and having only 4 years guaranteed operating time makes any serious investment unadvisable. Many of us are booking up to three years out at present, and this would severely limit us in booking and keeping our client base. Many of my clients return again and again, for the same and different species, and if I cannot guarantee them a booking in the future I risk losing them. Then after only a four year permit, your competitors can read your winning application and use it to compete directly with you. I see no reason why the initial terms cannot be 8, 9 or 10, or at the worst 6, 8 and 10 years (or in your lingo, 5 years with 1 year renewal, 3 year renewal and 5 year renewals). Doing it in three consecutive years would mean you had the staff all geared up and ready for it. This would also allow for an initial 6 to 8 year plus program period before any new authorizations, which would mean a good knowledge of where program changes or adjustments, if any, may be needed. It would also stagger the terms enough to not require additional staff. Four years is NOT a reasonable first authorization for such a major undertaking as a guide business requires. Dividing the initial concession terms by Fish and Game Region is unfair to a number of guides. Many of us hold multiple areas in the Region in which we live, and have worked here for many years. Thus all of our areas might have an

initial term of only 4 years, while others might have all 10 year terms. The initial term offerings should be scattered in a shotgun approach throughout the state. While I grant this division is a little more work for the initial run, it should be able to be accomplished by one person with a couple of days work maximum, and get a fairer distribution of initial term periods around the state. People are willing to take the luck of the draw on term periods if the division is fair. VACANT CONCESSIONS: I applaud DNR's effort to address this problem and think that the suggested solutions are fair and implementable. I think that some consideration should be put in case of the death or incapacitation of a guide in a family business, that a qualified family member can fulfill the remaining term of the concession and thus not strand the clients or the family investment. The family member can then put in for the area in the next concession offering.

GUIDE CONCESSION PERMIT APPLICATION: FORM A, Subfactor a, (3): Allowing credit for out of state guiding could potentially and unfairly give out of state guides more points than are possible for equally or more experienced guides who have made their careers and lives in Alaska. Two guides could both max out points in question (1), but the out of state guide, who also has a potentially unregulated business outside of Alaska, could get additional points in (3). This would give them an unfair edge over the guide who has always worked in state, has more instate experience that is not considered because only so many points are available in question (1), and keeps the profits here in Alaska! Guides in most of the other states are not regulated and tested like guides in Alaska. In many states, you need simply to say you are a guide and get a business license to be one. There is no professional training, testing, evaluation or oversight. I know of one guide in Montana, who also runs a guide school, who has taken 80 elk hunters in one year and harvested only 4; and he was satisfied. NO credit for guiding outside of the state should be allowed, as it is equating what could be unregulated, unprofessional practices with one of the most highly regulated, professional guide programs in the United States. Additionally, much of the guiding in the lower 48 bears no resemblance to guiding in Alaska. Should someone who sits in a tree stand judging white tail deer be allowed credit towards any mountain hunting in Alaska? Allowing credit for out of state guiding is contrary to our professional standards; such out of state work does not apply towards earning even an assistant guide license under our professional guide regulations, and should not be recognized in this process; besides potentially giving an unfair advantage to those out of state guides. FORM C; Subfactor a, (4): Where did the idea of bear deterrent safety training come from? The only people I know who are even exposed to such training were working as bear guards. Will guides have to flock to find some such training before the application period? This could spawn a whole new training business! This term should be deleted from the application. We should be evaluated primarily on mitigating practices in the field to discourage bear/human conflict. FORM C; Subfactor b, (3): What would photos of your or your employees training and experience in skinning and meat care amount to? You could skin just one bear in your life, provide a photo and that was that? This is a useless requirement and would prove nothing. I recommend having a specific question as to what services you and your staff provide in caring for hides such as fleshing, salting, drying and shipping them; and who is responsible for their delivery to the final destination i.e. the client home or taxidermist. The experience of the guide and employees could be detailed including if some are licensed taxidermists etc. Photos relating to care facilities or efforts could be extra. FORM D: While I think

that deductions for serious or multiple game violations are a good idea (and certainly felony convictions should be a no go), it needs to be recognized that we are a highly regulated profession. As such, we have a lot of paperwork to do and to oversee. A minor paperwork violation, when properly rectified, should not count against a guide unless it is part of a pattern of negligence. I recognize that in the great bulk of paperwork required, it is easy to miss a step and be out of compliance, and would hate to see a good guide penalized. Additionally, guides who have been in business for many years will have much more of a likelihood of having forgotten something, sometime, somewhere, than would the newer guide who hasn't had as long to slip up.

**Comment 42 of 77 - submitted on 02/08/2013 at 12:00 AM:**

My name is Dan Montgomery. I'm a master guide. I've been guiding for 20 years. I would like to see be able to apply for more than three areas. Currently 14C, I don't know where you guys came up with your numbers, but you have a full time guide on state land and another full time guide and a park limited guy in the park. And that was proposed as that. It was proposed as two full times for the whole guide in this area working on one. In the state area right now, you're limited to there's a possibility of taking eight goat hunters in that area, and there's one sheep draw from that area. And I don't think that's anywhere close to what you need to justify using a full time area. Anyway, I'd like to see it where you'd make it where you could apply for extra areas. Maybe twice the fee, at \$500 for anything over three that you want to apply for them. But be able to apply for them and pay for it for your staff to do that, that for me it would be worth it to pay that amount to make sure that I have an opportunity at least to guide where I guide now. Right now in 14C, you know, you're limited to two full times and one part time, those on separate applications. And in 1305 it would be divided into two areas, two full, two part times. In 925, where I've got down brown bears, there's three full times there. That seems more reasonable, where everybody that's been there for a while has an opportunity. In 1305, I know three guides have surely been over there for 20 years, and you've only got two full time opportunities there. Not even be able to apply as the limited concession. I think if you apply as a full time concession and you are awarded it, at least you'd be automatically put into the part time if you choose to and pay that fee. That way you've got an opportunity at least to guide where you're guiding from. The way this is set up, it's going to it's going to you either got to (indiscernible) full time application or the part time application. You can't use both. I don't think that's that's the way to go when people have been there for a long time. So I I personally, my sheep have been under draw permits now for five years. I've (indiscernible) that. The sheep have (indiscernible). So if you're good and you can get enough people to put in applications and stuff, you can do all right (indiscernible) scenario, that I would like I supported this program from the start, but I just can't understand why we can't get a little more consensus of what you've heard from the public and be able to apply for these areas and at least do what we're doing (indiscernible) in those areas. You can't (indiscernible) concessions the last time, and you automatically taken a third of the operation of almost everybody that does this for a living, not the part timers. So I would like to see those opportunities increase to where we can apply for more areas, especially park limited areas (indiscernible). As it currently is right now, I couldn't support it. I think I'd do better just leaving it the way it is and and you know, still have, you know, a (indiscernible), and it'll take care of itself (indiscernible). Thank you.

**Comment 43 of 77 - submitted on 02/23/2013 at 07:33 AM:**

Dear DNR,

I have hunted with outfitters that do all the guiding themselves, outfitters that do part of the guiding themselves, and outfitters that book hunts and facilitate all of the details but do none of the guiding. The hunts that have been the most enjoyable to me have been the trips where the guide who is guiding me in the field has been the owner of the business. The number of limited concessions offered should be tripled and available only to those who will do all of the guiding themselves.

The guide concession program must be used to eliminate the guides who are lawbreakers and who have learned to manipulate the system by being able to get out of citations by pleading or sweet talking the wardens out of citing them. If a contracting guide has ever had an animal confiscated, they should be penalized 50 points on Form D. Two confiscations indicates they don't take the regulations serious and they should be disqualified under the mandatory 100 point loss rule. Contracted hunts with this type of actions taking place must disqualify the contracting guide to make them accountable for poor hiring and poor management.

Contracted hunts where same day airborne or hunting out of season or hunting in a closed area took place must disqualify an applicant. Contracting guides have been able to pass the buck for too long and the guide concession program must clean up the industry by disqualifying these outlaws and not them continue to thumb their noses at Alaska regulations and take advantage of sportsmen.

**Comment 44 of 77 - submitted on 02/20/2013 at 05:00 PM:**

The guide concession program looks like it is going to eliminate at least half of the guide businesses in Alaska. This eliminates competition and that will cause the price of hunts to rise. I don't like that idea. However, it might be a benefit if you changed a few parts of the selection process. Here are my suggestions. 1. Disqualify all of the guides first who have shown they are willing to knowingly break the law. If they have contracted hunts where their guided/hunters/staff have over-bagged, hunted the same day they flew, hunted in a closed area, hunted out of season, shot from a plane or vehicle or hunted without a license they should be removed from the guiding business. 2. Get rid of the guides who have had more than one instance where illegal animals were taken due to size under their contracts. (small moose or rams) Whether they did the guiding or an assistant was guiding does not matter since it is that the contracting guide is a poor guide/manager and shouldn't be allowed to have a business when there are guides who haven't engaged in such reckless behavior in the field. 3. Favor guides who are willing to take less animals over guides who wish to take more animals. This will help conservation practices for better hunting for sportsmen and will lead to less pollution of Alaskan waters and lands. 4. Increase the number of concessions to guides who do the guiding themselves instead of hiring assistants to do the guiding for them. If you kept the number of major concession guides and increased the number of limited concession guides by 4 times, the result would be more competition and better quality of service available for hunters.

**Comment 45 of 77 - submitted on 02/08/2013 at 12:00 AM:**

Hello. My name is Israel Peyton, and I've worked for, I don't know, three or four of you guys out there. I know a lot of you. I've been a guide for 16 years, grew up, worked, raised in Alaska. And I'm adamantly opposed to the guide concession program. Smokey basically touched on a lot of points I totally agree with. I would encourage all you fence sitters and people that think they're going to tweak the program, this is the program. There's not going to be much tweaking. I would encourage you now, sign up and just get up here and say you're opposed to it or at least put your comments online and say you're opposed to it. If you're for it, that's fine, too. But be heard. Once again, House Bill 8. I have copies of it. If you're interested in it, you can come get a copy. Basically it would say DNR cannot do this, is basically what it says. This guide concession program was based solely on arbitrariness. That means choices, actions, subject to individual will, judgment, or preferences, based solely on an individual's opinion or discretion. This program was conceived on personal preferences, blanket obligation, and anecdotal information. Anecdotal information means not based on facts, careful studies or careful studies. It means casual observations, unscientific. Just because people say something is happening doesn't mean it is. DNR has not put forward one fact to support (indiscernible) this concession will fix any problems. The only thing they've put forward is Appendix C, I believe, two years ago, and that indicated in ten years, from 2000 to 2010, there was a decrease of 33 percent of guided hunters in Alaska, indicating that there was less pressure in a ten year span. If this guide concession program is implemented and one or two quality operators go out of business, I would consider it a complete failure for the state to put a quality operator out of business, whether they fail through the application process or just choose not to do it because it's too complicated, which I know a lot of small operators will just choose not to do it. And that is the whole goal of this program, to get rid of competition. It's not eliminating the amount of animals that will be taken in Alaska. You've heard them say that. The same amount of hunters are going to come here. It just limits who gets their money. So once again, I just I would encourage you guys that are against it. House bill 8, contact your legislature, write letters to the governor, contact Ed Fogels at the DNR. He's deputy director. But make your voices heard. This is it. No time to (indiscernible). Kill this thing. Thank you.

**Comment 46 of 77 - submitted on 02/20/2013 at 07:14 AM:**

My name is Israel Payton, I have been a licensed guide for 16 years and life long resident of Alaska. I am in complete opposition of the GCP. As of Oct 2012 there were 1379 guides that hold licenses with the state. Have all these guides been fairly heard or just a select few that falsely say they represent the guide industry. Why hasn t there been a vote with all the guides that hold a license. 539 hold a reg/master, 117 class A assistant, 723 assistant.

All this program does is take business from one guide and give to another guide, it will not help the resource at all.

The GCP is based solely on Arbitrariness, which means choices and actions subject to individual will, judgment or preference, based solely upon an individual's opinion or discretion

This program was conceived on personal preferences, blanket allegations and antidotal information. Antidotal information means not based on fact or careful

study, casually observations, unscientific.

DNR does not list any facts in their reason on why we need the GCP, they can't because they do not have any scientific facts to support it.

Chairman of the BOG Cliff Judkins stated in his public comment, quote Both times DNR has proposed this program it appears to have been not well received by the industry and the public. It is important to recognize that large regions of this state do not have any identified conflict or conservation concerns related to the guiding industry.

If the GCP is implemented and even one quality guide or small business owner discontinues their business whether through the process being too complicated or intimidating or not awarded a concession, I would consider the GCP a complete failure and the State of Alaska to blame.

I urge anyone that is opposed to the GCP to support House Bill 8 which would stop this program.

Thank you,

Israel Payton

**Comment 47 of 77 - submitted on 02/08/2013 at 12:00 AM:**

Thank you. I'm Steve Perrins. I own and operate (indiscernible), a family business. I've been guiding in Alaska for a little over 35 years. First I want to thank you, DNR. You guys come under fire. You can't win no matter what side you're on there, but I appreciate all the work and the time you take away from your families on these evenings, because I know that's tough. And the work you've done doesn't go unappreciated by everybody. I've been involved in the program for the last seven years, since we started. It's evolved. I was not happy with the first couple turnarounds. I think you've done a much better job this last go around. I appreciate the changes. I think that if we don't have a guide concession program we're going to be out of business in a short period of time anyway. It may be five years, it may be ten years. I have a hard time supporting it the way it is now. I'd like some you know, kind of some reassurances that over the next month or so we can make some changes that the industry can live with. I know there's going to be some winners and some losers. So we went over several points. I sat on a conference call with some guys the other day, about 30 different people. I know it's a small number compared to the number of guides that are in business. But we tried to distinguish maybe five points, mainly major points that we could go after, try and look at some changes that might be something DNR can live with and the industry can live with. The first thing that came up from everybody's mouth, you know, I support the program or I support the concession program, but you know, this is a problem or that is a problem. And I kind of went through those. Transferability was a big one. And I think that we spent a lot of time on Owsichuk maybe not matching, and I think what we'd like to do is see if maybe a group or DNR can look at a way that that can be transferability. The hard thing for us to swallow is whatever percent of the state that is federal land has got transferability. And (indiscernible) say we can't without a legislative change. Let's see if there is a way we can. I heard some talk earlier tonight about maybe, you know, working somebody into it. And transferability, I

look at first of all, as a family business, my wife, myself, five boys have put time into my business. My grandkids are involved out there. If something happens to me, God forbid that I end up having a stroke or getting thrown off a horse and kicked in the head, my livelihood, my entire living is in that industry. And for my son, who's a registered guide, my other three sons that are assistant guides, to know that they could not pick that up and keep going and support the family goes against, as far as I'm concerned, the American way. And I think that we need to really work that in there, consider that, you know. All of you Clark, I know your family counts on your paycheck. You know, if something happened to you, you'd want some amount of protection in there. If it was insurance, that's great. But in a family business, you want that business to be able to carry on. My grandkids are looking forward to guiding out there. So I'd really encourage and ask that DNR look at that as a way to maybe some way we can get around that. I don't have a real problem with the limited. I think Steve Johnson brought up a good point that if you're not careful, people are going to go in there and say, well, I guess I got to take this many. I don't look at it that way. Rainy Pass Lodge has been a lodge for 75 years. I had a guy shoot a brown bear 25 yards, you know, in a tree stand outside my dining room window. It's pretty exciting to think that 75 years down the road there's been some conservation there that's kept that available. And you know, we take animals that we see along the lake. We also see viewers out there, people that take photographs. We're conservation minded. There is a lot in our industry that's not. And that concerns me. And I think that, you know, we maybe need to tweak that limited if possible, see what you can come up with there that will protect the industry. I think you've done a good job in maybe protecting it in some way that, you know, we don't overharvest because of our plan. I know you've got a cut here on time. The other three areas that were brought up consistently was (indiscernible) renewal or investment in the area. And I think that's important. I'd like to have DNR maybe revisit that. There was a lot of comments on mapping, and I think mapping has got to be done individually. Industry rep I think is another area that we strongly have a hard time swallowing. I think that you guys do a great job with DNR. I couldn't come in and do your job tomorrow. But on the same token, I think there is some tweaks. I think you've understood our business a little more over the last six years. But I think that would go a long way with getting acceptance in any kind of a program. So you know, the questions are you say that we're going to (indiscernible) maybe and be able to still work on this. I know we want to get this you want to get it past the legislature. What can what can you tell us so we have some ability to work with you still on this besides just public comment? Because if we're going to get support and not kill it in the legislature, we know that we can work on a few of these maybe five points or whatever that can make it work for most of us. What kind of resolving time do we have? Those would be some questions I'd like answered later.

**Comment 48 of 77 - submitted on 02/05/2013 at 12:00 AM:**

Yeah, my name is Mike Petersen. And I don't have an iron in this fire at all. I just happened to see that the program was going on tonight and I thought I'd just drop by and see how this all worked. But what got my attention was a comment that was made about this program paying for itself. And if I understand correctly, you're talking about if there's any extra funds, as it's currently set up, those funds would go would go into a general fund; is that correct? Well, here's what I'm thinking, is it seems like an opportunity is being developed here to make this a you know, a good, finely honed machine down the road. So I'd like to suggest that if there are surplus

funds that might become available, that they get put into a pool specifically for this program. Because there is an incentive out there, as a guide, that if you're putting money into this program and you see that there's a surplus at the end of the year to see it sucked off someplace else and not benefit the program that you're putting your sweat and your time into, that's kind of a disincentive. So if you have that into a pool, so later on down the road you see that it's kind of tight, then you have a pool to draw funds from or you can, you know, grow it in such a way to maybe use those funds for something to work on this program specifically and exclusively. So I think it's just important to have that for the record. That's my comment.

**Comment 49 of 77 - submitted on 02/26/2013 at 12:16 PM:**

DNR, It is illogical not to allow applicants to apply as many times as they want. It is also wrong not to allow applicants to be awarded multiple concessions in the same guide use area. By limiting either of these controls, the program is designed to award the concessions to the less qualified operator, not the most qualified operator.

With the number of concessions you are awarding the BOG will have to institute drawing permit allocation on most species. Specifically, moose, sheep and bear statewide

A minimum standard of experience must be established to apply for full concessions and to apply for limited concessions. For full concessions, applicants should need a minimum of ten years of history contracting hunts in the guide use area as a registered or master guide to qualify to apply. This can be documented by hunt records held by commerce. Limited concessions would need five years of experience. By having these minimum standards it would greatly reduce the applications DNR would have to go through for the same number of concessions.

The cost and fee structure is still extreme. Triple that of other land managers. The cost to an operator taking a client on a \$50,000 six week multi specie hunt is \$13.89 a day. Seven day goat hunt is 71.43 a day. Five day deer hunt is \$50 a day. Plus the \$2000 annual fee. In drawing permit areas, which is where I operate, to take two bear and one goat hunter my land use cost would be \$130 a day. This is WRONG. The very real possibility exists where I may only draw one or even zero permits. \$2500 to take 2 deer hunters???????

This needs to be changed to a flat client day use fee. \$10 for non guide required, \$20 for guide required. Simple, effective!

The prospectus 11. You need to be more specific on bonding and insurance requirements

Form A. Much of the information you request is impossible to document. It should ask to document if possible. Do not downgrade for no documentation. In sub factor B 3 and 4 are redundant.

Form B. Note, much of what you ask for is copy written information and to copy it for you would be illegal. subfactor B protecting historical and archaeological environment. Should be an automatic full score if you have no convictions of destroying them.

Form C Sub factor A, It is wrong an applicant gets no credit for operating for 30 years w/o an incident and would score the same as a person w/much less use. Would a

person w/one incident in 30 years score less than an applicant with no incidents in ten years. This is an extremely biased category. Unacceptable.

2. This is overrated by most gov agencies. Training is insurance you usually never need. Being an EMT or wilderness first responder should not score more than the basic cpr/first aid. In 32 years, other than minor strains, cuts etc no treatment has been required. This would be the same as Clark Cox getting his job based on medical training. He has many more people around him every day at work who could have an issue than I do. Think about it. Minimums should be full credit.

Sub factor B,2.The last I knew it was the states responsibility to enforce the statutes and regulations of the state. Constitutionally each person is responsible for their own actions. What does Clark Cox do to ensure his subordinates do not violate any statutes or regulations? Get the point?

Sub factor C.1.In spite of what an assistant AG may have told you, it is highly unconstitutional to limit, control or regulate commercial enterprises based on hiring practices of residents or non residents. You may want to read the commerce clause of the US constitution and look at the supreme court cases dealing with this. It is way out of line.

3.a, Local customs, traditions and courtesies??? I sell hunts, not an education. This is the entertainment business. This is stereotypical of gov being out of touch w/reality.

Sub factor D. You need to state if you score higher or lower for providing service to the public. Someone taking 20 hunters a year provides 20 times the service to the public, which is the intent of the profession, than someone providing one hunt.

Also, the scoring for types of hunts should vary depending on the options. Lodge, cabin, wall tent, boat, back pack tent all have their fans, but operators who offer all or some should score dramatically more than those who offer only one.

4& 11 are redundant.

Form D-Extremely biased in the fact an applicant with 40 years w/o a violation scores equal to an applicant with 1 year w/o a violation. It is clear this prospectus is biased against experienced and invested applicants.

Again my main concern is the unrealistic amount of documentation requested. Most of it is impossible. One should be considered innocent until proven guilty, not have to prove you're innocent. The burden of proof lies on the state, not the applicant.

**Comment 50 of 77 - submitted on 02/23/2013 at 10:02 AM:**

i have been looking into a hunt using Jim Rivers Guide Service owner Willie Dvorak . been looking over guide concession process .my fear is that there are to many guides that are not doing everything by the law . guides who take hunters out that have payed a lot of money and then break the laws. these people should not ever be able to guide again . they are suppose to be honest inteligent people do a service to all the hunters and people in the state . why would you let someone who breaks the law keep going , if they did it once they will do it again . it is time to remove the bad ones and make room for the honest hard working guides who make there living this way . i have been on several guided hunts and have always had great guides and every thing was done right . and i want that when i come to Alaska to hunt too .

please keep the dishonest guides out and let the true guides do there jobs . thank you . Kevin Prickett hunter ed. instructor in the state of Illinois for over 15 years

**Comment 51 of 77 - submitted on 02/22/2013 at 10:15 AM:**

This program should help improve the quality of the guided hunting industry by awarding the concessions to the best guides and thereby lessen the "rape and pillage" activity that is now taking place. However, DNR should also adress the activities of commercial air taxi and transporter operators. They are able to transport an unlimited number of clients anywhere with little or no concern for the resource, environment or the quality of the hunt. This needs to be addressed. There are numerous aspects of the application that need to be further refined. For example if a client ignores the advice of their guide (and remember that many of the guided clients are of the Alpha Male personality type)and commits a violation that does not result in a citation of the guide by the Department of Public Safety, there should be no demerit points awarded to the applicant guide for that situation. Also, the scoring includes points awarded for the applicants attendance/participation in activities unrelated to actual guiding. While these are "nice" they are not "essential" and bear little or no significance to the actual performance of a guide in the field. Hopefully, these points will be included as "bonus points" and used only in cases of a tied score between two applicants. Finally, I have a serious problem with DNR charging trophy fees for each animal harvested by the guided client. You are usurping the authority of ADFG. DNR does not propose implementing such a fee for air taxis and transporters. But more importantly, DNR is charging a fee for a resource managed by another State Department (ADFG). Any funds collected by a State Agency should be transferred to the Agency that has the responsibility and obligation to manage that resource. DNR assessing a trophy fee is just not right! Thank You.

**Comment 52 of 77 - submitted on 02/25/2013 at 07:06 AM:**

Greetings, as the owner of the original heli-ski guide company in Thompson Pass, Valdez Heli-Ski Guides, I m closely following the work you are doing on the proposed Hunting Guide Concession Program. I see a lot of similarities between hunting and ski guiding and have prepared some comments for your consideration. I believe Alaska hunting guides can benefit from a concession program that is well designed and thoughtfully implemented. With that in mind I offer the following comments:

" As a longtime owner/operator in Thompson Pass I m encouraged to see that local experience is an important factor in the scoring criteria. " Local experience is particularly important in regards to emergency response, client tracking and communications. These are key operational components and should be emphasized when scoring applications. " All scoring criteria should be closely and individually evaluated to ensure relevance. My concern is that there are too many scoring factors that are vague, easily misunderstood and/or difficult to verify. Such criterion complicates the application process and could cause inconsistent scoring by DNR. " I d encourage DNR to include scoring criteria that rewards concession holders who have complied with the conditions of their authorizations when seeking subsequent 10 year terms. " I believe concessions should be transferable to an equally qualified owner who commits to the same operation plan that won the original concession. As these concessions are awarded competitively this would be consistent with state leasing procedures and provide incentive for concession holders to build value into

their businesses. " I understand this program is for hunting guides but would like to make the point that if a similar program were adopted for non-consumptive users, such as heli-skiers, client fees should be substantially less than for hunters. " I d also encourage DNR to allow applicants or a neutral entity to review scoring decisions or otherwise incorporate procedures to ensure consistency and uniformity in the final ratings.

**Comment 53 of 77 - submitted on 02/15/2013 at 06:39 AM:**

The cuurnt proposal does not go far enough to eliminate trouble makers from the guide business. Those trouble makers are poachers and guides that have shown they are willing to breaker the rules to get their clients a better and probably an unlawful chance at filling a tag or taking too many animals. if they have ever been found guilty of this, they should be forbidden from getting a guiding area, A true sportsmen does not want to business with a guide like this, there a many credible guides that should be awarded the guiding areas instead. it is unfortunate that these types of shady operations exist or are allowed to exist, and winning business by falsely advertising higher success rates as compared to the credible guides who have been abiding by the laws and regulations but advertise a lower but true success rate.

**Comment 54 of 77 - submitted on 02/24/2013 at 04:43 PM:**

The guide concession program limits services available to hunters while at the same time does nothing to limit impact on wildlife, land or water in Alaska unless these changes are made.... 1. Limit full concession outfits to 2 assistants per concession winner. 2. Increase the number of limited concession outfits by 4-6 in each area. 3. Use the questions from Form D as questions to remove immoral guides from participating in the selection process and forcing them out of business instead of forcing normal guides out of business. 4. Require all contracting guides to be held accountable for illegal hunting practices occurring under their supervision either by themselves or their assistants. 5. Remove the portion of the selection process that allows for explanations will be considered because that favors outlaw guides who have become polished in avoiding accountability. These changes will allow for no monopoly to be created, reduce the impact of land, water, and wildlife, reduce risk to sportsmen that want to participate in the sport of ethical hunting and keep the price of Alaska guiding services in reach of sportsmen. Thank you.

**Comment 55 of 77 - submitted on 02/14/2013 at 12:00 AM:**

AMU TELECONFERENCES DNR Guide Concession Program February 06, 2013 9:00 am  
(cut short due to technical difficulty) February 07, 2013 9:00 am  
Call to Order: Sam Rohrer

Board Members & Officers Present: Tony Lee, Joe Klutsch, Mike Litzen, Sam Fejes, Wayne Kubat, Joe Schuster, Brad Dennison, Sam Rohrer, Adrianna Foster

Professional Members Present: Thor Stacey, Brian Donovan, Bob Adams, Henry Tiffany, Dick Rohrer, Matt Snyder, Tim Booch, Loren Karro, Tom Shankster, Jim Weidner, Jim Bailey, Tom Kirstein, Cole Kramer, Steve Perrins, Atlin Daugherty, Virgil Umphenour, Eric Umphenour, Dennis Harms, Dan Montgomery, Lance Kronberger, Paul Johnson, Aaron Bloomquist, Gary LaRose, Tracy Vrem, Kelly Vrem, Jason Bunch, Coke Wallace, Mike Colpo, Zach Decker, Mike Cowan, Frank Bishop, Joey Klutsch, Arno Krumm, Jeff Chad, Nate Turner, Preston Cavner

Others Present: Ted Spraker

Communicated via Email: Brian Peterson, Paul Johnson, Tim Booch, Mike Colpo, Dennis Harms, Tom Shankster, Loren Karro

Agenda: Discussion of 2013 DNR Guide Concession Program  
(<http://dnr.alaska.gov/mlw/gcp/>)

Board of Directors Comments: Each director present spoke to the DNR program with each expressing support with specific recommendations for changes. Need for change included fee structure, scoring criteria, review panel selection, sole use, limited concessions, and predator control area clarifications.

Lobbyist Comments: Thor commented that the program, although "final", is not set in stone. He feels that if there was a prioritized list of the top 5 needed changes, and that guides expressed agreement with these, that there is a good chance of DNR modifying the program with these changes.

Membership Comments: " Changes needed to fee structure. Young guides and/or those conducting less expensive hunts will be greatly impacted. " Possible alternative includes spatial distribution of recognized permanent structures and approved camps, additional transporter regulation, Kodiak draw system statewide, 10-year average NR permit draw, holding residents to same standards as guides " Overcrowding not the only problem, but needs to be addressed " "exclusive use" has negative connotations, prefer "sole use" or "limited use" " Smaller areas with sole use is preferable to larger areas with joint use " BOG will go to more draw hunts if DNR program not put into place, guides will lose ("half-time guides", "hobby guides") " Trespass cabins, so-called "mining camps" need to be addressed and other issues but DNR program is needed first in order to be able to do that. " Need to spread out effort, DNR program will do that " Limited concessions are a problem. Suggestion to require limited concession holders to have an agreement with full concession holders. Communication stressed. " Guide rep needed on review panels. " Interview (face to face) needed with each applicant. " Violations, 3 strikes and you're out, needs clarification. Minor violations should not count the same as major violations. " Number of assistant guides is too low and needs clarification. Discussion of guides trying to assist ADF&G with predator control being hampered by the DNR assistant guide limitations. " Transferability is needed. Comments that if the commercial fishermen can do this, so can the guides. " Has taken a long time to get here & would take years to pursue an alternative. " Especially important for the future of younger guides. " Need for scoring credit for level of investment, either permanent structures or camps, and earned renewal. " Problems with program need to be fixed before we say "OK". " Suggestions for changes need to be clear and concise. " Resident pressure to reduce non-resident opportunity is growing. Will be difficult for BOG to continue to resist this pressure without something like the DNR program. " DNR GCP must go through before transporters can be effectively dealt with. " Concession programs on federal land have worked to reduce conflict; residents have little to complain about. " Guides in other states (MT & CO) have found out that they can not make a living guiding with a system of drawings. Need to avoid this. " Need to accept program and make improvements over time. " There are legal issues with transferability and should not jeopardize DNR GCP approval in the legislature with a requirement for transferability. Transferability with commercial

fishing permits will not be seen by legislature as a good thing, there have been problems. " Need to try to keep program within regulation, minimize what's in statute. Easier to modify regulations as needed, rather than statute. Prioritized list of changes needed: A discussion followed of changes needed to the DNR program. Subjects included: 1.) Representation on Review Panels (strong consensus) " Most felt strongly that there should be industry representation on the DNR scoring panel. " Either active or inactive guide would be possible, conflict of interest standards could allow either. " Someone on panel needs to understand "guide speak" so that guides with less writing ability are not disadvantaged. " Face-to-face interview would answer questionable application information as long as a guide was on the panel. 2.) Limit of 3 Applications (strong consensus) " Should be opportunity for additional applications, with step-wise cost structure (\$500 per application over 3) " Allowing additional application will reduce un-applied-for areas " Over-the-counter concessions for areas not awarded " Predator control area allowance 3.) Violations (strong consensus) " "Things happen", should be difference between major & minor violations " Paperwork violations should not count in the same manner as same day airborne " Need clarification on what violations will count toward "3 strikes and you're out" " Trooper Al Cain contracted to help DNR - good resource to define major/minor " Separate violations by guide/violations by employees/violations by clients " DNR different from federal prospectus ... only hunting/guiding violations 4.) Fees (some disagreement) " Supposed to be break-even, can be adjusted up or down " Suggestion to throw in one free LAS for each full concession awarded; 50% of LAS for each limited concession awarded. (LAS fees for one year are \$1,000.) " % of gross may be advantage in short term; flat fee may be advantage in long term. Most supported flat fees. " Can not save money from year to year if program is more than break-even, but could go to ADF&G " Will be difficult to find "one size fits all" fee structure for entire state because of regional differences ... state is too large 5.) Investment in Area (some disagreement) " Credit for monetary investments discussed " Credit for long established permitted camps on state land discussed, established camps will benefit conservation because camps are already built and impacts are already there. New camps will create new impacts. " Some felt that since some types of operations do not require large camps, it would give unfair advantage for having large scale established camps. " 10 years should not be the same as 30 years, should get more credit for longer investment " Survivability in case of death or serious injury 6.) Assistant Guide Numbers (strong consensus) " Some felt DNR should not set assistant guide limits. " Heard from Thor that very unlikely for DNT to allow unlimited assistant guides. " DNR program does not address predatory control areas, need additional guides to harvest available predators in specific areas " Assistant guides working as cooks, other help, should not count - only those guides who are on contract with a client " Assistant guides accompanying other guide for training should not count 7.) Predator Control Areas (some disagreement) " Some felt that any registered guides should be able to conduct hunts in Predator Control Areas, regardless of whether they have a Concession in the area. " Others felt this would lead to too many hunters in the field and result in loss of quality of hunt. 8.) Limited Concessions (very limited discussion on this topic) " Some felt that Limited Concessions should be eliminated. (It is highly doubtful DNR will eliminate them.) " Some felt that it was unfair to limit Limited Concessions to only 1 assistant guide. " Some felt that Limited Concessionaires should be prohibited from participating in any drawing hunts. Adjourned: 12:15 p.m. Page 1 of 3 Janet A.

McCormick

From: Alaska Professional Hunter Association, Inc. [office@alaskaprohunter.org]  
Sent: Friday, February 08, 2013 11:10 AM To: office@alaskaprohunter.org Subject:  
DNR GCP Meeting Minutes Importance: High Attachments: DNR Teleconferences  
2-7-13.doc APHA Members:

Attached you will find the meeting minutes from BOTH days of the APHA DNR GCP Teleconferences for your review. The Board of Directors voted unanimously to overall support the DNR GCP, even though there are areas they feel need changes. It is important to protect the guiding industry and because of that, they have also created a prioritized list of changes they feel the program must have. These may be used by members as talking points for any DNR meetings they attend. The Board of Directors will continue to work on the prioritized list of changes needed and welcome all members feedback. Feel free to contact any of the board members by phone or email.

Please note there is a DNR GCP meeting tonight in Anchorage at Central School from 6-830 pm. We encourage you to attend and make your voices heard. There is also a DNR GCP meeting in Fairbanks on February 14th at the FNSB Noel-Wien Library from 6-830 pm.

Once again we encourage your attendance at these meetings and feedback on changes needed. If you have questions and/or comments, don't hesitate to contact us.

Prioritized list of changes needed: A discussion followed of changes needed to the DNR program. Subjects included:

1.) Representation on Review Panels (strong consensus) " Most felt strongly that there should be industry representation on the DNR scoring panel. " Either active or inactive guide would be possible, conflict of interest standards could allow either. " Someone on panel needs to understand "guide speak" so that guides with less writing ability are not disadvantaged. " Face-to-face interview would answer questionable application information as long as a guide was on the panel. 2.) Limit of 3 Applications (strong consensus) " Should be opportunity for additional applications, with step-wise cost structure (\$500 per application over 3) " Allowing additional application will reduce un-applied-for areas " Over-the-counter concessions for areas not awarded " Predator control area allowance

3.) Violations (strong consensus) " "Things happen", should be difference between major & minor violations " Paperwork violations should not count in the same manner as same day airborne " Need clarification on what violations will count toward "3 strikes and you're out" " Trooper Al Cain contracted to help DNR - good resource to define major/minor " Separate violations by guide/violations by employees/violations by clients " DNR different from federal prospectus ... only hunting/guiding violations 4.) Fees (some disagreement) " Supposed to be break-even, can be adjusted up or down " Suggestion to throw in one free LAS for each full concession awarded; 50% of LAS for each limited concession awarded. (LAS fees for one year are \$1,000.) " % of gross may be advantage in short term; flat fee may be advantage in long term. Most supported flat fees. " Cannot save money from year to year if program is more than break-even, but could go to ADF&G " Will be

difficult to find "one size fits all" fee structure for entire state because of regional differences ... state is too large 5.) Investment in Area (some disagreement) " Credit for monetary investments discussed " Credit for long established permitted camps on state land discussed, established camps will benefit conservation because camps are already built and impacts are already there. New camps will create new impacts. " Some felt that since some types of operations do not require large camps, it would give unfair advantage for having large scale established camps. " 10 years should not be the same as 30 years, should get more credit for longer investment " Survivability in case of death or serious injury 6.) Assistant Guide Numbers (strong consensus) " Some felt DNR should not set assistant guide limits. " Heard from Thor that very unlikely for DNT to allow unlimited assistant guides. " DNR program does not address predatory control areas, need additional guides. to harvest available predators in specific areas " Assistant guides working as cooks, other help, should not count - only those guides who are on contract with a client " Assistant guides accompanying other guide for training should not count 7.) Predator Control Areas (some disagreement) " Some felt that any registered guides should be able to conduct hunts in Predator Control Areas, regardless of whether they have a Concession in the area. " Others felt this would lead to too many hunters in the field and result in loss of quality of hunt. 8.) Limited Concessions (very limited discussion on this topic) " Some felt that Limited Concessions should be eliminated. (It is highly doubtful DNR will eliminate them.) " Some felt that it was unfair to limit Limited Concessions to only 1 assistant guide. " Some felt that Limited Concessionaires should be prohibited from participating in any drawing hunts. Adrianna Foster Office Administrator Alaska Professional Hunters Assoc. 310 K Street, Ste 200 Anchorage, AK 99501 Ph (907) 264-6619 Fax (907) 264-6602 office@alaskaprohunter. org

**Comment 56 of 77 - submitted on 02/28/2013 at 12:00 AM:**

February 28, 2013

Department of Natural Resources 550 W. 7th Ave, Suite 1260 Anchorage, AK 99501-3557

### 2013 Guide Concession Program Management Framework Written Comments

The Alaska Professional Hunters Association s represents many of the most successful and viable guide businesses in Alaska. What follows are our comments on the most recent proposed DNR Guide Concession Program. These comments are the result of an intensive and exhaustive internal discussion amongst our profession members and they represent a collaborative effort to adapt a viable, foresighted program. The APHA is proud of its efforts to develop and implement this program, while, at the same time, leery of a GCP that ignores or threatens proven, historic guide-business models. Our members, variously, have the full gamut of land use authorizations; Federal, State and private. Many of our members already operate under competitively awarded special use permits administered by the Department of Interior, similar to the proposed GCP. APHA members who operate on private lands enjoy exclusive lease agreements that are outside of the public oversight but are usually directly authorized by a specific native corporation. APHA members who operate on DNR lands and have viable business models have become a minority of our membership while our members that have limited, or sole use concessions (Federal or Private) increasingly enjoy a competitive advantage and are more

economically stable, in spite of the more stringent permit stipulations and higher fee structure that they operate under. It is for these reasons, economic stability and incentivizing landowner participation in competitively awarded Big Game Guiding Services that reward the best-qualified service provider, that the APHA strongly supports the further development of a viable GCP.

The recently released Guide Concession Program Management Framework by the DNR is close to being a viable and successful program for Alaska's historic guide industry to thrive within. Good examples of constructive changes in the recent offering are the lowered fee structures, the ability to apply for 3 GUAs and the number of assistant guides in full concessions being raised to 6. We still feel there is more work to be done on these issues as well as others. The APHA has attempted to prioritize its requests and we ask the DNR respond accordingly. Our comments have been well vetted during two group teleconferences (45 members commenting) and then re-affirmed and organized by our Board of Directors. We hope that the DNR is receptive to our comments and views them as constructive, stewardship based, inputs to promote and maintain this program's short and long term potential. We hope the DNR recognizes that our comments will enhance stewardship and help accomplish the core rationale of the GCP to provide a sustainable future for Alaskan guide businesses and minimize user conflicts in the field. Our comments, if accepted, will help the DNR fairly rank and score applicants while setting reasonable parameters for implementation, oversight, and remuneration to the State. It also bears mentioning that, as the GCP becomes more acceptable to Alaska's Professional Hunters it becomes more likely to pass public muster, at large. The APHA humbly requests that the DNR carefully consider and implement each and every comment that we put forward and understand that we have listed our priorities in order of importance.

#### 1. Guide or Industry Rep on the Scoring Panel:

The most important question that the GCP attempts to answer is: who is the most qualified guide for any given area? This is handled through a competitive scoring, ranking and award process. This is especially important in the first GCP offering when many guides who have operated on DNR lands exclusively are suddenly subject to a prospectus offering. Many of these long standing operators are the most qualified in a given GUA but may be the least experienced in writing a prospectus, due to the simple, over the counter, land use authorization the DNR currently has in place. We understand applicants will be scored on criteria set out by the DNR and the highest-ranking applicant will get the concession in question. We feel strongly that to avoid injustice and accomplish the basic goal of getting the most qualified guide in each area, a person knowledgeable about the guide industry, preferably a former guide, be included on the ranking panel. This industry expert will assist service employees in sorting through applicants, with an eye to the practical. We feel there may be guide culture specific terms in these applications that service employees will be unable to discern or correctly ascertain. This expert input will give a much needed interpretive aspect to prospectus ranking as well as a realistic control on what is practically feasible in a proposed plan of operations. We feel that this expert should be disqualified from ever holding a DNR concession and should be paid, on a contract basis by the DNR and subject to standard ethical disclosures and constraints. Our goal is that this person or persons, assist the panels in getting the most qualified guide for any given area but that does

not mean that they have to actually rank applicants. They can be strictly advisors but every panel and every application should have this oversight. We feel that this will be crucial to preventing legal questions and will ultimately reinforce the legitimacy of the competitive selection process. Along these same lines, we would like each panel to have the ability to call applicants to clarify any and all aspects of their proposed offerings. Applications should not be viewed as a test, but an objective effort to get the most qualified, ethical, steward of Alaska's resources!

## 2. Violations:

The DNR GCP application addresses violations, citations, and convictions on "Form D" of the application package. That section references the loss points for offenses, including disqualification if 100 points are lost, with no definition of how many points can be lost for what types of violations, citations, or convictions. In developing that correlation between lost points and the relative seriousness of the offense, it is important that this be a joint effort between DNR, BGCSB, Public Safety, and the Guiding Industry. There should also be an opportunity for review of any proposed system for lost points prior to its implementation. The point system needs to be fair and clearly defined, with points lost in keeping with the seriousness of the offense, and with a limited amount of discretion left to the review board or whoever is going to review Form D.

We believe strongly that any strict liability violation, with a penalty of \$200 or less should not be a consideration in any guide concession permit application. This type of violation is analogous to a parking ticket, with no consideration given to intent, and with no opportunity for a jury trial. To be fair, only offenses at the misdemeanor level and up should be considered in reviewing guide concession permit applications.

We also believe that violations, citations, and convictions of employees or clients should not be considerations when reviewing an application unless the offense also resulted in actions against the applicant. Against, we are aware of no other occupation in the State where actions of an employee can impact a professional employer to this degree.

Finally, we believe that intent should weigh heavily in the determination of lost points for violations and citations. In the field "things happen" beyond the personal control of the guide. Although the guide may be responsible for what occurs on a hunt, when an unintentional violation takes place, followed by self-reporting of the incident, this should be a significant consideration when deducting points from an application.

## 3. Financial:

We can live with the \$1000.00 annual fee for limited concessions and \$2000.00 annual fee for the full concessions, but feel a \$500.00 credit allowance should be included towards an LAS for limited concessions and a \$1000.00 credit allowance towards an LAS for a full concession.

We are concerned that DNR does not have the authority to sell animals by implementing an animal fee. We feel day use fees are a better idea and will be more defensible, because then you are paying for land use instead of selling animals. Also it would be easy to calculate because the information could come straight off the

hunt records. We didn't think the guide required vs non guide required is a fair calculation, because sheep, moose and interior grizzly hunts sell for similar prices.

Option 1: We think a flat \$30.00 - \$35.00 fee per client day is the best and most defensible, however we know some will be concerned that it is not fair to pay the same price for deer hunts as for coastal brown bear.

Option 2: We also considered a scale of: " \$20.00 per client day for deer, wolf, black bear and caribou hunts. " \$30.00 per client day for goat, moose and brown/grizzly bears in units other than 8, 9 and 10. " \$40.00 per client day for Dall sheep. " \$50.00 per client day for coastal brown bear in units 8, 9 and 10. Again, the problem we see with this is that it looks like DNR is selling animals instead of land use.

#### 4. Assistant Guides:

Many of our Members feel there should be no restriction to the number of assistant guides that a full concession operation can employ. There are too many varied circumstances in the state to impose such a limitation. DNR has stated that they came up with the number of 6 based on study of historical hunt records. Some current operations already employ more than 6 assistants. Many operations in the current unlimited competition environment on state lands have self-restricted their scope. One of the primary goals of the concession program is to reduce conflicts between guides. This does not at all mean that the total number of assistant guides in the field and the number of hunters they serve needs to be reduced. Such a restriction can only result in the industry's inability to fully serve the public and will likely result in a reduction of overall hunter participation. As the concession operations on state land become more robust, to fill the void left by the reduction of contracting guides in a given area, more assistants may be needed than operations have had in recent history. A margin of growth and expansion should be encouraged for the concession holders not restricted. Least is not necessarily best.

This restriction begs answers to several questions: " What will a guide do in a random draw situation when they are awarded more than six permits? " Is this any random six at any one time or is it the same six assistants within a given week, month, or year? " How does the cook, packer, any helper get counted if they also have an assistant license, but are not on contract? " How does this limit assistant guides who are still in training, but not yet allowed in the field alone with clients? " How will this restriction be calculated and enforced?

We suggest that the employment of assistants should be held to within the scope of each proposed operations plan. Each operation is different and by prospectus a guide should be able to justify a range of employee numbers they might require.

#### 5. Limited Concessions:

We appreciate the progress that has been made in regards to the Limited Concessions; however we still have some concerns. Primarily our concerns are for areas that have drawing permits. If a specific area only has only a few tags available there is a very real concern that all of the tags could go to the Limited Concessionaire. For this reason we recommend that Limited Concession holders not be allowed to compete for opportunity within any ADF&G drawing permit hunts within the Guide Concession they have been awarded. Remember, the intent of the

Limited Concessions is to provide an opportunity for new guides to get a foot in the door. It is less important that the Limited Concession be economically viable and more important that they provide experience for the Concession Holder.

#### 6. Predator Control Areas:

Our recommendation is to allow a maximum number of predator control permits in each guide use area as the number of full concessions allowed, and preferably half that number. We don't want guides who win a concession to be driven out of business by predator control. We would recommend a similar fee structure as for limited concessions. We would envision the same initial requirements be met as with a full or limited concession, but instead of a complex prospectus, we would propose an application deadline of April 1st with a drawing of all applicants shortly thereafter, with an effective date of January 1st of the next year. Other conditions that could be considered specifically for predator control areas are: " If a concession becomes a predator control area, any previous limit in a concession holders operation plan for that predator control species, should be waived for the current concessionaire(s). " a lesser application fee, perhaps \$100.00 per application, since we are proposing a drawing award instead of a full blown prospectus. " Allowing qualified applicants to apply for up to 5 predator control areas and to receive as many as 3. " A shorter duration should perhaps be considered for Predator control permits maybe 3 to 5 years - since they are evaluated fairly often by the department and conditions can change from time to time. " A client limit of 4-6 per concession for brown and grizzly bears and no limit for black bears or wolves.

APHA recognizes that this program has improved drastically from previous drafts, we appreciate DNR's willingness to work through the Public Comment Process to develop a well vetted Program. Thank you for your consideration of our comments on the Guide Concession Program Management Framework and we look forward to the implementation of this important Program.

Sincerely,

APHA Board of Directors

Sam Rohrer, President Tony Lee, Vice President Brad Dennison, Treasurer Joe Klutsch  
Mike Litzen Wayne Kubat Sam Fejes Joe Schuster

#### **Comment 57 of 77 - submitted on 02/19/2013 at 12:12 PM:**

I have hunted in Alaska many times over the last 18 years and have had the opportunity to hunt with several operators. I hunted with one large outfitter and all he was interested in was the money and then put us out on a "campout" for 9 days. The number of assistants of a contracting guide should be limited to 3. That would encourage the outfitter to focus on quality rather than large numbers of clients for just the money. It is necessary for the safety, quality of the experience for the client and protection of the game resources. Any guide or outfitter with a major illegal activity should be forever barred from performing any guiding services. The contractors are the ones ultimately responsible for knowing and abiding by all game laws. Even the interviewing of past clients or a questionnaire could be of value to evaluate the experience. The best hunts have been the operations where the one I contacted initially was the one that I hunted with in the field. He was/is present and totally responsible for the hunt both for abiding with game laws and my safety. I will

put a premium on that type of, one on one hunt, with that skilled hunter/outdoorsman. The limited concession areas should be increased 3 times if nothing more than increasing competition with those excellent guides for hunting clients. The competition is not for killing the most animals or the largest animal but to encourage repeat clients because of the wonderful experience they had on the hunting adventure.

**Comment 58 of 77 - submitted on 02/15/2013 at 09:45 AM:**

The proposal for a guide concession program will take many guides out the guiding industry. This will limit the choices I have to pick a guide and cause me to pay more for my guided hunts in Alaska in the future.

If it is necessary to eliminate guides from the industry, start by taking out the outlaws. The guides who have ever deliberately broken the law or had their assistant break the law should not be allowed to get an area. I don't want to book a hunt in the future with an outlaw because a qualified trustworthy guide was put out of business because the guide concession program failed to do a good job of separating the good from the bad. Make the questions from Form D part of the applicant information section and disqualify the outlaws from the start.

**Comment 59 of 77 - submitted on 02/26/2013 at 10:22 AM:**

It makes sense to use the guide concession program to eliminate guides who don't follow the rules that the normal guides follow. If a contracting guide has misconduct anywhere in their history, disqualify them from the guide industry before eliminating any guide with a clean record. If a guide has failed to follow the laws in the past, they need to be held accountable for their actions. The guide concession program is the perfect way to hold them accountable. No real sportsman wants to invest a lot of money on a guided hunt with an immoral guide that is willing to cheat the state by not following the regulations.

**Comment 60 of 77 - submitted on 02/24/2013 at 08:02 PM:**

I am in strong favor of the DNR guide concession program. I have hunted and guided in the area ( 19-10, 19-12, and 16-02 ) I now guide in since 1981. I started guiding under George and Marty Palmer, in 1985, and then buying Alaska Trophy Hunts from George Palmer in 2004. I saw the old "exclusive" guide area work, and I have witnessed the current, un restricted guide area status. I have witnessed new guides moving into an area without regard for the guide or guides already established, and historically using the area. New guides come in almost every year with no concern for the game resources or quality of client hunting experience. I have had another guide run my resident friend and 13 year old son out of my DNR LAS camp, telling him that he (the guide) was hunting the whole area. I have had new guides come in and set their tents and client up between my already established tents. This led to conflicts and bad client experience. I have had other guides flying over and circling game to the point of running the game away from my hunter already on a stalk..The status on state land right now is a continual down grade from one year to the next, and there needs to be a change. I do, therefore support a restricted guide concession program... I hope to be awarded at least one concession. However, if I do not receive a guide concession, I will pursue other business...Sincerely...Tom Shankster Master Guide #148

**Comment 61 of 77 - submitted on 02/23/2013 at 07:49 AM:**

The guide concession program must limit the number of assistant guides a guide can hire or it does nothing to reduce overcrowding in the field. Limit the number of assistant guides a concession winner can have to two. Otherwise, they will hire 5-10 assistants, or more, and overcrowding will be just as bad or worse. If you limit the number of assistants to 2, the guide will be able to oversee his employees effectively. You can increase the number of the small concession guides who do the guiding themselves by double and still limit the number of guides in the field by a bunch. Some hunters might want to hunt with a large outfit that takes many hunters and send the hunters out with assistants but I prefer to hunt with a guide that does the guiding himself.

I don't want to hunt with a guide that is immoral. I'd rather hunt with a new guy to the business than a poacher because a poacher can't be trusted. It looks like there will be plenty of guides being put out of business with the guide concession program so start eliminating guides by getting rid of the guides who have had to give up animals taken illegally or been caught poaching. If they have had game taken away, they were clearly guilty of some kind of poaching even if they didn't actually get a ticket. That goes for his assistants that are poachers too. If the guide applying for an area has 1-100 years of experience than he should be subject to a background check for illegal conduct for all of years he's been in business.

**Comment 62 of 77 - submitted on 02/28/2013 at 12:10 PM:**

I would first like to say thank you for the opportunity to make a public comment to the rest of my fellow citizens of our great state. This issue has been a hot button for a lot of Alaskans and it seems that the most important aspect of this whole process has been lost in the fray. Our state constitution states very clearly that the government and all of its agencies govern at the will of the people. This fact should be heavily considered before any actions are taken by our government's agencies. If the majority opposes this program then it should be struck down and the DNR should move on to more beneficial programs that are in the interest of the people of this great state. The issue in my humble opinion is the use of our natural resources by guides within our state. But in fact we the hunting guides are not using nor selling any natural resources at all. The true fact of this matter is that as a registered hunting guide in the state of Alaska, I am merely selling a service, and SERVICE is the keyword here which I would like to ask all to remember reading further in my comment. I am a registered hunting guide. I do not sell Brown Bears, nor do I sell Moose, or Sheep or any animal that is indigenous to our state. I simply sell a service same as a hotel, car rental service, restraint, bus service, photographer etc... The State of Alaska (or AKA all of us citizens) sells the animals to us and non-residents through the sale of state hunting licenses and tags. The Board of Game and Department of Fish and Game regulate the bag limits and regulations regarding the harvest of all game in our state. This game is/are the natural resources being used. When I sell my service to a hunter, resident or non-resident, I am renting them equipment, selling them food, providing them transportation, providing the employees qualified to meet their requests, and selling them my knowledge of a particular area, including habits and traits of a game species in our state. In addition, safety for the clients when he or she is in the remote wilds of Alaska is particularly essential. As far as using natural resources within my services it is the

actual land itself or camp sites and drinking water from the rivers/streams. It is also within my duties as a guide to make sure that the impact of our stay in the Alaskan wilds is kept to a minimum if any at all following the regulations set forth by the DNR for camping on state lands. A permit which all guides operating on state lands are required to have. Again nowhere besides the use of drinking water do we as guides consume or sell a natural resource of the state of Alaska. This fact should be strongly accounted for within any decision of legislature and people of Alaska in this argument. Also I am going to state that the Alaska State Constitution needs to and should be thoroughly reviewed before any government body that is governed by the people, put forth or passed into law. Below I am going to list some points that I find especially relative to this issue

"Having a state business license and borough business license should allow me to conduct business wherever I see fit within the state and borough

"Having a guide s license and passing all board certifications should allow me to with good faith practice my profession

"It what other profession in the state of Alaska does a professional holding a license have to compete in a complete process to practice their lawfully give profession

"As stated before by no means do professional hunting guides in Alaska sell game animals, nor do we charge for an animal. We sell a service which encompasses camping, trekking, safety, accommodations, field judging wild game animals, and much more factors all relating to a service being sold not a product

"The state of Alaska and Board of Game sell tags and licenses which is selling the right to individuals to harvest game animals and fish in our state. They are selling the actual product which is the game

"Sole use area for guiding hunters on state land: If you are authorizing one or a particular set of individuals to be the sole operators for a particular area, which encompasses camping and guiding activities for that area, how do fishing guide, transporters, and other citizens of the state fit into that picture? If its sole use for operations pertaining to guiding, camping, fishing, hunting, act. ? If a fishing guide is working in a particular area camping and guiding, or a transporter is dropping off hunters our fishermen, does this not impede on the sole use idea? And this in turn is certainly unconstitutional

"Why is it that to regulate guides in our state it takes 4 to 7 different law creating bodies to make separate laws which most times conflict with one another and make nether but a mess out what is a simple problem

"Is it not the big game commercial services area of expertise to regulate guide use areas?

"How does this program not alienate or discriminate

"How does free enterprise and business law fit into this whole program if the DNR eliminates professionals from providing a service and legal business in the state

"If the DNR is to regulate one profession, ( the hunting guides) on state land and eliminate business owners, why are the discriminating against our profession and not the many others such as bus operators, atv tours, hiking guides, air transports,

fishing guides, boat captions, and many more

Lastly, I would like to simply say that I find this entire program unconstitutional and absolutely unlawful in many, many aspects. I know that if and when our state legislature reviews this program that it is in their best interest as public servants to thoroughly review its legality and impact on the state and its peoples. I also want the DNR to realize that this will most likely bring a class action lawsuit to bear on the whole industry and the state which will be devastating for the future and respectability of my profession and this state. Lastly, I do not support this program at all and find all of its intent and philosophies to not be in the interest of this state, the natural resources of this state our its ability to stay a free and fair state which looks at all plans regarding the freedoms of its citizens in a reasonable fashion. Thank You, Clifford Smith Alaska Resident and professional and registered Alaskan hunting guide

**Comment 63 of 77 - submitted on 02/28/2013 at 12:00 AM:**

These comments are from two registered guides & one Class A Assistant Guide. Please note some of this is in first person which is Sue. Sue Entsminger, Registered Guide & Frank Entsminger, Class A HC72 Box 800 Tok, AK 99780  
Matt Snyder, Registered Guide HC72 Box 805 Tok, AK 99780

We appreciate the opportunity to comment & the effort put into this project. We are very concerned that people who come up with this have NOT talked to the individual FG offices or the area biologist how this affects the areas. We regret to say that this does not demonstrate to me that DNR understands the industry & complexities of how this would work. Our local FG office was sent some stuff but the information was so complex to understand. If bullets were made to simplify how to comment, they could have done so. A DNR person needed to do a one on one to each office to understand each GMU.

I am going to talk about the areas I have lived & hunted. My name is Susan Entsminger. I have served 2 years on the BGCS board, & 3 years on the BOG, 9 years on an AC. I current serve on a federal RAC & a SRC. My husband, Frank, & I have lived at Mile 91 on the Tok Cutoff 36 years. My husband has 51 years & I 40 in the state of which we hunted all over the state. We raised my son, Matt Snyder, here where we hunt, trap & fish both for subsistence and guiding. Raising Matt, we have spent half our lives or more afield.

After reading full and limited descriptions, it is my understanding that the limited concessions was to give new guides and opportunity. We would argue that it does NOT do that at all. Many of these areas that you have full concession do not even qualify for a full concession [up to 6 assistants & unlimited clients see examples below]. These areas do not have enough animals for a full concession. Secondly, limited does not give new guides opportunity at all in the future. Once these areas are given out the full and limited are under the same terms of entry. We suggest forgetting full and limited and work on your operations plan that could be binding. These areas will regulate themselves because of opportunity and competition. The operations plan would force the guide to work with the local area biologist and keep their operation transparent [MOST IMPORTANT]. I talked to my local FG office and asked how they would look at the numbers of guides in these areas. It was brought

to my attention that a full could mean 10-20 animals and a limited could mean 4-8. Therefore do the math in some of the areas like 2 full and 1 limited could equate to 48. So limiting guides by assistants or clients might not be the way to skin this cat. A better way is to rely heavily on the operations plan. Fish and Game should be heavily involved. Once you award an applicant an area based on their OP, you could evaluate them once a year for 2 or 3 years, and jerk their concessions if abused.

Many of the permit drawing areas around the state are very different. In the areas where we work have the Delta Controlled Use Area [DCUA] and Tok Management Area [TMA] for sheep. These drawings put all applicants both non-resident & resident in one draw. In order for a guide to have any clients, we have to play the numbers game. The chances of drawing Tok requires the guide to have 70 names to beat the odds. This is not viable unless changes were made to the BOG. This needs consideration when looking at each GUA.

This is my argument against limited, or full and limited in our area, I see a few GUA's that is only suitable for limited [as described] not a full. 20-09, [1 full and 1 limited] for instance, sheep is on permit TMA with 1-2% success of drawing, hardly any moose in the area, heavily hunted by residents near the road for moose, & there are a few grizzlies. This is only worth the description of limited concessions. There should only be one guide in this GUA & by defacto would be less than what is called limited. 12-03 [1 full and 1 limited] has very little state land which is not suitable for a full concession either. This too is along the road and used heavily by residents. Adjacent to that is 20-12 with 4 times the state land and the same [1 full and 1 limited]. Here is an area where a 2 full could operate.

20-08 [2 full] There is no limited here, that is more argument against the full and limited concept. Why no limited here? We would argue that the guide awarded these areas would end up knowing what they can do or not & most likely would both come under the description of limited. Here is an area that sheep are on permit, DCUA, with a 5% chance of drawing. The guide is left with moose and bear & no caribou, they are not legal for non-residents.

12-01 [2 full and 1 limited] This is an area where Matt works and has for years. This area is heavily hunted by residents for moose & bears. A guide has to find pockets to hunt moose and bears. Most of the sheep habitat is on permit with some open area that is also heavily used by residents. The way sheep are managed now for the drawing is strictly a numbers game. Regulations would have to change to make this more viable. This is where talking to the Area Biologists is vital. Each of the drawings across the state are different causing more problems. Putting three guides in this area could potentially shut down any sheep guiding in the future. Here is an example again where the argument against full and limited is warranted. This area should only have 2 guides, period. Again the operations plan should be the main awarding factor.

13-04 [2 full and 1 limited] This is an area where Matt works and has for years. Matt has permission to hunt on the native land in this GUA which is most of the sheep in the area. Moose and bears are all that is left for opportunity since caribou is closed to non-residents & moose are on a draw, also. Matt works well with another operator who is licensed in the area, the McMahan's of Gakona. There is much of this area that is also heavily used by the residents on the road and river systems. Guides

try to work in areas that are away from that pressure. Therefore, I think two concessions is all that should be here.

13-03 [1 full and 1 limited] This is an area I have held the past several years. I, Sue, have only had 1 sheep hunter in this area. This area has the DCUA for sheep draw limiting that chance as explained above. Caribou has no non-resident opportunity. Moose are on a draw for non-resident. So all that is left is bears giving very little opportunity for a guide operation called full. This area could be listed as 2.

Regarding the fees, I believe this needs to be determined once you pick the guide. If the area warrants a higher fee then charge it but if it does not then you should consider the lower fee. If someone is awarded the area and only has a small operation, then their fee is lower. This is in regards to the initial fee. The per client fee should be a little lower than proposed. If prices are too high, Alaska will loose clients to Canada.

The full application From A:

Sub-factor A 1. a. through c. Although very important, concern about the liars game here regarding number of days spent in the field. Sub-factor A 1. d. Should have a part for 10-20 year hunt records in the area also and award more point to this also. Sub-factor A 3. I disagree on any guiding in other states. I especially disagree in any other countries. No alien experience should count for Alaska NONE AT ALL.

Regarding other states, there should be no points awarded to other areas outside Alaska. A long time resident of Alaska would score zero here so this should not be any added points. All points should be for 1. & 2.

Sub-factor B 1. seems a yes no answer and not necessary

Form B Sub-factor A 1.-2. A large portion of these can be seriously fabricated. The embellisher will win. Needs some revisions to stop this from happening. Needs some type protection for those who are not good writers. Should have no more than 15 points and more weight to 2. b. 3. Should have 20 points a.&b.good idea, c. requires a yes or no answer. I would stay away from this. d. not sure on this 4. Should have 20 points Sub-factor B not necessary at all Sub-factor C 15 points Sub-factor D This really has nothing to do with qualifying for a guide area. Identifying a problem on the environment can be extremely arbitrary and not even a problem created by any guide but be overuse from other uses or users. Needs eliminated.

Form C Sub-factor A recommend 20 points each A-C 1. 10 years is okay for part. add another section for 10-20 years and give this some points. More can be given to 10 years than the 10-20. 2. Safety training should be only use the license as proof. That shows you took the class. Some consideration to the years that a guide worked for other guides and their personal hunting. Sub-factor B & C Shorten a bit Sub-factor D 2. do not include drop off hunts require the guide to have a transporter license. If you consider this, this should work against points since more animals are potentially harvested and these are not considered guided. 3. MOST OF IMPORTANT OF ALL FACTORS!!! This will determine the use of the guide to the area. This shows how much the area will be used. Fish and Game has the harvest data to show. Guides should stick to this and be held to their commitment. This is where the guide needs to work closely with the Area Biologist who manages the GMU the GUA encompasses.

Regarding limiting a guide to apply for only 3 areas is very unfair in many ways with those who already have at least one federal area. There are guides who have 1, 2, or even 3 federal areas. What we are proposing is this:

If you have all state land areas, you can apply for 4 state concessions if you have one federal area you can apply for 3 state concessions if you have two federal areas you can apply for 2 state concessions if you have three federal areas you can apply for 1 state concessions

This seems much more fair to all. This gives everyone an equal chance.

Thank you for considering our comments.

Sue Entsminger, Frank Entsminger, & Matt Snyder

**Comment 64 of 77 - submitted on 02/05/2013 at 12:00 AM:**

My name is Thor Stacey. And I'm here representing myself today. I do I do represent the Alaska Professional Hunters Association as a lobbyist, but my comments here today are my own personal comments. I might get fired, I might not. We'll see what happens, you know. I'm a lifelong Alaskan. I am a registered hunting guide. I currently hold two federal concessions, one in unit 26 and one in unit 24. I live here in Juneau currently, but I'm principally from northern Alaska. I spent many years in Wiseman on the south side of the Brooks Range, and I've had access to game as a state resident hunter, a federally qualified subsistence hunter, and a registered hunting guide, an assistant hunting guide. I've been at the let's say the top of the allocation priority, on the bottom. I've used federal lands exclusively as a as an assistant I've been guiding since I was an adult, since I was 18. And you know, I've mainly worked on federal lands. I've made a point of it, from the Brooks Range, Alaska Peninsula, Kodiak, main Interior, north of the Yukon and the northern Interior regions. I I commented here a year ago and you know, last year, you know, it's it's I've always been supportive, the concept of exclusive concessions. I think the rights of the resource for a service provider is absolutely essential. I think that having recourse with irresponsible land use as a state resident to me is very, very important. I don't think there's been enough attention. I think too much attention and discussion has been focused on the guide industry and guides. And what this is going to focus on my business and where I live and how much money I'm going to make and how much fees I'm going to pay. I think that at some point we have to step back and look at the game. We have to look at resident hunters. You know, I didn't grow up as a guide. My family's not none of my family's guides. I grew up hunting for meat and going out in the field. I didn't you know, I didn't I wasn't raised around, you know, complex commercial use and land statuses and different layers of oversight that I deal with as an adult. You know, I just grew up hunting animals and eating moose. And you know, I think that at the end of the day, stepping back and looking at the effect that this is going to have on resident hunters, local relations, I think as guides we need to look at that we operate at the permission of the general public, that so goes public perception and public will, so goes our industry. We don't create this industry on our own. It's a resource that's owned by all of us. And for those reasons, I think having the best guide in the geographical area is absolutely essential, and having layers of oversights and being able to document it and communicate what you have is part of being a professional. I have no problem with the oversight. However, the specifics are important. And last year, when I sat

here, there was no way I could support the program as written. There was a series of items that were absolutely no goes that went counter to the history of the guides and what you could run a business as. Now, this year it's come a long way. I would say probably 80 percent of the specific details have been handled. But I think that the DNR needs to take into account having a having a guide participant on the panels and helping the guide industry come up with a fair solution. I think the DNR needs to reach out a little bit on this on this issue. And the reason I bring this up is very specific. You know, there's guides on state land that had areas before 1988 that are still in operation today. They stayed on state land. They so in a way, I'll I'll be clear that the DNR needs to reach out and help us have even a slightly biased guide on the panel is better than no guide on the panel. I think that you need to develop a cost structure to help us supply for more than three areas. I think that if we have to pay more to apply for more than three areas keep in mind that guide use areas are not regions. Most of us are familiar with regions, not specific guide use areas. You need to give us an ability to apply for more than three. I think that will pay for it if it's important to us. If it's not, we won't. So administrative costs can be covered there. And I think that you need to very much clarify the six assistant guide limitation. I think that anyone in camp having an assistant guide license counting against the total is not the will of the public. I think that the public is more interested in having six guides guiding concurrently. I think that sometimes you have packers that have assistant guide licenses but aren't on contract. I think that you have to be very careful counting anyone associated with the group with a license against the total. I don't think that's necessarily appropriate. And I think it can be a safety issue. And certainly things happen in the field with weather and geographic obstructions, and I think that you need to be careful with that specific and restrictive of a definition of six assistant guides. And with that, I'm over my time. And I'll thank you for yours, and certainly entertain any questions if the panel has any questions.

**Comment 65 of 77 - submitted on 02/14/2013 at 12:00 AM:**

I'm easily confused. My name is Thor Stacey, and I'm here speaking on behalf of the Alaska Professional Hunters Association. What I wanted to thank you guys for putting together another presentation and taking our comments into consideration. VIRGIL: (Indiscernible) hear you. MR. STACEY: Last week or it was anyway, I think it was last February 6th and 7th, last Thursday and Friday, the APHA spent a lot of time and effort putting together a group consensus on what we'd like to see adapted with this program. And the APHA is still finishing drafting its written comments. But I feel comfortable speaking on behalf of the group and what the membership talked about with the board of directors. We had about we had 45 members, including the board of directors, involved in that teleconference. It spanned two days. We had technical difficulties the first time, and then the next time we spent about almost four hours on the phone together. And so I'm going to go through some of the list of recommendations that we came up on the program. And they're in more or less the priority, you know, top most top priorities to less priority. But that may slightly change when we finish our written comments when we approve with the board of directors. The first priority that the group wanted to have adapted with this program was getting some form of industry representation on the scoring panel or the ranking criteria. The group realized that we have to have a fair a fair process there. The group is finalizing its recommendations on exactly how this person or what this what type of representation this will be. But the goal the intent is to have someone

that understands guide speak and can sort through people's applications and figure out what they mean. And in that regard, we also we also support the ability for the ranking panel to call an applicant for clarity or clarification on any aspect that they have, to make sure that a person has a chance to clearly explain or communicate what they mean. We don't think that this is a test. We think that whatever the qualifications are to make the most qualified guide get an area or concession, that's what we should be looking at. It shouldn't be a test on who can present it in the best way. It should be a very objective process of who is the most experienced with the best plan, best history of compliance, and whatnot. So that's an aid to an objective process. It's definitely a buffer against subjectivity. The limit on three applications, we would hope that DNR can come up with well, it's a fee structure or some way that guides can opt into applying for at least another area outside of their three minimum selections. And you know, as guides look at their standings and have to, like you say, distribute pressure across the state, the most desirable areas are going to have a lot of applications. But we definitely want to make sure that the state's fully utilized by offering more than three applications. We feel it will serve the interest of the state, as well as guys that don't want to get cut out of the initial process. The violations, there's an aspect, Mr. Umphenour's (phonetic) been very patient with this one and aware of it, that the feds have a three strikes and you're out situation. We just want clarification for the DNR, how violations will be scored and addressed. I think that in order to have a comfort with the program moving forward, we want to know how violations are going to be counted against us. The fee structures and the fees kind of wrap into even though they don't seem directly related, they wrap into our comments on limited concessions. We would like the DNR to work more closely with the Department of Fish & Game on issues, like what Mr. Duncan was saying earlier on assessing you know, certain areas have limited sheep drawings, for instance, and you know, having fee structures be adapted towards areas with very small number of hunt offers in the drawing situation is important. And where a limited concession, you know, you're limited to the four hunters in the limited concession. That might be four hunters might be a hundred percent might be a hundred percent of the quota or the drawing tag. So that would represent basically a full concession. So by being able to work a little bit with the Department of Fish & Game, we would hope there would be some leeway in both how limited concessions, basically the percentage of a tag allocation they could get also on fee structure. So I hope that's clear. It'll be clear in our written comments. There was some disagreement on how investment in the area is assessed. That is going to come out a little bit better in our written comments. But there was discussion in how investment in the area would be scored or approached by the ranking panels. And then assistant guide numbers, we feel very strongly that while we understand there's going to be some limitation on the assistant guide numbers, that having any person employed by yourself that holds a class of license to count against your total, we don't believe that's the intent of the public as far as overcrowding concerns. We believe that it's simultaneous contracts you know, six no more than six assistant guides simultaneously in the field accompanying hunters. Why would you want to discriminate, let's say, against someone that's functioning as a packer but holds an assistant guide license? You know, he's not acting as an assistant guide, yet he's still learning, so you wouldn't want to employ him because he's counting against your total. But it's still important that he's in the field learning how to do that. So if he's not listed on the contract as an assistant guide, we would hope that wouldn't count against the total. A couple of other predator control areas, there was discussion

about predator control areas. We feel that working with the Department of Fish & Game will help clarify that. And what what you know, the program is supposed to work together. So with that, the final point was on limited concessions. But I think the point is that limited concessions are not are there to provide opportunity. They're not there to undermine the value of the full concession. So as we approach the limited concession, we have to maintain the integrity of the concession or the guide use area as a whole. So that would be the extent of the APHA's comments thus far. And there was, like I say, of the 45 members on board, there was only three adamantly opposed. There was three that were more or less very concerned about specific criteria. But the vast majority of the membership spoke in favor of a program (indiscernible) program.

**Comment 66 of 77 - submitted on 02/28/2013 at 12:14 PM:**

I do not support this at all and find it completely unconstitutional. What the DNR is doing is wrong. This great state of Alaska will suffer if the rights and will of the people are not respected-- this state prides itself as being set apart in so many beauties and aspects as part of the United States of America. Please conserve it as it deserves! AND... the state cannot afford to finance this with taxpayer monies.

**Comment 67 of 77 - submitted on 02/15/2013 at 10:40 AM:**

Use the guide concession program to remove the guides who have same day airborne hunting, hunting out of season, taking too many animals on their tags, hunting without a license, hunting in a closed area, and any other immoral behavior on hunts they have contracted. There are lots of normal guides that don't use that type of business practice to run their businesses. The normal guides have been fighting for a market share of the business by running their businesses in a legitimate manner. The abnormal guides who are outlaws have been reaping the benefits of bragging about their success rates in spite of them being abnormally high due to illegal hunting practices. The outlaw guides should be the ones losing their businesses and leave the guides that have clean records should be left to compete for concessions. This can be done by simply putting all of the questions from FORM D onto the first part of the questionnaire and use the yes answers as grounds for disqualifying the candidate. I am concerned that if you allow explanations to be used, all of the outlaw guides can come up with excuses for their misconduct that they think are good. Those bogus answers could cloud the issue that they have to be held accountable for breaking the rules.

**Comment 68 of 77 - submitted on 02/27/2013 at 10:19 AM:**

I am not sure the Guide Concession Program will do anything for the land and water use or guide overcrowding because the guides that win full concessions can still take all the hunters/animals that they want and hire all of the assistants that they want. It will only create a monopoly of sorts to drive the costs of guided hunts up. There should be a limit of no more than 2 assistants/year allowed to each full use concession winner. The limited concessions should be awarded to guides who will accompany his clients into the field for the full duration of the hunt. Because most of my friends only want to be guided by the owner of the business, I assume the global trend is the same. The numbers of limited concessions being offered is way too low. They should be doubled.

I am also concerned about not holding guides accountable for past immoral actions in the field. If all the guides are competing for guide areas, the first people to be eliminated from the race should be guides with misconduct on their records. If they

have broken laws in the past, they should have been put out of business then. Use this guide concession program to get rid of the law breakers who have proven that they don't think they need to abide by the same rules everybody else does. If they have been caught breaking the laws in the past, it is time they are held accountable for their immoral business practices. Even if the state thinks these crooks are reputable guides, I don't want to invest money and time into an Alaskan adventure with a crook. I would rather risk my money with an unproven guide than to invest it in a guide who has proven he doesn't follow rules.

The fairest way to get rid of excess guides is to get rid of the outlaws. If a guide has had to give up a trophy taken on his hunt due to illegal hunting, that should be listed somewhere on the application and big points should be taken away. If over-bagging, shooting the day he flies, hunting where the season isn't open, or poaching of any kind has happened on a contracted hunt, the contracting guide and all of the assistants should be held accountable. If they are not held responsible individually, they will avoid responsibility by saying it was the other guys fault. Make the guide applying for the concession have a clean record or disqualify him. Give a normal guide a chance and get rid of the abnormal guides.

**Comment 69 of 77 - submitted on 02/15/2013 at 12:00 AM:**

Dear Representative Guttenberg,

If I may, allow me to introduce myself. My name is Henry D. Tiffany IV, a lifelong Alaskan born in Fairbanks and residing off of Old Murphy Dome Road with my wife and two daughters.

I wanted to take a moment to let you know that, as you consider supporting and funding the State of Alaska NDR Guide Concession Program, I fully support the Alaska Guide Concession Program that the Department of Natural Resources (DNR) has been working on, with the public and the guiding industry, for the last six or seven years in order to avert the impending disaster that is looming over the State of Alaska due to the overcrowding of guides on State of Alaska Lands.

I humbly ask that you support and continue funding this program in 2013 until we are able to have the program implemented hopefully no later than January of 2014. Much work, and great strides, have been made by many in this effort and the final step in implementing this program, at long last, is to gain your support and that of your fellow representatives and other elected officials. As a result of the annual fees for these permits, this program is designed to be self-supportive and will not require any tax payers' dollars to operate but it first must be given a chance to be implemented and that requires continued support and appropriations to DNR from the legislature.

There are many constituents state wide that support this program, as well as some that are not supportive of this program primarily, I believe, through lack of knowledge about it and a sound understanding of all the benefits this program will generate. I would like to make sure that you clearly understand I fully support this program and wanted to share some of the reasons for my support.

As a State of Alaska licensed Master Guide & Outfitter I have had the honor and pleasure of sharing our state and its natural resources with non-resident hunters, as well as resident hunters, for the last 24 years and look forward to hopefully being

able to do the same for the next 24 years but I firmly believe that will be an impossibility on State of Alaska owned lands unless the severe overcrowding of guides on State land is not addressed immediately, which is precisely what the Guide Concession Program aims to do on DNR and BLM lands.

Over the course of the last ten to twelve years I have directly seen the negative impacts this overcrowding is causing in areas of the Brooks Range and how it is negatively affecting the hunting and wilderness experiences of resident hunters, non-resident hunters and guides alike. In short, there are too many guides that are legally, and in some cases illegally, operating within the same areas and competing for the same animals and resources. I know of Guide Use Areas in Alaska in which there are as many as 12 to 20 guides registered authorized to operate within one area and under this proposed Guide Concession Program that number would be reduced to perhaps 2 to 4 guides operating in these areas.

As a resident hunter myself, I would much rather hunt in an area that had only a few established guides within it, who had been selected from a pool of qualified applicants and determined to be the most qualified and the best stewards of the land and its resources versus trying to compete with 12 to 20 guides within the same area. It will make for a better experience for me as a resident hunter as well as a better experience for the guides and their non-resident hunting clients. This program in absolutely no way is designed to restrict where a resident hunter can hunt, a fact that is often not understood.

Guiding big game hunters in Alaska has been an industry for over 100 years and is our states oldest and longest lasting form of tourism. The guiding industry is close to a 400 million dollar a year industry in Alaska. Though some may prefer to not acknowledge that fact, that is a significant amount of money that we directly help to contribute to the State of Alaska economy. Though we as an industry have never asked for direct advertising support from the State of Alaska s tourism advertising campaigns we have significantly helped to support the tourism advertising budget here in Alaska. As you might be aware, as a result of the federal Pittman Robertson Act, approximately 85% of the Alaska Department of Fish & Games budget is derived from the sale of licenses and tags to non-residents of Alaska and a vast majority of those very non-residents hunters that help to generate those funds for the ADF&G will not continue to come to Alaska to hunt unless the issue of overcrowding of guides and hunters on DNR lands is corrected.

I strongly believe that should the fiscal support generated by the guiding industry here in Alaska be significantly reduced, which is a distinct possibility unless the issues of too many guides on DNR lands and the lower quality of hunting opportunities that can be produced as a direct result of this overcrowding, is addressed quickly many Alaskans and facets of our state economy and government will feel that negative impact and an entire way of life and industry, mine included, will continue to shrivel and die.

I believe many of those opposed to this proposed Guide Concession Program are either uninformed about it and/or misinformed about the program. An example of this, I have been at dinner parties and been directly asked about this Guide Concession Program. At first blush many are opposed to the program simply because they know little about it, as they willingly have admitted. After a few

minutes of actually explaining the program to them, and the benefits it would bring to all Alaskans, they are better informed and realize that the Guide Concession Program would be a positive thing for Alaska, our resources and our residents and they often then say they would support it now that they better understand it. Again, the DNR Guide Concession Program does not restrict where a resident hunter can hunt in any way, an often misunderstood fact that when clearly articulated often alleviates many fears.

There is also a portion of the guiding industry that is opposed to the Guide Concession Program because they feel threatened by it due to the fact that as guides they may have less than a perfect and clear guiding history in terms of violations and/or safety records and under this proposed system guides will be penalized for such violations and as such may not be selected as the successful applicant in an area; just as it should be in my opinion. Some have made the argument that should this program be implemented than it would eliminate many guides from the profession and industry but that is simply not fact. In actuality, this program will help to create more potential guiding opportunities than there are currently properly licensed guides to fill.

Again, I would like to reiterate that I believe this Guide Concession Program will be structured in a self-funding manner and that no additional tax payer dollars will be required to support this program once it has been established and is operational but we need the help, support and funding from the Alaska legislature to get the program implemented.

Please, give this program the life and chance it requires to prove its worth to all Alaskans, resident hunters, non-consumptive users, non-resident hunters and the guides within the State alike. I strongly and fully believe that all will benefit from this program in the long term and perhaps most importantly our land and animals will benefit. Regardless of whether or not I were chosen as a successful applicant in the areas I currently operate in on DNR lands, I will continue to strongly support and encourage a program such as this for the benefit of all Alaskans and a way of life that has been my passion and my profession for the last 24 years.

In advance, I thank you for your time and consideration in this important matter and if I may help to answer any questions, or if I can be of any assistance at all, please feel free to contact me anytime via email at [henry@alaskanperimeter.com](mailto:henry@alaskanperimeter.com) or by phone at either 907-223-3226 or 907-456-4868.

Respectfully Yours,

Henry D. Tiffany IV Master Guide & Outfitter #144 Alaskan Perimeter Expeditions

**Comment 70 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Henry Tiffany. It may be hard to trump Smokey. As we all know, this crowd here is much smaller than it was a few years ago. I think some people are getting frustrated, disappointed, or just plain worn out on this subject. Nothing that I have found in life so far is perfect. This system is not perfect. The refuge system is not perfect. If this is implemented, which I have been in support of as long as my esteemed colleague Smokey has been against it, if it's implemented under statute or excuse me, under regulation instead of statute, some of those imperfections can be tweaked and changed. That will I'm sure happen. Life is always changing. There's no reason a

system shouldn't change accordingly. But I firmly believe, and always have, based on my experience of the last almost 25 years that without this program, in its imperfection, but without us giving it a chance and going forward on state land, the spiraling decline of the natural resource and the experiences that our clients and ourselves experience is going to become worse and worse, to the point that for many, like myself, we'll just give up on state land. It may mean that we become hobby guides because we can't support ourselves in other land managed areas enough. But it is getting worse. It is bad. And it needs to be addressed. So I encourage you. I contacted a number of our state legislators and representatives, and what amazed me and in support of it publicly. What amazed me was the number that wrote back, some very brief, but others more lengthy, and I got the impression that some really didn't know much about it. Knowledge is power in life. But without the knowledge, a lot of decisions can and are made on a whim sometimes. So you know, whether you're for it or against it, let it be known. My impression is at this point a lot of it is in the legislature's hand, and I wanted them to know as one constituent I did support it and these were the reasons why, and a few of them I think were not necessarily impressed with the letter as much as just the knowledge and the background of the oldest form of tourism in the State of Alaska is in jeopardy. So that that is pretty much what I have to say. I'm not going to speak to the specifics, too many this, too much or too little of that. But we've got to have a system in place in order to then try to tweak it and perfect it. But without the system, who cares whether you can have a thousand assistant guides or a thousand areas. Without the system, we have nothing to work with, and we desperately need the system. Thank you.

**Comment 71 of 77 - submitted on 02/23/2013 at 10:01 AM:**

There are successful guides who have clean records. There are struggling guides who also have clean records. Both of these groups of guides have a place in the guiding industry because they follow the rules and offer hunts to their clients in an honest manner. Too often the struggling guides are struggling because they insist on following the regulations when they run their businesses. It is important to use the guide concession program to rid the industry of outlaw guides who do not follow the regulations. Immoral guides run very successful businesses by using illegal means to get clients animals. These abnormal guides have been making more money than the guides that do it right because with the higher success rates due to illegal guiding practices comes more business. If a guide can't understand the regulations, he should not be allowed to guide hunters. If the guide understands the regulations and chooses to not follow them, he should not be allowed to stay in the guide business. Guides that have this kind of business practice in their history should be forbidden from applying for concession areas. There should not be a 10 year limit on misconduct.

**Comment 72 of 77 - submitted on 02/14/2013 at 12:00 AM:**

: Well, I only have a couple of concerns. My main concern is evaluation panel. And the reason why I say that is I experienced well, I have federal permits, U.S. and Fish & Wildlife permits. And their evaluation panel was not qualified to evaluate guides. And so that is my main concern. And having been involved in our Board of Fish and Board of Game process for a long, long time, I don't think that bias is an issue. We have an ethics law in this state, and all people that serve on boards and commissions, and especially like the Board of Game and the Board of Fish, they're involved in fishing and hunting. That's why they're on the boards. And so you need a

guide on each one of these evaluation panels. Whether that guide gets to officially score or not, you know, is debatable. However, I do know for a fact that you need one because some people are going to be good writers and some people are not good writers. That federal system is a writing contest, is what it is. And if you're a real good writer, you're going to score good. If you're not, you're not going to score good at all. And so that guide being there can see when someone is really a good writer and they put unrealistic things in there that are not realistically going to happen in the field and their operations plan. A guide, and a very experienced guide, is going to be able to recognize that, which brings up the next point. There should be an interview process. That's another thing that the feds did is they kept all these people secret. When they disqualified me from all three of my guide areas and I appealed and then I eventually won, and they did it three different times, so I appealed three different times. But I won all three. Anyway, they screwed up and they didn't get the names of the evaluators on all the evaluation sheets blacked out good. So I went and saw Corky Roberts, a friend of mine who had a federal Fish & Wildlife, and said: Corky, what do you think of this? He says: Christ, no wonder this is so screwed up. That woman is nothing but a damned clerk in the main regional office. They had a clerk in the regional office scoring guides, determining who the hell was the most qualified. So that is super important, that guides are on that scoring panel, and this and the ethics statute can take care of that. If the guy doesn't like one of the applicants, he can say, well, I'm going to conflict myself out on this one. It's as simple as that. That's the most important thing I think in this. One thing, and I mentioned before, you've got to get a handle on the damned (indiscernible) claims, as well. There's areas, like in 2004, where we it's one of the areas that's listed as the big problem areas. Hell, there's three mining operations. One of them even runs a hotel, basically, or has done it over there, rented moose hunters rooms on a damn phony mining claim. That's ridiculous. So you've got to somehow get a handle on that. The third thing is the violations. MR. COX: One minute. VIRGIL: Okay. One minute. Somehow it has to be determined how violations are going to count. Because the federal system is totally unacceptable. A guide forgets his gets his hunting license wet, so he's drying it out. His client's antsy as hell and wants to go hunting. So he says, well, we'll hop in the boat and go down the river half a mile. You do it. The state trooper lands in the Super Cub. You just got a citation. Three of those and you're out of business in ten years. So that has to be addressed better. The other thing, it's the number of assistant guides, there's a lot of us MR. COX: Thirty seconds. VIRGIL: Okay. Will not let a new assistant guide loose with a client. We want him to go on at least one year's worth of hunts where he's even though he's a licensed assistant guide, he's with a full time registered guide. And another thing you might have is you might have one of your guys get sick, and so it's nice to have the cook as an assistant guide maybe, where he can fill in. I think that's it. My time's up. Thank you.

**Comment 73 of 77 - submitted on 02/26/2013 at 09:20 AM:**

I have two comments: the first comment addresses a concern I have that is specific to the GUA that I operate in, and the second comment addresses a concern that I have with the proposed plan in general.

**COMMENT ONE:**

Regarding GUA 9-12. In February of 2009(?) the first meeting between the Department and licensed guides was held in Fairbanks, I attended that meeting. At one point we were broken up into groups according to the GUA s that we operated

in, my group consisted of guides operating in GUA 9-11 and 9-12. All of the guides that operated in those two units were represented at the meeting with the exception of one (Bruce Hallingstad). We were able to come to agreement as to how many guide concessions should be allocated to both GUA 9-11 and 9-12. We all signed the document and turned it over to Department staff.

At some later date (I believe within the next year or so) someone convinced the Commercial Services Board to eliminate GUA 9-11 and incorporate it into 9-12. I have been unable to get an answer as to why this was done, I was not notified.

In recent years there have been five guides operating within the newly created GUA 9-12. There has been no conflict between any of the users as far as I know.

Apparently the DNR staff who are working on the new Guide Concession program noticed this change and in the 2012 proposal and rightly modified the newly created GUA 9-12 into GUA 9-12(A) and GUA 9-12(B), 9-12(A) being the old 9-11 and 9-12(B) being the old 9-12. In the 2012 Documents the department proposed 2 Full Concessions for subunit (A) and 2 Full Concessions for subunit (B) a total of 4 Full Concessions for the entire GUA 9-12.

For some reason the Department is now proposing in the 2013 Documents that the 9-12 subunits (A) and (B) be eliminated and the entire GUA 9-12 be allocated only 1 Full Concession and 1 Limited Concession. This is a huge change from the previous proposal to allow 4 Full Concessions for the area. This is nowhere near the suggestion put forth by the guides who signed the original proposal at the meeting in Fairbanks, and does not reflect the historical use of the area when it consisted of two separate GUA s.

There are only two guides operating in what was the old 9-11, I and Bruce Hallingstad. Bruce operates from the Egegik River southward along the coast to Battleon Creek and I operate northward from the Ugashik River to Battleon Creek. We guide from two to four hunters each per year in this area.

I therefore ask that one of three changes be made to the 2013 proposal:

Option (A) Restore the proposal as out lined in the 2012 Document, allowing a total of 4 Full Concessions in subunits (A) and (B).

Option (B) Recreate Subunits (A) and (B). Allocate 2 Limited Concessions in subunit (A) and, 1 or 2 Full Concessions in subunit (B). This could allow Bruce Hallingstad and me to continue to operate as Limited Concessions out along the coast as we have in the past. The Coastal portion of this unit is distinctly different than the eastern portion of the unit and there has been no conflict between the guides involved.

Option (C) If it is desired to eliminate the subunits (A) and (B); then allow 3 Limited Concessions and 2 full Concessions in The entire GUA 9-12.

My preferred option is Option (B)

COMMENT TWO:

If it is desired to reduce the number of guides in a particular GUA it should be accomplished by attrition. This is the only fair and equitable way to do it. Otherwise

how does the State propose to compensate guides for lost income and who have in good faith made an investment of time and money developing a guide business in a Unit only to have the State pull the rug out from under them. It would be like trying to reduce the Bristol Bay gill net fleet based on some similar criteria such as is being proposed in this Guide Concession program without compensation such as a buyback program.

Thank you.

**Comment 74 of 77 - submitted on 02/08/2013 at 12:00 AM:**

To Whom it May Concern,  
Three strikes and you're out!

The DNR has had three chances to try and get this right with help and guidance from the professionals in the industry. They have chosen to round file this advice and guidance, and accomplish only one thing, another layer of beauracracry. This is definitely not the solution. Until our industry is regulated and governed with participation from professionals in the industry. i.e. AMA for doctors, the BAR for lawyers, ADA for dentists.,we won't be the profession we could be.

For those of you on the board to think that you should approve anything they throw at us so we can later morph it into what the industry needs is foolish. Didn't work for Nancy Pelosi and Obama and it won't work for the State of Alaska. The governments refusal to take advice given by professionals of the industry is a complete slap in the face to us all.

For all the time and money spent on this process, it does nothing to address the biggest problem within the guiding industry, ENFORCEMENT. Enforcement in/from all directions, the guides, the transporters, the resident poachers, DNR, District Attorneys, Attorney General, Governor. Criminal activity within this industry affects each and every resident, guide, the animals, the clients, and the budget (had to throw that in) and our reputation as a State.

The DNR has shown that they can't get it right and don't appear to want to in my opinion.We need to move on and resolve our problems ourselves and get the legislation passed to properly run not ruin this industry.

Yours in disbelief,

Coke W,Wallace

**Comment 75 of 77 - submitted on 02/08/2013 at 12:00 AM:**

That's fine. Hello. My name is April. I'm here as an animal lover, and I'm here just to put my little voice in to say that I care about Alaska's wildlife. It's very important for me. The only reason why I'm here is to say that I care about it and I want to protect it, and I fear that the state did not do enough to protect the wildlife, that they're too interested in you know, I just hear kill, kill, kill, kill, kill all the time, and you know, making money around it all the time. And I understand that goes on, but I want there to be a balance. And I just want the wildlife to survive this whole process. Please keep them in mind. Thank you.

**Comment 76 of 77 - submitted on 02/14/2013 at 12:00 AM:**

Good afternoon Clark, Don Willis with Alaska's Extreme Hunting. Working on slope sure has it's advantages but has it's drawbacks as well, my work schedule always seem's to fall on the dates the scheduled public meetings related to the State Guide Concession Program take place. I wanted to share however", that I am fully supportive of implementation of this program. I don't completely understand or support some of the required qualifying criteria that is comprised in the Application but overall it must be implemented and I fully understand this. I believe it will be judged to have flaws depending on what entity is reading it and how it may possibly impact them as well and really no matter how many times it is amended, it will always be thoroughly scrutinized to some degree. Change is not always accepted by all, and many times not fully understood until later. There has to be a starting point, there also has to be some give and take from all open minded and responsible parties. I am fortunate that I am not dependent on revenue to make my living through guiding, It's a complete privilege and humility that I receive each and everytime I return to the Bush every season. This concession program may affect me positively or negatively, but the needed and critical management of our State lands and it's natural resources and much needed increased enforcement must supercede all other needs for the future success of all who rely on it's health and the protection of it's future. It is my deepest hope, that after all the dust settles, the public in time will realize that this is/was in the best interest of everyone who enjoys the wonders of all the Alaska's resources used by them for hunting. Keep up the good work Clark, Looking Back at this Later, It will be something to be proud of given the appropriate amount of Time with respect to the overall Well being of the State, Guiding Industry and Resources related to this (GCP) Program reflecting positively on the State of Alaska and desperately needed Pro-active commercial guiding Game Management implementation. Warm regards-Don Willis

**Comment 77 of 77 - submitted on 02/08/2013 at 12:00 AM:**

Well, nobody wants to fix the problem any more than the person who tend to (indiscernible) representing the non consumptive community, right? Everyone wants to fix this problem. We've got five reasons they claimed that this program needs to be done. Every one of them are in the domain of the Board of Game and the Big Game Commercial Services Board. Everything in these five can be accomplished by the Board of Game and the Big Game Commercial Services Board. Are you guys going to hold the Big Game Commercial Services Board to their job or are you just going to toss what you had as a pretty sweet deal, a self regulating board, and let the DNR do it? That's what it boils down to. I mean, you guys can hold the Big Game Commercial Services Board responsible to do their job. There had been a lot of new guides come in. There had been a lot of trash guides come in, and the Big Game Commercial Services Board just wants to take care of those guides. You guys can get along if you've got the right people in the pool of guides, okay? This isn't going to fix it. The DNR is trying to fix problems that are in other statutory realms of the state for management. This is a dead end street. That's the biggest deal. It's not going to help anybody. It's not going to help you guides. It's not going to help the non consumptive community. It's not going to help the resident hunter. It's not going to help the Native community. All that's going to do is be another ball of wax to destroy what little we have left, okay? Let's get on the path to fixing, not keep doing (indiscernible). But I have just one quick thing to say. All along we've been saying this this is going to be managed by DNR, which is mandated to the maximum

use of state resources, right? Well, I've got a question that I'm dying for you to answer that I've asked before. We've got two applicants. They are the top applicants for concessions. Everything was equal in their application when they got done scoring it, except one applicant was going to kill 20 bears. One applicant was only going to kill ten bears. But everything else matched out equally. The only difference between the two, and they are the two top guides, is who is going to win that concession? The guy who's going to kill more or the guy who's going to kill less? Because this is a conservation goal for this thing, right? What's it going to be? You have internal scoring. You know what it is. What's it going to be? Tell us, are these going to be rated on who kills more or who kills less? Can you tell us? MR. COX: It's not a question and answer, Wade. It's your time to speak. MR. WILLIS: You can't tell us. Okay. That's all I want to know. You can't tell us. Thanks.