

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

**BIG GAME COMMERCIAL SERVICES BOARD**

**MINUTES OF MEETING  
December 5-8, 2016**

By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was held December 5-8, 2016.

**Monday, December 5, 2016**

**AGENDA ITEM A            CALL TO ORDER/ROLL CALL                            9:02 am**

The meeting was called to order by Kelly Vrem, Chair, at 9:03 a.m.

**Board members present:**

Kelly Vrem, Master Guide-Outfitter, Chair  
Karen Polley, Public Member  
David Brown, Board of Game Representative  
Michele Metz, Large Private Landowner  
David Jones, Transporter  
Tom Atkins, Transporter  
Henry D. Tiffany IV, Master Guide-Outfitter

**Board and Division staff present:**

Laura Carrillo, Records & Licensing Supervisor  
Janey Hovenden, Division Director  
Sara Chambers, Division Operations Manager  
Martha Hewlett, Administrative Officer  
Lee Strout, Investigator  
Amber Whaley, Investigator  
Harriet Dinigar Milks, Assistant Attorney General

**State and Federal members present:**

Tony Kavalok, Department of Fish and Game  
Lt. Paul Fussey, Fish & Wildlife Troopers  
Nikki Potter, Department of Natural Resources  
Tisha Valentine, Department of Natural Resources  
Cliff Larson, Department of Natural Resources

Howard Martin, Federal Aviation Administration  
Hon. Andrew Lebo, Administrative Judge  
David Griffin, Alaska Mental Health Trust

**Visitors present:**

Wayne Kubat, GUIM147  
Doug Malone, GUIR1276  
Sam Rohrer, GUIM204  
Richard Rohrer, GUIM69  
Joseph Schuster, GUIR912  
Dan Montgomery, GUIM173  
John Stacey, GUIR1194  
Mark Enyeart, GUIR1335  
James Kedrowski, GUIM186  
Lyle Becker, GUIR1276  
Richard Guthrie, GUIM94  
Cabot Pitts, GUIR1299  
Mark Richards, Residential Hunters of Alaska (RHAK)  
Craig Hill, GUIR1348 (*via telephone*)  
Douglas Malone

**AGENDA ITEM A                  REVIEW AGENDA    9:07 am**

**On a motion duly made by Karen Polley, seconded by Henry Tiffany, and approved unanimously, it was:**

RESOLVE to approve the agenda.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

**AGENDA ITEM A                  INVESTIGATIVE REPORT    9:06 am**

*Craig Hill entered the room at 9:39 a.m.  
Craig Hill left the room at 9:49 a.m.*

**On a motion duly made by Karen Polley, seconded by James David Jones, and approved unanimously, it was:**

RESOLVED to enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and matters which by law, municipal charter, or ordinance are required to be confidential and for the purpose of discussing confidential disciplinary matters for the purpose of discussing investigations and reports.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

Enter Executive Session at 9:16 a.m.

Out of executive session at 9:51 a.m.

Karen Polley stated that for the record, Craig Hill participated in a discussion with the Board, which makes him compliant with his probation.

**AGENDA ITEM A                      PROBATION REPORT    9:51 am**

Investigator, Amber Whaley presented the Board’s probation report, which included 40 cases. Investigator Whaley made salient the special notes of the probation report, one of which involved Scott McRae, who asked the Board to consider the leniency in paying his fine due to incurring finances from a significant injury. Investigator, Lee Strout commented that conditions as described in a consent agreement are explained clearly to the guide clearly, and reiterated that if guides do not renew their license on time, it adds time to their probationary period—this may be made clear in a consent agreement for an individual’s probation conditions. It was acknowledged that the renewal timeline is unique in the timing of going out in the field, as most guides are not practicing until April. Investigator advised and encouraged guides to renew well before December 31<sup>st</sup>. The Board considered Mr. McRae’s letter as well as several consent agreements presented by Investigators, Amber Whaley and Lee Strout.

**On a motion duly made by Karen Polley, seconded by Henry Tiffany, and approved unanimously, it was:**

RESOLVED to adopt the consent agreement for case number 2016-000524.

Discussion: Karen Polley stated that the Board's adoption of the consent agreement resolves the issue in an effective and efficient manner, to which Henry Tiffany agreed, adding that eventually, the Board should disseminate this type of information to the public so that others can learn from their mistakes.

**On a motion duly made by Karen Polley, seconded by Michelle Metz, and approved unanimously, it was:**

RESOLVED to adopt the consent agreements in 2016-002137 and 2016-000655.

Discussion: James Atkins commented that he did not agree with the consent agreement and was unhappy with the outcome. David Jones commented that that the individual under this case received a good deal, adding that it uses the efficiency of the Investigative and criminal arm in resolving a matter. Mr. Jones further added that he is in agreement with the idea of the district attorney working with the Board to find resolve.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

Chairman, Kelly Vrem commented that there often is push-back from licensees, but that when our personnel are at the judicial proceedings alongside licensed guides, it helps so as to not blindsides guides as to what will be occurring. Chairman Vrem added that when guides are informed off the bat as to what the Board is expecting, there shouldn't be a need to lawyer up, and that it's fair to the guide as it saves time and effort.

Henry Tiffany expressed that, for the public's knowledge, he has heard guides stating they've been fined by the state and then fined by the Board, conceptualizing that the fines are duplicate violations. Mr. Tiffany stated for the public that when a criminal violation is found, it is a violation against the person, whereas when the Board finds a violation against a license, it is not against the person, but on their license, or in other words are separate violations. Mr. Tiffany further clarified for the public that guides

are not being double fined and encouraged the public to reiterate this clarification to others, possibly to the extent of promulgating this information on social media.

Kelly Vrem moved to table the surrender report.

## **AGENDA ITEM B STATE & FEDERAL AGENCY REPORTS 10:10 am**

### *Federal Aviation Administration Update:*

Howard Martin, from the Federal Aviation Administration (FAA) presented a report on Federal Aviation Regulations (FAR), stating that there was a hunting lodge accident that prompted the administration to evaluate the current regulations and consider developing a rule, but that there has been an indefinite hold placed on such consideration due to limited economic or monetary viability. Mr. Martin added that there is some change in FAA's focus, which is to implement more active surveillance for air service compliance. Mr. Martin additionally asserted that providing air service without certificate is a criminal offense, and emphasized that the same statutes that prohibit this also make doing so a criminal violation for guides who are using certificates to provide air service. It was clarified that guides need to obtain a 135 air certificate. Putting this into perspective, Chairman Vrem stated that if you hired a guide to fly your plane, it would not be a criminal violation; however, if you were to hire an assistant guide to fly his own plane, it would be a violation of FAR.

Tom Atkins asked Mr. Martin if he had a hand-out with these guidelines, to which Mr. Martin stated he did not have them at the moment but could provide them to the Board. Kelly Vrem stated this would be helpful in doing some outreach.

### **TASK:**

Ms. Carrillo will request a copy of the FAA guidelines from Kelly Vrem to place on file for the Division.

Kelly Vrem asked Mr. Martin if there was any way to separate hunting lodges from fishing lodges, to which Mr. Martin stated that there is a distinction, but that the confusion presents a safety issue. Mr. Martin commented that it would likely require a legislative change. Henry Tiffany inquired to Mr. Martin if all an assistant guide could legally do is fly themselves and their clients, to which Mr. Martin confirmed. Mr. Martin also added that assistant guides could fly provisions to the clients but that there is a gray area in regards to repeatedly having a master guide ask an assistant guide to pick up clients versus whether a master guide doing so is an isolated incident or incidental exception under AS 08.54.790(12)(B). Tom Atkins asked if there's a way to tell whether a pilot has a 135 certificate, to which Mr. Martin said no, adding that if it is suspected that a pilot doesn't have a 135 certificate, the FAA can conduct an inspection. Mr. Tiffany then inquired what the FAA would attribute the increase in safety records to, which Mr. Martin stated is in part because of insurance policies, but that other factors such as inspections and safety programs to increase knowledge.

Wildlife Troopers Update:

Lt. Paul L. Fussey with the Wildlife Troopers, presented his report, adding that the mission of troopers are to protect fish and wildlife resources in the state, and to provide troopers in urban and rural areas. Lt. Fussey informed the Board and the public that several assets had been sold to compensate for budget and dwindling operations, including the elimination of 12 commission and civilian positions. The elimination of positions are actions included in attempts to adhere to requirements of reducing the budget by 2-3% in the next fiscal year. He also added that the wildlife investigative unit is down to 4 investigators and one sergeant for the whole state, which is about a 12% reduction in the last two years. Lt. Fussey then discussed the imminent changes in the trooper composition; there are only 68 wildlife troopers patrolling the state, not counting 5 new recruits, and 1 wildlife trooper for every 498 miles of coastline, as well as a 23% reduction in aircraft hours from 2010 to 2014. In regards to violations, Lt. Fussey stated that there were multiple violations under AS 08.74.720, main statute for unlawful acts; most were determined to be non-criminal. Lt. Fussey commended the reporting of potential or suspected violations, stating that the majority of such were self-reported. It was also added that he often personally received phone calls and/or texts just minutes after incidents, which is a positive reflection of the industry's attentiveness to potential violations. It was added that some guides are not sure which statutes are promulgated and enforced by the Board and which ones are enforced by the troopers, which he clarified for the public and the profession:

<b>BOARD</b>	<b>WILDLIFE TROOPERS</b>
12 AAC 75.340 – Ethics ( <i>Regulation</i> )	AS 08.54.720 – Unlawful Acts ( <i>Statute</i> )

Lt. Fussey reiterated that by working together, wildlife troopers, the Board and the industry can attentively and immediately address potential violations.

James David Jones expressed gratitude in timely self-reporting within the industry. The Board and Lt. Fussey continued to discuss wildlife troopers' involvement with the profession, during which time it was mentioned that troopers were previously under the umbrella of the Department of Fish and Game prior to moving under the Department of Public Safety in 1972. Mr. Fussey stated he encourages all complaints to be made salient to him as he documents all complaints, regardless of whether it involves ethics (12 AAC 75.340). Mr. Fussey stated he will work with Investigator Strout to route and investigate complaints appropriately.

Chairman Vrem asked if a guide who wants to request hunt records has to request them through the troopers, to which Lt. Fussey said the requests could be routed to Investigator, Lee Strout as the distribution of records are only available to state agencies, federal law enforcement agencies and other law enforcement agencies per AS 08.74.760. Per (b), hunt records and activity reports are confidential and are not subject to inspection or copying under AS 40.25.110 – AS 40.25.125. Lt. Fussey stated

that the reason troopers ask for hunt a record is because there may be an investigation or ongoing complaint.

Chairman Vrem called for break at 10:51 a.m.

Chairman Vrem called the meeting back to order at 11:02 a.m.

*Department of Fish and Game Update:*

Tony Kavalok, from the Department of Fish and Game stated that the Dept. was experiencing staff changes, including new regional supervisors: Howard Golden is the new regional supervisor of region 2; in region 5; Tony Gorn is the new regional supervisor. Mr. Kavalok also described the hiring restrictions under the state's limited budget, stating that there has been added challenges in filling the hunter education program positions filled, which is a core position of the Dept. Mr. Kavalok also commented on trailhead improvements, parking lots, and airspace improvement to add for more access for resident hunters, as well as planning program improvements for different species. Mr. Kavalok then added that the HB 137 license fee increase bill passed and takes effect January 1<sup>st</sup>, 2017, commenting that what's happening in conjunction with this is that there are changes to the draw permit application permit; right now you can apply for six choices. Karen Polley inquired to Mr. Kavalok whether increased revenue from HB137 will be designated to certain expenditures, to which Mr. Kavalok stated that there were some specific requirements to allocate monies for intensive management, access development, and to expand hunter and harvest opportunities. Mr. Kavalok also brought to the Board's attention the agreement between the Department of Interior and the Ahtna Corporation applying to federal lands, stating that Ahtna has agreed to provide for corporate members, which doesn't necessarily mean they will provide for rural residents. Mr. Kavalok also discussed the sheep work group, the International Thinhorn Sheep Summit (happening in Anchorage in April, 2017), legal sheep evaluation, DFG rulemaking on predator control, as well Pittman-Robertson funds.

Mr. Atkins inquired about predator control classes, asking if the public would have an opportunity to participate, to which Mr. Kavalov stated he wasn't aware of current programs that the public could be involved in.

*Alaska Mental Health Trust/Guide Use on Trust Land:*

David Griffin, Land Office Manager for the Southeast Region of the Alaska Mental Health Trust distributed a handout pertaining to the background of the agency. Mr. Griffin informed the Board that the Trust had been made salient of unauthorized guiding on trust land. Mr. Griffith stated that land status can be difficult to define, especially in Alaska where some land is owned by the public, private, and native corporation land, or whether it is park land or BLM. On the state level, there are Fish and Game refuges, university land, railroad land, and trust land. Mr. Griffin also acknowledged that it can be difficult to articulate who the Trust is and how they fit into the overall landscape. Mr. Griffin explained that there was a million acres of land in Alaska given to the Trust to generate revenue to for mental health programs. One

of the Trust's goals are to clean, maintain, and resolve trespassing issues and monitor unauthorized land use and compliance. Mr. Griffin stated that public recreation activity on trust land must be day use only, non-commercial and non-motorized that must be adhere to state, federal and local laws. It was added that the Trust is not tied to the state's budget because of self-generating of revenue. Mr. Griffin then stated that the Trust requires written authorization to use land and would charge \$3,500 for a five-year permit.

Mr. Griffin informed the Board and the public that at least two incidences of unauthorized guiding on Icy Cape, which is south of Cordova and north of Yakutat, is known for its heavy mineral exploration, rich in moose and bear, and is challenging and expensive to access. Mr. Griffin stated that the cape is about 50,000 acres, that its airstrip is private and not available for general use. The Trust received a report in October that there was a guide operating in the area, which led to troopers being contacted, who in turn contacted the Trust. Mr. Griffin mentioned that this particular investigation was dropped, which may have been the result of the kind of map the person was looking at and the interpretation of whether it was a state or trust land. Mr. Griffin ultimately wanted to clarify on the record that guiding on trust land requires a written authorization, after which the guide must follow the permitting process in order to gain legal access. Mr. Griffin stated that subsequent violations would be pursued with the fullest extent of the law. Mr. Griffin then clarified that Icy Cape specifically is closed to general use. Mr. Griffin asked the Board if it was legal to drop clients off each day, citing an incident of a guide flying back and forth from Cape Yakataga to Big River, where his clients were placed in a spike camp. Chairman Vrem stated that it was okay.

Mr. Griffin acknowledged that he believes guides genuinely want to follow policies and adhere to their guide use areas, but wanted to provide some guidance from a Trust land area perspective. Mr. Tiffany stated it would be very helpful if the profession just had one map with DNR to refer to, acknowledging that land ownership isn't static, and that it can be difficult to keep track of maps reflecting differences in ownership. Mr. Tiffany asked who the beneficiaries of the trust are, to which Mr. Griffin responded are often people who are experiencing behavioral or mental health issues.

Mr. Griffin asked the Board if there was a sample test available to the public, to which Chairman Vrem stated there was not. Michele Metz asked if the the land map is posted online, to which Mr. Griffin stated it is. Ms. Metz added that Sealaska is required to post maps to the Sealaska website with citations of authorizing statutes. David Brown inquired about trapping permits, to which Mr. Griffin responded that permits are not issued by the Trust for this.

Chairman Vrem suggested to Mr. Griffin to contact part 135 authorities to disseminate this information. Mr. Griffin asked the Board that, if you are a lodge and



you bring clients in for deer hunting, not guiding them, just outfitting and providing transportation, whether there is a requirement for the lodge owner to provide authorization for transportation. Chairman Vrem stated that it is a requirement that the air taxi transporter understand the distinction of private or public land.

Mr. Griffin acknowledged that the Trust is still a nascent organization and that there are many aspects of land ownership to learn.

*Department of Natural Resources Update:*

Cliff Larson from the Department of Natural Resource's South Central Land Office introduced himself as well as Nikki Potter, also with DNR. Mr. Larson reiterated Lt. Fussey's earlier comments that their office is struggling with scarce monetary resources. Mr. Larson noted the ubiquitous hiring freeze and has been awaiting hiring authorization from the Governor's office for various position. Mr. Larson also reiterated the difficulty in delineating between different land ownership, but that the Department has been testing a new mapping interface, which will go live in December. Chairman Vrem stated that DNR regional land office has too much technical jargon on their website, stating that it makes it difficult to differentiate between the different ownership. Mr. Larson stated that there is a public information center that will assist customers in maneuvering around the system to research land status information. Mr. Larson encouraged the Board and the profession to call the Land Office to help assist with concerns regarding land area. Mr. Larson stated that the map is updated daily, and that the annotation system should help to differentiate between different areas. Mr. Larson stated that the office is looking how to become more efficient, which will be addressed in the new regulation packet. Mr. Larson then commented on the land status GPS device, which is helpful in navigating around private properties, but that it may or not be accurate. Mr. Larson also stated that their office works with the Division's investigative section to help resolve other land use area issues regarding permitted hunting guides, as well as eco-tourism and private property issues. Mr. Tiffany expressed that he is excited about the new mapping interface, and hopes it will be reasonably easy to access. Mr. Larson provided the link: [www.dnr.alaska.gov/mapper](http://www.dnr.alaska.gov/mapper), stating it is much faster than before and updates every night from all the data that is placed in the system.

Mr. Atkins commented that there was an instance in which the status changed while looking at a map. Mr. Tiffany added another perspective and similar concern; by August 10<sup>th</sup>, most guides are out in the field, such that if the map changes in the middle of the day, the guides would have no knowledge of when permit authorizations have changed. Mr. Tiffany expressed optimism that in such cases, the investigative arm and the Board would exercise some discretion or give leeway when abrupt changes occur. Mr. Griffin stated that if there was going to be a major change, such as a planning effort that could change a classification, permits would not be retracted, but that with ownership changes or if the land has been reclassified, there would be reasonable notice.



the Board's March 2017 meeting. Henry Tiffany commented to Director Hovenden that when the discussion with the Board and the public began on how to reduce the deficit, which was an inherited problem, the Board agreed to put in the necessary work to resolve the issue.

Mr. Tiffany was concerned that there were a number of Board members and the public that offered a lot of input as to what would solve the deficit problem, which Mr. Tiffany recalled was \$700, but that the state has cut that number in half. Mr. Tiffany stated that the State can be creative with their accounting procedures, though he is somewhat worried that the current proposed fee of \$300 may not be sufficient to get the program out of debt, and that he fears that by 2019, the Board will not meet their obligation of resolving the debt problem. Mr. Tiffany prompted staff's response to his concern of whether the Division's \$300 fee would be more sufficient relative to the Board's proposal of \$700. Chairman Vrem commented that the \$300 fee would not be sufficient. Director Hovenden assured the Board that there would be time to make adjustments if necessary. Vrem also commented that the Board has experienced several fee adjustments, that, when perceived from the public, appears as if the Board can't make up its mind as to what fees to charge. Vrem is concerned that there may be guides going to the legislature to complain about the Board not setting more consistent fees. Director Hovenden acknowledged this concern and stated that a letter had been sent out to all licensees with an explanation and rationale behind the proposed fee change. Vrem stated that unfortunately the Board is in this situation and reiterated Tiffany's earlier comment that the Board had inherited this problem. Karen Polly shared Vrem and Tiffany's sentiment towards inheriting the problem, but expressed optimism in making progress.

James David Jones inquired to Director Hovenden how previous \$50 per report fees compares to the \$300 annual fee. Division Operation's Manager, Sara Chambers stated that Laura Carrillo will have access to that information, and acknowledged that there will be some resistance to the new fee, even to the extent of some guides stating they would not pay the fee. Ms. Chambers added that she would be putting out a notice reminding them of their due date to pay the \$300 in March of every year, and that as the program approaches renewal, the Division will review outstanding payments and will notify those who have not paid that they will not be able to renew until said payment has been received by the Division.

Sara Chambers stated that there would be some reconciliation during the time of renewal to make sure that those who are renewing have paid the \$50 from the previous March. Vrem prompted clarification from Ms. Chambers as to whether those who have not paid would be allowed to be out in the field for a year and a half when payments have not yet been reconciled. Ms. Chambers stated that that would be the case unless the Board decided to take action on those who have not paid their report fees from the previous year.

Chairman Vrem then asked Director Hovenden what the extent of the surplus the

Division would be expecting by 2019, to which she stated it was too early to tell. Ms. Chambers added it may be a little over \$100,000. Chairman Vrem recalled that initially, he had requested \$100 per hunt record, but at the current level of debt recovery, he is concerned that the legislature would be unwilling to provide the Board with data collection programming, to which Ms. Chambers stated there are other factors that may play into it.

Ms. Chambers added that she has been working with McDowell group to gather information to support the need for a data collection program. Chairman Vrem was under the impression that the electronic data collection system would be easily accessible and that it was not going to be used solely as an investigative tool for troopers. Chairman Vrem expressed strong opposition as to how many transporters went hunting for x species; because of this, Vrem suggested scrapping this data collection. He was under the impression that it would serve as a useful tool for guides, and was not aware that it would be used solely for troopers. Ms. Chambers acknowledged Chairman Vrem's frustration with the data system and recalled that the Board had voted on a reduction of searchable fields on the website, stating that whomever participated in the discussion as to what would be searchable were provided with many opportunities to come to the decision that came to be. Ms. Chambers clarified that ultimately, it was a process decided upon by the Board's subcommittee and that the Division followed the recommendation and popular vote of the said subcommittee. Ms. Chambers stated that if the Board wanted to re-initiate the conversation as to what components would be searchable, the Division is welcome to hearing a reconsideration on the issue. Ms. Chambers then suggested that the Board make a motion to reconsider the subcommittee's previous motion.

Mr. Atkins inquired to Ms. Chambers whether other agencies have access to the database, to which Ms. Chambers stated that there are certain authorized users that can gain access to the forms, such as troopers and wildlife biologists. Ms. Chambers explained what an authorized user would be able to see. Mr. Tiffany and Mr. Atkins asked if those who access the database contribute at all to the cost of keeping it up and running, to which Ms. Chambers commented that they do contribute a minimal amount. At present, this is a very contentious topic. Chairman Vrem reiterated that there is no adequate database on which to retrieve specific transporter and guide data in regards to the frequency of certain activity.

Ms. Chambers then addressed Karen Polly's last meeting as her term is due to end in March of 2017. Ms. Chambers commented that Ms. Polly is not eligible for reappointment, but that there will be three seats available for appointment on March 1<sup>st</sup>, 2017. Ms. Chambers stated that Board's and Commission's Shalome Cederberg could be available to answer questions regarding available seats on the Board.

Ms. Chambers then addressed the retirement of the Board's long-running licensing examiner, Cindy Hansen who retired on December 1<sup>st</sup>, 2016. Ms. Chambers then introduced the new Records and Licensing Supervisor, Laura Carrillo.

*Regulation Proposals:*

12 AAC 75.400(b) - This proposal was put forth by Tom Atkins to add language to 12 AAC 75.400(b) that states that “no transporter activity report is required when a transporter is transporting clients for a registered guide or registered master guide.” According to Mr. Atkins, the proposal is likely to benefit the state because only the guide will provide the state with a copy of the hunt record, thus avoiding duplicate reporting and accounting. It is also likely to benefit the transporter by not having to file a duplicate Activity Report for the Guide’s client(s). If this proposal is not adopted, duplicate reporting and fees will be required for the same client who is actually the contracting guide’s client. Duplicate reporting will burden the occupational licensing staff.

Additionally, James David Jones proposes to add, “During portions of a hunt, a transporter is exempt from transporter activity report filing requirements when providing transportation services for a client to, from or in between sites operated by another transporter or registered guide who has contacted this same hunt with this same client.” Mr. Jones reiterated that it would eliminate double reporting and double registration, to which Chairman Vrem agreed. Mr. Atkins commented that he hopes this regulation change will go through. Chairman Vrem stated the Board would address this again before the end of the week, at which time they would entertain a motion.

New regulation by authority of enabling statute(s) AS 08.54.600(c) or AS 08.54.710: Demerit point-system – This proposal was put forth by Henry Tiffany IV, who initially introduced it to the Board approximately one year earlier. Mr. Tiffany proposes that a guide and transporter disciplinary point system be created and established, that is somewhat similar to the system used in the commercial fishing industry or with the Department of Motor Vehicles (DMV). Mr. Tiffany stated this would be a new regulation that would be supported by AS 08.54.600(c) and or AS 08.54.710, and described how it would work for the BGCSB: an example scenario would be if a guide forgot to register for one of his/her guide use areas, it would be a five-point deduction. If the guide did self-report and it was really an issue of “forgetting”, it would still be a five-point reduction. Mr. Tiffany suggested that it would benefit the Board in that it wouldn’t trigger a full-on investigation, and in addition, would benefit the licensee in knowing whether the the violation would result in the individual losing their license. Mr. Tiffany stated that although the concept hasn’t been narrowed down to a science, it would be an option worth considering. Mr. Tiffany solicited feedback from licensees as to whether this would be a viable option. Mr. Atkins inquired to Mr. Tiffany as to whether it would eliminate fines, to which Mr. Tiffany stated it would not. Mr. Tiffany stated that it could be applied only ethics violations that would be inclusive in the point system. Ms. Carrillo inquired to the Board how the Board could incentivize

reports to overcome any perceived fear in self-reporting. Mr. Tiffany stated that there should be less fear of self-reporting than if they were to try hiding it. The industry acknowledges that it's better to be embarrassed than it is to try hiding a violation. Chairman Vrem stated this would address what he refers to as "frequent fliers", or those who are constantly committing violations, however inadvertent.

Mr. Tiffany referred to the Commercial Fisheries Entry Commission that they will suspend a permit holder's commercial salmon fishing privileges for a period of one year if the permit holder accumulates 12 or more demerit points in a consecutive 36-month period. Karen Polley expressed some opposition, commenting that the Board may not have the personnel resources to maintain the system, should the Board decide to move forward with it. Ms. Polly reaffirmed that it is a good idea, but that the Board may not necessarily have the resources to allocate enough individuals to maintain the framework. James David Jones commented that it may be a complicated process to develop, but expressed it may be worth it if it came to fruition. Mr. Tiffany reiterated that its application may be best served when dealing with ethics violations. Mr. Atkins commented that his understanding is that ethics violations are rarely enforced unless the violation is egregious, adding that it would be a very important issue to address, as it reflects that the Board cares about the profession.

*Rolan Ruoss' Draft Proposal #1:*

James David Jones recalled Rolan's proposal #1 that was tabled in the past and not put on the agenda for this meeting period regarding exemptions on 135 certificates. Mr. Jones commented that air taxi operators who are also transporters may be under the impression that they are exempt from transporter requirements. After legal analysis, it was clarified that, regardless of whether someone had 135 credentials, once they became registered as a transporter, they are required to provide services. Mr. Tiffany commented that these transporters can advertise and charge for transporting services. Chair Vrem stated this speaks to 08.54.790(12)(B). Mr. Atkins stated that the Board should address this in some manner and would entertain further discussion at the Board's March 2017 meeting. Chairman Vrem restated the issue that the current database is insufficient in sequestering transporter and guide data, but that this could be readdressed during the subcommittee breakout. Mr. Jones stated that there has been an FAQ's document that has been vetted through the Department of Law, and that these FAQ's should be posted to the Board's websites and for letters to be distributed to involved industries.

Chairman Vrem called for break at 3:06 p.m.

Chairman Vrem called the meeting back to order at 3:12 p.m.

**AGENDA ITEM F            NON-REGULATION PUBLIC COMMENT    3:12 p.m.**

*Residential Hunters of Alaska Comment:*

Mark Richards, Executive Director of Residential Hunters of Alaska commented that he wanted to speak with the Board about concerns regarding the hunt record database. He first informed the Board and the public that proposal 51 passed last year, and that the RHA Board would consider it again in December. Mr. Richards also shared that he has been working with DFG to be able to tease out the next of kin information, particular Lynn Buttler, in why it is difficult to find out the number of guided clients. Mr. Richards reiterated earlier comments that the database is dysfunctional, but that he was informed by data management firm that it would cost \$1,000 to extract certain information in a day for the approximate 350 sheep hunters. Mr. Richards commented that he was unaware that the Board's subcommittee had voted to take the fields out. Mr. Richards inquired to the Board if something could be done to access the information and if the Board could allocate funds to ameliorate this issue. Chairman Vrem commented that this issue first came to light at the Moose Management Meeting.

*Alaska Professional Hunters Association Comment:*

Thor Stacey with the APHA introduced himself to the and public, stating he was tasked with the lobbying for the BGCSB last year and is happy to report on how the Board's sunset review went. Mr. Stacey commented from the industry's perspective, suggesting that the Board take a very active role in discussing issues with the Commissioner's office to resolve issues and for the Board to feel empowered to bring to the Commissioner's attention their frustration with limitations on retrieving guide data. Mr. Stacey anticipated that there would be further discussion on this, and expressed concern in the ability of the profession to accurately anticipate subsequent fee changes without having a more solid database. Mr. Stacey reiterated that a searchable database would improve efforts in assessing the industry, and for providing reports to the McDowell Group. Mr. Stacey added that there is less data available than there was three years ago, which he noted is a major point of concern.

Mr. Stacey added that APHA is supportive of the idea that when a client is being flown by a transported to a guided camp, that there aren't multiple hunt reports for each person. It was added that APHA would like the industry to come into compliance first before any changes are made to when a report is required. Mr. Stacey cautioned the Board not to expend too many resources on investigative fees, but rather to start with coming into compliance, which would require changes to the accessibility and searchable information on the database. Mr. Stacey emphasized an important concern that public noticing regulations during the hunting seasons is something that the APHA is not very fond of. Mr. Stacey also stated that the APHA is not fond of ambiguous differentiations between calendar years versus days, suggesting that the Board should have a more common sense approach to what constitutes this criteria.

Mr. Stacey then commented on regulation proposals regarding Class A Guides, Registered Guides acting as Class-A Guides, Hunt Record and Hunt Contracts. Mr. Stacey's concern with the hunt record is that on top of filling it out at the beginning of a hunt, guides are required to fill out the name, license, address, tag number and

harvest number, then underneath that, he or she must sign it and make sure the field copy goes with them. Mr. Stacey stated that the concern is from a public safety stand point; you can't buy an additional tag or receive a harvest ticket and add it to the hunt record; you actually have to start a new hunt record even if you're in the middle of the hunt. Expressing support of the proposed regulation, Mr. Stacey stated that if it is adopted, it would allow a guide to simply amend the contract with a simple statement, signature and date. Mr. Stacey further articulated that the reason why this is a preferred alternative rather than filling out an entire hunt record is so that you don't have to double record. He reiterated earlier comments that it seems intuitive to be able to amend an activity on a hunt record.

In regards to Registered Guides Acting as Class A Guides, Mr. Stacey commented that this is in response to when a registered guide is employed by another registered guide, where s/he is considered a Class A, however, the statute was changed that given satisfactory experience as determined by the Board, the Board could determine at their discretion whether the person can be considered a Class A Registered Guide. After HB229 passed, the proposed bill has been an effort to delineate between these qualifications. Karen Polley inquired whether guides can sell tags, to which Mr. Stacey stated that if a guide has a harvest ticket for different species and tags for different species, s/he can harvest tickets and needs locking tags, adding that the way it is understood now, a whole new hunt record is needed rather than just adding a locking tag number to the hunt record. According to Mr. Stacey, APHA believes that you cannot amend a hunt record without a regulatory change, adding that for registration, locking tags and harvest tickets are above the original signature, so once the hunt starts, guides are swearing that the hunts are contractually in place. Mr. Stacey and the Board continued to discuss changes in business agreements and the current regulations in place regarding hunt records.

Wayne Kubat Comment:

Wayne Kubat, Master Guide, introduced himself to the Board and the public. Mr. Kubat began by expressing his dislike for paperwork and burdensome regulations. As a 30-year guide who has been coming to most these meetings for decades, Mr. Kubat stated his opinion that guides are disproportionately over regulated compared to other air taxis, adding that it shouldn't be required to fill out contracts, though some reporting should be required as reasonable. Mr. Kubat continued that an average guide takes 8-10 clients per year, whereas air taxi transporters take more than that. To put into perspective, Mr. Kubat stated that an average guide is takes only 8-10 clients compared to air taxis who are taking 20-30 clients, and questioned why a guide would be subjected to over-burdened regulations. Mr. Kubat stated he agreed with the concept that transporters should be exempt from contracts for guide clients, but that certain provisions need to be put in place first.

Dick Rohrer Comment:

Mr. Rohrer introduced himself to the Board and the public, and reiterated Thor Stacey's comments on adding activity to a contract, comparing this to public



construction projects that frequently require change orders to amend contracts. Mr. Rohrer commented that in comparison, guides are expected to write up another contract when they want to add another species, which he believes there is no justifiable reason to limit guides from simply amending them. Mr. Rohrer continued that this is a major issue because one or two of the professional members have been severely cited for unsworn falsification, that the troopers claim the guides sold the ticket after harvesting an animal. Mr. Rohrer stated guides have never had to deal with this issue until at least one trooper determined there was cheating involved. Mr. Rohrer then expressed his expectation that troopers would be amenable to changing contracts as it happens frequently in the construction industry. Regarding finances, Mr. Rohrer stated he was very frustrated to get the FY16 4<sup>th</sup> quarter report so late, and for it to be presented in a draft format. He added that his business closed out in the end of June, yet it took until December to get the report. Mr. Rohrer questioned why are guides expected to adhere to strict timelines when the Division is unable to get financial reports out in a timely manner. On a lighter note, Mr. Rohrer stated he was somewhat satisfied with the progress that was made in getting the numbers to the legislature, but commented he wanted to see the time sheets from the Department of Law. Mr. Rohrer recalled a time where he requested the Department of Law's timesheets, which indicated they had spent 8 hours a day in any given day, which he found incredulous to. He then inquired of Investigator Strout as to who would be the best person to scrutinize Dept. of Law's time allocation to the Big Game Commercial Services Board.

**Mr.** Rohrer then addressed the numbers of transporter activity and shared his speculation that there probably is massive underreporting by transporters. Chairman Vrem expressed his opinion that there is a failure to account for the Investigations cost being taken into the consideration as to how much it costs to keep the Board running. Chairman Vrem added that Lee has done an extraordinary job mowing through the backlog of complaints, further stating that the investigative cost has always been there, but that it hasn't always been accounted for.

Joe Schuster Comment:

Joe Schuster introduced himself to the Board and the public, commented that he has an air taxi, is a transporter and registered guide. Mr. Schuster offered his opinion that the idea and registration of a transporter was conceived and implemented poorly from the beginning. Mr. Schuster further commented that the Board and the profession has had the same discussions for the last 20 years, with just a little bit better understanding of the differentiation between air taxis and transporters. Mr. Schuster then urged the subcommittee to think about the dynamics of transporter activity and how the landscape has changed over the last couple of years; Lake Hood, for example, was full of air taxi's doing drop offs without being burdened with paperwork. He expressed his frustration with having to deal with so much paperwork, but expressed his perception that the air taxi industry is more receptive to staying out of the transporter industry. Mr. Schuster also expressed opposition to statutes and regulations with different exceptions, adding that transporter activity should be clear

and understood so as to have a better understanding in the first place. Mr. Schuster then added his opinion that some of the exception remove responsibilities, that there is a huge flaw in the transporter license with such ambiguity in differentiating between air taxi and transporter regulations. He then inquired to the Board why the transporter registration exists, to which he alluded its purpose is to protect the public, but it does not accomplish that goal, also adding that it's impossible to extract data on transporter activity. Mr. Schuster lastly commented that he believes it is a contracting issue; that if the Board to replaces the word "transporter" with "contractor", the regulations may make more sense. Chairman Vrem stated that this is an issue of statute, and that there is not clarification in the regulation as to what the exemption is. Mr. Tiffany expressed his appreciation for Mr. Schuster's input and added that whether you're a guide, transporter or taxi, one has an obligation not only to the client, but to the resource; while the public is of primary concern, the resources are just as valuable. Mr. Tiffany further expressed his optimism that the majority of the people involved are inclined to serve in the best interest of the public. Mr. James David Jones inquired to Mr. Schuster whether he would support the removal of the air taxi provision, to which Mr. Schuster said he wouldn't be opposed to it so long as it would result in more clearly defined roles.

#### **Voluntary Surrender of Case #2014-001104**

Administrative Law Judge, Andrew Lebo joined the room to discuss case @2014-001104 pertaining to falsifying tag records, failure to report, and guiding non-certified animals. It was explained that because there was an accusation, the ALJ had jurisdiction to be involved in the procedure. Chairman Vrem stated that the facts are irrelevant as the individual has agreed to voluntarily surrender the guide license. Chairman Vrem informed the ALJ that that the Board would move to approve the surrender during the public meeting on December 6<sup>th</sup>.

**AGENDA ITEM G                  ADJOURNMENT                  4:30 p.m.**

Chairman Vrem adjourned the meeting at 4:30 p.m.

**Tuesday, December 6, 2016**

**Board members present:**

Kelly Vrem, Master Guide-Outfitter, Chair  
Karen Polley, Public Member  
David Brown, Board of Game Representative  
Michele Metz, Large Private Landowner  
David Jones, Transporter  
Tom Atkins, Transporter  
Henry D. Tiffany IV, Master Guide-Outfitter

**Board staff present:**

Laura Carrillo, Records & Licensing Supervisor  
Sara Chambers, Division Operations Manager  
Aaron Peterson, Assistant Attorney General

**State and Federal members present:**

Nikki Potter, Department of Natural Resources  
Tisha Valentine, Department of Natural Resources

**Visitors present:**

Dan Montgomery, GUIM173  
Mark Richards, Residential Hunters of Alaska  
Mark Enyeart, GUIR1335  
Wayne Kubat, GUIM147  
Steve H. Perrins, GUIR1295  
Samuel Rohrer, GUIM204  
Aaron Bloomquist, GUIR1259  
Nathan Turner, GUIR1036  
Anthony Lee, GUIM105  
Jeffrey Burwell, GUIM162  
Douglas Malone

**AGENDA ITEM A            CALL TO ORDER/ROLL CALL            9:00 am**

The meeting was called to order by Kelly Vrem, Chair, at 9:00 a.m.

**Voluntary surrender of case #2014-001104**

Following the Board's discussion with ALJ, Andrew Lebo on December 5<sup>th</sup>,  
Chairman Vrem addressed the voluntary surrender of case #2014-001104.

**On a motion duly made by Karen Polley, seconded by James David Jones,  
and approved unanimously, it was:**

RESOLVED approve the voluntary surrender of case #2014-001104.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

**TASK:**

Chairman Vrem will sign the voluntary surrender paperwork and submit to Investigator, Lee Strout.

**AGENDA ITEM B PUBLIC COMMENT (12 AAC 75.340) 9:05 a.m.**

The Following regulations were public noticed and open for comment:

**PUBLIC NOTICED:** Add the wording in 12 AAC 75.340(d)(1) Field Craft Standards: “conduct themselves in a professional sportsman like manner, and treat wildlife, wild lands and all users with courtesy and respect;”

**PUBLIC NOTICED:** Delete the wording in 12 AAC 75.340(d)(8) Field Craft Standards: “Avoid using an aircraft in any manner to spot big game for the purpose of taking a specific animal,”

**PUBLIC NOTICED:** Add the wording in a new section, 12 AAC 75.340(d)(9) Field Craft Standards: “refrain from using any mechanical powered equipment to knowingly herd, drive, chase or harass big game animals;”

**PUBLIC NOTICED:** Add the wording in a new section, 12 AAC 75.340(d)(10) Field Craft Standards: “refrain from making multiple, consecutive approaches in any mechanical powered equipment, hear any game animal or group of game animals during any open hunting season for that species, to avoid altering the hunting experience of other hunts;”

**PUBLIC NOTICED:** Delete the wording in 12 AAC 75.340(d)(9) Field Craft Standards: “in any manner”...”assist in the taking of;” and amend to read: “(d)(11) avoid utilizing global position system (GPS) or other electronic devices to locate and stalk a big game animal for the purpose of harvest;”

Steve Perrins Comment:

Mr. Perrins introduced himself to the Board and the public, expressing his agreement with most of the changes, as he feels they are constructive. Mr. Perrins did note his opposition to 12 AAC 75.340(d)(8) as he feels it is very divisive for the industry. Mr. Perrins further stated that he believes there are good reasons in using airplanes to spot game, but doesn't see it necessarily as fair chase. Mr. Perrins commented that he doesn't particularly have a suggestion on how to re-word the proposed change as sometimes bait hunting may be the only way to hunt, so there may be some instances where it could be considered fair chase and other instances where it could not. Mr. Tiffany inquired to Mr. Perrins if he feels the Board of Fish and Game's regulations pertaining to limitations on using aircrafts for, for example, addresses his concern, to which Mr. Perrins stated it partly addresses. Chairman Kelly Vrem acknowledged that the ethics standards are vague and the proposed changes has the perception of dilution, and while it's not perfect language, it's better than nebulous language. Chairman Vrem added that the potential problem is that if a guide sees a camp even inadvertently, s/he would be considered in violation of the ethics standards.

Thor Stacey Comment:

Thor Stacey commented on 12 AAC 75.340(d), stating that the GPS change is commonsensical, but that the divisive issues are in (9)(10). Mr. Stacey added that overall, the APHA is supportive of the change, but it isn't unanimous, that some opine that the issue of using airplanes as a hunting issue has been singled out. Chairman Vrem inquired as to whether the majority were in favor or in disfavor of the proposed change, to which Mr. Stacey again stated that there isn't not a unanimous vote, but that there was a lot of thoughtful work put into both sides. The Board continued to discuss this proposed change.

Jeff Burwell GUIR 162:

Mr. Burwell stated he was on the subcommittee when language for ethics changes were drafted, and added that he generally does support the change, but is not in favor of the language in (8). Mr. Burwell also expressed his opposition to (10) as it doesn't address severely wounded or nearly dead animals, which could be an issue on the troopers' side. Karen Polley commented that it is a defensible position. Mr. Burwell then expressed concern that the profession has heard many times that certain actions are unenforceable, or that it's hard to take action because of the legal defense. Because of mirroring language in statutes and regulations, Mr. Burwell expressed that there is a double whammy with being in violation of statute, which in turn could be a violation of a regulation. Chairman Vrem commented that a regulation is an amplification or clarification of a statute, that the regulation

specifies the statute. James David Jones stated that the elimination of (8) is an issue of whether or not the Board would condone or consider an airplane as ethical to spot big game for the purpose of taking that animal. Mr. Jones inquired to Mr. Burwell if he supported the removal of (8), to which Mr. Burwell confirmed. The Board continued to discuss this proposed regulation.

Chairman Vrem called for break at 9:42 a.m.

Chairman Vrem called the meeting back to order at 9:53 a.m.

**AGENDA ITEM G                      SUBCOMMITTEE BREAKOUT                      9:53 a.m.**

The subcommittees for the following topics entered into breakout sessions at 9:53 a.m.:

- Survivorship for Emergency Transfers
- Transporters
- Test Re-Write
- Ethics
- Guide School
- Demerit Point-System

The Board return from subcommittee breakout at 11:02 a.m. for discussion with Assistant Attorney General, Aaron Peterson.

**AGENDA ITEM G                      CIVIL VS. CRIMINAL CASES                      11:02 a.m.**

*Assistant Attorney General, Aaron Peterson joined the room at 11:02 a.m.*

*Assistant Attorney General, Aaron Peterson left the room at 11:33 a.m.*

AAG, Aaron Peterson introduced himself to the Board and the public, and informed them that he currently prosecutes select big game cases and commercial fishing cases, and has been working with these issues for a little over a year. AAG Peterson stated he had initially been in contact with Investigator, Lee Strout, with whom he discussed the benefits of addressing big game guide violations with the involvement of the Board and/or other appropriate organizations, such that the full scope of investigations could be thoroughly utilized. AAG Peterson explained that if he worked out an agreement with a guide or a guide's attorney to resolve the issue, his office would then bring in the Board for a recommendation. This approach is beneficial in that the Board is well-informed of what is being put in place, which ultimately would be a cost-savings measure for the Board. It was further explained that there will be instances where criminal prosecution don't happen for a variety of reasons, but that there will always be some degree of prosecutorial discretion involved. To Expound on this, AAG Peterson stated the AAG's office could always explore different options to resolve the issue, and suggested to the Board that a

consent agreement or probation could be implemented without the guide being criminally prosecuted depending on the severity of the violation and the Board's discretionary response to the violation.

A member from the public inquired about criminal activity, to which AAG Peterson stated he was not in the position to give any official AAG opinions about what constitutes criminal activity, but that individuals can refer to the troopers as to what constitutes a violation. Chairman Vrem commented that if the AAG declines to prosecute for a myriad of reasons, how Board can expect to come to a different determination without seeking the input of the ALJ, to which AAG Peterson stated there are different standards of proof and certain circumstances that the office can prove. AAG Peterson added that a resolution or criminal rule is something that many judges will put in an agreement that all sides can agree with, most likely would involve both a criminal conviction and a consent agreement. James David Jones expressed optimism in the process and the money-saving aspect of it, however, Mr. Jones also expressed concern about being consistent with precedence the Board has set in the past for dealing with consent agreements and violations. AAG Peterson clarified he has not ever negotiated a consent agreement, but rather has asked for the Board's recommendation via Investigator Strout. James David Jones inquired to AAG Peterson whether it is preferred to seek input from the Board before a guide is processed criminally, to which he confirmed. AAG Peterson stated he could handle cases similar to his predecessor, let the Board handle it, or talk to the guide's attorney to establish a consent agreement. Chairman Vrem stated it seems the Board is overall accepting of the process due to the Board's limited powers.

Chairman Vrem inquired to Investigator Strout how many complaints are referred to troopers or AAG, to which Mr. Strout clarified that he deals with regulations and contract issues, but that 9 times out of 10, troopers will take information provided by Investigations to be presented to the AAG, which then goes back to the Board for input.

Thor Stacey prompted AAG to clarify whether a civil process is recommended for the advantage of a guide, or if it is better for the Board to take up more specific recommendations. AAG commented that more often than not, a client expects certainty about the total resolution, so if the criminal case resolves the fine or license suspension, for example, the law doesn't allow the Board to impose a longer suspension than what the criminal case already required. It was further added that the feedback the AAG's office receives is that the guide wants to know the certainty of the whole agreement.

law, so I'm not sure how to deal with that, board should defer to STrout. Strout confirmed he would address this; would then speak with board and scrutinize what is in the contract, i.e.: will food be provided, what kind of food, is it a matter of food

being provided that the client didn't like? Issues like that. Vrem: I get accosted a Mr. Tiffany then commented that he has attempted to explain to the public about the prosecution system, and prompted AAG Peterson to explain to the public why it isn't a cache 22 regarding prosecuting an individual versus prosecuting a license. AAG Peterson stated that whether or not there are criminal proceedings, there may well be civil proceedings as it is a highly regulated profession, and that for example, the AAG's office has nothing to do with regulations in 12 AAC as they are is governed by the licensing department and fall into being civil cases. AAG Peterson also added that there are some instances of overlap, but that there are civil proceeding against a license and criminal proceedings where violations can be proven. AAG Peterson also clarified that double-jeopardy only applies to criminal cases, and that the alternative is that once a criminal case is done, the individual involved would start a civil proceeding.

Chairman Vrem called for lunch at 11:40 a.m.

Chairman Vrem called the meeting back to order at 1:08 p.m.

**AGENDA ITEM G                      SUBCOMMITTEE BREAKOUT                      1:08 a.m.**

Upon return from lunch, Chairman Vrem acknowledged Karen Polley's six-year commitment to the Board, and applauded her for her dedication and service. Chairman Vrem then prompted the subcommittees to breakout into their sessions for discussion.

**AGENDA ITEM G                      SUBCOMMITTEE UPDATE                      2:08 a.m.**

*Survivorship for Emergency Transfers Subcommittee:*

This subcommittee was chaired by Chairman Vrem, which it discussed a one-line emergency provision for a surviving spouse to complete a season of contracted hunts as it is interpreted that there are some provisions in the statute that could be referenced as the enabling authority, specifically 08.54.620(10). The Board and the public discussed this, however, it was ultimately determined that the change would require a change in statute.

*Transporter Subcommittee:*

This subcommittee, chaired by David Jones was in regards to reporting requirements and contracting requirements, which the subcommittee unanimously supported. Mr. Jones also stated that the subcommittee discussed letters to the industry and that they are comfortable disseminating the information, post FAQ's to the BGCSB website, and to take the language from the letter to the industry and place it on letterhead and send it out to everyone who has a transporter license. Mr. Jones stated the information would also be made available to the Alaska Air Carriers Association for distribution to air carriers who are not transporters. Mr.



Jones added the subcommittee would also like the industry outreach letters to be sent to the Alaska Charter Organization and Alaska Southeast Guide Organization.

In regards to Rolan's proposal #1, Mr. Jones stated the subcommittee didn't come to a consensus, but understood the difference between when a business is operating as an air taxi and when they're operating as a transporter, adding that eventually, the subcommittee would like to put this distinction into regulation. This specifically deals with contracting requirements, with which the subcommittee would like to draft language that would pertain to reporting requirements. Mr. Jones requested that Rolan's proposal be added to the agenda in March.

**TASK:**

Ms. Carrillo will add Rolan's proposal to the March 2017 agenda.

**TASK:**

Ms. Carrillo will post the FAQ's to the Board's website.

**TASK:**

Ms. Carrillo will conduct a mass mailout of the letter to licensed transporters and involved industries.

*Registered Guide Acting as a Class A Guide:*

(Proposed by APHA). As currently stated in statute, a person who is licensed as a registered guide may be employed by another registered guide-outfitter to provide the services of a Class A Assistant Guide. From APHA's perspective, the proposed change would save a lot of work and would expand what a registered guide can do. The changes the subcommittee recommends is that after (2, to put "and/or", and cross out number 8. APHA explained that unit certification changed sometime between 1994 and 1997, so in the current version of 12 AAC 75.920, there is no way to be a class A. Currently, AS 08.54.610(d)(1) is unclear on what qualifications are required by the Board concerning which units a registered guide can perform the services of a Class A Guide. Clarification would benefit both contracting, and non-contracting registered and master guides. It was asserted by the APHA that if nothing is done, the capabilities granted to the industry's highest level of licensee will continue to be dictated by a lower class license, and the pool of guides qualified to take charge of a camp will continue to be very small.

*Ethics Subcommittee → Demerit Point System:*

Henry Tiffany stated that the ethics subcommittee didn't meet, but that it turned into point system. Chairman Vrem announced that the ethics subcommittee has consequently been terminated. Mr. Tiffany commented that there were seven people who participated in the embryonic stage of the demerit point system discussion, which is loosely modeled after commercial fisheries. It focused primarily on the ethics portion, but is generally regarded as not being enforceable, that issues falling

under ethics can be hard to pin down and enforce. Mr. Tiffany suggested that the ethics portion of regulations might be an applicable spot for this system, adding that if you have been convicted by the system under a criminal case, it could potentially carry into the point-system. Overall, the subcommittee is in agreement in continuing the discussion and acknowledges it will eventually manifest into a proposed regulation. Mr. Tiffany asked the Board's permission if the subcommittee could contact the legal department to confirm whether this would be a viable option, adding that Nikki Potter from DNR would be willing to participate in research into how other states have implemented a point system as we do in our state with DMV's point-system.

Contract Subcommittee:

This committee was chaired by Sam Rohrer, who explained that this is in regards to hunt records, and that the need for discussion is a result of a recent court case where there were problems when tags are issued during the course of a hunt, as it is not clear where to put that information on a hunt record after a hunt starts. With a current hunt record, there is no way to amend a hunt record; the only option is to fill out a new hunt record, which is doable but problematic because it skews some data and costs money. Mr. Rohrer informed the Board and the public that the subcommittee came up two options: the first option is to take existing hunt record form and add a new section for the harvest ticket, permit numbers and tag numbers that were issued *after* the hunt began, which would need to be put on client's copy; the second solution is to eliminate the need for recording harvest ticket, big game tag number as its not required in statute. Mr. Rohrer commented that it is not recorded in the database, so guides are not recording that info anyway. The subcommittee's conclusion is to get rid of the information, which resolves the problem if you're buying additional licensing tags once you're in the field.

James David Jones commented that leaving the section on the form makes him feel more comfortable that the guide has the information in his or her position, and that it makes him somewhat nervous to eliminate the suggestion section from the form. Karen Polley referred to 12 AAC 75.210, which states, "...a registered guide-outfitter who contracts to guide, transport, or outfit a hunt shall complete or have completed the portions of the hunt record form that are required to be completed before a hunt". Mr. Rohrer acknowledged the regulation would need to change, suggesting either eliminating two sections or adding sections for adding new information. Ultimately, the regulation needs to be changed because it specifically references the date of the form. The Board and the public continued to discuss possible solutions of amending the form.

Chairman Vrem apologized to Sara Chambers for his misunderstanding of the recollection regarding searchable data fields, and expressed his deep appreciation for Sara pulling up data on such short notice.

Guide School Subcommittee:

This subcommittee was chaired by Kelly Vrem and Henry Tiffany. There are some guide school operators that would like the board consider alternating the number of days allowing for applicants. The Board and the public discussed this topic.

**AGENDA ITEM H            ADJOURNMENT**

**3:42 p.m.**

Chairman Vrem adjourned at 3:42 p.m.

**Wednesday, December 7, 2016**

**Board members present:**

Kelly Vrem, Master Guide-Outfitter, Chair  
Karen Polley, Public Member  
David Brown, Board of Game Representative  
Michele Metz, Large Private Landowner  
David Jones, Transporter  
Tom Atkins, Transporter  
Henry D. Tiffany IV, Master Guide-Outfitter

**Board staff present:**

Laura Carrillo, Records & Licensing Supervisor  
Sara Chambers, Division Operations Manager

**State and Federal members present:**

Nikki Potter, Department of Natural Resources  
Tisha Valentine, Department of Natural Resources  
Thomas Bickauskas, Bureau of Land Management

**Visitors present:**

Dan Montgomery, GUIM173  
Mark Richards, Residential Hunters of Alaska  
Mark Enyeart, GUIR1335  
Wayne Kubat, GUIM147  
Samuel Rohrer, GUIM204  
Aaron Bloomquist, GUIR1259  
Anthony Lee, GUIM105  
Jeffrey Burwell, GUIM162  
Loren Karro, GUIR941  
Lance Kronberger, GUIM221  
James Kedrowski, GUIM186  
Douglas Malone

**AGENDA ITEM A            CALL TO ORDER/ROLL CALL            9:06 am**

The meeting was called to order by Kelly Vrem, Chair, at 9:06 a.m.

**AGENDA ITEM A            SUBCOMMITTEE BREAKOUT            9:06 am**

The subcommittee members broke out to discuss their respective topics.

**AGENDA ITEM B            SUBCOMMITTEE REPORT            9:41 a.m.**

Survivorship Subcommittee:

Lance Kronberger addressed the survivorship committee, stating that he is seeing more and more guides coming into the business with a lot of investments, and with the tightening of contracts, it's making it difficult when guides run into a problem. In providing an anecdote, Mr. Kronberger stated that a guide ended up in a coma, which rendered him unable to get someone to sign his contract within 30 days. This not only put a burden on his business, but on his family and clients. Mr. Kronberger commented that the subcommittee is trying to figure out a way for someone to facilitate hunts for up to one year following a significant injury or death, adding that what the committee has written up is something (modeled after fish and game) that would allow someone to fill in for up to a year after diagnosis illness, incapacitation, or death, suggesting that a Class A Guide or Register Guide could sign the contract. The subcommittee also wishes to elicit feedback on how agencies and refuge parks and services feel about these types of concerns as there are multiple factors that create financial liabilities. Ultimately, Mr. Kronberger stated the Board needs to find out who could sign a hunt record after one year, to which Chairman Vrem commented he was glad he clarified that this pertains to hunt records, not contracts. Mr. Kronberger suggested that this would be a statute change because there is nothing in the regulation that would allow for this change.

Transporter Subcommittee:

David Jones reiterated the earlier comments from yesterday regarding transporter issues. Chairman Vrem inquired as to whether Rolan submitted his language on our approved regulations proposal form, to which Sara Chambers clarified that it's up to the discretion of the Board as to how this is proposed.

Testing Re-Write subcommittee:

Chairman Vrem stated that the Board needs to vote to accept changes to the test. Loren Karro stated that the only suggested change are to the written examination, which cannot be discussed in detail as it is confidential. Chairman Vrem suggested re-visiting the topic in executive session.

Demerit Point System Subcommittee (Previously Ethics Subcommittee):

Henry Tiffany informed the Board that Nikki Potter and Tisha Valentine from DNR did some research and found out that at least 8 states have a point-system for wildlife. Mr. Tiffany stated he would send an email to Sara asking the Department of Law asking how the ethics demerit point system could be implemented, adding that he wouldn't want the Board to invest too much resources into this idea if legal determines it is not a viable system. Following the green-light from legal, Mr. Tiffany stated the subcommittee would work on drafting regulations.

Guide School Subcommittee:

Chairman Vrem stated that the subcommittee discussed being able to increase the days allowed to substitute for in the field training, adding that this will be on the agenda in March in its final form. Vrem solicited volunteers to help with this.

**TASK:**

Ms. Carrillo will add the Guide School Subcommittee to the March 2017 agenda.

Wayne Kubat:

Mr. Kubat stated he submitted an alternate proposal yesterday that addresses part c in applying for an assistant guide license. As currently written, it states that to qualify, you need to have 30 days in the field. It is suggested to make it cumulative of 60 days. The subcommittee wants to make it clear that working in a guide camp can count as guide experience. The Board and the public continued to discuss this.

Changes to Hunt Records:

The Board returned to discussion on hunt records. Chairman Vrem clarified that it would ultimately require a regulation change, but in the interim, it would suffice to follow the procedure as promulgated in the memo, which he will work with the Division staff to clear up. Chairman Vrem added this was not meant in any way to circumvent the requirements of DFG and DNR.

**TASK:**

Ms. Carrillo and Sara Chambers will work with Chairman Vrem regarding the interim of altering block three of the hunt record.

**TASK:**

Sara chambers will check with the dept. of law as to what the procedures would be needed to be able to amend a hunt record.

Sam Rohrer, Chairman Vrem, and the Board continued to deliberate on the issue of amending hunt records. Mr. Rohrer referred to 12 AAC 75.260 Ssection E, “ a contract may be amended at any time before the conclusion of the hunt with the signature of the contracting guide and the client”. Mr. Rohrer stated that the way it should read is that it should say at any time. Lance Kronberger prompted for clarification about needing to carry your financial contract if you wanted to make a change. Karen Polley asked why the contract doesn’t fall under contract law, to which Sam Rorr stated it’s because the troopers said it doesn’t; troopers have determined that guides cannot make changes.

Chairman Vrem expressed that he was somewhat distressed at the hair splitting and parsing between the different agencies involved. The yellow field copy is basically theoretical when it is filled out and doesn’t reflect what actually happens, whereas the white and pink copy reflects what did happen out in the field.

**AGENDA ITEM C BOARD BUSINESS**

**11:02 am**

**On a motion duly made by Karen Polley, seconded by Henry D. Tiffany IV, and approved unanimously, it was:**

RESOLVED to approve amendments to 12 AAC 75.340(d) – Field Standards as publically noticed.

Discussion: Mr. Tiffany stated he was the chair on the subcommittee that discussed field standards, and acknowledged that while it isn't perfect, the Board has found a middle ground. Mr. Tiffany expressed optimism for this change.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

**On a motion duly made by Karen Polley, seconded by James Atkins, and approved unanimously, it was:**

RESOLVED to accept amendments proposed by the test writing committee for the registered guide test and exam.

Discussion: The test standards subcommittee has identified some weaknesses in the exam, and the proposed changes will make the test more relevant and accurate. The subcommittee acknowledge they were not at liberty to discuss what has been changed as tests are confidential.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

**On a motion duly made by James David Jones, seconded by Henry D. Tiffany IV, and approved unanimously, it was:**

RESOLVED to approve Tom Atkin’s proposal to add a new paragraph as 12 AAC 75.400(e): “During portions of a hunt, a transporter is exempt from transporter activity report filing requirements when providing transportation services for a client to, from, or in between sites operated by another transporter or registered guide who has contracted this same hunt with the same client.”

Discussion: Henry Tiffany stated that after reading through toms proposal, it makes sense as it works to eliminate duplicate paperwork. Chairman Vrem stated he would support the proposed change as well.

	APPROVE	DENY	ABSTAIN	ABSENT
<b>Kelly Vrem</b>	x			
<b>Karen Polley</b>	x			
<b>David Brown</b>	x			
<b>Michele Metz</b>	x			
<b>David Jones</b>	x			
<b>Tom Atkins</b>	x			
<b>Henry D. Tiffany IV</b>	x			

**On a motion duly made by James David Jones, seconded by Henry D. Tiffany IV, and approved unanimously, it was:**

RESOLVED to approve Tom Atkin’s proposal to add a new paragraph as 12 AAC 75.450(c): “ During portions of a hunt, a transporter is exempt from transporter contracting requirements when providing transportation services for a client to, from, or in between sites operated by another transporter or registered guide who has contracted this same hunt with the same client.”

	APPROVE	DENY	ABSTAIN	ABSENT
<b>Kelly Vrem</b>	x			
<b>Karen Polley</b>	x			
<b>David Brown</b>	x			
<b>Michele Metz</b>	x			
<b>David Jones</b>	x			
<b>Tom Atkins</b>	x			
<b>Henry D. Tiffany IV</b>	x			



**On a motion duly made by James David Jones, seconded by James Atkins, and approved unanimously, it was:**

RESOLVED to direct staff to post a “Transporter Frequently Asked Questions” page to the BGCSB website containing language discussed at the meeting and presented in the packet.

Discussion: Chairman Vrem stated this would be published on the website and distributed to the carriers. Mr. Atkins stated that for those who are familiar with it, the Board is sending out a letter to the industry explaining what an air transporter can do and what a transporter can do as there is large confusion about the overlap and the specific duties of each. Mr. Atkins expressed hope that the letter would help to clear up the confusion and benefit those who are paying up front and doing it the right way.

	APPROVE	DENY	ABSTAIN	ABSENT
Kelly Vrem	x			
Karen Polley	x			
David Brown	x			
Michele Metz	x			
David Jones	x			
Tom Atkins	x			
Henry D. Tiffany IV	x			

**TASK:**

Ms. Carrillo will post a Transporter FAQ’s page to the Board’s website.

**On a motion duly made by James David Jones, seconded by Henry D. Tiffany IV, and approved unanimously, it was:**

RESOLVED to direct staff to distribute the transporter letter to industry on BGSCB letterhead to all licensed transporters, to the Alaska Air Carriers Association, the Alaska Charter Association, and the Southeast Alaska Guides Organization with a cover letter asking them to forward the letter to their respective memberships.

**TASK:**

Ms. Carrillo will put the draft letter on letterhead for mailout to the Alaska Air Carriers Association, the Alaska Charter Association, and the Southeast Alaska Guides Organization, including a cover letter asking them to forward the letter to their respective memberships.

Discussion: Mr. Tiffany expressed his optimism in this idea, adding that knowledge is power, and that by endeavoring to inform all the different entities as best the Board can is a step in the right direction. Mr. Jones stated that the transporter industry has had a lot of misconceptions about what the regulations actually say, and that enforcement has been unsure about what the regulations actually mean. Mr. Jones asserted that the Board has had the information reviewed by the Department of Law, and that it is important to extend an arm of clarification. Mr. Jones also added that Tom's proposal will change some of the answers to the frequently asked questions currently posted to the website, which the Board will eventually have to amend.

	APPROVE	DENY	ABSTAIN	ABSENT
<b>Kelly Vrem</b>	x			
<b>Karen Polley</b>	x			
<b>David Brown</b>	x			
<b>Michele Metz</b>	x			
<b>David Jones</b>	x			
<b>Tom Atkins</b>	x			
<b>Henry D. Tiffany IV</b>	x			

**On a motion duly made by Karen Polley, seconded by Henry D. Tiffany IV, and approved unanimously, it was:**

RESOLVED to amend the assistant guide regulation, 12 AAC 75.920(c) to read: "for purposes of satisfying the requirements in AS 08.54.630(a)(2), the applicant must document at least 60 days of big game hunting activity during two or more calendar years. At least 30 of the 60 days must be in a guide camp or under the supervision of a licensed guide while performing guide-related duties. Big game hunting activity includes working in a guide camp or under the supervision of a licensed guide while performing guide related duties. Big game hunting activity includes working in a guide camp or under the supervision of a licensed guide while performing guide-related duties. Documented passage of the assistant guide training course described in AS 08.54.630(a)(4)(B) may count for 10 days."

And to amend 12 AAC 75.920(d)(4) to remove: "During a guided hunt" so as to read as follows: "has directly participated in the spotting, stalking, and subsequent harvesting of at least three big game animals in this state;"

	APPROVE	DENY	ABSTAIN	ABSENT
<b>Kelly Vrem</b>	x			
<b>Karen Polley</b>	x			

<b>David Brown</b>	<b>x</b>
<b>Michele Metz</b>	<b>x</b>
<b>David Jones</b>	<b>x</b>
<b>Tom Atkins</b>	<b>x</b>
<b>Henry D. Tiffany IV</b>	<b>x</b>

**On a motion duly made by Karen Polley, seconded by James Atkins, and approved unanimously, it was:**

RESOLVED to amend the contract requirement in 12 AAC 75.260(e) to read: “a contract may be amended at any time by the contracting guide and client.”

Discussion: Karen Polley commented that she is in favor of this but not at the expense of incurring legal fees if the change is found to not be viable. Ms. Polley further stated that should it be vetted through a legal review, it should be changed without a specific activity. Chairman Vrem stated that his inclination is that this Board doesn't have much business sticking its nose in guide-client business beyond what is specified in the statute, that it is his understanding that contracts are something to be amended and by mutual consent of the parties. Chairman Vrem added that he does not see a need for the change, but am willing to take this under, vote on it, or pull it off the Board's discussion if it's not necessary. Tiffany agreed on the Boards action being contingent upon legal review.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

TASK:

Ms. Carrillo will inquire to the regulations specialist whether amending 12 AAC 75.260(e) would be a viable option.

**On a motion duly made by Karen Polley, seconded by Henry D. Tiffany IV, and approved unanimously, it was:**

RESOLVED to amend the current hunt record by altering section 3 and eliminating section 5.

Discussion: Mr. Tiffany commented that this is something the profession continues to learn more about, especially in regards to the different kinds of information we could extract from the hunt record. Chairman Vrem added that the profession wants to have the hunt record reflect the information that we can use as data; information that is superfluous should not be collected and should be eliminated.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

**On a motion duly made by Karen Polley, seconded by Michele Metz, and approved unanimously, it was:**

RESOLVED to change the hunting, guiding, and practical experience by revising 12 AAC 75.920(b) to read: “For purposes of satisfying the guiding experience requirement in AS 08.54.620(a)(4)(A)(i), the applicant must document at least 60 days of big game guiding activity in three or more calendar years. For purposes of satisfying the hunting experience requirements in AS 08.54.620, the applicant must document at least 20 days of big game hunting activity in a calendar year in order to receive credit for one year. Big game hunting activity includes working in a guide camp or under the supervision of a licensed guide while performing guide-related duties.”

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

Chairman Vrem called for break at 11:38 a.m.

Chairman Vrem called the meeting back to order at 11:41 a.m.

**On a motion duly made by Karen Polley, seconded by Michele Metz, and approved unanimously, it was:**

RESOLVED to amend regulation 12 AAC 75.920(e) to read: “for the purpose of the requirements in AS 08.54.630(d)(1), a person who is licensed as a registered guide-outfitter may be employed by another registered guide-outfitter to provide the services of a class a assistant guide in GMU units one through 26”.

Discussion: Karen Polley stated that what this does is eliminates section a, and enables a registered guide to act as a class A anywhere in the state. Chairman Vrem commented that an assistant guide can guide anywhere in the state under the supervision of a registered guide, and that a Class A assistant guide is second in command to contracting guide.

	APPROVE	DENY	ABSTAIN	ABSENT
Kelly Vrem	x			
Karen Polley	x			
David Brown	x			
Michele Metz	x			
David Jones	x			
Tom Atkins	x			
Henry D. Tiffany IV	x			

**On a motion duly made by Henry D. Tiffany IV, seconded by James Atkins, and approved unanimously, it was:**

RESOLVED to ask Division Operations Manager, Sara Chambers to have the Department of Law look at point system idea for guidance on how to proceed.

	APPROVE	DENY	ABSTAIN	ABSENT
Kelly Vrem	x			
Karen Polley	x			
David Brown	x			
Michele Metz	x			
David Jones	x			
Tom Atkins	x			
Henry D. Tiffany IV	x			

**On a motion duly made by Henry D. Tiffany IV, seconded by James Atkins, and approved unanimously, it was:**

RESOLVED to approve the Board sending a letter to the Division asking for Sara Chambers to be given access to data pertaining to information for assistant guide last name, and license number, hunt year, GMU's, guide use areas, client name, hunt date, hunt end date, form number, form status; whether its complete or incomplete, client name, species hunted, date taken, and GUA.

Discussion: Sara Chambers stated that what this would do is shift the burden from the Board to myself and staff to be able to pull the reports, adding that it is more than just access, but what the Board is requesting is to prioritize programming and for Sara to go to Director and Administrative Services, and present to them the economic needs of the Board. Michelle Metz suggested making staff access more broad, to which Mr. Tiffany agreed. Mr. Tiffany stated that whomever would need access as deemed appropriate by the Board, to which Sara stated the motion could say that staff in general could have access. The Board continued to discuss access to specific data.

**On a motion duly made by Henry D. Tiffany IV, seconded by James Atkins, and approved unanimously, it was:**

RESOLVED to approve the Board sending a letter to the Division asking for Sara Chambers and staff to be given access to data pertaining to information for assistant guide last name, and license number, hunt year, GMU's, guide use areas, client name, hunt date, hunt end date, form number, form status; whether its complete or incomplete, client name, species hunted, date taken, and GUA.

	<b>APPROVE</b>	<b>DENY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Kelly Vrem</b>	<b>x</b>			
<b>Karen Polley</b>	<b>x</b>			
<b>David Brown</b>	<b>x</b>			
<b>Michele Metz</b>	<b>x</b>			
<b>David Jones</b>	<b>x</b>			
<b>Tom Atkins</b>	<b>x</b>			
<b>Henry D. Tiffany IV</b>	<b>x</b>			

**AGENDA ITEM C      ETHICS REPORT**

Chairman Vrem stated he would sign the ethics report.

**AGENDA ITEM C      CORRESPONDENCE REVIEW**

There were no pieces of correspondence to review.

## **AGENDA ITEM C            TASK LIST**

The survivorship committee, hunt record subcommittee and transporter subcommittees, and subcommittee for Rolan's proposal will continue to meet for an update at the March 2017 meeting.

Sara Chambers reminded the Board that subcommittee meetings need to be public noticed, but for new subcommittees, if they want to meet, to contact Ms. Carrillo for public noticing as it needs to be completed five days prior for teleconferences. Ms. Chambers further advised the Board to plan ahead and to submit the request to Ms. Carrillo by the 10<sup>th</sup> of each month.

## **AGENDA ITEM C            BLM REPORT**

*Timothy Bickauskas joined the room at 11:59 a.m.*

Timothy Bickauskas, the Recreation Program Lead with the Bureau of Land Management joined the room to discuss digital maps, which could be available on the organization's website, but also through the Avenza store. It is a new tool that guides will be able to use to decipher what area they are in and whose land they are on.

Mr. Bickauskas also informed the Board that the BLM is in the middle of a special recreation permit inspection, which is involving an internal look at the process of collecting information, but is also an audit of the fee information that's been reported and paid to us. The BLM is hoping to have a final report by March or April, commenting that 10% of the permittees are being audited, which include some guides.

Mr. Bickauskas then discussed the Bearing Sea/Western Interior Resource Management Plan, includes Unalakleet, McGath, Hooper Bay and Bethel, commenting that the BLM is thinking of limiting permit access, which is an attempt to maintain hunt quality and to resolve or avoid subsistence hunter conflict with guides. Mr. Bickauskas encouraged the Board to be added to the mailing list so they are notified of any changes. Chairman Vrem stated that Timothy can communicate with Laura regarding subsequent information and to carbon copy Kelly.

Joe Schuster commented that as BLM permittee, he received a letter about the BLM audit, and inquired as to what to expect. Mr. Bickauskas stated that if you haven't received a piece of registered mail, then you weren't selected for an audit.. The public expressed some concerns about the audit in having to submit IRS documents, as well as other documents that may be required for the audit, to which Mr. Bickauskas stated there is an internal understanding that this is new. Chairman Vrem opined that it was an unrealistic expectation for small businesses

like his to be expected to provide the same information as a large company with an efficient accounting system would be required to provide, stating that his business and perhaps others were not equipped with such accounting systems. Chairman Vrem suggested having Mr. Bickauskas discuss other options with his superiors as the audit wasn't well received by the Board and the attendees at the meeting, to which Mr. Bickauskas was receptive to.

**AGENDA ITEM D      ADJOURNMENT      12:28 p.m.**

Chairman Vrem adjourned the meeting of the Alaska Big Game Commercial Services Board at 12:28pm.

Respectfully submitted:



Laura Carrillo, Records & Licensing Supervisor



Kelly Vrem, Chairperson  
Big Game Commercial Services Board

Date 03/06/2017

Approved Date: 3/6/17