



State of Alaska
Department of Commerce, Community & Economic Development
Division of Corporations, Business, and Professional Licensing
Big Game Commercial Services Board

Zoom Meeting Call-In # 669-900-6833
408-638-0968
346-248-7799

Meeting ID: **950 9318 2880**

TENTATIVE MEETING AGENDA
October 2, 2020

1. 10:00 am Roll call/Call to Order
2. 10:05 am Review Agenda
3. 10:10 am Tabled Regulations Proposals
 - A. Buffer Area Proposals – DOL review of authority
4. 10:15 am Tabled Application(s)
 - A. Executive Session
5. 10:25 am Current Regulations Project
 - A. Review of written comments
 - B. Board action as applicable
6. 12:00 pm Adjourn *later if needed*

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
- (3) matters which by law, municipal charter, or ordinance are required to be confidential;
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

“In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity; **OR**
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; **OR**
- (3) matters which by law, municipal charter, or ordinance are required to be confidential; **OR**
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

**Board staff is requested to remain during the session OR
Board only to remain during session.”**

Staff will then state **“The board is off the record at _____(time).”**

**NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE
ALASKA BIG GAME COMMERCIAL SERVICES BOARD**

BRIEF DESCRIPTION: The Big Game Commercial Services Board proposes to update regulations relating to guide use area registration, transporter activity report, initial application requirements for class-A assistant guide, assistant guide, and transporter; and add professional public involvement requirements for license holders.

The Big Game Commercial Services Board (Board) proposes to adopt regulation changes in Title 12, Chapter 75 of the Alaska Administrative Code including the following:

1. **12 AAC 75.120. Application for class-A assistant guide license**, is proposed to require jurisprudence questionnaire for initial license as a class-A assistant guide.
2. **12 AAC 75.130. Application for assistant guide license**, is proposed to require jurisprudence questionnaire for initial license as an assistant guide.
3. **12 AAC 75.145. Application for a transporter license**, is proposed to require jurisprudence questionnaire for initial license as a transporter.
4. **12 AAC 75.150. Professional development for, master guide-outfitter, registered guide-outfitter, and transporter licensees**, is a proposed new section to add professional public involvement requirements for license holders.
5. **12 AAC 75.230. Guide use area registration**, is proposed to outline eligibility registration for game management unit 9 for the spring 2021 brown bear season adopted into regulation by the Board of Game; also, to require a minimum of three years in a guide use area at the time of registration.
6. **12 AAC 75.400. Transporter activity report**, is proposed to require transporter activity reports to be submitted to the department within a set time-frame to comply with annual reporting requirements of AS 08.54.650(c).

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/199143>, and using the comment link. **The comments must be received not later than 4:30 p.m. on September 16, 2020.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this

process, please contact Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov not later than September 9, 2020 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/BGCSB-0820.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.54.600; AS 08.54.605; AS 08.54.620; AS 08.54.630; AS 08.54.635; AS 08.54.650; AS 08.54.660; AS 08.54.750; AS 08.54.760; AS 08.54.790

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.54.600; AS 08.54.605; AS 08.54.620; AS 08.54.630; AS 08.54.635; AS 08.54.650; AS 08.54.660; AS 08.54.750; AS 08.54.760; AS 08.54.790

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 8/12/2020

/s/
Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION (AS 44.62.190(d))

- 1. Adopting agency:** Big Game Commercial Services Board – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
- 2. General subject of regulation:** Application for class-A assistant guide, assistant guide, and transporter; guide license qualifications, guide use area registration, and transporter activity report.
- 3. Citation of regulation:** 12 AAC 75.120, 12 AAC 75.130, 12 AAC 75.145, 12 AAC 75.150, 12 AAC 75.230, and 12 AAC 75.400.
- 4. Department of Law file number:** To be assigned.
- 5. Reason for the proposed action:** Update and clarification of current regulations; compliance with state statute.

6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.

7. **Estimated annual cost to comply with the proposed action to:**

A private person: None known.

Another state agency: None known.

A municipality: None known.

8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**

No costs are expected in FY 2021 or in subsequent years.

9. **The name of the contact person for the regulation:**

Renee Hoffard, Executive Administrator

Big Game Commercial Services Board

Division of Corporations, Business and Professional Licensing

Department of Commerce, Community, and Economic Development

Telephone: (907) 465-2525

E-mail: renee.hoffard@alaska.gov

10. **The origin of the proposed action:** Big Game Commercial Services Board.

11. **Date:** 8/12/2020

Prepared by: _____ /s/

Jun Maiquis
Regulations Specialist

Chapter 75. Big Game Commercial Services Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 75.120(b) is amended by adding a new paragraph to read:

(8) the jurisprudence questionnaire prepared by the board covering the provisions of AS 08.54 and this chapter, scoring a minimum of 70 percent.

(Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am/readopt 7/30/2006, Register 179; am 6/8/2007, Register 182; am ___/___/_____, Register _____)

Authority: AS 08.54.600 AS 08.54.605 AS 08.54.620

12 AAC 75.130(a) is amended by adding a new paragraph to read:

(9) the jurisprudence questionnaire prepared by the board covering the provisions of AS 08.54 and this chapter, scoring a minimum of 70 percent.

(Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am/readopt 7/30/2006, Register 179; am 6/8/2007, Register 182; am 4/16/2016, Register 218; am ___/___/_____, Register _____)

Authority: AS 08.54.600 AS 08.54.630 AS 08.54.790
AS 08.54.605 AS 08.54.635

12 AAC 75.145(a) is amended by adding a new paragraph to read:

(6) the jurisprudence questionnaire prepared by the board covering the provisions of AS 08.54 and this chapter, scoring a minimum of 70 percent.

(Eff. 6/8/2007, Register 182; am 11/24/2007, Register 184; am ___/___/_____, Register _____)

Authority: AS 08.54.600 AS 08.54.650 AS 08.54.660

12 AAC 75 is amended by adding a new section to read:

12 AAC 75.150. Professional development for, master guide-outfitter, registered guide-outfitter, and transporter licensees. (a) “Professional Public Involvement Requirement”, to initially apply for, or renew a master guide-outfitter, registered guide-outfitter, or transporter license, the applicant must document professional public involvement. A licensee, must attend and participate in one of the following for at least five days per biennial licensing period; a new applicant, must attend and participate in one of the following for at least five days in the two years prior to application:

- (1) Fish and Game Advisory Committee meeting;
- (2) Alaska Board of Game meeting;
- (3) Big Game Commercial Services Board meeting;
- (4) Federal Subsistence Board or Federal Subsistence Regional Advisory Council meetings;
- (5) Big Game Commercial Services Board exam proctoring; or
- (6) Federal Subsistence Resource Commission.

(b) An applicant or licensee is exempt from the requirements in (a)(1) – (6) of this section if, at the time of application or renewal, the applicant or licensee is currently serving as a:

- (1) board member of a related industry association, or wildlife or conservation organization;
- (2) hunter education instructor;
- (3) Alaska Native corporation conservation, hunting, land management, or

subsistence committee member;

- (4) youth outdoor outreach program leader;
- (5) “becoming an outdoors woman” (BOW) instructor; or
- (6) other board approved conservation and hunter advocacy activities.

(c) “Professional Agency Coordination Requirement”, to initially apply for, or renew a master guide-outfitter, registered guide-outfitter, or transporter license, the applicant must document meeting, at least once per year, in person or telephonically, with:

- (1) an Alaska wildlife trooper assigned to a region in which the licensee operates or applicant intends to operate, to discuss enforcement information in the area; or
- (2) a Department of Fish and Game biologist assigned to a region in which the licensee operates or applicant intends to operate, to discuss biological information in the area.

(d) The requirements listed in this section will be documented on a form provided by the department and signed by the chairperson or executive director of the applicable boards, commissions, or organizations listed in (a) and (b) of this section; and either signed by the Alaska wildlife trooper or Department of Fish and Game biologist listed in (c) of this section or in a letter on department’s letterhead if meeting was conducted telephonically. (Eff.

____/____/____, Register _____)

Authority: AS 08.54.600

12 AAC 75.230 is amended by adding new subsections to read:

(g) A registered guide-outfitter or master guide-outfitter who was unable to hunt a brown bear in game management unit 9 in the spring 2020 season may register for the 2021 spring brown bear season in game management unit 9, if

(1) the registered guide-outfitter or master guide-outfitter registers on a form provided by the department;

(2) the registered guide-outfitter or master guide-outfitter provides either

(A) a current registration, valid as of April 10, 2020, for the same guide use area for which the registration is submitted; or

(B) copies of completed, signed, and dated hunt contracts for the 2020 spring bear season in game management unit 9 indicating the registered guide-outfitter or master guide-outfitter had booked clients who were later unable to complete the contracted hunt and an attestation that the registered guide-outfitter or master guide-outfitter would have registered prior to the April 10, 2020 deadline; and

(3) the clients for whom the registered guide-outfitter or master guide-outfitter will provide services have not hunted brown bear in a guide use area within game management unit 9 since May 10, 2020.

(h) A registered guide-outfitter or master guide-outfitter must register for a minimum of three years in a guide use area at the time of registration. (Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 6/8/2007, Register 182; am 12/1/2007, Register 184; am 7/16/2020, Register 235; am ____ / ____ / _____, Register _____)

Authority: AS 08.54.600 AS 08.54.750

12 AAC 75.400 is amended by adding a new subsection to read:

(f) To comply with the annual reporting requirement of AS 08.54.650(c), a transporter shall submit to the department a completed transporter activity report for each contracted

transportation service within 75 days after the completion of the transporter services. (Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am 12/2/99, Register 152; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 11/24/2007, Register 184; am 12/2/2012, Register 204; am 4/13/2013, Register 206; am 7/16/2020, Register 235; am ____ / ____ / _____, Register _____)

Authority: AS 08.54.600 AS 08.54.660 AS 08.54.760
AS 08.54.650

Maiquis, Jun C (CED)

From: grizzlyex <grizzlyex@gmail.com>
Sent: Thursday, August 13, 2020 4:01 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Regulation change comment

This email is in regards to the proposed professional development regulation. AAC 75.150
I am against this new regulation 100%. There is enough paperwork and requirements to keep up with every year without adding more. I have made my living guiding fishing and outfitting hunts since 1980 and as a registered guide since 1988 and have never attended a board meeting and do not plan to start now. Seems pretty unfair to try to force me to go to meetings. Just more expense to travel to these meeting and more paperwork and i am sure up the road there will be more fees to pay someone to oversee this bogus regulation. Seems like the boards goal is to rule and regulate guides right out of business. Again i am 100% against this regulation

Richard Townsend
Grizzly expeditions
License AA 697

Sent via the Samsung Galaxy S10e, an AT&T 5G Evolution capable smartphone

Maiquis, Jun C (CED)

From: Rodney Pangborn <rod@rodsalaskanguideservice.com>
Sent: Friday, August 14, 2020 6:26 AM
To: Regulations and Public Comment (CED sponsored)
Subject: PROPOSED CHANGES IN THE REGULATIONS OF THE AK BGCSB

I am not in favor of 2 (12 AAC 75.150 & 12 AAC 75.230) of the proposed changes. The recommended changes are extremely vague and do not list exact requirements/details.

12 AAC 75.150 will have costs associated for the license holder for professional development. Until specific public involvement requirements for professional development are explained/detailed; costs are unknown. It is also unknown if the requirements are attainable since a specific requirement is not listed.

12 AAC 75.230 is extremely vague with the following statement: also, to require a minimum of three years in a guide use area at the time of registration. The exact requirement of 3 years in the guide use should be listed. Examples: 3 years trapping, hunting, game surveying, or guiding. If you require 3 years of guiding under another guide, then there is significant cost associated--a guide will have to forgo income of his own hunts to work for another guide at a significant decrease in revenue. If you require 3 years of guiding for another guide; you will compound the problem of guide crowding.

I recommend both of these changes be deleted or tabled until specific details and costs can be considered by license holders.

Rodney Pangborn
Rod's Alaskan Guide Service
North Pole, AK 99705
(907) 378-1851
www.rodsalaskanguideservice.com

Maiquis, Jun C (CED)

From: johnathanmurphy <johnathanmurphy@ymail.com>
Sent: Friday, August 14, 2020 5:53 PM
To: Regulations and Public Comment (CED sponsored); johnathanmurphy@ymail.com
Subject: RE: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

I do not agree that this is anyway necessary. So what you are saying is if you have a license you will loose it unless you do community service. Why would you punish holders of a license? Any why draw up a proposal in the middle of the season when most guides are out in the field and have no way to communicate , to email nor get an email. This is a very sneaky approach. This almost sounds like a lawsuit waiting to happen. I will be forwarding this email to everyone i know. I vote no on this proposal. I should not be forced to do community service when im trying to raise my kids and take care of my household. You are attempting to take my time with my family away from me and force me to do things that you see fit for my life, my family's life, and our lifestyle. I have a choice thats why we have the constitution.

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: "Regulations and Public Comment (CED sponsored)" <regulationsandpubliccomment@alaska.gov>
Date: 8/13/20 2:52 PM (GMT-09:00)
To:
Subject: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

Dear Licensee,

The Alaska Big Game Commercial Services Board proposes to update regulations relating to guide use area registration, transporter activity report, initial application requirements for class-A assistant guide, assistant guide, and transporter; and add professional public involvement requirements for license holders.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,

Alaska Big Game Commercial Services Board

Maiquis, Jun C (CED)

From: Justin Johns <fishingbear@rockisland.com>
Sent: Friday, August 14, 2020 6:02 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Guide Reg: BGCSB 12 ACC 75.150

Hello BGCSB and Jun Maiquis,

I am writing in response to the proposed PROFESSIONAL PUBLIC INVOLVEMENT REQUIREMENTS regulation change 12 AAC 75.150

My license is Alaska Master Guide #139. I have been a full time professional Alaska guide since 1986.

There are some older guides like myself whom this type of additional requirement would create extreme hardships on both myself and the people whom I'm responsible for.

The BGCSB should not implement this type of regulation "RETROACTIVELY" on older guides.

If the BGCSB wished to implement such change on the licensing requirements and lives and finances of people just getting their licenses so that those new guides know what their future responsibilities are then that's one thing and something that new guides could accept and arrange their future time and finances around such commitment.

To force older guides who are most likely already committed in both time and finances in other ways to now commit to these additional BGCSB responsibilities of both time and finances is very wrong in my perspective.

Over the past fifteen years all of my time and finances have been committed to helping both my parents and in-laws as they aged and passed on.

Now all my time and finances are committed to helping my wife who has been dealing with breast cancer for the past five years.

The BGCSB needs to realize that not everyone making their living as a lifelong professional Alaska Big Game Guide can at the drop of a hat or a change of the regulations spend that much time and thousands of dollars to be so involved as what this proposed requirement outlines.

I've been a full time professional Alaska Guide for thirty five (35) years. It's been a good life and has allowed me the freedom to live my own life and help support others in my life. I can appreciate the idea of giving back.....but the BGCSB should not implement this type of regulation "RETROACTIVELY" on older guides. It will truly hurt some people.

It should only be a mandatory requirement for guides getting their license after the regulation date who can accept the regulations responsibilities as a requirement for being a licensed Alaska Guide.

Thank you for your time and consideration.

Justin C Johns / Alaska Master Guide #139

From: "Regulations and Public Comment (CED sponsored)"

<regulationsandpubliccomment@alaska.gov>

Sent: Thursday, August 13, 2020 2:56:35 PM

Subject: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

Dear Licensee,

The Alaska Big Game Commercial Services Board proposes to update regulations relating to guide use area registration, transporter activity report, initial application requirements for class-A assistant guide, assistant guide, and transporter; and add professional public involvement requirements for license holders.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,

Alaska Big Game Commercial Services Board

Maiquis, Jun C (CED)

From: Treasure Hunter Lodge Alaska <treasurehunterlodge@gmail.com>
Sent: Sunday, August 16, 2020 12:46 PM
To: Regulations and Public Comment (CED sponsored)
Cc: Maiquis, Jun C (CED); Ryan, John P (DPS); Michele Metz Sealaska-JoAnne; Bethune, Stephen W (DFG); Dorendorf, Ross R (DFG); Schwanke, Craig J (DFG); Sitka JKT; scot.shuler; Guide Thor Stacey; office@alaskaprohunter.org
Subject: Re: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

Hi Jun,

Please let me know if this is the correct email address for my public comments regarding the proposed changes to the big game regulations.

BGCSB,

The ultimate goal for the state of AK is to have the AK professional hunters work hand in hand with ADFG, AST, BGCS, their community and the land owners to provide the public and their clients with excellent service that sets the standard for professional guides worldwide.

When I first started working in the AK guide industry in 1995 there was no BGCSB and AST spent boatloads of money chasing the many illegal guides. Since then, AST and BGCSB have done a tremendous job of cleaning up the industry. Thank you for all the hard work!

Currently, there are many guides that are involved in the industry top to bottom and are true professionals. Unfortunately, due to the "derby" mentality of guiding on state lands and the lack of oversight on those lands, there are many guides that are not outlaws but they are almost forced to act like one due to all the competition. There is little care for stewardship, resource management, enforcement, other hunters and their experience, etc. There are also many guides that are not involved in the industry, they don't know their local game biologist, their local troopers, their local advisory board or their local community members so they are resented. Many of them live out of state and only show up during the hunting season.

What I've described above is likely how the current division between guides and local hunters began and festers to the point of locals forming groups that vocally fight and resent the guiding industry.

If Alaska/BGCSB forces the guides to become involved in the industry, it is the best thing for the state.

Many of the proposed regulations will do just that and are well thought out.

We endorse all of the proposed changes.

The result will be a better class of guides and less division in Alaska regarding the guide industry.

I am also forwarding this email to several others in hopes that guiding on state lands in the future will improve by implementing a competitive process that limit the number of guides, similar to what the USFS, USFWS, NPS and BLM have done.

Thank you!

Kurt & Trina
Treasure Hunter Lodge LLC-Alaska
www.TreasureHunterLodge.com
www.AlaskaBlackBearHunts.com
907.738.5000

On Aug 13, 2020, at 2:57 PM, Regulations and Public Comment (CED sponsored)
<regulationsandpubliccomment@alaska.gov> wrote:

Dear Licensee,

The Alaska Big Game Commercial Services Board proposes to update regulations relating to guide use area registration, transporter activity report, initial application requirements for class-A assistant guide, assistant guide, and transporter; and add professional public involvement requirements for license holders.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,
Alaska Big Game Commercial Services Board

<BGCSB-Notice-0820.pdf>

Maiquis, Jun C (CED)

From: RWS Guide Service Stewart <akstewart49@yahoo.com>
Sent: Tuesday, August 18, 2020 3:06 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Comment from Richard Stewart

To whom it may concern,

This comment is concerning the proposal for the professional development of registered/master guide/outfitters.

In my view this proposal should "not" be adopted. The licensed hunting guides in Alaska are already held to a very high standard without dedicating five days of personal time to this type of board interest.

It is factual that many dollars are sent in to the State of Alaska from guides to pay for everything needed in licensing, registrations, and filing fees. This beholding to our State government should be contribution enough without having to additionally dedicate personal time for what seems to me a self serving interest by the board chair and/or directors. Although, I can appreciate the idea of having guides become more active and involved in people and processes that affect the hunting community.

Many licensed hunting guides in Alaska already participate in meetings and activities which are outlined in this proposal. Not to mention the amount of time and dedication it requires to successfully run a business in the guided hunting industry.

Why require everyone take this amount of donated time to satisfy a grandiose idea or plan under the guise of professional development?

This is not a reasonable proposal in my opinion as many licensed guides do not reside within the borders of Alaska so this could be potentially problematic or be possibly a hardship for those individuals to satisfy requirements.

I implore the board to drop this proposal from it's agenda and find a more suitable solution to their desires of professional development.

Thank you and best regards,
Richard W. Stewart

(907) 953-7700
akstewart49@yahoo.com

Sent from my iPhone

Maiquis, Jun C (CED)

From: Ben G <alaskagilles@gmail.com>
Sent: Saturday, August 22, 2020 12:30 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

Good Afternoon,

These comments are in regard to the proposed addition of professional development requirements for master guide-outfitters, registered guide-outfitters, and transporters.

I am strongly opposed to the addition of this section to the licensing requirement. Working as a guide-outfitter already requires a significant time and travel commitment and adding this onerous requirement is completely unnecessary. The addition of this requirement has no bearing on the guide-outfitters competency and will have no effect on the client experience. Guide-outfitters who are good will continue to be good and ones that are not will not be made better by five days spent in meetings.

It seems that the board either wants to make it more difficult for people to initially get a license and for current licensees to maintain their license. Aside from the burden this will place on the license holder, it will require additional work for the state to collect this information and verify its authenticity. As Alaska is already struggling fiscally, this is poor use of limited government staff and funding.

Aside from the wholistic complete failure of this requirement to accomplish anything positive, it's poorly written. Five days? Are those 2 two hour days or 12 hour days? Also the list is by no means comprehensive as far as what would fulfill this onerous requirement. What about contact with the Forest Service regarding permits and use of an area? What about a guide-outfitter that works for a state fish and game agency or the U.S. Fish and Wildlife Service? If that wouldn't count, why wouldn't it? What's the INTENT of this "Professional Development Requirement"?

In conclusion the best path forward is for the board to realize they made a mistake in proposing this requirement and to strike it from the proposed changes.

I look forward to your response to my comment.

Ben Gilles
GUIR 1293

Maiquis, Jun C (CED)

From: Parker Guide Service <parkerguideservice@gmail.com>
Sent: Saturday, August 22, 2020 1:20 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Fwd: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

Dear Board of Game:

Please find my sentiment and response that matches the response we would write and put in as well. We are in full agreement with Ben Gilles and what he wrote. Please attach our names to this same response.

Sincerely

Bruce & Ann-Marie Parker

Parker Guide Service Inc.

Sitka, Ak. 99835

Master Guide 135 & registered Guide 985

----- Forwarded message -----

From: Ben G <alaskagilles@gmail.com>

Date: Sat, Aug 22, 2020 at 1:34 PM

Subject: Fwd: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

To: Parker Guide Service <parkerguideservice@gmail.com>, Carl Brent <carlbrent@gmail.com>, Wescott, George <alaskahuntingservices@yahoo.com>

FYI.

Not sure how you guys feel about this proposal, but I think it's asinine. I commented on it, if you all agree, send in a comment as well and hopefully they won't enact it.

The email address to send comments to is:

regulationsandpubliccomment@alaska.gov

See some of you in a week!

Ben

----- Forwarded message -----

From: Ben G <alaskagilles@gmail.com>

Date: Sat, Aug 22, 2020 at 2:30 PM

Subject: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

To: <regulationsandpubliccomment@alaska.gov>

Good Afternoon,

These comments are in regard to the proposed addition of professional development requirements for master guide-outfitters, registered guide-outfitters, and transporters.

I am strongly opposed to the addition of this section to the licensing requirement. Working as a guide-outfitter already requires a significant time and travel commitment and adding this onerous requirement is completely unnecessary. The addition of this requirement has no bearing on the guide-outfitters competency and will have no effect on the client experience. Guide-outfitters who are good will continue to be good and ones that are not will not be made better by five days spent in meetings.

It seems that the board either wants to make it more difficult for people to initially get a license and for current licensees to maintain their license. Aside from the burden this will place on the license holder, it will require additional work for the state to collect this information and verify its authenticity. As Alaska is already struggling fiscally, this is poor use of limited government staff and funding.

Aside from the wholistic complete failure of this requirement to accomplish anything positive, it's poorly written. Five days? Are those 2 two hour days or 12 hour days? Also the list is by no means comprehensive as far as what would fulfill this onerous requirement. What about contact with the Forest Service regarding permits and use of an area? What about a guide-outfitter that works for a state fish and game agency or the U.S. Fish and Wildlife Service? If that wouldn't count, why wouldn't it? What's the INTENT of this "Professional Development Requirement"?

In conclusion the best path forward is for the board to realize they made a mistake in proposing this requirement and to strike it from the proposed changes.

I look forward to your response to my comment.

Ben Gilles
GUIR 1293

--
Parker Guide Service
Bruce & Ann-Marie Parker
P.O. Box 6290
Sitka, AK. 99835
Cell: Bruce (907) 738-6760 or Ann-Marie (907) 747-6026
parkerguideservice@gmail.com
www.alaskaboathunts.com
www.alaskaboatcruises.com

Maiquis, Jun C (CED)

From: Carl E Brent <carlbrent@gmail.com>
Sent: Sunday, August 23, 2020 1:48 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

To Whom It Concerns,,

These comments are in regard to the proposed addition of professional development requirements for guide-outfitters.

I am strongly opposed to the addition of this section to the licensing requirement. The addition of this requirement won't have any bearing on the guides proficiency or competence. Guide-outfitters who are good will continue to be good and ones that are not will not be made better by spending five days in meetings.

As Alaska is already struggling fiscally, who is going to pay to implement this program and monitor compliance. We already have ridiculously high licence renewal rates. And the State certainly doesn't need to be hiring extra personnel to take on the extra workload.

Who's going to judge what counts as a day toward compiling with this new regulation. And what's a day ? What if a guide worked or owned an outdoors sporting goods store?
What if a guide was an active official measure for B&C or SCI ? What if a guide did all this stuff when they were younger and now feel it's time for the new younger guides to step up.

This is just a bad idea.

Carl Brent - GUIM 195

Maiquis, Jun C (CED)

From: Ben G <alaskagilles@gmail.com>
Sent: Monday, August 24, 2020 9:31 AM
To: Regulations and Public Comment (CED sponsored)
Subject: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

Good Morning,

In addition to my previously submitted comment, I would like to also address the timing of the comment period.

I received the email regarding the proposed regulations on 8/13. Upon reading though it saw that the board would be accepting comments on the proposed regulation though COB 9/16.

I can hardly think of a worse time to solicit comments from the impacted users than the above time period. The board at best has a detached ignorance of the guiding field season or at worst is being willfully deceitful by hoping to not get a lot of feedback due to people being very busy and out of communication in the field.

I request that future public comments be solicited during the months of February and March or June and July as those are times when people impacted by proposed regulations and changes will be more available to provide comment.

Thanks,

Ben Gilles
GUIR 1293

Maiquis, Jun C (CED)

From: Parker Guide Service <parkerguideservice@gmail.com>
Sent: Monday, August 24, 2020 11:22 AM
To: Regulations and Public Comment (CED sponsored)
Subject: Fwd: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board

Folks:
Please see response from Ben Gilles, we again as before do solemnly agree with Ben on this issue and is our response as well.

Sincerely
Bruce & Ann-Marie Parker
Parker Guide Service
Sitka, AK.

----- Forwarded message -----

From: Ben G <alaskagilles@gmail.com>
Date: Mon, Aug 24, 2020 at 10:31 AM
Subject: Fwd: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board
To: Parker Guide Service <parkerguideservice@gmail.com>, Carl Brent <carlbrent@gmail.com>, Wescott, George <alaskahuntingservices@yahoo.com>

I sent them another one.

----- Forwarded message -----

From: Ben G <alaskagilles@gmail.com>
Date: Mon, Aug 24, 2020 at 11:30 AM
Subject: Comment on Proposed Changes in Regulations of the Alaska big Game Commercial Services Board
To: <regulationsandpubliccomment@alaska.gov>

Good Morning,

In addition to my previously submitted comment, I would like to also address the timing of the comment period.

I received the email regarding the proposed regulations on 8/13. Upon reading though it saw that the board would be accepting comments on the proposed regulation though COB 9/16.

I can hardly think of a worse time to solicit comments from the impacted users than the above time period. The board at best has a detached ignorance of the guiding field season or at worst is being willfully deceitful by hoping to not get a lot of feedback due to people being very busy and out of communication in the field.

I request that future public comments be solicited during the months of February and March or June and July as those are times when people impacted by proposed regulations and changes will be more available to provide comment.

Thanks,

Ben Gilles

GUIR 1293

--

Parker Guide Service

Bruce & Ann-Marie Parker

P.O. Box 6290

Sitka, AK. 99835

Cell: Bruce (907) 738-6760 or Ann-Marie (907) 747-6026

parkerguideservice@gmail.com

www.alaskaboathunts.com

www.alaskaboatcruises.com

Maiquis, Jun C (CED)

From: johnathanmurphy <johnathanmurphy@ymail.com>
Sent: Monday, August 24, 2020 9:18 PM
To: Regulations and Public Comment (CED sponsored); johnathanmurphy@ymail.com; alaskafrontiermaps@gmail.com
Subject: FW: RE: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: johnathanmurphy <johnathanmurphy@ymail.com>
Date: 8/14/20 5:53 PM (GMT-09:00)
To: "Regulations and Public Comment (CED sponsored)" <regulationsandpubliccomment@alaska.gov>, johnathanmurphy@ymail.com
Subject: RE: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

I do not agree that this is anyway necessary. So what you are saying is if you have a license you will loose it unless you do community service. Why would you punish holders of a license? Any why draw up a proposal in the middle of the season when most guides are out in the field and have no way to communicate , to email nor get an email. This is a very sneaky approach. This almost sounds like a lawsuit waiting to happen. I will be forwarding this email to everyone i know. I vote no on this proposal. I should not be forced to do community service when im trying to raise my kids and take care of my household. You are attempting to take my time with my family away from me and force me to do things that you see fit for my life, my family's life, and our lifestyle. I have a choice thats why we have the constitution.

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: "Regulations and Public Comment (CED sponsored)" <regulationsandpubliccomment@alaska.gov>
Date: 8/13/20 2:52 PM (GMT-09:00)
To:
Subject: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

Dear Licensee,

The Alaska Big Game Commercial Services Board proposes to update regulations relating to guide use area registration, transporter activity report, initial application requirements for class-A assistant guide, assistant guide, and transporter; and add professional public involvement requirements for license holders.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,

Alaska Big Game Commercial Services Board

Maiquis, Jun C (CED)

From: Justin Moody <justinlmoody@gmail.com>
Sent: Tuesday, August 25, 2020 11:14 AM
To: Regulations and Public Comment (CED sponsored)
Subject: Comments professional development for guides

Hello,
My name is justin moody and i am a registered guide.
I am writing about 12 AAC 75.150. Professional development for, master guide-outfitter, registered guide-outfitter, and transporter licensees.
I am writing to voice my strong opposition to this change.
I live in rural alaska and this would be very expensive and time consuming for me to donate five days of my time.
If this goes through i will need to strongly reevaluate if having my registered lic vs going back to assistant guide license is worth it.

Sent from my iPad

Maiquis, Jun C (CED)

From: Alaska Online Public Notices <noreply@state.ak.us>
Sent: Monday, August 31, 2020 10:00 AM
To: Maiquis, Jun C (CED)
Subject: New Comment on NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BIG GAME COMMERCIAL SERVICES BOARD

A new comment has been submitted on the public notice [NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BIG GAME COMMERCIAL SERVICES BOARD](#).

Submitted:

8/31/2020 10:00:00 AM

Matt Moskiewicz
moskieakfish@gmail.com

Anchorage, AK, US
Anonymous User

Comment:

To Whom It Concern:

My Name is Matt Moskiewicz, registered guide # 1319, and I am writing today to express my concern and disapproval of the proposed changes and added requirements to 12 AAC 75.150.

1. 12 AAC 75.150 section A, Professional public involvement requirement.

While I understand the intent of this requirement to promote guide involvement in regulation and management, I feel making it a requirement creates far too many problems for guides and I do not support this change. Asking guides to be available for 5 different days based on meeting schedules is not feasible for many, given the timing of the meetings and the timing of our work. Additionally, in my experience, trying to participate in meetings has not been always successful due to already strained resources and time. Often, participants are not able to voice their concerns completely and staff are not able to spend the time responding. Lastly, this would add to the complexity of the recently introduced schedule changes due to coronavirus.

2. 12 AAC 75.150 section C, professional agency coordination requirement.

This proposed requirement will harm more than it helps. First, in no way is having the fine folks at Alaska State Troopers, or Fish and Game carry this extra burden a wise use of their time, resources, and funding. Second, it is not clear what type of information we need to seek from troopers or biologists if we already know our area, have already talked to them in the past and can find information easily by other means (website, publications, etc.) rather than taking up their time. Third, this requirement is redundant because in order to become and be a registered or master guide, you would have already established a relationship with troopers and biologists in your area.

The process to become a registered or master guide is lengthy and time consuming with little and inconsistent support from Big Game Commercial Services in terms of materials, communication, handling paperwork, response time, and staffing. If improvements are desired, I'd rather see improvements made to the administering of the guide industry, rather than increasing requirements for guides and outside agencies. Given the multiple mishandlings of my paperwork in the past by Big Game Commercial Services, I do not feel confident that providing additional documentation would be advantageous.

Lastly, 08.54.600(c) states that the board may adopt regulations the board considers appropriate, including regulations to establish a code of ethics for professions regulated by the board. These proposed changes are not accomplishing this and fall outside of all duties of Big Game Commercial Services Board. For this reason, I do not think it is appropriate that they are considered. The board cannot dictate what level of community involvement a business or person has.

Thanks,
Matt Moskiewicz

You can review all comments on this notice by [clicking here](#).

[Alaska Online Public Notices](#)

Maiquis, Jun C (CED)

From: Alaska Online Public Notices <noreply@state.ak.us>
Sent: Monday, August 31, 2020 10:17 AM
To: Maiquis, Jun C (CED)
Subject: New Comment on NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BIG GAME COMMERCIAL SERVICES BOARD

A new comment has been submitted on the public notice [NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BIG GAME COMMERCIAL SERVICES BOARD](#).

Submitted:

8/31/2020 10:17:24 AM

Matt Moskiewicz
moskieakfish@gmail.com

Anchorage, AK, US
Anonymous User

Comment:

To Whom It May Concern:

My name is Matt Moskiewicz, registered guide # 1319 and I'd like to add one more thought in addition to my previously submitted comment for consideration. The timing to provide comments on these proposals overlaps the busiest time of year for guides and transporters, a time of year that most are out of regular communication. It is not appropriate to solicit comments that affect guides and transporters during a time when they are least available to provide comments themselves.

Thanks,
Matt Moskiewicz

You can review all comments on this notice by [clicking here](#).

[Alaska Online Public Notices](#)

Maiquis, Jun C (CED)

From: Zach & Alisha Decker <wildlifeheritage@yahoo.com>
Sent: Thursday, September 3, 2020 1:03 PM
To: Regulations and Public Comment (CED sponsored)
Cc: Zach Decker
Subject: ABGCSB regulation change

To whom it concerns,

Following are my comments in regards to the Proposed changes in the Big Game Comercial Services Board regulations.

12 ACC 75.130 ,120, *Jurisprudence questionnaire:*

Your letter requesting comments does not describe "Jurisprudence" and fails to inform licensees what your regulation change will include. I had to google search "Jurisprudence" and am still unclear as to the full consequence and cost it will have on occupational licenses. For all purposes this regulation change appears to be the writing of the attorneys for the board. Will this regulation be used by State Troopers and BGCSB Investigators in court or legal proceeding *against* license holders? If yes, I ask that this proposal not move forward. Are you Asking Class A, Assistant Guide, and Transporters to be "Scholars of Law" as the definition of "**Jurisprudence or legal theory** is the theoretical study of law"? By placing "Jurisprudence questionnaire" requirements upon licensees, it is one more step to hinder the employment of many "seasonal" employees. Upon surveying all of our employees all were confused at the definition of "Jurisprudence". All raised concerns over the increasing regulations brought forward. An employed Assistant Guides who is also a Sergeant with Idaho Game and Fish said this wording "scares the crap out of me". All are questioning if it is worth continuing with a guide license or even an upgrade in license. The number one concern was too many regulations, followed by the loss of privileges and hunting rights for personal use, and Fees are simply too expensive.

This board has continued to take action that makes entry into this occupation a challenge. With the China Covid virus affecting all guides and outfitters this year I still received 17 emails of outfitters looking for assistant guides. This is another step to place further restrictions and punishment on license holders now and into the future. We need to call for de-regulating to be able to put people back to work and allow for a healthy industry. Crippling paperwork and investigation has continued to raise guide fees for less services to our industry. You are regulating operations out of service.

Following is the information I found in trying to define Jurisprudence:

MY GOOGLE SEARCH

Jurisprudence

The word *jurisprudence* derives from the Latin term *juris prudentia*, which means "the study, knowledge, or science of law." In the United States jurisprudence commonly means the philosophy of law. Legal philosophy has many aspects, but four of them are the most common:

1. The first and the most prevalent form of jurisprudence seeks to analyze, explain, classify, and criticize entire bodies of law. Law school textbooks and legal encyclopedias represent this type of scholarship.
2. The second type of jurisprudence compares and contrasts law with other fields of knowledge such as literature, economics, religion, and the social sciences.
3. The third type of jurisprudence seeks to reveal the historical, moral, and cultural basis of a particular legal concept.
4. The fourth body of jurisprudence focuses on finding the answer to such abstract questions as "What is law?" and "How do judges (properly) decide cases?"

Jurisprudence or **legal theory** is the theoretical study of **law**. Scholars of jurisprudence seek to explain the nature of law in its most general form and provide a deeper understanding of **legal reasoning**, **legal systems**, **legal institutions**, and the role of law in society.^[1]

Modern jurisprudence began in the 18th century and was focused on the first principles of **natural law**, **civil law**, and the **law of nations**.^[2] General jurisprudence can be divided into categories both by the type of question scholars seek to answer and by the theories of jurisprudence, or schools of thought, regarding how those questions are best answered. Contemporary philosophy of law, which deals with general jurisprudence, addresses problems internal to law and legal systems and problems of law as a social institution that relates to the larger political and social context in which it exists.^[3]

This article addresses three distinct branches of thought in general jurisprudence. Ancient **natural law** is the idea that there are rational objective limits to the power of legislative rulers. The foundations of law are accessible through reason, and it is from these laws of nature that human laws gain whatever force they have.^[3] **Analytic jurisprudence** (Clarificatory jurisprudence) rejects natural law's fusing of what law is and what it ought to be. It espouses the use of a neutral point of view and descriptive language when referring to aspects of legal systems.^[4] It encompasses such theories of jurisprudence as "legal positivism", which holds that there is no necessary connection between law and morality and that the force of law comes from basic social facts;^[5] and "legal realism", which argues that the real-world practice of law determines what law is, the law having the force that it does because of what legislators, lawyers, and judges do with it. **Normative jurisprudence** is concerned with "evaluative" theories of law. It deals with what the goal or purpose of law is, or what moral or political theories provide a foundation for the law. It not only addresses the question "What is law?", but also tries to determine what the proper function of law should be, or what sorts of acts should be subject to legal sanctions, and what sorts of punishment should be permitted.

12ACC 75.150 Professional public involvement (Continuing Education)

The call for comment on this "**New**" section is vague and nondescript as to the action of the board. How can we as license holders provided detailed and informative comments on a regulation to be defined later? How can we define "potential cost to private persons complying with proposed change" with a nondescript action?

As an operation in the southern part of the State the BGCSB holds no meetings in our region but you seek "public Involvement". This board is not involved with the countless Professional Public meetings held in our region with guides and the local land managers of the Tongass National

Forest. This blanket proposal places a financial and burdensome regulation on licensee holders. If the intent is to have Licensees to attend BGCSB meetings and act as testing Proctors I feel this is an over-reach. In discussion with other Outfitter/Guides indicated this call for "Professional Public Involvement" is the Boards attempt to get *proctors* for registered guide testing. Maybe this board should look at the way testing takes place and the effectiveness of the process. Relying on volunteers or forcing participation in regulation is not an effective solution. A few questions come to mind:

What will a continuing education regulation do to improve our industry?

Will we receive credit for continuing education for holding a USCG license or a pilot license? Every employed guide I hire has to have an captains OUPV license. Which shrinks the pool of available license holders.

The letter I received to comment on these actions is the first letter I have received from this board in a long time. When a change in regulation does take place we have not been notified.

I ask that this proposal not move forward due to the lack of information provided to the public.

Sincerely,

Zach Decker

Gustavus AK 99826

Maiquis, Jun C (CED)

From: Leif Wilson <leifwilson@yahoo.com>
Sent: Monday, September 7, 2020 9:26 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Transporter reports

Your proposed regulation is in direct conflict with the statute that it quotes. Requiring a report be filed within 75 days is requiring more than an annual report. Please quit trying to circumvent the law. You are supposed to be setting a good example. If you think it is a major problem start working to get the statute changed. That would be the appropriate thing to do.

Leif Wilson
Director of Operations
40-Mile Air transporter license #6

Sent from my iPad

Maiquis, Jun C (CED)

From: George Siavelis <georgesiavelis@yahoo.com>
Sent: Wednesday, September 9, 2020 10:38 AM
To: Regulations and Public Comment (CED sponsored)
Subject: Re: Notice of Proposed Regulations (Big Game Commercial Services Board - 12 AAC 75.120 - .400)

To Alaska Big Game Commercial Services Board,

I would like to submit these comments to the big game commercial services board proposed regulation changes.

Proposal 12 AAC 75.150. Public Involvement for Guides.

I believe the proposal to require master and register guides renewing your license to meet telephonically with a wildlife officer or biologist concerning their area is completely reasonable and probably a great idea.

I believe requiring nonresident and resident guys who do not live in Anchorage or Fairbanks but who live hundreds and hundreds of miles away in the Alaskan Bush to physically attend a game board meeting or commercial services board meeting in which there may not be Any proposals or issues concerning their area would be placing an undue and unwarranted burden on these particular guides. If the requirement was to attend a board meeting or a meeting with the wildlife professional of his or her area, that would be much more reasonable and pertinent to that Guides area. I am a nonresident master guide # 150 at this time. I lived in Alaska year round for many many years. I lived in the bush most of those years. When I lived in Alaska , I served on advisory committees , the western Kuskokwim Moose Management Team, the Alaska Professional Hunter's Assoc. board of directors, and the western interior federal subsistence advisory Council.

I have volunteered much of my time back to my industry. I participated in many sub-committee meetings after hours. These new proposals would give no recognition to past service, involvement, and knowledge!! I now live outside of Alaska for other reasons reasons of which I have no choice. Requiring me to fly to Alaska and stay in a hotel for a week and rent a car, and eat in restaurants and attend a board meeting that again , may not have any proposals or issues concerning my area , places an unfair and undo hardship on me but it does make it extremely easy for an Anchorage or Fairbanks guide to comply.

There should at least be a telephonic option on the game meeting part of the proposal also.
thank you for this opportunity.

george

George Siavelis Master Guide LLC
www.AlaskaHuntingGuide.com
Ph- 575-538-1038

On Aug 13, 2020, at 2:52 PM, Regulations and Public Comment (CED sponsored)
<regulationsandpubliccomment@alaska.gov> wrote:

Dear Licensee,

The Alaska Big Game Commercial Services Board proposes to update regulations relating to guide use area registration, transporter activity report, initial application requirements for class-A assistant guide, assistant guide, and transporter; and add professional public involvement requirements for license holders.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,
Alaska Big Game Commercial Services Board

<BGCSB-Notice-0820.pdf>

Maiquis, Jun C (CED)

From: Weber, Natalie E (DFG)
Sent: Tuesday, September 15, 2020 4:17 PM
To: Regulations and Public Comment (CED sponsored)
Cc: Scott, Ryan (DFG); Hoffard, Renee (CED); Kavalok, Tony (DFG); Maiquis, Jun C (CED)
Subject: Comments on proposed changes to BGCSB 12 AA 75.150
Attachments: BGCSB comments Sept 2020.pdf

Good afternoon,

Thank you for the opportunity to comment on proposed regulatory changes. Please find attached comments from the Division of Wildlife Conservation, Department of Fish and Game regarding proposed regulatory changes to 12 AAC 75.150. Please confirm these have been received, and do not hesitate to contact us if you have questions.

Thank you

Natalie Weber
Regulations Program Coordinator
Division of Wildlife Conservation
Alaska Department of Fish and Game
907-861-2107



THE STATE
of **ALASKA**

GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game

DIVISION OF WILDLIFE CONSERVATION
Headquarters Office

1255 West 8th Street
P.O. Box 115526
Juneau, Alaska 99811-5526
Main: 907.465.4190
Fax: 907.465.6142

September 15, 2020

Ms. Jun Maiquis
Regulations Specialist
Division of Corporations, Business and Professional Licensing
PO Box 110806
Juneau, AK 99811-0806

Dear Ms. Maiquis:

Thank you for the opportunity to comment on proposed regulatory changes to 12 AAC 75.150. The proposal would require licensees to provide proof via a signed document of contact with a few persons or organizations, including Department of Fish and Game biologists. The Division of Wildlife Conservation (DWC) recognizes and commends the Big Game Commercial Services Board's (BGCSB) desire for more professional public involvement from their current and future licensees, and recommends the BGCSB amend the proposed language to remove the burden and potential conflict of interest from DWC staff. One way to accomplish this would be to remove (c) and the portion of (d) that states "and either signed by the Alaska wildlife trooper or Department of Fish and Game biologist listed in (c) of this section or in a letter on department's letterhead if meeting was conducted telephonically."

Currently DWC biologists interact with licensees regularly and requiring DWC biologists to "sign off" on a licensee's requirement to conduct activities would change the professional relationship between licensees and biologists. Maintaining the separation between biological information and regulatory responsibilities promotes open and efficient dialogue between DWC staff, licensees, and the board. In addition, biologists are frequently in the field and may not be readily available to licensees, which could prevent a licensee from obtaining their license in a timely manner. DWC respectfully recommends the BGCSB further explore ways to accomplish the goal that does not specifically include action by DWC biologists.

Thank you again for the opportunity to comment. Please contact me by email at ryan.scott@alaska.gov or by phone at (907) 465-4191 if you have any questions and if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Scott".

Ryan Scott
Assistant Director

Maiquis, Jun C (CED)

From: Walt Linscott <linscotw@bellsouth.net>
Sent: Wednesday, September 16, 2020 6:55 AM
To: Regulations and Public Comment (CED sponsored)
Subject: Comments to Big Game Commercial Services Board Notice of proposed rule

Comments to Notice of Proposed Changes in the Regulations of the Alaska Big Game Commercial Services Board

The following comments are provided by a private citizen eligible for licensure under the regulations promulgated by the Alaska Big Game Commercial Services Board and on behalf of a currently registered guide in the state of Alaska.

1. The proposed regulatory action was initiated and public comment solicited during the prime hunting and guide season in the state of Alaska. Given the current restrictions and limitations experienced by the big game hunting industry as a result of the COVID-19 pandemic, the remote locations to which many affected persons work and the difficulty in developing and transmitting complete and thorough responses as a result, the comment period is poorly timed and does not provide a reasonable opportunity for full and fair comment. The purpose of any administrative procedure is to allow affected persons to provide feedback and comments to notices of proposed rulemaking and the timing of this notice that seeks to impose sweeping additions to the requisites for licensure is not reasonably set to fulfill the requirements of the Alaska Administrative Procedures Act.
2. The implementation of a mandatory 5 day period of attendance and “participation” in certain meetings is vague and imposes no discernible benefit to the technical qualifications of a guide, assistant guide, registered guide-outfitter or transporter. The proposed rule seeks to compel attendance at forums that are by design intended to be open and voluntary giving any party who may be affected or who desires to be heard the freedom to choose what or what not to attend. Forcing participation as a checklist item to maintain a license does not engender free and open debate or participation and will impose an additional and unnecessary burden of time and expense on the industry without any identifiable benefit. Forced participation as defined in this notice of proposed rule is tantamount to imposing a community service requirement on the industry and conscripting individuals into participating in events without compensation as a means to maintain their ability to engage in the profession. There is no discernible benefit to forcing participation in otherwise public forums and the requirement that a regulated segment participate in activities that are otherwise covered by the Alaska Administrative Procedures Act is tantamount to imposing an obligation to comment on part of the public - this is an impermissible act on the part of the BGCSB and beyond their authority. In addition, the notice provides no definition of what constitutes “participation” and this vague provision creates impermissible overbreadth and leaves the regulated to guess at what, if anything must be done beyond simple attendance. This alone renders the regulation vague and overbroad such that any enforcement of this provision would be suspect, open to widely varying interpretation and likely rendered arbitrary and capricious.
3. The “Professional Agency Coordination Requirement” seeks to impose an unreasonable burden on the regulated profession to seek out and confer with enforcement personnel. None of this is reasonably related to the actions of lawful guide operations, which all are presumed to engage in as a condition to licensure in the first instance. The laws and regulations pertaining to any operation are a matter of public knowledge and all individuals are by law presumed to have knowledge of them. There is no discernible benefit to requiring a discussion with law enforcement about their “enforcement” activities and burdening law enforcement and the profession with additional paperwork serves no legitimate purpose. It will direct resources away from actual enforcement activities and is therefore unreasonable. The imposition of a requirement to “confer” with a biologist about “biological information” is also burdensome creating additional and unnecessary administrative burden. The dissemination of any science-based information should be subject to rigorous scientific standards and processes and disseminated in an open and public fashion for all to review. Imposing a requirement that industry have one off discussions of such a vague and overbroad criteria as “biological information” does not advance the basic tenet of science and serves only to create the possibility for disparate and inconsistent dissemination of information that is not subjected to the appropriate rigor and scientific testing. There are ample resources already in place to ensure that information is presented regarding wildlife biology and this newly proposed requirement does not provide a consistent method of advancing that information.

Maiquis, Jun C (CED)

From: Frenzel, Aaron G (DPS)
Sent: Wednesday, September 16, 2020 1:12 PM
To: Maiquis, Jun C (CED)
Subject: AWT Comments
Attachments: AWT - BGCSB Regulation Comment 9-20.pdf

Mr. Maiquis, attached is AWT's comments for the proposed regulatory changes in front of the BGCSB. Thank You -Aaron

Captain Aaron Frenzel
Southern Detachment
Alaska Wildlife Troopers
5700 East Tudor Road
Anchorage, Alaska 99507
907-334-2501



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS
Office of the Director

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907.269.5509
Fax: 907.269.5616

September 16, 2020

Chairman Tiffany
PO Box 110806
Juneau, AK 99811

Dear Chairman Tiffany:

Enforcement is a crucial element needed to ensure long-term compliance with regulations within the big game commercial services industry and for the protection of Alaska's resources. As you and the board are aware of, the state is too large for the number of Troopers we currently have. To reiterate what I have stated to this board several times in the past, we rely heavily on the relationships built with guides, transporters and all users across Alaska. The proposed change of 12 AAC 75.150, specifically subsection (c) and (d), has written into it a requirement to build this relationship that we all would hope could prosper outside of regulatory requirements.

Though this regulation is not enforceable by Troopers it does create a potential conflict and could leave Troopers questioning if a meeting with a licensee meets the intent of the board. Does simply calling and advising Troopers of a potential violation suffice for a meeting? How in depth of a discussion regarding enforcement must occur to meet this requirement? As the proposed change is written, it leaves a bit of subjectivity to what satisfies the requirement of subsection (c) and that alone can cause conflict between a licensee believing they met the requirement and a Trooper claiming it did not to their satisfaction.

Additionally, under (d) of the proposed change it requires documentation of this meeting on a form provided by the Department of Commerce, Community and Economic Development or in the case of a telephone call on a Department of Public Safety letterhead. For in person meetings the licensee should bring the DCCED provided form with them and ask a Trooper to sign afterwards. What could become more burdensome is requesting Troopers to document a telephonic meeting on a DPS letterhead to every licensee that contacts them. Though this extra work appears inconsiderable regarding time and effort it takes, Troopers already are stretched thin and have a large amount of administrative duties they must complete daily just to get into the field. I am concerned if it is time sensitive for a licensee to meet this requirement and a Trooper is not available to immediately draft this letter that it could create additional unneeded conflict and pressure.

Thank you for your time,

Aaron Frenzel

Captain Aaron Frenzel
Alaska Wildlife Troopers

Maiquis, Jun C (CED)

From: Scott Langley <scottlangley@petrolandservices.com>
Sent: Wednesday, September 16, 2020 1:46 PM
To: Regulations and Public Comment (CED sponsored)
Subject: 12 AAC 75.230

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, Scott Langley, oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

Scott Langley

Maiquis, Jun C (CED)

From: Sally Endestad <sendestad@gmail.com>
Sent: Wednesday, September 16, 2020 2:37 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Fwd: Guide Use letter

Jun Maiquis
Regulations Specialist
Division of Corporations
Business and Professional Licensing

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, Audun Endestad, oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, I am only allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require me to register for this area for a third year when I'm not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of my guide use areas in 2023 and would severely impact the needs of my clients. Please consider maintaining a yearly registration for this guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

Audun Endestad
Registered Guide
907-987-8180

Maiquis, Jun C (CED)

From: Corbin Ladner <corbin@corbinladnerhomes.com>
Sent: Wednesday, September 16, 2020 3:13 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Letter to Game Board

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230.
Guide use area registration.

I, Corbin Ladner, oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

Corbin Ladner



Corbin Ladner Custom Homes, LLC
Ladner Investment Properties, LLC
www.CorbinLadnerHomes.com

phone: 225-806-5539
fax: 225-313-4060



Maiquis, Jun C (CED)

From: kyler kendall <kyler@kendalllawscapes.com>
Sent: Wednesday, September 16, 2020 3:14 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Fwd: Letter to Game Board

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, (your name) oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

Your name & contact info

Maiquis, Jun C (CED)

From: Kody Kendall <kody.kendall86@gmail.com>
Sent: Wednesday, September 16, 2020 3:32 PM
To: Regulations and Public Comment (CED sponsored)

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, Kody Kendall oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

KODY KENDALL

Maiquis, Jun C (CED)

From: otis love <otislove@gmail.com>
Sent: Wednesday, September 16, 2020 3:49 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Fwd: Letter to Game Board

Sent from my iPhone

Begin forwarded message:

Subject: Re: Letter to Game Board

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, Jared Love oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider

**maintaining a yearly registration for the guide use
area unit 9.**

Thank you for your consideration in this matter.

Jared Love. 1(801)940-0472

3176 N. Morgan valley Drive Morgan. Ut84050

Maiquis, Jun C (CED)

From: Elliot Wilson <ellito@gmail.com>
Sent: Wednesday, September 16, 2020 3:55 PM
To: Regulations and Public Comment (CED sponsored)
Subject: 12 AAC 75.230 Changes

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, Elliot Wilson oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

Elliot Wilson PE

Maiquis, Jun C (CED)

From: Alexis Will <alexispwill@yahoo.com>
Sent: Wednesday, September 16, 2020 3:56 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Proposed changes to 2 AAC 75.230.

Jun Maiquis,

I'm writing in regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230 guide use area registration.

I, Alexis Will, oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Sincerely,

Alexis Will
Fairbanks, AK

Maiquis, Jun C (CED)

From: Troy Solomon <troysolomon54@gmail.com>
Sent: Wednesday, September 16, 2020 3:58 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Guide use areas

To Jun Maiquis,

In regards to the notice of proposed changes in the regulations of the Alaska Big Game Commercial Services Board, specifically 12 AAC 75.230. Guide use area registration.

I, Troy Solomon oppose the requirement of a minimum of three years in a guide use area at the time of registration in game management unit 9 for the spring 2021 brown bear season. In the past, the hunt regulations have allowed guiding in unit 9 every other year. According to the new regulations adopted this spring, guides will only be allowed two years to guide in this area; Spring 2021, Fall 2021; and Spring 2022. This regulation would require guides to register for this area for a third year when they're not allowed to guide in it that year (Spring 2023). Requiring a three-year registration eliminates 33% of the guide use areas that my guide, Audun Endestad would have for use in 2023. This would severely impact the areas to select to ensure a successful hunt. Please consider maintaining a yearly registration for the guide use area unit 9.

Thank you for your consideration in this matter.

Troy Solomon

8016287555

Email.

troysolomon54@gmail.com