



# Guide Concession Program (GCP) Workgroup

March 16, 2023, at 9:00 AM via Zoom

**Members:** Jason Bunch, Chair of the Big Game Commercial Services Board; Registered Guide; DCCED  
Christy Colles, Division Director, Mining, Land, and Water; DNR  
Rick Green, Special Assistant; DFG  
Coke Wallace, Master Guide

**Absent:** Ted Spraker, Public Member

**Facilitator:** Sara Chambers, Boards and Regulations Advisor; DCCED

The meeting convened approximately 9:10 a.m. Many members of the public observed via Zoom.

## **Continued Review of Framework**

The group continued reviewing the table on Page 7 of the 2013 Framework. Jason reminded everyone that we are not making decisions today but still working through the evaluation of past proposals.

### *Awards, Terms, and Fees*

Jason suggested looking at whether more applications and awards than what was proposed in 2013 could be made. No one expressed a desire to change from a 5-year term. Awards were proposed to be based on highest score, not lottery. Concerns had been expressed that industry on the panel may lead to bias. Jason encouraged public comment on this. Coke suggested using retired guides with experience and who are not actively guiding. Christy indicated that DNR heard both sides in previous proposals and clarified that the evaluation panel is not the enforcement authority. DNR would pay for Troopers to write citations. DNR could also review violations such as not being good stewards of the land or not paying fees. Looking at number of concessions offered (208 full/90 limited), Jason thought there would be room for everyone. Some may need to relocate or change their business models.

He suggested looking at fees to evaluate what is viable for guides. The actual fees are determined by the cost of running the program, so they can't be determined until the program is fleshed out. He reminded everyone that the current hunt fees charged to clients cover the high cost of being a contracting guide and is not guide take-home pay. A robust program will likely have high fees. Charging a per-client fee helps provide equity among guides. Christy mentioned that the 2013 proposed fees assumed that start-up funding would come from the legislature, then the program would eventually pay for itself through fees. Current spike camp fees are comparable to 2013 annual fees.

### *Full and Limited Permits*

Jason wasn't sure why assistant guides would be limited. Christy indicated that she wasn't sure why a limited program was offered; likely this was in response to public comment received. She will go back and look at the rationale at the time.

### *Transferability*

Sara and Christy will work with Law to look into what's possible regarding transferability under the constitution. Public comments are encouraged so they can have examples and ideas to review. Christy reiterated that DNR was never against transferability but there were no solutions proposed that would be compliant per *Owsichek*. Coke stated transferability is the top concern with a concession program and believes there is a statute in DNR that allows transfer of land. Christy clarified that statute regards leases of specific pieces of land and not hunting

concessions in a large GUA. Coke feels that “lease” and “permit” or “concession” result in the same outcome. Christy explained the differences in property rights and state interest among the types of uses. Permitting refers to a right to use state land while leasing confers more ownership (like a car lease or mortgage). She suggested that it would depend on how the law is written.

#### *Vacancies*

Jason was concerned that concession areas that are dependent on drawing hunts might go vacant due to no fault of their own. Vacancy is defined as not having a concessionaire—more that it is abandonment, not just that someone didn’t hunt that year.

#### *Transporters*

Jason suggested including concessions for transporters in order to reduce conflict in the field. Transporters have been cited as a current problem in overcrowding. Transporters and air taxis currently only register for commercial day use of existing resources if they are not overnighting; they should be paying per client. DNR doesn’t robustly regulate transporters. Coke suggested they be included.

#### *Breaking a Tie*

Christy described the 2013 proposed process to break a tie. The shorefishing program includes historical use of the area and letters of support, in addition to other criteria, in case of a tie. Christy walked through differences and similarities between Commercial Fisheries Entry Program and hunting concessions and reminded everyone that they are based on different areas of law. Coke suggested a CFEC-type program be created for commercial guiding services. Christy encouraged everyone to start by looking at AS 38.05.082 as a model; however, fisheries are treated differently in the constitution.

### **Next Steps**

Jason suggested we keep moving through the framework and next look at the maps. Christy registered concern about available resources regarding mapping. Rick suggested the next meeting be focused on transferability and transporters. Jason said he would ask staff to send a message out on the board listserv requesting input on these topics

The group decided to discuss transferability and transporters at the April 13 meeting. Christy and Sara will coordinate and request Law weigh in on the legality of various transferability ideas.

### **Upcoming meeting dates**

Sara reminded everyone about the upcoming public comment and workgroup dates. March 29 is in-person oral comment only; Jason and Sara will coordinate to open a Zoom line so workgroup members can listen. Future dates may be flexible due to workgroup member availability. Dates will be posted on the Online Public Notice System and BGCSB web page as soon as confirmed. Currently scheduled:

March 29 @ 6pm

Oral public comment in person at the BGCSB meeting at Pike’s Place Lodge in Fairbanks.

April 10 @ 3pm

Oral public comment at the Atwood Conference Center (ACC) in Anchorage on the 1<sup>st</sup> Floor.

April 13 @ 9am via Zoom

Written public comment only.

The meeting adjourned at 10:40am.

Comments, feedback, and ideas may be submitted to [BigGameCommercialServicesBoard@Alaska.Gov](mailto:BigGameCommercialServicesBoard@Alaska.Gov). They will be forwarded to workgroup members ahead of the next upcoming meeting.